

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



**Local Planning Commission
Town Hall Council Chambers
Thursday ~ July 9, 2015
6:45 p.m.
AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF THE AGENDA**
- IX. REVIEW AND MAKE RECOMMENDATION TO THE TOWN COUNCIL
ON THE FOLLOWING PROPOSED ORDINANCES:**

ORDINANCE NO. 430

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED BY REDESIGNATING A 4.838 ACRE PARCEL OF LAND FROM THE EXISTING TOWN OF HAVERHILL ZONING DESIGNATION OF R-2 - TWO FAMILY RESIDENTIAL DISTRICT TO THE TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 - MEDIUM DENSITY RESIDENTIAL DISTRICT AS REQUESTED BY JULIAN BRYAN, AGENT FOR D. R. HORTON HOMES, CONTRACT PURCHASER FOR THE PROPERTY (OWNER, HAVERHILL BAPTIST CHURCH), WHICH PARCEL IS LOCATED ON THE SOUTHEAST CORNER OF CLUB ROAD (EAST) AND HAVERHILL ROAD, PARCEL CONTROL NUMBER 22-42-43-36-00-000-3150; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

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.

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, Assistant Town Administrator and Town Clerk, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

Jay G. Foy, Mayor
James 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 ~ July 9 , 2015
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 and June 11, 2015 regular meetings**
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. FIRST READING: ORDINANCE NO. 430: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED BY REDESIGNATING A 4.838 ACRE PARCEL OF LAND FROM THE EXISTING TOWN OF HAVERHILL ZONING DESIGNATION OF R-2 - TWO FAMILY RESIDENTIAL DISTRICT TO THE TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 - MEDIUM DENSITY RESIDENTIAL DISTRICT AS REQUESTED BY JULIAN BRYAN, AGENT FOR D. R. HORTON HOMES, CONTRACT PURCHASER FOR THE PROPERTY (OWNER, HAVERHILL BAPTIST CHURCH), WHICH PARCEL IS LOCATED ON THE SOUTHEAST CORNER OF CLUB ROAD (EAST) AND HAVERHILL ROAD, PARCEL CONTROL NUMBER 22-42-43-36-00-000-3150; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES**
 - b. RESOLUTION 2015-03: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA TENTATIVELY ESTABLISHING A MILLAGE RATE FOR THE 2015 - 2016 FISCAL YEAR; SETTING THE REQUIRED**

**PUBLIC HEARINGS AND PROVIDING AN EFFECTIVE
DATE**

c. BUDGET DISCUSSIONS

XI. REPORTS

Town Attorney

Mayor

Town Administrator

Committee/Delegate Report

Treasurer's Report (included in packet)

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

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TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ July 9 , 2015
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, July 9, 2015 at the Town Hall, 4585 Charlotte Street, Haverhill immediately following the close of the Local Planning Agency Meeting. Those present were Jay G. Foy, Mayor; Jerry Beavers, Council Member; Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster, Director of Public Services Joseph Roche 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 at the previous meeting.

ROLL CALL

The Town Administrator recorded all members present.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested approval of the minutes be removed from the Consent Agenda. A motion was made by Vice Mayor Woods, seconded by Council Member Gordon and unanimously approved (5-0) to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

~~Approval of the minutes of the June 25, 2015 Regular Meeting.~~

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPT.

Deputy Strickland was present and presented the crime statistics for the previous 2 week period. He reported that the problems were strictly civil matters only.

He referred to a halfway house on Haverhill Road and a property on Park Hill that was on the down side of its issues.

Deputy Strickland requested the Town's assistance in reminding its residents to be sure they keep their homes and their vehicles locked at all times.

The Council expressed their appreciation to PBSO for the permit detail within the Town.

Daphne Burgan, New Parkview Place commented that persons were seen jumping the fence at Stacy Street into the subdivision and going to 1080 New Parkview Place. She added that the streets needed resurfacing.

Council responded that the Town would work with PBSO to be sure the area was patrolled. They explained the roads were private and resurfacing was the responsibility of the HOA. She responded the proposed cost of \$30,000 was unaffordable.

PROCLAMATIONS AND PRESENTATION

None.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

FIRST READING: ORDINANCE NO. 430: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED BY REDESIGNATING A 4.838 ACRE PARCEL OF LAND FROM THE EXISTING TOWN OF HAVERHILL ZONING DESIGNATION OF R-2 - TWO FAMILY RESIDENTIAL DISTRICT TO THE TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 - MEDIUM DENSITY RESIDENTIAL DISTRICT AS REQUESTED BY JULIAN BRYAN, AGENT FOR D. R. HORTON HOMES, CONTRACT PURCHASER FOR THE PROPERTY (OWNER, HAVERHILL BAPTIST CHURCH), WHICH PARCEL IS LOCATED ON THE SOUTHEAST CORNER OF CLUB ROAD (EAST) AND HAVERHILL ROAD, PARCEL CONTROL NUMBER 22-42-43-36-00-000-3150; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

Mayor Foy recused himself from discussion of the matter explaining a possible conflict of interest.

The title was read by Attorney Foster. Attorney Foster also offered staff's report and informed Council that the Local Planning Agency had recommended Town Council approval of Ordinance No 430 on first reading.

A motion was made by Council Member Beavers to approve Ordinance No. 430 upon first reading. Vice Mayor Woods seconded the motion adding that the approval should include Staff's recommendations as outlined in the letter from Josh Nichols dated July 8, 2013 as well as the recommendation to approve from the Local Planning Agency. Council Member Beavers approved the amendment, and the motion passed 4 -0 in favor with Mayor Foy abstaining from the vote.

Attorney Foster reminded Council that the meeting of July 23, 2015 would be for the final reading of Ordinance No. 430, and for the approval of the site plan and product elevations.

Tom Hudson, Club Road East. Mr. Hudson inquired as to the site plan and if the housing would be similar to the Sunset Isles and Emerald Cove. A discussion then followed about the type product that would be constructed on the site, with D. R. Horton representatives assuring all it would be considered high end housing.

RESOLUTION 2015-03: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA TENTATIVELY ESTABLISHING A MILLAGE RATE FOR THE 2015 - 2016 FISCAL YEAR; SETTING THE REQUIRED PUBLIC HEARINGS AND PROVIDING AN EFFECTIVE DATE

The title was read by Attorney Foster.

Discussion followed. Vice Mayor Woods noted he would like to increase the Communication Services Tax, set the preliminary millage rate at 4.7500 and if the budget could be balanced at 4.5000, reduced the tentative millage to 4.5000.

The tentative millage could be reduced once set, but could not be increased.

Council was in agreement that it would like to pursue increasing the Communications Services Tax as a way to increase revenues. Council Member Uptegraph agreed the Town was running at a deficit with regard to infrastructure but was not in favor of increasing the millage above 4.5000 and expressed concern of even setting the tentative millage a higher rate as it could prove to be too much of a temptation to adopt. Council Member Gordon agreed.

Tom Hudson, Club Road East. Mr. Hudson inquired as to when they would break ground. The process was explained in detail.

A motion was then made by Council Member Uptegraph, seconded by Council Member Gordon and unanimously passed (5-0) to adopt Resolution 2015-03, tentatively establishing a millage rate of 4.5000 for the 2015/2016 fiscal year and setting the required public hearings.

BUDGET DISCUSSIONS

A brief discussion followed as to the proposed budget for the ensuing fiscal year. Attorney Foster has presented the AGO's opinion confirming the Town would not have to go out to bid under CCNA for the position of Town Engineer.

REPORTS

Town Attorney

None.

Mayor

None.

Town Administrator

None.

Committee/Delegate Report

Council Member Beavers distributed a written account of the topics of discussion that took place at the Palm Beach County League of Cities District 2 & 3 luncheon the previous day.

Vice Mayor Woods reported on the Special Events Committee meeting that had been held earlier in the week. The Halloween Event will take place October 30, 2015 at 5:30 p.m. The menu has been upgraded calling for a hot dog bar with all the fixings and pizza. Because volunteers are always a problem, staff will reach out to the local Boy Scout troop for volunteers.

Mayor Foy reported he would be attending a meeting of the Water Resource Task Force the following Thursday.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

None.


NEW BUSINESS

None.

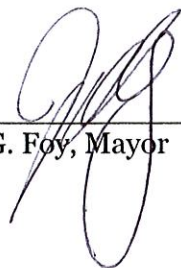
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:50 p.m.

Approved: July 23, 2015



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor

TOWN OF HAVERHILL
LOCAL PLANNING COMMISSION + Council Meeting
Thursday, July 9, 2015

[illegible]

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME FOY JAY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LOCAL PLANNING AGENCY
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY	COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: Town Council
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jim G. Ray, hereby disclose that on 7/8, 2015:

(a) A measure came or will come before my agency which (check one)

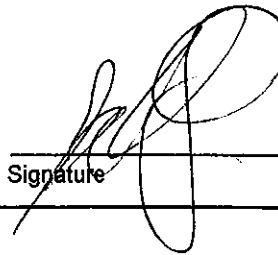
- ☒ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, _____;
- _____ inured to the special gain or loss of my relative, _____;
- _____ inured to the special gain or loss of _____, by
whom I am retained; or
- _____ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Date Filed

7/9/15

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME FUY JAY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE TOWN COUNCIL	
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: LPA	
CITY	COUNTY	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: TOWN OF HAVENHILL	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

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- The form must be read publicly at the next meeting after the form is filed.

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- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Way G. Fort, hereby disclose that on 7/9, 20 15:

(a) A measure came or will come before my agency which (check one)

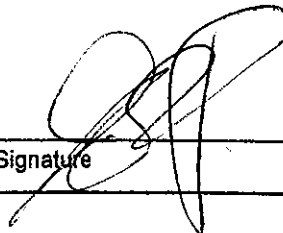
- ☒ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, _____;
- _____ inured to the special gain or loss of my relative, _____;
- _____ inured to the special gain or loss of _____, by
whom I am retained; or
- _____ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Date Filed

7/9/15

Signature



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From the desk of
Jerry Beavers

Subject: Atlantis District II III luncheon

July 8, 2015

At the Atlantis luncheon yesterday approximately 29 people attended. Including members from the Sheriff's Department, law enforcement from Atlantis, Lake Clark shores, Commissioner Shelley Vana.

Jeff Hmara, from Royal Palm Beach attended the legislative meeting Orlando. Jeff discussed charter schools, relocation of utilities, and other issues. Dan Clark discussed growth management. Shelley Vana discussed Uber and Lyft the ride service, and panhandling. There was also discussion on the half cent sales tax.

I presented from my idea file an emergency vehicle device that would include fire rescue and law enforcement and any other emergency type vehicles.

Emergency vehicle device

When emergency vehicles respond to calls, drivers of vehicles do not hear sirens due to windows up, radio on, or conversation with other passengers. Emergency vehicles would be equipped with a transmitter that would broadcast approximately 500 ft. All other vehicles including emergency vehicles would be equipped with a receiver that is activated by the Emergency Vehicle Transmitter and. The receiver is a separate radio and could be self-contained with its own speakers. The transmitter would give location and direction of travel. This could be an after market installation and required on all new cars. Cars that have a high tech package would also show the location of emergency vehicles.

Shelley Vana said she liked the idea I was going to present it to the County Fire Chief.