

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn
Janice C. Rutan, Town Administrator
John Fenn Foster, Town Attorney



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, November 13, 2018**

NOON

AGENDA

- I. Call to Order
- II. Presentations/Proclamations
 - a. Presentation of Cotleur & Hearing re: Liberty Airport Center petition to add an access point off Drexel Road
 - b. Presentation and Report on meeting with New Parkview Place Homeowner's Association (Joseph Roche and Todd McLeod)
- III. Council Attorney & Staff Reports
- IV. Old Business
 - a. Update on Richmond Mews Sidewalk Replacement (Joseph Roche and Todd McLeod)
 - b. Discussion on Medical Marijuana Ordinance
- V. New Business
 - a. Council Member participation policy
- VI. 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 OF HAVERHILL
Town Council Workshop
November 13, 2018
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, November 13, 2018 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Remar M. Harvin; Council Member Mark Uptegraph; Council Member Daniel Sohn; Town Attorney John Foster; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible; Public Service Director Joseph Roche, Town Planner Josh Nichols and Town Engineer Todd McLeod

I. CALL TO ORDER

Mayor Foy called the Workshop to order at 12:05 p.m. and asked all in attendance to please introduce themselves.

II. PRESENTATIONS / PROCLAMATIONS

Don Hearing and Alex Ahrenholz with Cotleur & Hearing, Stephanie Kinlen with Kimley-Horn & Associates, Inc. and Andy Petry with Liberty Property Limited Partnership were all in attendance to discuss the Liberty Airport Center petition to add an access point off Drexel Road.

- a. Presentation of Cotleur & Hearing re: Liberty Airport Center petition to add an access point off Drexel Road:** Dan Hearing of Cotleur & Hearing gave a power point presentation regarding adding an additional access point to the existing industrial park. He explained that his firm, Cotleur & Hearing represent the owner, Liberty Property Limited Partnership, who wish to gain entitlements for the development of portions of their site. Mr. Hearing stated that as shown on the proposed site plan, a road will connect to the North through Tract B (currently undeveloped) and connect to existing ROW at the Southwest corner of the Boys and Girls Club Property. Town Administrator Janice Rutan informed Mr. Hearing that the Town of Haverhill used to own the property where the Boys and Girls Club sits, so Town Council and Staff are very familiar with the piece of property. Mr. Hearing also stated the approved plat for the Boys and Girls Club showing the ROW previously dedicated to Palm Beach County to extend Drexel Road to Tract B of the site as its intended entrance. As shown at the access points of the proposed plan, the entire site will produce 2,195 average daily trips (ADTs). Of those trips, the Drexel Road connection will make up only 439 of them, making this a secondary access point. There are no proposed increases in the currently approved square footage on site. The interior drive will connect to an existing ROW and will be fully constructed by the owner to Palm Beach County engineering standards. Mr. Hearing stated the “peak” hours for traffic are 4:00am to 4:00pm. Mr. Hearing also stated they are aware the Town generally discourages any additional traffic on Belvedere Road, and he certainly understands that and believes this will generate some addition traffic but does not believe it will be a significant generator of traffic. He stated they are hoping to provide a lot of jobs at the Airport Center.

Mayor Foy asked Mr. Hearing if they have already gone through zoning and Mr. Hearing replied yes and they have an approved site plan but are having to go back to the county as they are adding an additional point of ingress and egress and in order to do that, they are required to go through the entire process again as you can't add an access point without going through the whole process again. Mayor Foy stated ok, so you did already complete a zoning. Mr. Hearing replied yes, the Liberty Airport Center is 100% approved and they are not adding any additional buildings or changing any zoning. Town Attorney John Foster stated that from a legal standpoint, would they be willing to covenant the Town and seek not to make Drexel Road a through street from Belvedere Road to Southern Boulevard. Mr. Hearing stated the answer is yes, and we would also be glad to add to the notion of keeping Belvedere Road a 4 lane highway not 6 lane. Mr. Hearing stated if those are ways we can help, well then we certainly will do so. Discussion ensued.

- b. Presentation and report on meeting with New Parkview Place Homeowner's Association:** Town Engineer Todd McLeod stated that on February 6, 2018, he went out and took a look at New Parkview Place for the purpose of basically trying to let the Town know what kind of condition the roadway was in because the HOA had been discussing with the Town the possibility of the Town taking over the roadway. The road is currently private. T/E McLeod stated there has not been much, if any, maintenance done to the roadway over the years as the HOA lacks the funds to do so. He stated there is only 38 residential lots in the development. T/E McLeod prepared a preliminary cost estimate that was shared at previous Town Council Workshops and meetings with the New Parkview Place HOA. The unit prices used for that estimate were primarily derived from the Wynn & Sons PBC Annual Pathway Contract in effect at that time. Shortly after that, PBC adopted their new Pathway Contracts for the next 12 to 48 months with updated pricing. T/E McLeod presented the new cost estimate which included lighting (Metro Electric Services Inc.) and Wynn & Sons "soft costs" to include engineering, legal, County and financing services associated with setting up and administering an MSTU program for the project, per Town Administrator Janice Rutan. These two were not included in the first preliminary estimate submitted.

Approximate Pro-Rated Cost Estimate

The total amount of the enclosed estimate is \$218,669. The Town and POA may finance the work over a 5 year or 10 year period, therefore the rough/approximate cost per homeowner is:

5 year: $\$218,669 / 38 \text{ Lots} / 5 \text{ years} = \pm\$1,150$ per year per residential lot

10 year: $\$218,669 / 38 \text{ Lots} / 10 \text{ years} = \pm\575 per year per residential lot

Town Engineer McLeod stated to keep in mind, the estimate is based on field measurements and scaling of aerial photos to determine approximate quantities. Also, the prices have not been bid by Wynn & Sons or any other contractor and are purely preliminary/approximate for the Town and POA's use in determining approximate order-of-magnitude costs to the homeowners. The 10% estimate for PBC MSTU administrative fees are also a very preliminary approximation based on discussions between himself and Town Administrator Rutan. Discussion ensued.

III. COUNCIL, ATTORNEY AND STAFF REPORTS

- a. N/A

IV. OLD BUSINESS

- a. **Update on Richmond Mews Sidewalk Replacement:** Town Engineer Todd McLeod stated this is about 150ft to 170ft of sidewalk that needs replaced. His quote from Wynn & Sons, Inc is \$8,060.00. Vice Mayor Gordon stated he has seen sections of sidewalks that look problematic but how do they get to that point. Director of Public Services Joseph Roches answered that in the case of Richmond Mews, it's due to black olive trees in the right of way that have raised the sidewalk about 3 or 4 inches making it a trip hazard. Discussion ensued.
- b. **Discussion on Medical Marijuana Ordinance 468:** Town Attorney John Foster stated there are currently 64 Medical Marijuana Treatment Centers or Dispensaries in the State of Florida. Eleven (11) are in South Florida and the breakdown is three (3) in Palm Beach County, three (3) in Broward County and five (5) in Miami-Dade County. Attorney Foster stated that the number being banned are increasing every week. Attorney Foster believes the reason so many Municipalities are starting to ban is because you have a proposition being they have the right to either ban them or if you don't ban them then as the Mayor of Hollywood stated, you open the door for many of them. You cannot limit the number there are unless they are within 500ft of a public or private school. Basically, the State of Florida did not put the right regulations in place for this. Town Administrator Rutan reminded all that the second reading is on the agenda for this Thursday night regular Town Council Meeting. Discussion ensued.

V. NEW BUSINESS

- a. Mayor Foy wanted to bring up something that has been on his mind and that of a few residents that have contacted him regarding pulling out onto a lane that has a "suicide lane", like Belvedere and Haverhill. He stated it's dark and with lack of street lights, he is fearful of both crossing the street while walking and hitting a pedestrian while driving and attempting to pull onto the "suicide lane". He is wondering if the new lighting system would help with that at all. He wants to push for the new street light in front of New Parkview Place but not sure what we need to do to do that. He walks the Town often (in the morning) and has noticed the street lights are approximately 375ft apart and feels that is too far apart. He wonders if there is a standard number of spacing between each light and what that number would be. Town Administrator Rutan stated maybe we can send an email to find out the status of the new lighting. Discussion ensued.

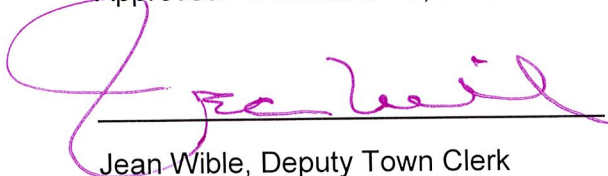
- b. **Council Member participation policy:** Vice Mayor Gordon stated we had talked about Council setting up some kind of guideline on how much Council could spend on trips, conferences, etc. but we have never come up with a number for overall group or individuals. Mayor Foy and Council member Mark Uptegraph both stated they thought they had in the past. Town Administrator Rutan said we do have a total amount. Vice Mayor Gordon stated it was \$7,000 or \$10,000 something like that for the year. Town Administrator Rutan stated it was

\$10,000 for the year but from that comes the dues, memberships, etc. She would have to do a breakdown to show what exactly comes out of the line item. Vice Mayor Gordon stated his thoughts were that \$10,000 a year is fine but since it is being used by five persons, if split, then the person who uses theirs would have to wait for next year budget. Discussion ensued

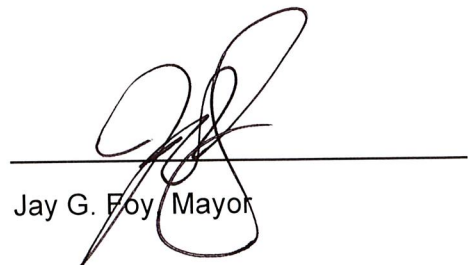
c. Town Administrator Rutan requested the Town Council set policy on individual members of Town Council purchasing Town shirts on their own. Traditionally, the Council as a body would determine the number and color of shirts annually. Vice Mayor Gordon stated that the three shirts already issued should be plenty. It was explained that Council Member Sohn attends several events and often is uncomfortable due to the temperature and dress code to wear a polo and would prefer wearing long sleeves. Discussion followed, after inquiry, it was explained that Director of Public Services Joseph Roche was authorized to buy shirts on his own as he wears them daily while on duty, representing the Town. It was his desire to have more variety than the Town issued shirts. The Town Administrator noted that the Town used to order shirts in bulk and sell them to residents. The Town Attorney questioned that practice, citing the use of the Town Seal other than for Town business. Council Member Uptegraph was not in favor of purchasing additional shirts. Both Vice Mayor Gordon and Town Attorney Foster noted that they wear their shirts to the office on Council meeting days, but that is the only time they wear the shirts away from Town Hall business. Discussion ensued with no decision reached.

d. Council Member Sohn requested to discuss one more item of business that had been discussed at the October 25 Council meeting with no Resolution as the Mayor was not present at the meeting. He had been asked to represent the Town this year at the Pride Parade in Lake Worth representing the Town as well as the LGBTQ community. He would be riding in the parade as Town Council Member Sohn of Haverhill in a car with the Town Seal. Discussion followed and it was a concern of Council to be represented at special interest events. Vice Mayor Gordon reminded all that a decision could not be made at a workshop. Council Member Sohn was agreed, but wanted it added to the agenda for Thursday so that he could get back to Council Member Amoroso of Lake Worth as to whether the Town would be participating in the parade. It was unclear as to whether other Town's would be represented at the parade. After a lengthy discussion, Council Member Sohn was cautioned not to place an item on an agenda of a meeting he would not be present at. He announced he would still attend the parade, representing the Town, as he did in the prior year's parade, despite Council action on Thursday. He was further cautioned about using the Town Seal without Council permission due FS. Discussion followed and after the Town Administrator left the room, the meeting came to an end at 1:50 p.m.

Approved: December 13, 2018



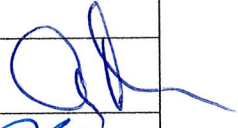



Jean Wible, Deputy Town Clerk



Jay G. Foy Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
COUNCIL WORKSHOP
Tuesday, November 13, 2018
Noon

Name	E- Mail Address	Signature
Andy Petry	APetry@Libertygrad.com	
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Daniel Sohn		
Todd McLeod		
Sarae Ruffen		
John Foster		
Sean Wible		
Joseph Roche		
Josh Nichols		