

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



TOWN COUNCIL REGULAR MEETING

Town Hall Council Chambers

Thursday ~ October 26, 2017

7:00 p.m.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the September 28, 2017 regular meetings
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
 - a. **ORDINANCE 453**
AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, EXTENDING ORDINANCE NO. 443 DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES UNTIL APRIL 27, 2018; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Discuss and Consider First Reading of Ordinance 454 imposing a 6 month moratorium on all subdivisions
 - b. Act on adoption of Speed Hump Policy
 - c. Consider membership in Florida League of Cities
- XI. REPORTS**
 - Town Attorney
 - Mayor
 - Town Administrator
 - Committee/Delegate Report
 - 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.

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TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ October 26, 2017
7:00 p.m.
OFFICIAL MINUTES

The regular monthly meeting of the Town Council was held on Thursday, October 26, 2017 at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark Uptegraph, Council Member and Remar Harvin Council member. Also present were John Foster, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and Pledge of Allegiance.

ROLL CALL

The Town Administrator called the role. All members were present with the exception of Council Member Plyler.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

A motion was then made by Council Member Uptegraph, seconded by Council Member Harvin and unanimously voted (4-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of minutes for the September 28, 2017 Regular meeting.

A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (4-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Joseph Roche, Director of Public Services presented the report on behalf of the Palm Beach County Sheriff's office. For the previous two-week period there had been tools stolen from the porch of a home at 5333 Belvedere Road and a tag stolen from a vehicle on Grove Street. Council expressed their appreciation to Mr. Roche for delivering the report.

SECOND READINGS AND PUBLIC HEARINGS

ORDINANCE NO. 453:AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, EXTENDING ORDINANCE NO. 443 DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES UNTIL APRIL 27, 2018;

PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The title was read by Attorney Foster. A motion was then made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (4-0) to approve Ordinance No. 453 on Second Reading.

REGULAR AGENDA AND FIRST READINGS

ORDINANCE No. 454: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA DECLARING A ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS (CHAPTER 54 OF THE TOWN OF HAVERHILL CODE OF ORDINANCES) UNTIL APRIL 27, 2018; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

The title was read by Attorney Foster. Attorney Foster offered Staff's report explaining that in light of the recent requirement that the Town's zoning ordinance be compatible with that of Palm Beach County in the areas affected by the Palm Beach County Airport and that the Town has to enter into an interlocal agreement with the County agreeing to the FAA and FDOT requirements, a zoning in progress should be declared and a 6 month moratorium be imposed on acceptance of any application for subdivision.

A motion was then made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (4-0) to pass Ordinance 454 on first reading.

ACT ON ADOPTION OF SPEED HUMP POLICY

The Town was in receipt of a petition signed by the majority of homeowners on Palmetto Drive requesting the Town install speed humps in an effort to slow traffic. The matter had been discussed at a Council workshop at which time sample speed hump policies from other municipalities were also reviewed.

Discussion ensued. It was the general consensus that very few streets in Town would qualify for speed humps as they were not long enough and were not thru streets. There were already speed humps installed on Club Road, Pineway Drive, Park Lane and Charlotte Street.

A motion was then made by Vice Mayor Gordon to not adopt a speed hump policy that would allow and address speed humps, but rather not allow speed humps to be installed within the Town on Town roads.

Discussion followed and Vice Mayor Gordon clarified that his motion included the proviso that existing speed humps installed on Town Roads were grandfathers in and could undergo repairs including replacement.

Council member Uptegraph seconded the motion and it passed unanimously 4-0.

CONSIDER MEMBERSHIP IN NATIONAL LEAGUE OF CITIES

The Town Administrator reported that the annual fee for membership into the National League of Cities would be \$402.00.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to authorize the Town's one year enrollment for membership with the Florida League of Cities.

REPORTS

Town Attorney

Town Attorney Foster reported on Crowne Castle's request to the Town to issue a permit to install electric at the small cell tower site in the County's ROW in front of the Haverhill Park on Belvedere Road. It was his opinion that in light of recent legislation that took away the Town's authority to regulate small cell towers installed in Rights of Way within its municipal boundaries, the Town should deny issuing any permits and request that all permitting for these type of structures be done through the County or the owner of the Right of Way where the installation is taking place. He did not want the Town to take on any responsibility as it relates to permitting the small cell towers in Rights of Way owned by an authority other than the Town.

Mayor

Mayor Foy reported in the recent ethics training that 4 of the 5 Council Members and the Town Administrator had attended as sponsored by the Palm Beach County League of Cities. Discussion followed as to the specific authority granted by the appointment of one Council Member to represent the entire Council.

In response to the Mayor's inquiry, Director of Public Services Joseph Roche responded that the street lights would not be replaced by FP&L until all lights can be replaced with LED fixtures. The Town Administrator reported that FP&L would not be available to attend a Town Council meeting until January, the earliest. FP&L would be asked to address the outages that occurred during Hurricane Irma.

Mayor Foy then reported the City of West Palm Beach had announced they would be issuing fines to people that placed mattresses curbside for pick up. Discussion followed as to what can and cannot be placed curbside for bulk pick up.

Town Administrator

The Town Administrator reminded all that the tri cities bar b que would be held in Belle Glade on Friday, December 1, 2017. The Town would also be participating in the golf tournament.

It was agreed to schedule the Mayor's luncheon for Tuesday, December 12, 2017 at 11:30 a.m.

Committee/Delegate Report

Vice Mayor Gordon then reported on the on the decision of the 4th District Court of Appeals regarding contract negotiations and the mandatory recording of same.

Council member Harvin discussed what could be discussed in the Sunshine and what can be discussed in the Shade.

Discussion then continued on how the only matters to be discussed at these meeting were those matters advertised and that they needed to be recorded.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Attorney Foster reported on the loan closing with Seacoast Bank for the Park and Cyprus Lane drainage project.

NEW BUSINESS

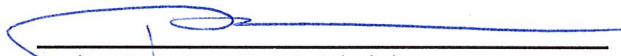
Attorney Foster reported that Royal Caribbean Cruise line would resume travel to Puerto Rico in an effort to bring tourism funds back to the island after the devastation caused by Hurricane Irma.

It was noted that the residents of Haverhill have been busy trimming vegetation in an effort to be proactive in the event of another storm.


ADJOURNMENT

There being no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved: December 14, 2017



Janice C. Rutan, Town Administrator



Jay Foy, Mayor