

**TOWN OF HAVERHILL
TOWN COUNCIL SPECIAL MEETING
THURSDAY, SEPTEMBER 14, 2023
6:00 P.M.
OFFICIAL MINUTES**

The special meeting of the Haverhill Town Council was held on Thursday, September 14, 2023, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:00 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, Council Member Teresa Johnson, and Council Member Dennis Withington. Town Staff present included Town Attorney Foster and Town Administrator Stevens. With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

There were no comments from the public at this time.

APPROVAL OF THE AGENDA

Mayor Foy asked if there were any additions, deletions, or modifications to the agenda, and there were none.

Council Member Withington moved to approve the agenda as submitted; seconded by Council Member Johnson. Motion carried 5-0.

APPROVAL OF THE CONSENT AGENDA

1. Approval of the minutes of the August 24, 2023, Regular Meeting

Vice Mayor Gordon moved to approve the consent agenda as submitted; seconded by Council Member Caranci. Motion carried 5-0.

PRESENTATIONS

2. Infrastructure Surtax Citizens' Oversight Committee Annual Report & Recommendations

Infrastructure Surtax Citizens' Oversight Committee Chairperson Salesia Smith-Gordon presented the committee's annual report and recommendations to the Council. The recommendations were to pay off the current Seacoast drainage loan, and to pave a portion of the Town Hall parking lot that is currently not paved. Council Member Caranci asked if he could suggest an infrastructure surtax project in his neighborhood, and Mayor Foy suggested doing so at a future meeting.

REGULAR AGENDA

3. Receive & File Infrastructure Surtax Citizens' Oversight Committee Annual Report
Council Member Johnson moved to receive and file the Infrastructure Surtax Citizens' Oversight Committee annual report ending September 30, 2022; seconded by Vice Mayor Gordon. Motion carried 5-0.

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4. Authorize Town Administrator Stevens to Pay Off Current Seacoast Drainage Loan Utilizing Infrastructure Surtax Funds as Recommended by the Infrastructure Surtax Citizens' Oversight Committee

Mayor Foy called for comments from the public, and there were none.

Council Member Withington moved to pay off the current Seacoast drainage loan utilizing Infrastructure Surtax Funds; seconded by Council Member Caranci. Motion carried 5-0.

5. Approval of Paving Project at Town Hall Utilizing Infrastructure Surtax Funds as Recommended by the Infrastructure Surtax Citizens' Oversight Committee

Council Member Withington mentioned that the two proposals that were submitted were very different. Town Administrator Stevens stated that staff is concerned that we won't get the quality that we're looking for from the contractor that submitted the low proposal. She noted that staff could try to receive a third proposal prior to moving forward with the project. Discussion ensued and Council Members agreed that they would like to see a third proposal.

Mayor Foy called for public comment, and there was none.

Council Member Caranci moved to approve the Town Hall paving project utilizing Infrastructure Surtax funds, subject to receiving a third proposal, and postpone the vote on selecting a contractor until a third proposal is received; seconded by Council Member Withington. Motion carried 5-0.

6. Legislative Update by the Town Attorney

Town Attorney Foster updated the Council on legislation that passed during the 2023 legislative session that impacts the Town, and he described the impacts. A written report was included in the Council meeting packages. He answered any questions the Council Members posed.

7. Council Member Orientation by the Town Attorney

Town Attorney Foster conducted the annual Council Member orientation and reviewed the roles and authority of the Council both in its collective form and as individual Council Members, as well as the role of the Town Administrator. He explained the Council-Manager form of government, and policies related to Sunshine laws, public records laws, civility and meeting decorum, interaction with Town Staff, and the difference between Town interests and personal interests.

PUBLIC HEARING ON THE FY24 TENTATIVE BUDGET (TO BEGIN AT 6:30 PM)

8. Tentative Budget Hearing for FY24

a. Town Administrator's Presentation of the Tentative Budget & Proposed Millage Rate for the FY2023/2024 Budget

Town Administrator Stevens presented the Tentative Budget and Proposed Millage Rate for FY23/24, noting that the mil rate of 4.05 is a decrease from last year's mil rate of 4.35. She noted that it is Management's recommendation that the Town Council adopt the balanced tentative operating budget in the amount of \$1,429,205; the Special Revenue Infrastructure Surtax Fund budget in the amount of \$279,000; the Special Revenue Building Department Fund budget in the amount of \$136,915; and the Special Revenue American Rescue Plan Act (ARPA) Fund budget in the amount of \$709,888 for the fiscal year October 1, 2023, through September 30, 2024.

b. Town Administrator Stevens Announced the Town of Haverhill Computed Millage Rate is Higher Than the Rolled Back Rate of 3.6834 by 9.95%. The millage to be levied is 4.0500.

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c. Public Comment and Comments by Town Council Members

Mayor Foy called for public comment, and there was none.

Mayor Foy called for Council Member comment, and there was none.

d. Resolution No. 2023-04: Adoption of Tentative Millage Rate for FY2023/2024

Town Attorney Foster read Resolution No. 2023-04 into the record.

Mayor Foy called for comments, and there were none.

Council Member Withington moved to adopt Resolution No. 2023-04, adopting the tentative millage rate of 4.05 for FY2023/2024; seconded by Council Member Caranci. Motion carried 5-0 at 6:43 p.m.

e. Resolution No. 2023-05: Adoption of Tentative Budget for FY2023/2024

Town Attorney Foster read Resolution No. 2023-05 into the record.

Mayor Foy called for comments, and there were none.

Council Member Withington moved to adopt Resolution No. 2023-05; seconded by Council Member Caranci. Motion carried 5-0 at 6:44 p.m.

f. Town Administrator Stevens Announced the second/final hearing on the FY2023/2024 Budget will be held at 6:00 p.m. on Thursday, September 28, 2023, at Town Hall.

PUBLIC HEARINGS & ORDINANCE READINGS

- 9. First Reading and Adoption of Ordinance No. 518 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING DIVISION 14, PROPERTY MAINTENANCE STANDARDS, OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, CHAPTER 58, ZONING, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, BY ADDING A NEW SECTION CREATING NEW STANDARDS FOR THE NUMBERING OF BUILDINGS AND HOMES IN THE TOWN, INCLUDING STANDARDS REGARDING THE LOCATION, SIZE AND TYPE OF NUMBERING AND THE MAINTENANCE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.**

Town Attorney Foster read Ordinance No. 518 into the record.

Mayor Foy called for public comment, and there was none.

Vice Mayor Gordon moved to adopt Ordinance No. 518 on first reading; seconded by Council Member Withington.

Mayor Foy called for comments from Council Members, and Council Member Johnson asked if this ordinance is relative to rental properties, and Town Attorney Foster stated this is relative to all properties within the town. He stated this is a life-safety issue to help first responders identify properties in the event of an emergency or natural disaster.

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Council Member Caranci asked if numbers would be required on both the mailbox and house, and Town Attorney Foster explained that they would be required on both to provide a backup if a mailbox is destroyed or displaced during a natural disaster. Council Member Withington noted that it is more of an issue on commercial properties than residential properties during an emergency.

Mayor Foy asked if this will be required for all properties, and Town Attorney Foster stated that it would be required for all properties once the ordinance is adopted on second reading.

Motion carried 5-0.

- 10. First Reading and Adoption of Ordinance No. 519 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING DIVISION 6, LANDSCAPING REQUIREMENTS, OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, CHAPTER 58, ZONING, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, BY AMENDING SECTION 58-419, EXOTIC VEGETATION REMOVAL, TO ADOPT THE LIST OF PROHIBITED PLANT SPECIES AS PUBLISHED BY THE UNIVERSITY OF FLORIDA, INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.**

Town Attorney Foster read Ordinance No. 518 into the record and explained the changes that are being proposed by staff.

Council Member Caranci stated that he was involved with the writing of the City of West Palm Beach's ordinance regarding exotic vegetation, and he suggests that instead of referencing the University of Florida prohibited plant species list which is hard to find online, that we reference state statute and the noxious weed list as published by the Florida Department of Agriculture and Consumer Services, along with listing the plant species that we know are a problem and prohibited. Mayor Foy noted that he likes having the prohibited plants specifically listed in the code. He stated he is in favor of keeping the code that allows removal by the property owner at the minimum rate of one per year until all prohibited species are removed, as it helps the homeowner financially.

Mayor Foy called for public comment, and there was none.

Council Member Caranci moved to adopt Ordinance No. 519 on first reading incorporating the changes discussed referencing the state statute and noxious weed list; seconded by Council Member Withington. Motion carried 5-0.

- 11. First Reading and Adoption of Ordinance No. 520 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-3, OF CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, TO CLARIFY THAT THE HOUSING CODE FOR THE CITY OF WEST PALM BEACH IS ADOPTED AS THE HOUSING CODE FOR THE TOWN OF HAVERHILL, AND AMENDING CHAPTER 16, BUSINESSES, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, BY ADDING A NEW ARTICLE REQUIRING RENTAL DWELLING UNITS IN THE TOWN**

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TO OBTAIN LICENSES, BE SUBJECT TO PROPERTY INSPECTION AS A CONDITION OF THE ISSUANCE OF THE LICENSE, AND DESIGNATE A RESIDENT AGENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 518 into the record. He explained that the Town had adopted the City of West Palm Beach Housing Code years ago through Ordinance 204, and this ordinance clarifies that and brings it up to date.

Mayor Foy asked questions related to inspection and occupancy requirements, and Town Attorney Foster explained that the Town's occupancy requirements of no more than three unrelated people living in a dwelling unit still apply. Different scenarios were discussed, and Council Member Caranci stated that we need to leave the language as-is so a loophole is not created. He stated that the Town is currently experiencing problems with septic systems overflowing due to too many people living in a dwelling unit. The systems are undersized and outdated to begin with, and then an additional burden is placed on the system when too many people are living in the home. Discussion ensued regarding septic systems.

Council Member Johnson asked what would trigger an inspection, and Town Attorney Foster responded that an inspection will occur once a business tax receipt for a rental property is applied for. Town Administrator Stevens added that a complaint may trigger a code enforcement courtesy letter to be issued as well, depending on the circumstances.

Mayor Foy asked about the cost of the business tax receipt for rentals, and Town Administrator Stevens responded that four units or less would cost \$36.75 and \$15.75 for any units over four.

Mayor Foy called for public comment, and there was none.

Council Member Withington moved to adopt Resolution No. 520 on first reading; seconded by Vice Mayor Gordon. Motion carried 5-0.


ADJOURNMENT

There being no further business to come before the Town Council, the meeting was adjourned at 7:22 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on September 28, 2023.

Approved: _____

Tracey L. Stevens, Town Administrator


Jay G. Foy, Mayor

