

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Dennis Withington, Council Member
Ray Caranci, Council Member
Dr. Teresa Johnson, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
WEDNESDAY, July 7, 2021**

NOON

AGENDA

- I. Call to Order**
- II. Presentations/Proclamations**
- III. New Business:**
 - a. Discuss proposed code amendments (sign code, subdivision code)**
- V. Old Business**
- VI. Council, Attorney and Staff Reports**
- VII. Adjournment**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370

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**TOWN COUNCIL WORKSHOP
WEDNESDAY, JULY 7, 2021**

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on July 7, 2021. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council and exhibit signs of illness, such as coughing or sneezing, please do not enter Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. Town Council has considered the health, safety and welfare of its residents and the public, and voted to continue to require face masks be worn during public meetings and public hearings in Town Hall and Town Council Chambers to address the Town Council. Those persons gathering outside the Town Hall are encouraged to maintain a separation of at least six feet from one another. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the meeting begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding.

**TOWN OF HAVERHILL
Town Council Workshop
July 7, 2021
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a combined Haverhill Town Council and Code & Ordinance Workshop was held on Wednesday, July 7, 2021, at Town Hall, 4585 Charlotte Street, Haverhill. Those present Mayor Jay Foy; Council Member Dennis Withington; Council Member Teresa Johnson; Town Attorney John Foster; Town Administrator Janice Rutan and Deputy Town Clerk Jean Wible.

Also in attendance was Pastor Chris Padgett of The Abundant Life Church of God and Pastor Mike Moore of Haverhill Baptist Church.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:05 p.m.

II. PRESENTATIONS / PROCLAMATIONS

NA

III. NEW BUSINESS

- a. **Discuss proposed code amendment of sign code:** Town Attorney Foster included in today's packet a one-page new language draft regarding Sign Code Revisions for Places of Worship taken from the City of West Palm Beach. Attorney Foster explained to Pastor Padgett and Pastor Moore that there were only three (3) Town Council members currently present so this will be a preliminary discussion today until we were able to have full Council back.

The draft read in full:

New Definition: *Changeable copy sign* means a sign with informational content that can be changed or altered by manual or electronic means to display a message.

Attorney comment: Under New Definition above, the City of WPB refers to houses of worship, but the Town's code (uses) defined as places of worship, and this would include schools in the Town's definition.

Changeable copy signs for places of worship (manual or electronic): In addition to signs permitted pursuant to this section, freestanding manual, or electronic changeable copy signs with one or two faces and wall mounted manual or electronic changeable copy signs with one face shall be permitted for places of worship subject to the following controls:

a. Permitted content: Any information related directly or indirectly to the activities of the place of worship. In addition, signs permitted pursuant to this section may contain any noncommercial message which has not been declared by a court of competent jurisdiction to be obscene, defamatory, or otherwise contrary to law.

b. Content change: Signs permitted pursuant to this section shall be permitted to change its message no more than four times within a 24-hour period. Attorney note: **Attorney Foster explained to both Pastor Padgett and Pastor Moore that the difficulty will be that the Town is almost all residential zoning and that presents a problem for anybody who wants signage. He continued that an exception is being considered/presented to the Town Council for places of worship even though they are within residential zoning. Discussion ensued.**

c. Maximum area: 24 square feet per face. The electronic changeable copy area of the sign shall not exceed 25 percent of the total sign area.

d. Maximum number: one per lot.

e. Location: on the same lot as the use to which it is accessory; provided, however, that such signs shall only be permitted for places of worship with frontage on Haverhill Road, Belvedere Road or Military Trail.

f. Time Restriction: The changeable electronic bulletin board portion of the sign shall not be operational earlier than 7:00 a.m. EDT or 6:00 a.m. EST, or later than 9:00 p.m. EDT and 8:00 p.m. EST.

g. Illumination: The sign or source of illumination shall be shielded such that the source of light is not visible from any abutting property that includes a residential dwelling.

Attorney comment: abutting property means a property that is immediately adjoining your property. That which you share a property line with.

Mayor Foy asked if that included the ROW (Right-of-Way) can it be across the street. Attorney Foster replied, our definition does not include across the street only if sharing a property. **Discussion ensued.**

h. Minimum setbacks:

1. From lot line of another lot: 20 feet.

2. From public right-of-way: 15 feet if all sign faces placed parallel to the street and 20 feet if one or more sign faces not placed parallel to the street.

3. From intersections of streets with other streets and with access drives as required by the town code, and/or County or FDOT code. **Attorney note: both Belvedere Road and Haverhill Road are county roads, and they may have their own requirement.**

i. Maximum height:

1. Low freestanding: 6 feet.

2. Wall-mounted: 12 feet. **Attorney comment: from City of WPB Code**

j. Prohibited lighting for an electronic message sign:

1. Lamps or bulbs in excess of 30 watts. **Attorney comment: Equal to 300 lumens from what he had read. Mayor Foy would like lumens researched. Mayor Foy said we need to find something that defines the net brightness not the power consumption. Discussion ensued.**

2. Exposed reflectorized lamps or bulbs.

3. Lamps or bulbs not covered by a lens, filter, louver, or sunscreen.

4. Modes of operation that scroll, flash, zoom, twinkle or sparkle.

Discussion ensued.

Town Attorney Foster announced the first and second ready on the sign code will likely be in August 2021.

- b. **Discuss proposed code amendment of subdivision code re: 5200 Club Road, Property Owner Kevin Tan:** Town Attorney John Foster stated when reviewing over the subdivision ordinance, it was kind of interesting to him because it seemed like the roadways, unless creating a public road like D.R. Horton did, Mr. Tan would have to create a new roadway to access those lots and that is with 50ft curb and gutter. Attorney Foster would like to have Town Planner Josh Nichols take a look at it. Mayor Foy suggested Mr. Tan contact a planner to advise him properly. **Discussion ensued.**

Note: Today's packet included redlined additions/deletions subdivision code that read in part:

Streets: All streets and their related facilities which are designed to serve more than one lot or dwelling unit shall be dedicated to the town for public use. ~~unless otherwise required or permitted by this paragraph or by the Town.~~ **No private streets shall be permitted.** ~~Any street which is to be reserved as a private street~~

~~shall be identified on the plat as a tract for private street purposes. Private streets may only be permitted when such streets are subject to a recorded declaration of covenants subjecting the streets to the jurisdiction and control of all lot owners deriving access from such streets their successors and assigns.~~

Attorney Foster stated on page 6 Section 54-5 Paragraph 1 - *Access and Circulation Systems*, all streets and required sidewalks, and, when required under and construction requirements of the town, which are 50 feet of right-of-way with curb and gutter, and 60 feet of right-of-way with swales. However, the town council may vary the right-of-way requirement to no less than 40 feet curb and gutter provided an acceptable amount of easement area is dedicated for utilities, ~~and 32 feet for a private road serving no more than two abutting lots in a subdivision.~~

Sec. 54-6. – Access and circulation systems.

(a) ***Vehicular circulation systems:*** Paragraph 1. Required improvement to be constructed by developer. All streets, alleys, and related facilities required to serve the proposed development shall be constructed by the developer. Construction shall consist of, but not be limited to, grading, base preparation, surface course, and drainage. All streets, ~~whether intended for dedication to the Town or reservation for private use and maintenance~~, shall be constructed to the minimum standards established by this chapter and the town standards. Notwithstanding the foregoing, or anything contained herein to the contrary, all streets serving subdivisions to be constructed by developer shall have a minimum right-of-way of 50 feet with curb and gutter and 60 feet with swale. However, the town council may vary the right-of-way requirement to no less than 40 feet curb and gutter provided an acceptable amount of easement area is dedicated for utilities, or ~~32 feet for a private road serving no more than two abutting lots in a subdivision~~. Additionally, the developer shall construct any parking tracts which provide access to any clustered lots that do not have direct, primary access from a local street or residential access street. Construction of such parking tracts shall be completed prior to issuance of any certificate of occupancy for any dwelling unit located on a clustered lot served by such parking tract. Construction of the parking tract may be done in conjunction with building construction on the lot the tract is to serve provided, however, that such construction shall be noted on the approved paving, grading and drainage plans in a form acceptable to the town. When the parking tract is to be completed in conjunction with building construction, the developer shall execute a certificate of compliance on a form approved by the town prior to issuance of the certificate of occupancy for any dwelling unit or building served by such parking tract.

Paragraph 2: A common driveway may not, ~~with prior approval by the Town~~, be utilized for legal access to ~~a group of not more than two~~ abutting lots situated on a residential access street notwithstanding the fact that ~~where said lots would~~

~~otherwise have no reasonable means of obtaining direct access to or required frontage on the adjacent residential access street. Said driveway shall be delineated and reserved on the applicable plat for purpose of perpetual access to the lots served and shall meet the minimum right of way and pavement width requirements.~~

Section 54-12 Fire Hydrants.

Attorney Foster posed a question to Council Member Withington regarding fire hydrants in a single-family development of less than five units per acre. Attorney Foster stated we specify the spacing of hydrants, he asked if the Fire Department had its own standard. Council Member Withington replied no, the city had the standard. Council Member Withington was not exactly sure what that distance was. Discussion ensued.

Sec. 54-13 Subdivision design and survey requirements.

Attorney Foster added under Paragraph 2; section d – **Lots:** All lots shall have the area, frontage, width, and depth required by this Code or applicable zoning approval for the prevailing or approved use zone wherein said lots are located. All lots within a subdivision must have legal access to a local street dedicated to the town.

(4) Lot Width. Notwithstanding anything contained in the Code to the contrary, the subdivision of lots in the R-1 Single Family Residential District which will result in lot width of no less than 90 feet may be approved by the Town Council; provided, however, that all other building requirements set forth in Sec. 58-170 are met, along with any additional requirements requested by the Town Council.

Discussion ensued.

Town Administrator Rutan stated that on July 22, 2021 (at Town Council meeting) we will need to adopt our millage rate. She reported that Town Council was settling for the 4.5000.

Town Administrator Rutan stated that it had been several years since the Town had increased its Business Tax Receipt fees and under the law, we are allowed to increase it by 5% per year and again we have not done this in years. She asked if Town Council wanted to wait another year for the pandemic to calm down before charging our residents. **Discussion ensued.**

Council Member Johnson stated she had an idea to create a “family fun” day and potentially find teens in the various neighborhoods to compete in a kickball game. Town Administrator Rutan stated we would have to bring the mound and field up to safety. **Discussion ensued.**

IV. OLD BUSINESS

N/A

V. COUNCIL, ATTORNEY AND STAFF REPORTS

Mayor Foy announced there will not be a quorum at next Thursday's meeting. Town Attorney Foster explained that Mayor Foy and Town Administrator Rutan will need to show up, Mayor Foy will need to open the meeting, Town Administrator will do roll call and announce there is no quorum and the business for this evening will be continued until a next meeting.

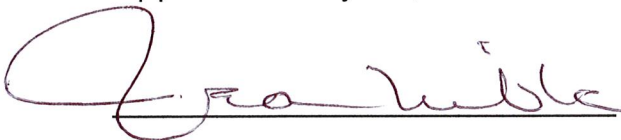
Town Administrator Rutan stated that she and Deputy Town Clerk Jean Wible had a question for Town Council regarding lunch that was provided at workshops. Are we ready to go back to "buffet" type lunches or still want individually wrapped served? Mayor Foy stated he would like to keep it as is until it can be discussed with all 5 Town Council Members.

Town Administrator Rutan asked Mayor Foy to please reach out to her tomorrow as she would like to schedule some interviews early next week for the open Code Inspector position.

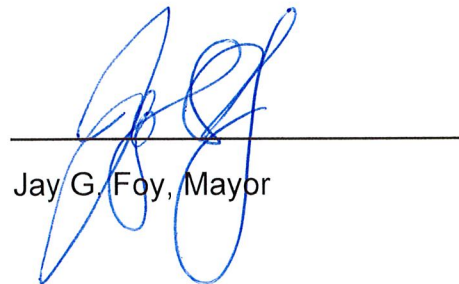
VI. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:05 p.m.

Approved: July 22, 2021



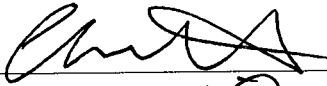

Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
Tuesday, July 7, 2021
Noon

Name	E- Mail Address	Signature
Pastor Chris Padgett		
Pastor Mike Moore	pastormike@haverhillbaptist.com	
Jay Foy		
Dennis Withington		
Terress Johnson		
Sean Wilde		
John Foster		
Sami e Ruten		