

Jay G. Foy, Mayor
James E. Woods, Vice Mayor
Jerry E. Beavers, Council Member
Lawrence Gordon, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 10, 2012
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. **Approve Minutes of the April 12, 2012 Regular Meeting**
- VI. **PROCLAMATIONS AND PRESENTATIONS**
- VII. **COMMENTS FROM THE PUBLIC**
- VIII. **COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. **PUBLIC HEARING**
- X. **FIRST READINGS AND REGULAR AGENDA:**
 - a. **ORDINANCE NO. 405: An Ordinance of the Town Council of the Town of Haverhill amending its Comprehensive Plan , and modifying the future land use map by changing an approximate 1.44 acre parcel from the Town's Low Density Residential Land Use designation to Other Public Facilities as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.**
 - B. **ORDINANCE NO. 406: An Ordinance of the Town Council of the Town of Haverhill amending its Official Zoning Map, as amended, by redesignating an approximate 1.44 acre parcel from the Town's EXISTING R-1 single-family residential zoning district to the Town's R-2 Two-Family RESIDENTIAL district as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for the transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.**

- XI. REPORTS:**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
- XV. NEW BUSINESS**
- XVI. 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 Facsimile Number (561) 689-4317

TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 10, 2012
7:00 p.m.
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of Haverhill Town Council was held on Thursday, May 10, 2012 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor; Jerry Beavers, Council Member, Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster, and Town Administrator, Janice C. Rutan.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Town Administrator recorded all members were present.

APPROVAL OF AGENDA

There being no additions, substitutions or deletions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the April 12, 2012 Regular Meeting

A motion was made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (5-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

PUBLIC HEARING

FIRST READINGS AND REGULAR AGENDA:

ORDINANCE NO. 405: An Ordinance of Town Council of Town of Haverhill amending its Comprehensive Plan , and modifying future land use map by changing an approximate 1.44 acre parcel from the Town's Low Density Residential Land Use designation to Other Public Facilities as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for transmittal to State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.

The title was read by Attorney Foster.

Attorney Foster advised Council to disclose ex-parte communications.

Lawrence Gordon: Tec Shoumate had called his office regarding the Shiloh Church. Council Member Gordon suggested to Mr. Shoumate that he bring his opinions to the full Council.

James Woods: Tec Shoumate spoke with him in person, phone conversations and at the Town picnic stating his opposition to the land use change. He also spoke with the Town Attorney concerning the technicalities of the hearing.

Jay Foy: Tec Shoumate and he had an exchange of information at the Town picnic.

Jerry Beavers: Tec Shoumate spoke with him at the annual picnic.

Mark Uptegraph: Tec Shoumate at the annual picnic where Mr. Shoumate raised his questions and concerns about the project.

The Town Attorney had prepared procedures for the conduct of the public hearing.

It was the general consensus of Town Council to proceed with a formal hearing and not waive the provisions of quasi judicial process. Town Attorney Foster swore in all persons testifying before the Town Council.

Attorney Foster explained that decisions would need to be based on substantial competent evidence. Any letters received would be entered into the record along with all testimony. Opinions would be received; however, Council was advised that they could not base their decision on public sentiment but rather on the facts based on substantial competent information. Council should consider Staff's report, the application, the justification statement, maps, minutes, etc. when making their decision.

Copies of all correspondence had been forwarded to Council and would be entered into the record.

Chris Barry of Jon Schmidt and Associates, Town Planner, presented Staff's report. It was their professional opinion that the applicant had met the eight standards of the Town of Haverhill's Comprehensive Plan for a land use amendment.

Mr. Foster noted the modifications to Staff's report. Item 2 would be deleted until the time that the matter was under consideration for Special Exception, and with regard to item number 3 of proposed Ordinance, the date had been changed to June 23, 2012.

Mayor Foy confirmed that the motion included the amendments to the changes in the conditions of improvement.

Staff was recommending that the petition be approved to allow the matter to move to the Special Exception phase. It would be at that phase that concerns of the neighbors such as traffic and noise could be addressed.

Kevin McGinley, Land Research Development, agent for the applicant, spoke on behalf of the applicant. He framed the matter before the Council as though in four corners; the first being church and years they have been using property as a church. The second corner represented neighbors who were wondering why government was taking so long to address this and why were they being allowed to continue; the third corner being Council and what brought the matter this far. The fourth corner being the Consultants; himself and the Architect. Staff had set out a procedure and directed the Church to follow those procedures.

He explained that when he was first contacted to represent the Church, he told them of the potential problems and confirmed with them that they wanted to move forward despite the potential costs and the size of parcel. The Church committed to moving forward despite all the obstacles.

He explained that the first step in this process was to change the land use. He referred to the Town's land use map. He commented on the mixed use pattern along Haverhill Road. He also noted that when the property in question was involuntarily annexed into the Town, the Town's annexation report referred to the property as a Church. Now the Church was moving forward in trying to get the land use changed from single family residential to Other Public Facilities. He referred to the map and commented that this change was consistent with the existing land use patterns along Haverhill Road. Staff in their recommendations agreed it was consistent so they were before Council to petition the approval so the applicants could move on to the next phase in the process.

Attorney Foster confirmed with the applicant that the first and third conditions in the Conditions of Approval met with their acceptance. Mr. McGinley responded that he had just received the report earlier in the day and had not had a chance to discuss it with his client. He did not foresee a problem with the application filing schedule but raised concern about having to have approval

within 90 days as there could be problems beyond their control that could delay the process. The Town Planner's report, as amended, was acceptable to the applicant.

Mr. McGinley respectfully requested the 90 day requirement as written be amended to protect his client from being penalized for issues that were beyond their control, such as a delay caused by Town or another regulatory agency.

The Attorney and Planner raised no objection. Discussion followed.

Attorney Foster commented that if the applicant had made good faith efforts there should be no problem in meeting the 90 day timeframe. As such, staff would make a recommendation that if applicant was delayed for reasons beyond their control they would not be penalized. Mr. McGinley commented that he looked forward to working with the Town and moving forward in good faith.

(Representative from the Palm Beach County Sheriff's office had shown up at the meeting prepared to offer a report on crime statistics. Explaining that the Public Hearing could not be interrupted, Mayor Foy relieved the officer from presenting to the Town Council.)

Mr. McGinley confirmed that the Town would not be holding up site plan approval based on the approvals from other agencies. It was explained that if they were unable to get approvals from other agencies they would need to bring the site plan back to Council for approval should a change be made. As such, he foresaw no problem in meeting the 90 day requirement.

Mayor Foy confirmed that the applicant understood they would not be getting any increase in residential density as a result of the land use amendment. Mr. McGinley understood.

Mayor Foy opened the floor to the public.

John Blehar, Architect, of John Bloss Blehar, 1530 N. Federal Highway, Lake Worth Florida. Mr. Blehar revealed that he had not had previous contact with any member of the Town Council. He did note for the record that several years ago he had exchanged work with the Mayor's former firm of SFRN.

Mr. Blehar reported that he had experience in Planning and Zoning issues and had served on advisory boards for the Town of Lake Park and City of Boynton Beach. He was being compensated by Mr. and Mrs. Shoumate and others to appear before the Council. He presented paperwork to the Town Administrator as confirmation that he was a registered lobbyist with the Town of Haverhill.

Mr. Blehar next referred to the Staff report of Chris Barry of Jon Schmidt and Associates, Town Planner, dated March 8, 2012. He did not believe that staff properly addressed zoning issues. Because the Town was only considering the land use amendment at this time, Mr. Blehar was asked to limit his comments to that matter.

He noted the criteria considered when he served on the Comprehensive Plan committee in Lake Park and as such contended that if the matter before the Council did not improve an element of the Comp Plan then Council should not consider it.

Mr. Blehar offered his opinion which was contrary to Staff's findings with regard to meeting the required criteria of the Town's Comprehensive Plan. He disagreed with Mr. McGinley's assertion that the existing land use pattern was established for Other Public Facilities (OPF) along Haverhill Road and asked when would one more "OPF" become one too many? He referred to the property and their thwarted efforts in becoming a church in Palm Beach County. He asked if when it annexed into the Town, it did so with the promise it would be allowed to operate as a Church. (Mr. Blehar was reminded it was an involuntary annexation). He asked if the proposal should require a traffic study. He did not believe the use would increase property values. He spoke of the scale of the project, expressed concern that it was not a compatible use stating that a day care center and a church were not compatible uses. He expressed concern about water retention on the site and asked if there was room for growth. He contended the use would change the neighborhood and the change to a more dense development would change the feel of the Town.

He also questioned if the folks he was representing or the petitioners would pursue legal action if their vote did not go their way. He wondered if the Town was taking the position that in an effort to avoid a lawsuit they would take a particular action. He referred to section 58-126 of the Town's Code of Ordinances. It would be his recommendation to deny the petition.

In closing, he reminded all that he would hope, as in Lake Park, if the change did not improve Town, why make the change.

Tec Shoumate, 1231 Haverhill Road. He had submitted a letter and objected to Staff's comment that the project would not affect land value.

Fran Suker, 4931 Cyprus Lane. His wife was not present because her belief was that the law was the law and if the Town was going to change the law, she instead would go to Bingo.

Rhonda Shoumate, 1231 Haverhill Road. She has lived at her property for over 15 years. She is on record for opposing the rezoning of 4968 Cyprus Lane as it does not fit in with the residential make up of the neighborhood and because it is such a large group that it affects the tranquility of neighborhood. The issue needs to be resolved and she wished the Church luck in finding a location that would better fit their needs. She repeated a story that her neighbor told about trying to come home at night with bumper to bumper traffic coming from the Church that would not let her turn into her own driveway.

Attorney Foster cautioned the Council from considering hearsay testimony.

Howard Brandenburg, immediately east of Church on Cyprus Lane. They would much rather have the Church there than duplexes, or triplexes, as that use would affect their property value. He referred to a recent near accident that occurred with a person leaving the Church property and pulling onto Cyprus, but the new plans show that the exit would now be on Haverhill and they would support that change.

In response to Mr. Gordon, Mr. Brandenburg stated he had lived on the property thirty years and prior to the Church moving in, the property was either rented or bought by a landscape company and the Sheriff's Department had arrested 21 people that were living on the property.

Mayor Foy returned the floor to the applicant. Kevin McGinley responded to John Blehar's comments. He took exception to Mr. Blehar's reference to Lake Park's requirement as that was not a standard required by Haverhill. In response to the comment that efforts were thwarted in Palm Beach County, he made it very clear that the property was not voluntary annexed. He added that if the property remained in Palm Beach County, they would not have to go through a Comprehensive Plan amendment. He was hard pressed to name any other community in Palm Beach County that would require a land use amendment to allow a place of worship in a residential district and invited the Town Planner to offer a suggestion. It was his belief that the Town of Haverhill was the only municipality that required a land use change.

In response to Mr. Suker's comment that the law is law, he explained that his clients had completed an application provided by the Town to allow for an opportunity to change the land use because things do change. In response to comments made by the Shoumate's, Mr. McGinley questioned how they were so affected when they lived across a four lane arterial highway (Haverhill Road) from the church.

With regard to Mr. Blehar's mixing the required standards of Haverhill with other municipalities, Chris Barry, Town Planner concurred with Mr. McGinley. He also responded to Mr. Blehar's assertion that if there were five Churches along Haverhill, it would then would justify six, and so on. Mr. Barry explained that the standard referred to asked if the amendment was "contrary to" the established land use pattern; and as indicated by the applicant, there was an established land use pattern along Haverhill Road for Other Public Facilities. He added that one of the requirements of a Special Exception would be that there would be a concurrency approval from Palm Beach County. The scale of the project would not be addressed by the land use or rezoning application but would come under the property development regulations. He noted that both a Church and daycare were classified as an institution or civic use.

John Foster added that there had been comments made concerning site plan issues that were not germane to the matter before Council. In addition drainage, traffic, layout, open space, etc. would be addressed during the site plan and special exception review.

Mayor Foy prepared a sheet that addressed the required criteria (or standards) for the land use amendment. He ranked each the criteria and went through each item in detail. His ranking for the land use amendment resulted in a score of 41.25% for approval and 58.75% against. He commented that if he used only his rankings when making his decision, he would have to vote against the project. He added that that he doubts that the proposed conditions could be met by the applicant and was conflicted in offering any form of encouragement to the applicant; yet he would like to give the applicant a chance to comply with those conditions.

Vice Mayor Woods commented that he was aware that this was an extremely emotional issue and commended all on their civility in the handling of this extremely emotional issue. He then stated that he respectfully disagreed with staff's recommendations and findings. He had looked at aerials of the entire neighborhood and based on those aerials would find that the use was not compatible with the neighborhood as a whole and as such it would not meet criteria.

In response to one of the standards, he did not agree that this was the last piece of property that could accommodate this type use. He referred to a piece of land that was to the south that had at one time held a special exception use for a Church.

Vice Mayor Woods stated that in weighing all the criteria, he would be against the project.

Lawrence Gordon commented that at this point the Town Council was not considering the use as a Church but rather; should the applicant be granted the land use amendment that would allow them to exercise their rights as a private property owner and move to the next the step in the process. The applicant should be given the opportunity to see if they could meet all of the standards. He reminded all that by denying the use, there would be nothing the Town could do to stop a homesteaded individual from inviting all their friends to participate in a church service at their home at any time. If the Town were allowed to set standards to regulate those gatherings, it would give the Town the opportunity to set the parameters of the gathering in a way to benefit the Town as well. He would be inclined to vote for the project to move forward to the next step.

Council Member Beavers agreed that the Town Council should make concessions so the Town would benefit by setting hours of operations, require specific drainage and paving improvements, etc. He too would be in favor of letting it go to the next level with controls in place.

Council Member Uptegraph commented that throughout this process, he questioned why a residential property should be turned into a Church when there was vacant land that he believed would better accommodate the use. He was not in favor of turning a residential use to a church use, however, would consider approving the land use amendment so the applicants could move to next level and meet the conditions set by Town.

Mayor Foy reminded all that if a motion was made to approve, the motion would need to include all conditions of approval. Attorney Foster concurred, reminding all that this was the first reading of the Ordinances with second reading scheduled for May 24, 2012 at 7:00 p.m.

Council Member Gordon asked to make the motion. A point of order was called and the Chair recognized Vice Mayor Woods. A motion was then made by Vice Mayor Woods to deny Ordinance No. 405. The motion failed for a lack of a second.

A motion was then made by Council Member Gordon to approve Ordinance No. 405 including all conditions of approval as recommended by staff. The motion was seconded by Council Member Beavers.

Mayor Foy emphasized that the next step (site plan and special exception) would be difficult and asked applicant to consider what they were going to do if they get the approval for the rezoning. It was clarified that the land use and zoning would revert back to original use and zoning if the next steps in the process were not applied for or approved.

The vote was called and the motion passed 4-1 with Vice Mayor Woods voting against motion.

ORDINANCE NO. 406: An Ordinance of the Town Council of the Town of Haverhill amending its Official Zoning Map, as amended, by redesignating an approximate 1.44 acre parcel from Town's EXISTING R-1 single-family residential

zoning district to the Town's R-2 Two-Family RESIDENTIAL district as requested by Clauduis Zetrenne, owner, and Shiloh Seventh Day Adventist (SDA) Church, through its agents, Kevin McGinley, Land Research Management, Inc. and Robert Kuoppala , Kuoppala & Associates, which parcel is located at 4968 Cyprus Lane, Haverhill, FL on the east side of Haverhill Road approximately .5 miles north of Belvedere Road; providing for severability; providing for repeal of laws in conflict; providing for transmittal to the State of Florida Land Planning Agency, providing for inclusion in the Comprehensive Plan; providing for an effective date and other purposes.

The title was read by Attorney Foster. Mr. Foster noted for the record that the Ordinance, if adopted, would further condition the approval to govern the use of property to be limited to a place of worship, subject to the approval of the special exception. The applicant concurred.

Mayor explained that the same procedures would be followed during the public hearing for reading of Ordinance No. 406.

Ex Parte Communication had been placed on the record.

Chris Barry, Jon Schmidt and Associates, Town Planner, offered their professional opinion that the applicant's request to change the zoning from R-1 single family residential to R-2 two-family residential was consistent with standards found in Section 58-96 of Town of Haverhill Code of Ordinances.

Kevin McGinley stated that because R-2 was the only residential district that would allow a place of worship by special exception, they were required to request a rezoning to allow for the use. They fully agreed with the condition that the only permitted use would be a church. Although the site plan was not being discussed, Mr. McGinley wanted it understood that the site plan did include leveling the existing single family home for the construction of a church.

John Blehar, Architect, of John Bloss Blehar, 1530 N. Federal Highway, Lake Worth Florida. Mr. Blehar again expressed his concern that once the change was allowed, there would be nothing to prevent the same use from happening up and down Haverhill Road. He commented that it appeared there were still 2 properties on Haverhill Road that could be turned into a church. This could allow other groups to come to Council and ask for the same rezoning.

Kevin McGinley responded that all applications before Council would be heard on a case by case basis, and that this specific matter before Council had a lot of history.

There were no further comments from Staff.

Mayor Foy offered his weighted ranking system for the rezoning petition in relationship to meeting criteria. His ranking resulted in the majority of votes being against approval of the application. He noted that it was always his intention that the Town remains a single family residential community. Had it not been for the way the Ordinance was written to ensure that the property would revert back to R-1 should the applicant not be able to comply with the Conditions of Approval, he would not have even considered approval. However, he was willing to allow the applicants to move forward in an effort to meet the conditions of approval; yet put them on notice that they have a tough road ahead of them

Vice Mayor Woods agreed that there was possibility of the domino effect in that there could be more requests for rezoning along the Haverhill Road corridor once this was approved despite the stringent conditions being imposed. He was concerned the door would be opened by their approval of the request before them. He reminded all that during one of the urban redevelopment studies conducted by the Treasure Coast Regional Planning Council, the TCRPC referred to the Town of Haverhill as the crown jewel of Palm Beach County. They explained that despite chaos surrounding the Town, they were able to maintain large residential lots with low density and low crime. He commented that was the reason many came to live in Haverhill. He stated that despite the imposition of restrictions, any rezoning to a higher density would be a bad move.

Mayor Foy did note that the next application may have more reason for justification if Council were to approve the application before them, agreeing to the potential domino effect. Again, he commented that without the reversion clause in the Ordinance he would be conflicted to move

forward. He agreed with Council Member Gordon and would be willing to give applicant a chance to move forward even though he, himself, had strong reservations that the Conditions of Approval could be met by the applicant.

Council Member Gordon agreed stating that if not but for that condition, the matter would most likely not move forward. He commented that the applicant has private property rights and the Town of Haverhill had set rules for use of that property and as long as the private property owner was willing to meet those rules, despite the mountain they may have to scale to meet those rules, they should be given the opportunity. Again, relying on the reversion provision of the conditions of approval, he would be inclined to vote in favor of the applicant.

There were no further comments from Council.

A motion was made by Council Member Gordon to approve Ordinance No. 406 with all conditions of approval as stated, including the requirement that the use be limited to a church, allowing the applicant to move forward with their application. The motion was seconded by Council Member Beavers.

Mayor Foy commented that the next step would be difficult for the applicant and the only reason that he would vote in favor of the motion was because of the stringent conditions placed on applicant through the wording of the Ordinance and the conditions of approval.

Vice Mayor Woods commented that only in Haverhill could there be such a huge disagreement on such an emotional issue yet it moved forward without incident and with respect for each other.

The next step in the process after second reading would be for the special exception and site plan approval.

The vote was called and the motion passed 4-1 with Vice Mayor Woods voting against the motion.

COMMENTS FROM PALM BEACH COUNTY SHERIFF'S OFFICE

Joseph Roche, Director of Public Services presented the Palm Beach County Sheriff's report for the previous two week period. There had been 3 burglaries to businesses including at the cell tower located on the Town's property. There was a vehicle burglary at the Haverhill Park and a stolen vehicle from south side of Grove Street.

REPORTS:

Town Attorney

The Town Attorney reported on conversation between he Christopher Sacco, Carlton Fields as legal representative for American Traffic Solutions concerning the red light camera program in Haverhill. They were still researching possible solutions.

Mayor

Mayor Foy reported on a meeting that he, the Town Administrator and Town Engineer had with representatives from Palm Beach County Parks and Recreation and Water Utilities regarding the installation of four wells at the Haverhill Park. The force main would also be relocated. The Town Administrator had distributed background information to Council.

Details of the project were given and a discussion followed. Concern was raised over the length of the project and the affect on walking trail that is used by many Town residents. The project would be staged and would begin in approximately 9 months and last approximately 9 months to a year. The walking trails would be adversely affected during this time.

Mayor Foy reported that the wells may have an adverse affect on septic system repairs in area and/or on the water tables of nearby lakes and canals. The E-3 canal would help alleviate some of the issues.

There would be a water line that would run from the park to the treatment facility on Jog Road. Discussion regarding the Lake Worth Drainage easements and the fiber optic lines running along Belvedere Road were discussed.

The County offered to address the Town Council as a whole, but Council members agreed it would not be necessary and at this point they would not object to the project. The County did

agree to continue the pathway from Club Road through the park to Belvedere Road and a potential canopy for the bus stop. It was suggested that the Town enter into further discussion of park improvements with the County.

The contractor should provide the Town with a full plan and any mitigation efforts they would undertake during construction.

Discussion followed.

Consultants

None.

Town Administrator

The Town Administrator announced that the Town's taxable value had increased by 4%.

The Town Administrator presented Council a quote she had received from Joseph Kroll of All County Paving for the resurfacing/overlay of Club Road East and Ivywood Road. She requested Town Council consideration of entering into a special assessment program for the property owners of those private roads. A discussion followed. Before an assessment program could be considered, 100% of all property owners would need to approve the program. Discussion followed. Before Staff moved forward with obtaining additional quotes, etc., property owner participation would be confirmed. Staff would then look into whether it could be involved with the contractor or if a conflict of interest would exist.

Clarke Mosquito Control had presented the Town Administrator with a quote for mosquito spraying for the ensuing year. Because the amount exceeded \$3,000 and would begin prior to the new fiscal year, the Administrator was seeking Council approval for the expenditure. After confirming that it would not require a budget amendment, the Administrator was authorized to proceed with Council consensus.

Administrator Rutan reported that she had met with representatives from Bank United and signature cards were presented to the Mayor and Vice Mayor for signature. She anticipated the transition from TDBank would be completed by the close of fiscal year.

She presented the revised plans for the Utility Building that would be constructed to the rear of the Town Hall building to house the new A/C units.

DR Horton would be presenting a site plan amendment to the Town Council for their consideration in the purchase of the Sunset Isles property. Discussion followed regarding the proposed subdivision. The matter was being scheduled for the June 5, 2012 Town Council workshop.

A brief update of the energy rebate program was given.

Committee/Delegate Report

Council Member Beavers reported on the District II and II luncheon held in Atlantis. Debbie Manzo, former Assistant City Manager from Greenacres had been appointed Town Manager in Lantana filling the position vacated by Michael Bornstein. Scott Maxwell was also present at the meeting. There had been discussion of real estate values.

It was reported that the Town of Ocean Ridge had been attending the District II and II luncheons.

The City of Lake Worth would be hosting next regular meeting of Palm Beach County League of Cities at their municipal golf course.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Council Member Gordon confirmed that the Town had received settlement for lien reduction agreement for 892 Palo Verde Court in amount of \$4,000.

NEW BUSINESS:

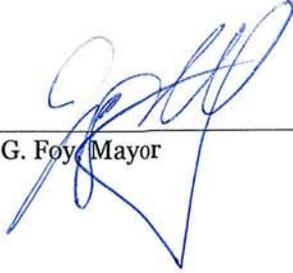
None.

ADJOURNMENT

With no further business to come before the Town Council, meeting adjourned at 9:15 p.m.

Approved: June 28, 2012


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor