

Mayor Joseph S. Kroll
President James E. Woods
Vice President Jay G. Foy

Assistant Town Administrator / Town Clerk Janice C. Rutan
Town Attorney John Foster

Council Member Jerry E. Beavers
Council Member H. Christopher Edden
Council Member U. Jonathan Jadu



TOWN COUNCIL REGULAR MEETING

Town Council Meeting
Town Hall Council Chambers
Thursday ~ January 25, 2007
7:00 p.m.
AGENDA

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF THE CONSENT AGENDA
 - a. Approval of the minutes of the December 14, 2006 Regular Meeting
- VI. PRESENTATIONS AND PROCLAMATIONS
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS
 - a. ORDINANCE NO. 356
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS 1989 COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY CHANGING AN APPROXIMATELY 3.24 ACRE PARCEL FROM THE PALM BEACH COUNTY HR-8 FUTURE LAND USE DESIGNATION TO THE TOWN OF HAVERHILL'S COMMERCIAL DESIGNATION, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
 - b. ORDINANCE NO. 357
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING A 3.24 ACRE PARCEL FROM PALM BEACH COUNTY EXISTING ZONING DESIGNATION OF RM - MULTI FAMILY RESIDENTIAL TO A TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 MEDIUM DENSITY RESIDENTIAL, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP;

PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

c. **ORDINANCE NO. 358**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE VI, DIVISION 4, BY ADDING SELF-STORAGE FACILITIES, WITH LIMITED OFFICE AND RETAIL SPACE, AS A SPECIAL EXCEPTION UNDER SECTION 58-199, CODE OF ORDINANCES, IN THE R-3 ZONING DISTRICT SUBJECT TO SUPPLEMENTAL STANDARDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

- d. **RESOLUTION 2007-03** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE TOWN SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. FIRST READINGS AND REGULAR AGENDA

XI. REPORTS

- a. **Town Attorney**
- b. **Mayor**
- c. **Consultants**
- d. **Assistant Town Administrator/Town Clerk**
- e. **Committee/Delegate Report**
- f. **Treasurer's Report (included in packet)**

XII UNFINISHED BUSINESS

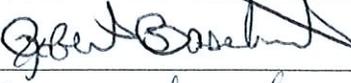
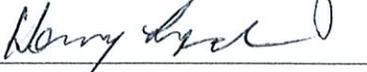
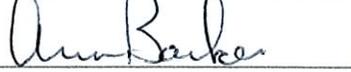
XIII NEW BUSINESS

XIV 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, Assistant Town Administrator and Town Clerk, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

SIGN IN SHEET

Town Council
January 25, 2007

Name	Address	Signature
BOB BASEHART	101 PUGLIESE ^{1'S} WAY DELRAY BEACH, FL	
MERIL STUMBERGER	" " "	
Henry Lynch	1042 PINELAWY DR.	
Dana MacMaha	1835 W. GOLF CLUB DR	
Ann Barker	817 ASPEN RD WPB	

TOWN COUNCIL REGULAR MEETING
Town Council Meeting
Town Hall Council Chambers
Thursday ~ January 25, 2007

OFFICIAL MINUTES

Pursuant to the foregoing notice, a regular meeting of the Haverhill Town Council was held on Thursday, January 25, 2007 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Town Council President James E. Woods; Town Council Vice President Jay G. Foy and Council Member Jerry Beavers. Advisors to the Council present were Town Attorney Lance Fuchs, Town Planner Jack Horniman, Assistant to Town Clerk Betty Sites and Code Enforcement Officer Joseph Roche.

CALL TO ORDER:

Council President Woods called the meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Woods offered the Invocation and led in the Pledge of Allegiance.

ROLL CALL

Council President Woods called the roll. All members were present with the exception of Council Member Edden and Council Member Jonathan Jadu.

APPROVAL OF AGENDA:

Council President Woods asked for a copy of the Minutes of the December 14, 2006 Regular Meeting. Ms. Sites advised the Council that they were not yet available. Vice President Foy made the motion to table the approval of those minutes. Council Member Beavers seconded the motion. Motion passed unanimously.

There being no further additions, deletions or substitutions, the agenda was accepted as presented.

PRESENTATIONS AND PROCLAMATIONS:

None.

COMMENTS FROM THE PUBLIC

Dermot MacMahon, Attorney for Lighthouse Christian Church Attorney MacMahon informed the Council that his client had a contract to purchase the land across from the Haverhill Baptist Church and asked if the Council would be amenable to the building of a church on the site. Town Attorney Fuchs stated that this topic was not on the Agenda and that discussion would not be appropriate. Attorney MacMahon said they only had ten days left on the contract and asked for an indication of probability. Council President Woods said that the Council did not have enough information yet to guess a how a vote would turn out. The matter must go to a Council Workshop for discussion. Planner Horniman told the Council that he had spoken to Attorney MacMahon on the phone and told him that the approval process would have to be conducted at a Workshop. He also told him that a previous prospective buyer of the site had cancelled due to the cost and space constraints on such a project when parking, plumbing and septic requirements are considered.

Henry Lynch: 1042 Pineway Drive. Mr. Lynch requested that the Council not approve the 38' height for the proposed new storage center (Pugliese) discussed at the previous Council meeting. He felt that each new builder would try to push the limits and a dangerous precedent would be set. Planner Horniman responded that the Town code allows parapets to camouflage unattractive roof top structures.

Bob Basehart, Pugliese Representative The extra 3' was to hide bar jousts, etc. necessary for the loads the floors must carry. To compensate, the plans would substantially exceed set backs required by Town codes. President Woods stated this would be further discussed as part of Ordinance 358 coming up.

Duane Murrell, 560 Bethany Lane Mr. Murrell requested that the facility's loading dock be facing the church parking lot instead of the residences across the street. Mr. Basehart said that the plans will be submitted later and he would meet with the neighbors beforehand to get their input so the project will be compatible.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

Palm Beach County Sheriff's office reported that for the past month there had been two reported incidents: the burglary of a lap top computer from an unlocked house and criminal mischief (spray paint graffiti) at 2 AM at a house on Park Hill. Vice President Foy stated that he had been to a League of Cities meeting the day before and learned about gangs in Palm Beach County. He asked if Haverhill had a gang problem. The Sheriff said that the Town did not have one now but it is a growing problem being studied by a new task force within the PBSO. Code Enforcement Officer Roche pointed out that Haverhill is surrounded by neighborhoods where there are big gang problems and that The Sheriff's department has done an outstanding job in Haverhill. Vice President Foy told the Sheriff that he would continue to push for increases in the Sheriff's budget. The Sheriff pointed out that citizens of Haverhill watch out for each other and do call when something is not right. They should continue to do so. President Woods reiterated that the Sheriff's Department is doing a great job and we will continue to work together.

SECOND READINGS AND PUBLIC HEARINGS

ORDINANCE NO. 356

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS 1989 COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY CHANGING AN APPROXIMATELY 3.24 ACRE PARCEL FROM THE PALM BEACH COUNTY HR-8 FUTURE LAND USE DESIGNATION TO THE TOWN OF HAVERHILL'S COMMERCIAL DESIGNATION, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

Vice President Foy asked for the addition of the word "existing" be inserted into the third paragraph of the Ordinance to read: "Whereas, the Petitioner is now requesting that the future land use for the subject property be changed from existing HR-8 under ..."

A motion was made by Council Vice President Foy, seconded by Council Member Jerry Beavers and unanimously approved (3-0) to approve Ordinance No. 356 on second reading.

ORDINANCE NO. 357

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING A 3.24 ACRE PARCEL FROM PALM BEACH COUNTY EXISTING ZONING DESIGNATION OF RM - MULTI FAMILY RESIDENTIAL TO A TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 MEDIUM DENSITY RESIDENTIAL, AS REQUESTED BY ROBERT E. BASEHART, AGENT FOR THE OWNER, FLORIDA TROPIC, LTD., A FLORIDA LIMITED PARTNERSHIP, WHICH PARCEL IS LOCATED ON THE WEST SIDE OF HAVERHILL ROAD APPROXIMATELY .45 MILES NORTH OF SOUTHERN BOULEVARD; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

A motion was made by Council Vice President Foy, seconded by Council Member Jerry Beavers and unanimously approved (3-0) to approve Ordinance No. 357 on second reading.

ORDINANCE NO. 358

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE VI, DIVISION 4, BY ADDING SELF-STORAGE FACILITIES, WITH LIMITED OFFICE AND RETAIL SPACE, AS A SPECIAL EXCEPTION UNDER SECTION 58-199, CODE OF ORDINANCES, IN THE R-3 ZONING DISTRICT SUBJECT TO SUPPLEMENTAL STANDARDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

Vice President Foy expressed concern over the height of the proposed building and urged the Council to carefully consider the site plan when presented. The Code and Ordinance committee will address set backs. Planner Horniman said that this property is annexed into the Town and this is a Special Exception use so the Council can require special conditions, lighting, hours of operation, etc. Council can respond to the concerns of the nearby residents when approving the site plan. Pugliese Representative Basehart stated that they want the input so that they can provide a facility that services the community and is in harmony with the surrounding architecture.

A motion was made by Council Vice President Foy, seconded by Council Member Jerry Beavers and unanimously approved (3-0) to approve Ordinance No. 358 on second reading.

RESOLUTION 2007-03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE TOWN SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

After a short discussion as to the exact meaning of the Resolution, Vice President Foy made the motion to defer this item to the next Council meeting in order to get a better definition, seconded by Council Member Jerry Beavers and unanimously approved (3-0). Attorney Fuchs will research and summarize at the Council Workshop before the next Council meeting.

FIRST READINGS AND REGULAR AGENDA

None

REPORTS

Town Attorney

None

Mayor

None

Consultants

None

Assistant Town Administrator/Town Clerk

None

Committee/Delegate Report

For the Code and Ordinance committee, Vice President Foy asked for a motion to change R-2 zoning to allow zero lot line detached construction. With all members present undecided, the subject was turned over to the Town Attorney for preparation of wording to be voted on at the next Town Council meeting. After a brief discussion, a change in the fence height code was also given to the Town Attorney for preparation of wording allowing 6' fences with a continuous 20' front section over 4' being non-opaque.

Council Member Beavers reported that he had attended an Emergency Management meeting regarding security of municipal infrastructures. Code Enforcement Officer Roche told Council that the wiring for the new generator has been completed. Finish bolting down and fencing will be done within the next two weeks.

President Woods reported that the last Dinner and Movie Under the Stars was a success with about 150 in attendance. The next special event will be the Town Annual Picnic to be held on March 17, 2007 and the next committee meeting to be held on February 15, 2007. Regarding the proposed annexation of the area to the North of the Town, Town Hall has received about 40 responses to our letter asking if the owners were interested. They are divided about 50-50. The Council will hold a hearing in March.

Treasurer's Report (included in packet)

UNFINISHED BUSINESS

President Woods announced that the construction of the Nextel tower has begun with a cement foundation poured 36' down. The construction should be done before the Annual Picnic.

NEW BUSINESS

Code Enforcement Officer Roche informed the Council that there is another dead tree problem in the Town. He asked for \$10,000 to have cited trees removed between now and May after which hurricane season begins. He also suggested that we subcontract RKC Land Development rather than Waste Management because they will do the job for 1/3 the price. Attorney Fuchs said the removal by Code Enforcement notice will prevent the chopping down of live trees at the Town's expense. Vice President Foy agreed to this program. Attorney Fuchs will draft a notice for this use.

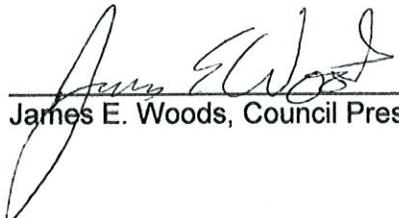
A motion was made by Council Member Beavers, seconded by Council Vice President Foy and unanimously approved (3-0) to authorize \$10,000 for removal of dead trees now through May, 2007.

With no further business to come before the Town Council, it was moved, seconded and ordered adjourned at 8:35 p.m.

Approved: 2/12/07
Date



Betty Sites, Assistant to Town Clerk



James E. Woods, Council President