

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 ~ January 12, 2017

7:00 p.m.

AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPOINTMENT**
- VII. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the December 15, 2016 Regular meeting**
- VIII. PROCLAMATIONS AND PRESENTATIONS**
- IX. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- X. SECOND READINGS AND PUBLIC HEARINGS**
- XI. FIRST READINGS AND REGULAR AGENDA**
 - A. 2017-01: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES FOR THE POSITION OF TOWN COUNCIL SEATS 3, 4 AND 5 PRIOR TO THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 14, 2017; SETTING THE DATES AND TIMES TO QUALIFY FOR PUBLIC OFFICE; SETTING THE FILING FEES; APPOINTING AN ELECTION CANVASSING BOARD FOR PRECINCT NUMBERS 2046, 7136 AND 7140 AND PROVIDING FOR AN EFFECTIVE DATE.**
 - B. 2017-02: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF TOWN COUNCIL, SEATS 3, 4 AND 5 TO BE HELD ON TUESDAY, MARCH 28, 2017**
 - C. ORDINANCE 444: FIRST READING: AMENDMENT TO CHAPTER 2, ADMINISTRATION SECTION 66 - BIDDING**

**PROCEDURES AND SECTION 111- COMPRESHENSIVE
PLAN**

- D. ORDINANCE 445: FIRST READING: AN AMENDMENT TO
CHAPTER 56 – WIRELESS TELECOMMUNICATION
TOWERS**
- E. RESCIND NOVEMBER 17, 2016 MOTION TO EXTEND
AGREEEMENT WITH GRAU AND ASSOCIATES AND
AUTHORIZE RFP FOR AUDITING SERVICES FOR THE
TOWN OF HAVERHILL FOR THE FISCAL YEAR
BEGINNING SEPTEMBER 30, 2017.**
- F. DISCUSS MORATORIUM REGARDING GROUP HOMES IN
THE TOWN OF HAVERHILL**

XIII. REPORTS

**Town Attorney
Mayor
Town Administrator
Committee/Delegate Report
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.

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**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ January 12, 2017
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, January 12, 2017 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Jo H. Plyler, Council Member and Remar M. 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 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

The Town Administrator called the roll. All members were present.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested items 12.c; 12.d; and 12.f be removed from the agenda. A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (5-0) to approve the agenda as amended.

The matter of appointing a sales tax oversight committee would be scheduled for January 26, 2017. Council Members were asked to present names for consideration. Members should be residents of the Town.

APPROVAL OF THE CONSENT AGENDA

Approval of the December 15, 2016 Regular Meeting

A motion was made by Council Member Harvin, seconded by Council Member Uptegraph and unanimously passed to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deputy Cimoch was present and reported that during the previous two weeks there had been a report of a vehicular burglary at the Haverhill Park and a resident of Club Road had their Christmas light projector stolen from their front lawn.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

2017-01: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES FOR THE POSITION OF TOWN COUNCIL SEATS 3, 4 AND 5 PRIOR TO THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 14, 2017; SETTING THE DATES AND TIMES TO QUALIFY FOR PUBLIC OFFICE; SETTING THE FILING FEES; APPOINTING AN ELECTION CANVASSING BOARD FOR PRECINCT NUMBERS 2046, 7136 AND 7140 AND PROVIDING FOR AN EFFECTIVE DATE.

The title was read by Attorney Foster. A motion was made by Council Member Harvin, seconded by Council Member Plyler and unanimously passed to adopt Resolution R2017-01.

2017-02: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF TOWN COUNCIL, SEATS 3, 4 AND 5 TO BE HELD ON TUESDAY, MARCH 28, 2017

The title was read by Attorney Foster. A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed to adopt Resolution R2017-02.

~~**ORDINANCE 444: FIRST READING: AMENDMENT TO CHAPTER 2, ADMINISTRATION SECTION 66 – BIDDING PROCEDURES AND SECTION 111 – COMPREHENSIVE PLAN**~~

~~**ORDINANCE 445: FIRST READING: AN AMENDMENT TO CHAPTER 56 – WIRELESS TELECOMMUNICATION TOWERS**~~

RESCIND NOVEMBER 17, 2016 MOTION TO EXTEND AGREEMENT WITH GRAU AND ASSOCIATES AND AUTHORIZE RFP FOR AUDITING SERVICES FOR THE TOWN OF HAVERHILL FOR THE FISCAL YEAR BEGINNING SEPTEMBER 30, 2017.

The Town Administrator offered staff's report. A recent opinion from the Inspector General's office received by the Town Administrator was very specific as to the procedures a municipality must follow when renewing existing contracts with municipal auditors. After careful review, it was the recommendation of Attorney Foster that the Town reconsider its motion to extend its existing contract with Grau and Associates and to prepare an RFP for the services.

Vice Mayor Gordon had made the original motion on November 17, 2016.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (5-0) to rescind the motion of November 16, 2016 extending the present contract with Grau and Associates for auditing services for three (3) years beginning with fiscal year September 30, 2017 and to authorize a Request for Proposal be prepared in accordance with Florida Statutes 218.391 for auditing services for three years beginning with fiscal year September 30, 2017.

~~DISCUSS MORATORIUM REGARDING GROUP HOMES IN THE TOWN OF HAVERHILL~~

REPORTS

Town Attorney

Attorney Foster provided an update on the proposed telecommunication ordinance he was drafting for the Town that would address the installation of repeater poles within the Town's boundaries. Although he had studied the codes adopted by other municipalities including Orlando and North Palm Beach, neither addressed the regulation of poles being installed on rights of way within jurisdictional boundaries that were not under the control of the Town. Although the studied ordinances address regulations within municipal rights of way owned by the jurisdiction, the Town is needing to regulate rights of way owned by other governmental entities.

With regard to placing a moratorium on sober houses within the Town, Attorney Foster advised against taking any action at this time.

Mayor

Mayor Foy reminded Attorney Foster that he would like to see the proposed telecommunication Ordinance address distance requirements, size, height and number of boxes/co-locators permitted.

He reported that Attorney Marty Perry had contacted him with regard to a project located on Stacy Street running along the Town's northern boundary. It had been approved several years ago to allow for 160 units. The Town had testified against the project in 2008 and based on the Town's concerns, the Board of County Commissioners required the applicant to install an 8' wall along the Town's boundary as a condition of approval.

The revised project has been reduced to 117 units, the site plan still includes a Palm Beach County Sheriff's sub-station and the 8' wall.

The Mayor had sent a letter to the County noting that although the Town was pleased that the 8' wall was still included in the plan, and the number of units had been reduced, the Town still objected to any project in close proximity to the Town that would result in increased traffic within the Town's jurisdictional boundaries.

Mayor Foy gave an update on the Loxahatchee River noting that the Army Corps of Engineers was working with local groups to restore the river and lagoon.

Town Administrator

None.

Committee/Delegate Report

It was reported that at the Palm Beach County League of Cities District 2 and 3 luncheon held the previous day, discussion addressed the required appointment by each municipality of a sales tax oversight committee. The Town's alternative would be to have the Oversight Committee appointed by the League of Cities oversee the Town's project.

The League would be sponsoring a Legislative Round table on January 25, 2017.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

None.

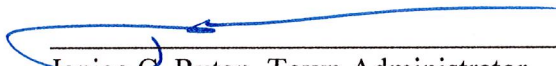
NEW BUSINESS

None.

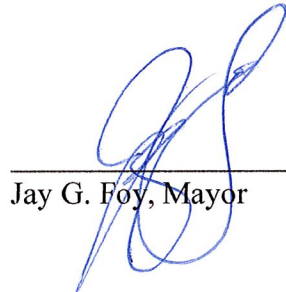
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:15 p.m.

Approved: February 9, 2017



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor