

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Ray Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, June 2, 2020
NOON**

AGENDA

- I. Call to Order**
- II. Presentations/Proclamations**
- III. New Business**
 - a. Sunset Isles re: Cluster of Australian Pines along the eastern property line of the Sunset Isles subdivision**
 - b. Update on Berkeley Mews Drainage/Briarwood Drainage**
 - c. Discuss fence at end of Briarwood Drive**
- V. Old Business**
 - a. Update on status of proposed Ordinances**
- VI. Council, Attorney and Staff Reports**
- VII. 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

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TOWN COUNCIL WORKSHOP

JUNE 2, 2020

IN ACCORDANCE WITH STATE OF FLORIDA, OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-69 (Emergency Management – COVID- 19 – Local Government Public Meetings), the Emergency Declaration issued by the Town, and FS 286.0114, and other applicable federal, state, county and Town declarations, orders, rules and regulations, the Town Hall meeting shall be modified with respect to public access and public comment. Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on June 2, 2020. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council, access to the Town Hall by the public will be limited to no more than 10 persons in the Council Chambers including Town Council, Staff and PBSO; provided, however, that those persons exhibiting signs of illness, such as coughing or sneezing will not be permitted in the Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. All persons will be required to bring their own mask and wear it when entering Council Chambers to address the Town Council. Those persons gathering outside the Town Hall shall maintain a separation of at least six feet from one another, and it is recommended that masks be worn as well. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the workshop begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding during these uncertain times.

**TOWN OF HAVERHILL
Town Council Workshop
June 2, 2020
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, June 2, 2020 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Mark Uptegraph; Council Member Dennis Withington; Council Member Ray Caranci; Attorney John Foster; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible; Code Inspector Devon Kirms; Town Planner Josh Nichols and Town Engineer Todd McLeod (via tele-conference).

Also, in attendance was Anthony Newton, Sunset Isles HOA President.

I. CALL TO ORDER

Mayor Foy called the meeting to order at 12:05 p.m.

Introduction of all attendees.

II. PRESENTATIONS / PROCLAMATIONS

N/A

III. NEW BUSINESS

- a. **Sunset Isles re: Cluster of Australian Pines along the eastern property line of the Sunset Isles Subdivision:** Town Administrator Janice Rutan reported that approximately a year ago, a property owner of Sunset Isles came to the Town very concerned about an Australian pine that was threatening his home. Homeowner German Cepeda of 4683 Grove Street also notified the Town to say he was concerned about the same tree. Mr. Cepeda told Town staff the Australian pine was not on his property and belongs to Sunset Isles. Mr. Cepeda indicated he had a surveying company survey his property and the trees are not on his property. T/A Rutan stated that Australian pines multiply and multiply into clusters and have now taken over the boundary between Grove Street and Sunset Isles. T/A Rutan provided a letter to all written by Sunset Isles HOA with their concerns. Sunset Isles HOA and Mr. Cepeda both do not believe it to be their responsibility. T/A Rutan also reported that another Sunset Isles homeowner and her children are no longer able to enjoy their backyard as there are racoons and other varmint multiplying at the base of these Australian pines.

Mr. Newton, Sunset Isles HOA President stated it is a liability to people and homes near the cluster. It is causing a landscape maintenance problem. It may eventually cause a problem for the dry retention area along the west side of the Sunset Isles subdivision's eastern property line. It should be eradicated. The Sunset Isles subdivision's eastern fence was not built as per the site plans on file at the Town of Haverhill because the fence was built around the cluster, instead of in a straight line as shown on the site plans. Sunset Isles feels because the fence was not built per the site plans, eradication of the cluster is not the responsibility of the Sunset Isles HOA. Why wasn't the cluster eradicated when the fence was constructed, so the fence could be built in a straight line per the site plans, who (DR Horton, the site contractor, the fence contractor, the Town on Haverhill) made the decision to build the fence around the cluster, instead of in a straight line as shown on the site plans and who is liable if the cluster harms people or homes nearby and finally who should eradicate the cluster? It was suggested to Mr. Newton, to have Sunset Isles have a property survey done. Discussion ensued.

Community Services / Code Inspector Devon Kirms reported she will be soon requesting quotes to remove invasive vegetation located on Town property and would be willing to ask the companies to take a look at these Australian pines and perhaps Sunset Isles would get a more affordable quote. Discussion ensued.

- b. **Update on Berkeley Mews Drainage/Briarwood Drainage:** Town Engineer Todd McLeod reported Wynn & Sons and Belvedere Construction had been performing temporary repairs on Friday and Monday. They installed well points and started digging down to drainage pipe to install the temporary relief pipe. When the pipe was exposed, water was coming back into hole from the drainage pipe, it was agreed to seal the hole and temporary pipe with sandbags and mud in the 6" pipe to the catch basin to help with drainage until directional drill pipe is scheduled. Pumping down the standing water under Berkeley Mews roadway and trying to do a temporary connection to the pipe in case we get more rain. This is all until a permanent solution can be installed. After the Town Council meeting the other night, he reported he received an updated proposal from K3 Directional for drilling that included the option of a 14" pipe as opposed to the original 12" proposed with the cost difference running around \$3,000. Town Administrator Rutan asked Todd McLeod when he would be able to go through to check the remaining pipes in Briarwood although it had been determined that underneath the road was cement. She asked if we are concerned about the others. Todd responded we should be concerned but was trying to get this job done first. Mayor Foy added this needs to be put on the list next to get done. Discussion ensued.
- c. **Discuss fence at end of Briarwood Drive:** Town Administrator Rutan stated this street is the actual end of the neighborhood on the Town's Right-of-Way and

would Town Council consider installing a shadowbox type fence or even a type of concrete barrier for the safety of Briarwood residents. The property owner of 4810 Dorchester Mews was granted a fence variation by Town Council on May 28, 2020. The request was for an 8ft backyard fence because of the harassment of neighbors in Orleans Court. Town Attorney Foster suggested asking the property owners that currently about Orleans Court if they were interested in getting a quote along with the Town's request for an 8ft fence, to perhaps make it more cost effective for all involved. He stated it would make for an 8ft fence boundary along the whole length of the Town. Discussion ensued.

IV. OLD BUSINESS:

- a. **Update on status of proposed Ordinances:** Town Attorney Foster stated as mentioned at last Town Council meeting there were six (6) ordinances that we wanted to bring forward:
 1. **Ordinance No. 478 Hurricane Shutters:** The only change being made from the last time considered on February 24, 2020 was that an exception be made for people who go away for an extended period. In that case, the resident must provide contact information to someone locally. He also mentioned the hurricane shutters must be architectural compatible with the home. Plywood is not a solution.
 2. **Ordinance No. 479 Visual Obstruction (Corner Lots):** This deals with the safe corner triangle which is not a new ordinance. It is just simply revising some of the language.
 3. **Ordinance No. 480 Fences, Driveways and Shrubbery:** Attorney Foster stated this one, the Town has spent a great deal of time on. He reported adding a 10ft hedge on properties abutting Belvedere Road and Haverhill Road, but he also added the properties abutting the perimeter of the Town. Regarding future variations, we are going to add a provision that it cannot be any higher than 10ft. Town Administrator Rutan stated the Town Building Official, Bill Denison suggested adding commercial properties as well. Discussion ensued.
 4. **Ordinance No. 481 Recreational Vehicles, Trailers, Travel Trailers, etc.:** This will be presented as it was on February 24, 2020 with very minor changes. Council Member Caranci stated when he was reading it, he found a bit of a conflict and was confused between the 24-hour parking in driveway mentioned in the beginning for the RV's versus the seven (7) day parking in the driveway. Code Inspector Kirms explained the time difference may be if someone was coming home from a day on the boat where you have 24 hours to unload and remove from the driveway opposed to an RV that may require a

seven (7) day parking pass to allow for a week to unload after a long trip. Attorney Foster asked Council Member Caranci to send him an email of his concern so he can look at it as he wants to be consistent in the writing of the ordinances. Discussion ensued.

5. Ordinance No. 487 Repealing of Red-Light Cameras

- 6. Ordinance No. 489 Solid Waste – All nonresidential lots shall contract for separate roll-off service:** Town Attorney Foster stated this is just clarifying that nonresidential properties in the Town must contract for separate roll-off services and not use the Town's facilities as we have had this issue.

Town Attorney Foster stated unless Town Council directs otherwise, we will proceed ahead with advertising these for the July Town Council meetings. First readings will be July 9, 2020 and July 23, 2020. Town Administrator Rutan asked what have we done regarding putting the vegetation out. Attorney Foster reported we have not done anything yet as he wanted to get these specific ordinances out first. Town Administrator Rutan said that's fine she understands but explained it was so frustrating to come into Town on Wednesday (and Thursday) morning to find vegetation strewn all over the Town especially after staff had run the Town on Tuesday afternoon and found no vegetation out. Town Administrator Rutan stated since the vegetation ordinance is not pending, she would like to go back to tagging properties. Town Attorney Foster stated he would like to see the Town get through these ordinances first as the tagging issue was what created such a hue and outcry from the residents. Code Inspector Kirms reported she had been working with the property owner of 920 N. Haverhill Road to have a fenced in garbage corral installed as they cannot put their garbage or vegetation curbside and have to put it in the front yard. Discussion ensued.

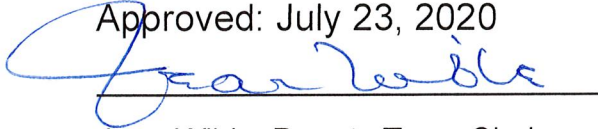
V. COUNCIL, ATTORNEY AND STAFF REPORTS:

Town Attorney Foster stated that last year, Town Council had suggested making some amendments to the Town's Charter. He reported that he and Town Administrator Rutan found it would be very difficult to get on the November 2020 ballot and with so many things on the November ballot, it could get lost. Attorney Foster suggested if you are going to make any changes, they should be done for the March 2021 election. Unless directed otherwise by Town Council, Attorney Foster said to put this on the agenda for the next Town Council meeting to discuss further. Discussion ensued.

VI. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:45 p.m.

Approved: July 23, 2020

A handwritten signature in blue ink, appearing to read "Jean Wible", written over a horizontal line.

Jean Wible, Deputy Town Clerk

A handwritten signature in blue ink, appearing to read "Jay G. Foy", written over a horizontal line.

Jay G. Foy, Mayor

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