

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



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ December 12, 2019
7:00 p.m.
AGENDA

- I. CALL TO ORDER**
- II. COMMENTS FROM THE PUBLIC**
- III. APPROVAL OF AGENDA**
- III. APPROVAL OF THE CONSENT AGENDA**
 - a. Approve Minutes**
- IV. PROCLAMATIONS AND PRESENTATIONS**
- V. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VI. SECOND READINGS AND PUBLIC HEARINGS**
- VII. FIRST READINGS AND REGULAR AGENDA**
 - a. Resolution 2019-10: Adopting the 2020 revised Palm Beach County Local Mitigation Strategy Plan**
 - b. Approve FY 2019 year end budget amendments**
 - c. Review of Proposed Ordinances**
- VIII. REPORTS**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
 - Committee/Delegate Report**
 - Approve Treasurer's Report as presented**
- IX. UNFINISHED BUSINESS**
- X. NEW BUSINESS**
- XI. 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 ~ December 12, 2019
OFFICIAL MINUTES

The Regular Meeting of the Haverhill Town Council was held Thursday, December 12, 2019 at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Council members present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Remar Harvin, Council Member (arrived late) and Daniel H. Sohn, Council Member. Town Attorney John Foster and Town Administrator Janice C. Rutan were also present.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

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

ROLL CALL

The Town Administrator called the roll. All members were present except Remar Harvin.

COMMENTS FROM THE PUBLIC

Robert Roessler, 1010 Pineway: Mr. Roessler complained about the "train" of Amazon Prime trucks that travel down Belvedere Road. several times per day. It was explained that the trucks are parked at both the Airport and the Kennel Club and travel from those locations west to the Amazon distribution center at the intersection of Jog and Belvedere Roads. Mr. Roessler reported that he had counted 50 trucks in a row passing Pineway and it took 20 minutes for him to exit his street. Mayor Foy recounted the history including the approval of the development due to a CRALLS designation so that Belvedere Road would not be widened to 6 lanes. The Town had fought against this approval back in the nineties.

Council agreed to look into the matter by requesting a copy of the development order as well as determine whether this arrangement is temporary/seasonal due to the holidays.

All agreed it was causing a problem along Belvedere Road. Mr. Roessler added that the 18 wheelers travelling from I 95 to the Industrial Park at Belvedere and Jog can be heard all hours of the night. It was also noted that the speeding along Belvedere Road was out of control.

Discussion followed. Staff would reach out to the County Commissioners as well.

Mr. Roessler added that the motorcycle cops enforcing traffic on Belvedere Road are so busy as there are so many people speeding.

APPROVAL OF AGENDA

Town Administrator Rutan requested that the Consent Agenda and item 7B be removed from the agenda. A motion was made Vice Mayor Gordon, seconded by Council Member Sohn and unanimously passed (5-0) to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

None.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The crime statistics were reported on and included one felony arrest resulting from a traffic stop. There were two reports of thefts in the area. One at 850 Palm tree Lane and involved an Amazon delivery taken from the home. There were 72 business and traffic checks and 34 traffic stops.

Council extended their appreciation to the Palm Beach County Sheriff's office.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Resolution 2019-10: Adopting the 2020 revised Palm Beach County Local Mitigation Strategy Plan

After having received a full presentation of the revised Plan by Joe Mercurio and Bill Johnson from the Department of Emergency Management EOC and LMS divisions at the December workshop, **a motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (5-0) to adopt Resolution 2019-10 adopting the 2020 revised Palm Beach County Local Mitigation Strategy Plan.**

~~Approve FY 2019 year end budget amendments~~

Review of Proposed Ordinances

Attorney Foster offered Staff's report.

Ordinance 478: Storm Shutters: Council questioned whether there were provisions included in the proposed Ordinance that would allow storm shutters to be installed as a precaution when the homeowner was on vacation.

Ordinance 479: Attorney Foster gave a brief explanation of the Ordinance and the clarification of safe corners.

Ordinance 480: Attorney Foster reminded Council that they were looking at allowing 6' fences in the front yard provided they have 15' of the fence opaque to provide for a safety view into the property and to allow a minimum of a 9' hedge in the rear yard. He suggested Council revisit this prior to setting the public hearing so they address things such as the definition of bamboo; non-conforming uses; etc. He noted he would invite the landscape architect to the next meeting.

Mr. Roessler, Pineway Drive. He questioned the height of his hedge/fence since his lot is on a corner lot.

The Mayor asked if there would be grandfather clauses included in the proposed Ordinances.

Ordinance 481: Attorney Foster explained this proposed ordinance addresses the regulations, number and protocol for parking recreational vehicles on private property. Again he noted that this proposed Ordinance would require a workshop prior to the public hearing as it affects so many property owners within the Town.

Ordinance 482: Staff reported that many residents were placing vegetation curbside within hours of the Tuesday pick up. This was resulting in the swales and rights-of-way not being maintained because of the debris in the way of mowing and trash pick-up areas. Attorney Foster pointed out that Section 30-48 would require contractors would be required to remove their debris. Council Member Uptegraph would prefer that vegetation be permitted to be put out prior to the Friday before pick up.

Ordinance 483: There was very little discussion concerning the proposed Ordinance clarifying one principal building per lot.

Ordinance 484: Attorney Foster explained the intent of Ordinance 484. Council briefly discussed open air structures and temporary structures. Number of structures, size and location would need to be discussed.

Ordinance 485: Regarding the Airport Protection Zoning Regulations, the Town will need to enter into an Interlocal Agreement with Palm beach County.

Ordinance 486: A brief discussion ensued regarding vacation rentals and requiring a permit to rent a room or the entire home. Staff would obtain a copy of Wellington's Ordinances. He added that vacation rentals should be required to remove their own trash. He noted that a vacation rental should ne be allowed to take advantage of the Town's Solid Waste and Recycling program. Discussion ensued.

Ordinance 487: Attorney Foster explained this was a housekeeping issue as the Town had never repealed the Ordinance that governed the Red Light Camera program.

The Council agreed to hold public workshops on the proposed Ordinances.

REPORTS

Town Attorney

Mayor

Mayor Foy reported on the meeting Commissioner Weiss held earlier in the day for the Mayors and Managers of his District. Mayor Foy spoke quite highly of Commissioner Weiss. Haverhill hosted the event.

Megan Houston, Palm Beach County Office of Resilience, was present and spoke on the long term effects of climate change. She reported that storms will be more severe due to climate change; there will be more severe rainfalls; temperatures will rise, medications will not work as well in higher temperatures and sea level will rise 10" – 17" by 2040.

Mayor Foy had asked where they were getting their data from and questioned some of the findings. He offered to research the data referred to by Ms. Houston and report back to the Council.

The Mayor had prepared a synopsis of Megan Houston's Citations at the 12/9/19 Commissioner Weiss's Mayors/Administrators Meeting:

- Storms would be worse, not more frequent, but higher intensity
- There would be more rainfall extremes, i.e. individual storms rainfall amounts will be higher and droughts more extreme
- There will be higher temperatures and more frequent highs
- Medications don't work as well in higher temperatures so there will be more health issues
- Sea level will rise by 10-17" by 2040 and 2.5' by 2070
- Greenhouse gases are the causative agent

The source of Ms. Houston's information was the Southeast Climate Compact (Dade, Broward and Palm Beach Counties)

Town Administrator

The Town Administrator requested Town Council direction in deposit funds in response to the Inspector General's audit report. She had been in touch with Seacoast Bank and was looking into opening a sweep account whereby funds would be swept nightly into a high yielding interest account.

Council was interested and asked the Town Administrator get additional information or ask for a representative from the bank to attend the next meeting to explain the benefits.

A brief discussion followed and Council expressed their feelings about the Inspector General and the frustration the IG caused staff during the audit process.

She would be meeting with a representative of Seacoast Bank to discuss options.

A brief discussion ensued concerning alternative parking areas.

Committee/Delegate Report

Mayor Foy and Vice Mayor Gordon gave a brief report of the Palm Beach County League District 2 and 3 luncheon held the previous day.

Mayor Foy announced the annual NPDES report would be due on December 18. He next reported that Senator Brian Mast was recommending that Lake Okeechobee be lowered to 10.5" whereby the ecological evaluation recommends 12' – 15'.

Mayor Foy noted there had been a brief discussion among the District 2 & 3 municipalities at the League luncheon regarding Council terms.

A brief discussion ensued regarding a noise complaint from a private property what would be considered reasonable noise. Attorney Foster made a presentation based on his history of litigation regarding noise complains.

Approve Treasurer's Report as presented

The Town Administrator explained that in light of the recent report by the Inspector General, the Town Council would now need to act on the Treasurer's Report as presented.

Discussion followed. Council Member Sohn expressed his concern that the report painted the Town Administrator in an unfavorable light and expressed his support of her and her office. He commented that the Town Council relies on the Town Administrator's reports and recommendations and the Inspector General's office should not interfere with that function.

Discussion continued. **A motion was then made by Council Member Sohn, seconded by Council member Uptegraph and unanimously passed (5-0) to approve the Treasurer's report as presented.**

UNFINISHED BUSINESS

Council Member Sohn inquired as to the number of voting precincts within the Town.

Mayor Foy thanked Staff for their effort towards another successful Mayor's luncheon. He also noted that the Newsletter had been received by the residents.

He then reported that at the 11th hour, the TPA agreed to revisit the exclusion of SR7 in the long-range Traffic Plan. Discussion followed. The Town Administrator reported that included in the long-range plan was "intersection improvements' at the intersection of Haverhill and Belvedere Road. Discussion followed during which it was suggested the Town may want to consider implementing a 25 mph speed limit on Belvedere Road and a 30 mph speed limit on Haverhill Road. The Town Administrator would reach out to John Kim, the Town's Traffic Engineer.

NEW BUSINESS

When asked about the large building being constructed on Haverhill Road, south of AAlpine Storage, it was revealed that it was an industrial warehouse with a previous development order approval being constructed on Airport Property. The Building being constructed at the Airport would house US Customs, Med Jets and Border Patrol.

The Industrial park being constructed south of Town on Haverhill Road would contain 540,000 of Industrial space.

A brief discussion followed concerning a rezoning of an R-1 residential property in Town located off Bethany, adjacent to the Townhome project. They were hoping to become part of the Airport Overlay Zone. Discussion followed.

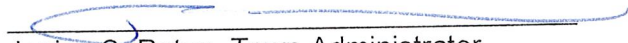
Town Attorney

The Town Attorney presented a report on the 2020 Legislative update. He noted specific legislation that would affect the Town of Haverhill:

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:20 p.m.

Approved: February 13, 2020


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor