

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 24, 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 26, 2012 Regular Meeting and the May 1, 2012 Workshop**
- VI. **PROCLAMATIONS AND PRESENTATIONS**
- VII. **COMMENTS FROM THE PUBLIC**
- VIII. **COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. **PUBLIC HEARING (SECOND READINGS)**
 - 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.**
- X. **FIRST READINGS AND REGULAR AGENDA:**
- 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 24, 2012
7:00 p.m.
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, May 24, 2012 at the 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 7:01 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

The Town Administrator recorded all members were present.

APPROVAL OF AGENDA

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

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the April 26, 2012 Regular Meeting and the May 1, 2012 Workshop

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

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Palm Beach County Sheriff's office reported on incidents of vandalism and graffiti. There had been routine business checks and traffic stops as well as domestic disturbances. Director of Public Services, Joseph Roche reported on an incident on Club Road and a warrant served to a person in the Haverhill Park.

PUBLIC HEARING (SECOND READINGS)

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.

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Attorney Foster offered Staff's report. He explained that the public hearing would need to be postponed to a date certain (June 14, 2012) so that the Town could properly notify adjoining jurisdictions of the pending land use application in accordance with the Town of Haverhill Comprehensive Plan and the Interlocal Agreement with the Intergovernmental Coordination Clearinghouse.

Tec Shoumate, 1231 Haverhill Road North. He lives directly across the street from the Church at the intersection of Haverhill and Cyprus Roads. He does not want a Church in Haverhill and asked that the Town Council consider putting themselves in his place. He asked Council to reconsider its vote.

Rhonda Shoumate, 1231 Haverhill Road North. 4968 Cyprus Lane is directly east of her property. She considers her home her most valuable possession and asked that the Council continue to keep the residential neighborhood.

Frank Suker, Cyprus Lane. He read a letter of opposition from his wife, Dorothy Suker, into the record. They were not in favor of changing the zoning and asked that the Council vote no.

Ed Gurr, Melinda Lane. Mr. Gurr requested the Town Council consider rescinding its vote to reduce the speed limit along Belvedere Road to 30 mph to allow for better flow of traffic. He would like the speed limit returned to 45 mph.

Mayor Foy clarified that the speed limit was 35 mph prior to that action, although people typically drove 45-50 mph. He further explained the Council's position on the matter.

Vice Mayor Woods noted that the reduction in the speed limit was done for safety reasons resulting from the construction of the Stacy Street School and the increase in pedestrian traffic. He stated that the crossing guards were on post for a limited time leaving children to cross 7 lanes of traffic unattended.

Mr. Gurr then complained that police cars do not obey the speed limit and also requested Town Council to ask the police to stop using Belvedere Road as a speed zone to issue tickets. Attorney Foster informed Mr. Gurr that law enforcement was not there on the behest of the Town. Council Member Gordon confirmed that Mr. Gurr had not been cited. He added that the reduction in speed, when considering the other issues, was a small price to pay for safety.

Vice Mayor Woods responded that he would not ask the police to stop enforcing the law. Council Member Beavers suggested if Mr. Gurr witnesses law enforcement breaking the speed limit without emergency signals, he should turn them in. Discussion followed.

Mayor Foy thanked Mr. Gurr for his comments but stated that the Council respectfully disagreed with his assertions. He was welcome to have a Council Member bring the matter up for reconsideration or address this matter at a workshop.

A motion was then made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed to postpone the public hearing for the second readings of Ordinance Numbers 405 and 406 until June 14, 2012.

Attorney Foster asked that all correspondence received and comments be entered into the record.

The Town Administrator reported that the Applicant's agent, Kevin McGinley had intended to attend the meeting, however, she told him it would not be necessary.

FIRST READINGS AND REGULAR AGENDA:

None.

REPORTS:**Town Attorney**

None.

Mayor

Mayor Foy reported on a conversation he had with Omelio Fernandez of the Palm Beach County Engineering Department concerning the right hand turn lane on the east side of the intersection of Belvedere and Haverhill Roads. The County had the right of way for the turn lane but the property owner would need to relocate their access gate to the property. He noted this was for information and not to be considered by the Council as a Town issue.

He reported on correspondence received from Shelly Vana asking the Town to enter into an interlocal agreement to provide ongoing funding support of the Inspector General's Office. The Town had already agreed to pay their share. No Council action was taken.

He spoke of the Transportation Element that was completed for the Town of Haverhill as part of the State Grant. He had concerns regarding the report and would address them at the June 5, 2012 workshop.

Mayor Foy read Section 54-16 of the Town's Subdivision Code of Ordinances into the record and commented that the Section was lax and needed to be tightened up. He would like to address variance vs. variation. He asked that a Code and Ordinance Committee meeting be scheduled so that section of the Code could be addressed as well as the language concerning the requirement that places of worship have frontage on Belvedere and/or Haverhill Roads.

Consultants

None.

Town Administrator

The Town Administrator reported a full plan submittal for Sunset Isles would be presented for Council review by Julian Bryan, Agent DR Horton at the June 5, 2012 workshop.

The Town Administrator reported that the 2012 estimates of Taxable property for the Town of Haverhill had increased by 4.0054 percent.

She reported she would be attending the FCCMA conference May 30 - June 2, 2012.

Committee/Delegate Report

Council Member Beavers reported on the May 31, 2012 Disaster Training exercise that would be sponsored by American Red Cross. He would be attending the Palm Beach County League of Cities Gala on May 25, 2012 as the Board Member/Representative for District 2.

Mayor Foy reported that the Town's Annual NPDES report had not been chosen for audit.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Vice Mayor Woods expressed his concern that the decision to approve Ordinances 405 and 406 on first reading by a majority vote on March 10, 2012 may not have been made in the best interest of the Town and asked Council and Staff to use the next few weeks to reflect on their decision and the impact it may have.

NEW BUSINESS

None.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:40 p.m.

Approved: June 28, 2012


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor