

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
THURSDAY, FEBRUARY 9, 2023
6:30 P.M.**

AGENDA

CALL TO ORDER

ROLL CALL

COMMENTS FROM THE PUBLIC

AGENDA

- 1. Adoption of the International Property Maintenance Code (IPMC)**
- 2. Rental Unit Licensing**
- 3. Code Amendment Regarding Noise Waivers**
- 4. Code Amendment Regarding Alternative Citation Process**

COUNCIL, ATTORNEY & STAFF REPORTS

ADJOURNMENT

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
Tracey L. Stevens, Town Administrator



**TOWN COUNCIL WORKSHOP
AGENDA
FEBRUARY 9, 2023**

Public comment will be received via e-mail (tstevens@townofhaverhill-fl.gov) up until noon on February 9, 2023. Any public comments received via e-mail will be made part of the record of the meeting. 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 inform the Town Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Once the meeting begins, all participants will be muted; however, after Council discusses a specific agenda 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.

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 Tracey L. Stevens, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida at (561) 689-0370.

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
THURSDAY, FEBRUARY 9, 2023
6:30 P.M.
OFFICIAL MINUTES**

The workshop meeting of the Haverhill Town Council was held on Thursday, February 9, 2023, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led in the Pledge of Allegiance.

ROLL CALL

Town Administrator Stevens called the roll and Council Members present were Mayor Jay G. Foy, Vice Mayor Lawrence Gordon, Council Member Ray Caranci, and Council Member Dennis Withington. Council Member Teresa Johnson was tardy with notice, and arrived at 7:03 p.m. Town Attorney Foster, Town Administrator Stevens, and Public Services Coordinator/Code Enforcement Officer Petrick were also present. With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

There were no comments offered from the public.

WORKSHOP AGENDA

1. Adoption of the International Property Maintenance Code (IPMC)

Public Services Coordinator/Code Enforcement Officer (CEO) Petrick informed the Council that the International Property Maintenance Code (IPMC) may be adopted by individual communities to supplement the Town Code regarding property maintenance. He distributed a letter from Dottie Mazzarella of the International Code Council which outlined the benefits of adopting the code such as safety standards and noted that it would be a great tool if the Town Council decides to proceed with a rental unit licensing program, as there are rental and inspection standards in the IPMC. He also stated that the display of house numbers is covered under IPMC and is not covered under current Town Code. He noted that the current Town Code is good regarding property maintenance, and the IPMC would supplement that with more specifics and provide another tool for enforcement. He stated that Town Code would prevail if there is a conflict between the two codes.

Discussion ensued and Mayor Foy asked if the IPMC covers inside and outside property maintenance and if the Town would be inspecting the interior of properties. CEO Petrick responded that an inspection would take place inside a rental unit if the Town Council moves forward with the rental unit licensing code.

Council Member Withington voiced his concern that the IPMC requires that all parking areas be paved, and the Town of Haverhill has several roads that are unpaved. CEO Petrick mentioned that the requirement for paved areas is a safety measure for proper ingress and egress. Vice Mayor Gordon noted that the Town would be hard pressed to require that a driveway or parking lot be paved if the road is unpaved. Town Administrator Stevens followed up by asking if the Town could tailor the IPMC to meet its needs, and CEO Petrick stated that a few areas could be modified, but the actual codes themselves would need to be adopted as-is.

TOWN COUNCIL WORKSHOP MEETING MINUTES OF FEBRUARY 9, 2023

Mayor Foy asked for specifics to Haverhill as to why we would need to adopt the IPMC and CEO Petrick stated that the IPMC addresses several areas that would provide an extra tool during the code hearing process. Town Administrator Stevens indicated that this is a very early discussion regarding the adoption of the IPMC and more research into it would occur. Town Attorney Foster stated that it's always good to review codes from other sources that have been tested and proven to work well and provide more defense during a code enforcement hearing.

Vice Mayor Gordon suggested that the Town adopt the code regarding house number identification at the very least to protect residents during emergency situations. The Council agreed.

Town Administrator Stevens suggested that the Town could purchase the printed copy of the code to distribute to Council Members for review as the next step. **There was consensus of the Council to purchase the printed copy of the IPMC for review.** Town Administrator Stevens stated that she would also provide Haverhill's property maintenance code (beginning at Section 58-580) for comparison purposes.

2. Rental Unit Licensing

Public Services Coordinator/Code Enforcement Officer Petrick provided the Council with rental property guidelines and City Code regarding rentals from the City of West Palm Beach to review. Town Administrator Stevens noted that this item is on the agenda at the request of Council Member Caranci at the last meeting. Council Member Caranci indicated that it had come up due to past discussions with the previous Town Administrator.

Mayor Foy stated that the Town discussed rental unit licensing in the past and decided at that point that it would be too burdensome on a small staff. There was discussion regarding how the town would know if someone was renting out their property and Town Administrator Stevens stated that the Town already has a business tax receipt process for rentals; however, it's an honor system because there's really no way for Town Staff to know who is renting out their home. She indicated that the Town could contract with a company that specializes in identifying rental units, at no cost to the town. The business tax receipt or rental unit license fee could incorporate the fee that the company charges.

CEO Petrick stated that the inspection process for rentals would take around 15-30 minutes each and the purpose of the inspections is for safety of tenants.

Council Member Withington asked how many rental units have filed for a business tax receipt, and Town Administrator Stevens responded that she would gather that information.

Discussion ensued regarding rental unit safety and how the town would ensure all rentals were licensed and inspected for safety reasons. Council Member Johnson asked if the town had received many calls regarding safety complaints, and CEO Petrick responded that we have not received any calls. Council Member Johnson stated that she does not wish to place any undue burden on residents; however, she does see a balance in keeping the properties safe for tenants and does not believe we can have it both ways. She suggested evaluating it on a month-to-month basis to see if we receive any calls regarding safety. Mayor Foy stated he agrees with Council Member Johnson; however, he is conflicted because if the town turns a blind eye to proper maintenance and someone gets hurt, it's not a good situation for the town to be in. Council Member Withington asked if the town would incur any liability if the town inspects the property and deems it safe and then someone gets hurt. Mayor Foy stated that the town has sovereign immunity and insurance; however, that will not stop someone from suing the town.

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CEO Petrick stated that the standard for inspections is very basic such as whether the unit has hot water available, light switches are covered, lights are working, the toilet flushes, etc.

Council Member Caranci stated that we do have properties that are suspected of being divided into multiple units with unsafe conditions, and we have no way of knowing if that is true or not currently.

3. Code Amendment Regarding Noise Waivers

Town Attorney Foster reported that the Town's current noise waiver provision needs to be amended as the current provision allows for a noise waiver for up to 180 days which staff is proposing to remove. In addition, staff is recommending that the notification to properties within 300 feet of the subject property be notified when the application is submitted and in advance of the application being approved, as opposed to after the fact. Other language that staff is recommending is that a waiver previously granted does not entitle the person to another waiver. Town Attorney Foster also mentioned that he may add language that a person may not apply for a waiver too far in advance of an event.

4. Code Amendment Regarding Alternative Citation Process

Town Attorney Foster reported that he met with the Town Administrator and Code Enforcement Officer to discuss an alternative citation process. The current code allows for a citation process to be heard before the County Court; however, there is an alternative citation process in Chapter 162 that the town could utilize that would be heard before the Special Magistrate. This is a citation process with a fine associated with it that could be appealed to the Special Magistrate as opposed to the County Court. Staff is recommending this as an addition to the normal code enforcement procedures, which would provide an additional tool for code enforcement. This is something that other towns utilize currently. Town Administrator Stevens mentioned that this alternative process will save the resident money as well as the town. She stated that staff will need to develop and submit to the Council a citation fee schedule. Council Member Johnson asked if staff would be looking to other towns to see how much they charge, and Town Administrator Stevens confirmed.

COUNCIL, ATTORNEY & STAFF REPORTS

- A. Town Administrator Stevens distributed two versions of the "Welcome to Town of Haverhill" sign artwork for discussion. One version shows "Welcome Town of Haverhill", and the other version shows "Welcome Haverhill". Mayor Foy asked about the locations of the signs and Town Administrator Stevens stated that all four entrance signs to the Town will be replaced (Belvedere/Military Trail; Belvedere Road near Haverhill Park; Haverhill Rd at the South end of Town; and Haverhill Rd at the North end of Town). Town Administrator Stevens stated that the cost will be approximately \$1,500 per sign, or \$6,000 total for four signs, and staff will install them. She indicated that staff has already inquired with the County regarding permitting, and permits are not needed as we are replacing existing signs that are similar in size. Public Services Coordinator/Code Enforcement Officer Petrick described the process that staff went through to gather sign specifications and quotes from several vendors. Council Member Withington asked about the size of the signs and Town Administrator Stevens responded that it will be approximately 36" by 24" which is the same size we have now, although it will be a horizontal sign as opposed to vertical so it will look larger. Vice Mayor Gordon indicated that the cost seems high, and Town Administrator Stevens responded that she will check with the Grants Administrator to see if we can utilize ARPA funding for the signs. Town Administrator Stevens stated that the other traffic control signs on our list will be replaced within the current budget as well. **There was consensus of the Council that the "Welcome Town of Haverhill" sign would look better.**

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- B. Town Attorney Foster mentioned that there is current case law regarding advertising for second reading of ordinances that would require a municipality to advertise for second reading of an ordinance a second time if the ordinance is postponed to a later meeting date. This could become quite costly for municipalities, as advertising is expensive, especially for re-zonings, etc.
- C. Council Member Johnson reported that the Re-Entry Task Force met recently and she learned there is now a probation bus that will pickup folks where they are located. They are in hopes that this will minimize the violations that occur due to lack of transportation.
- D. Vice Mayor Gordon reported that he and Town Administrator Stevens attended the last Palm Beach County League of Cities meeting and there was a short seminar after the meeting regarding how to gain grant dollars for a municipality. Septic to Sewer conversion is a hot topic right now and there is grant money available. He noted that the major take away from the seminar was that municipal staff that have received grants relied upon a hired professional Grant Writer. Mayor Foy stated that the administration of a grant is what takes staff the most time, and Town Administrator Stevens stated that the town would need a professional who is experienced in grant writing and administration of the grant. Mayor Foy noted that staff would still need to work with the grants administrator to supply information. He noted that municipalities tend to lose money if the grant is less than \$100,000, but anything over that may be worth it. Mayor Foy stated that Haverhill may be eligible for a grant for septic to sewer due to its septic tank density. He originally thought the priority was due to the well fields; however, he recently found that it was due to septic tank density. He also mentioned that viruses/bacteria in septic tanks have been proven to travel more than 200 feet which poses a health risk. Council Member Johnson stated that state appropriations may be available, and it is looked favorably upon if an entity has matching funds and other funding sources. She stated that septic to sewer conversion is an important topic that will be tackled in the future.

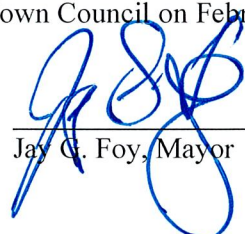
ADJOURNMENT

There being no further business to come before the Town Council, the meeting adjourned at 7:46 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on February 23, 2023.

Approved: _____


Tracey L. Stevens, Town Administrator


Jay G. Foy, Mayor