

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 MEETING
November 18, 2021
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on November 18, 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. Masks will be required for those persons entering Council Chambers. 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.

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TOWN COUNCIL REGULAR MEETING
Thursday, November 18, 2021
6:30 p.m.
REVISED AGENDA

- I. COMMENTS FROM THE PUBLIC
- II. APPROVAL OF AGENDA
- III. APPROVAL OF THE CONSENT AGENDA
 - a. Approval of the minutes for October 14, 2021, and October 28, 2021, Regular Meeting
- IV. PROCLAMATIONS AND PRESENTATION
- V. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- VI. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE
- VII. REGULAR AGENDAS
 - A. Act on request of Servando Maldonado, of Servando Maldonado Landscaping LLC, property owner of 5100 Belvedere Road, Haverhill, FL to allow for a variation of Section 58-319 (b) by installing one 5' lion statute on top of each (2) 4' high foundations.
 - B. DISCUSS ORDINANCE NO. 501: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING REFERENCES TO PRIVATE ROADS AND DRIVEWAYS BEING ABLE TO SERVE AS ACCESS TO LOTS IN ANY NEW SUBDIVISION; REQUIRING ALL LOTS WITHIN A SUBDIVISION TO HAVE LEGAL ACCESS TO A LOCAL STREET DEDICATED TO THE TOWN; ALLOWING, WITH COUNCIL APPROVAL, THE SUBDIVISION OF LOTS WITHIN THE R-1 SINGLE FAMILY DISTRICT PROVIDED THE LOT WILL BE AT LEAST NINETY FEET WIDE AND MEET THE OTHER REQUIREMENTS OF THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
 - C. DISCUSS ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE

TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

D. CONSIDER FY 2020/2021 BUDGET AMENDMENTS AS RECOMMENDED BY STAFF (IF NECESSARY).

VIII. PUBLIC HEARINGS AND SECOND READINGS:

a. SECOND READING: ORDINANCE NO 498: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 1.03 BY CLARIFYING THE GENERAL POWERS OF THE TOWN; SECTION 2.04 BY DELETING THE REFERENCE TO REMOVAL OF ELECTED OFFICIALS BY ANY MEANS OTHER THAN BY GENERAL LAW OF THE STATE OF FLORIDA; SECTIONS 2.05 AND 2.06 TO CLARIFY THAT THE TERM OF OFFICE BEGINS AFTER RECEIPT OF THE CERTIFIED ELECTION RESULTS FROM THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR ON THE DATE THE ELECTION WOULD HAVE OCCURRED IN THE EVENT THAT THE ELECTION IS UNCONTESTED; SECTION 3.05 BY SPECIFICALLY AUTHORIZING THE TOWN COUNCIL TO EMPLOY AND RETAIN PROFESSIONALS AND CONSULTANTS; SECTION 4.03 BY DETAILING THE PROCESS IF A CANDIDATE DIES, WITHDRAWS, BECOMES DISQUALIFIED, OR IS OTHERWISE REMOVED FROM THE BALLOT BETWEEN THE PERIOD BETWEEN THE SUBMISSION OF THE BALLOTS FOR PRINTING AND THE ELECTION AND DEEMING THE REMAINING CANDIDATE IN A TWO PERSON RACE THE VICTOR IF THE OTHER CANDIDATE DIES, WITHDRAWS OR IS OTHERWISE DISQUALIFIED; SECTION 4.05 TO AUTHORIZE THE COUNCIL TO ESTABLISH THE DATE OF THE GENERAL OR SPECIAL ELECTION AND ALLOWING FOR TIES IN ELECTIONS TO BE DECIDED BY THE DRAWING OF LOTS, INCLUDING DEFINING "DRAWING BY LOTS" IN SECTION 5.01(20); ADDING A NEW SECTION 4.06 TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE FOR THE CONDUCT OF ELECTIONS NOTWITHSTANDING ANY OTHER PROVISION OF THE CHARTER TO THE CONTRARY; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

b. SECOND READING: ORDINANCE NO. 503: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE

HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.05 BY AMENDING THE CHARTER TO CHANGE THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO YEARS TO THREE YEARS, BEGINNING WITH THE MARCH GENERAL ELECTION TO BE HELD FOLLOWING THE APPROVAL OF THE AMENDMENT OF THE CHARTER BY THE ELECTORATE; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

c. SECOND READING: ORDINANCE NO. 504: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 4.03 BY AMENDING THE CHARTER TO IMPOSE A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE FIRST DAY OF QUALIFYING AND AUTHORIZING THE TOWN COUNCIL TO ESTABLISH BY ORDINANCE CRITERIA TO SHOW A CANDIDATES RESIDENCY IN THE TOWN; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

d. SECOND READING: ORDINANCE NO. 505: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.03 BY AMENDING THE CHARTER TO PROVIDE THAT IF THE ELECTORS OF THE TOWN APPROVE THE EXTENSION OF THE TERM OF OFFICE FOR A COUNCILMEMBER FROM TWO YEARS TO THREE YEARS, THAT A SPECIAL ELECTION BE HELD FOR ANY VACANCY THAT OCCURS WITH EIGHTEEN MONTHS OR MORE LEFT IN THE TERM OF THE SEAT THAT IS BEING VACATED AND IF NO ONE QUALIFIES FOR THE SPECIAL ELECTION, THAT THE SEAT BE FILLED BY APPOINTMENT OF THE REMAINING MEMBERS OF THE TOWN COUNCIL; PROVIDING THAT IF A VACANCY OCCURS IN A COUNCIL SEAT WITH LESS THAN EIGHTEEN MONTHS REMAINING IN A TERM, BUT MORE THAN ONE HUNDRED SEVENTY NINE DAYS, THE REMAINING COUNCIL MEMBERS MUST MAKE A GOOD FAITH EFFORT

TO APPOINT A SUCCESSOR TO FILL THE REMAINDER OF THE TERM; AND IF LESS THAN ONE HUNDRED AND EIGHTY DAYS REMAIN IN THE TERM OF A SEAT BEING VACATED, THE REMAINING MEMBERS MAY, BUT ARE NOT REQUIRED TO APPOINT A SUCCESSOR; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

e. SECOND READING: ORDINANCE NO. 508: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE III, FINANCIAL MATTERS, DIVISION 2, PURCHASING, SECTION 2-66, BIDDING PROCEDURES, BY DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

IX. REPORTS

Town Attorney

Mayor

Town Administrator

Committee/Delegate Report

Treasurer's Report (included in packet)

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. 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