

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Dennis Withington, Council Member
Raymond Caranci, Council Member
Dr. Teresa Johnson, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL
LOCAL PLANNING AGENCY
Thursday, October 28, 2021
6:30 p.m.**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. Make recommendation to the Town Council regarding the adoption of Ordinance 502:**
 - A. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES**
- V. ADJOURNEMENT**

TOWN COUNCIL REGULAR MEETING

Thursday, October 28, 2021

6:30 p.m. (immediately following close of the Local Planning Agency

AGENDA

- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the ~~October 5, 2021~~, Workshop September 23, 2021, Final Public Budget Hearing and Regular Meeting**
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX.. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE**
- X. PUBLIC HEARING AND SECOND READINGS:**

None
- XI. REGULAR AGENDAS AND FIRST READINGS**
 - A. RESOLUTION 2021-12: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND**

DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE INTEGRITY GROUP TO PROVIDE GRANT PROGRAM MANAGEMENT CONSULTING FOR THE AMERICAN RESCUE PLAN ACT; AND PROVIDING AN EFFECTIVE DATE

B. FIRST READING: ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

c. FIRST READING: ORDINANCE NO 498: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 1.03 BY CLARIFYING THE GENERAL POWERS OF THE TOWN; SECTION 2.04 BY DELETING THE REFERENCE TO REMOVAL OF ELECTED OFFICIALS BY ANY MEANS OTHER THAN BY GENERAL LAW OF THE STATE OF FLORIDA; SECTIONS 2.05 AND 2.06 TO CLARIFY THAT THE TERM OF OFFICE BEGINS AFTER RECEIPT OF THE CERTIFIED ELECTION RESULTS FROM THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR ON THE DATE THE ELECTION WOULD HAVE OCCURRED IN THE EVENT THAT THE ELECTION IS UNCONTESTED; SECTION 3.05 BY SPECIFICALLY AUTHORIZING THE TOWN COUNCIL TO EMPLOY AND RETAIN PROFESSIONALS AND CONSULTANTS; SECTION 4.03 BY DETAILING THE PROCESS IF A CANDIDATE DIES, WITHDRAWS, BECOMES DISQUALIFIED, OR IS OTHERWISE REMOVED FROM THE BALLOT BETWEEN THE PERIOD BETWEEN THE SUBMISSION OF THE BALLOTS FOR PRINTING AND THE ELECTION AND DEEMING THE REMAINING CANDIDATE IN A TWO PERSON RACE THE VICTOR IF THE OTHER CANDIDATE DIES, WITHDRAWS OR IS OTHERWISE DISQUALIFIED; SECTION 4.05 TO AUTHORIZE THE COUNCIL TO ESTABLISH THE DATE OF THE GENERAL OR SPECIAL ELECTION AND ALLOWING FOR TIES IN ELECTIONS TO BE DECIDED BY THE DRAWING OF LOTS, INCLUDING DEFINING "DRAWING BY LOTS" IN SECTION 5.01(20); ADDING A NEW SECTION 4.06 TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE FOR THE CONDUCT OF ELECTIONS NOTWITHSTANDING ANY OTHER PROVISION OF THE CHARTER TO THE CONTRARY; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

d. FIRST READING: ORDINANCE NO. 503:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.05 BY AMENDING THE CHARTER TO CHANGE THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO YEARS TO THREE YEARS, BEGINNING WITH THE MARCH GENERAL ELECTION TO BE HELD FOLLOWING THE APPROVAL OF THE AMENDMENT OF THE CHARTER BY THE ELECTORATE; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

e. FIRST READING: ORDINANCE NO. 504: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 4.03 BY AMENDING THE CHARTER TO IMPOSE A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE FIRST DAY OF QUALIFYING AND AUTHORIZING THE TOWN COUNCIL TO ESTABLISH BY ORDINANCE CRITERIA TO SHOW A CANDIDATES RESIDENCY IN THE TOWN; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

f. FIRST READING: ORDINANCE NO. 505: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.03 BY AMENDING THE CHARTER TO PROVIDE THAT IF THE ELECTORS OF THE TOWN APPROVE THE EXTENSION OF THE TERM OF OFFICE FOR A COUNCILMEMBER FROM TWO YEARS TO THREE YEARS, THAT A SPECIAL ELECTION BE HELD FOR ANY VACANCY THAT OCCURS WITH EIGHTEEN MONTHS OR MORE LEFT IN THE TERM OF THE SEAT THAT IS BEING VACATED AND IF NO ONE QUALIFIES FOR THE SPECIAL ELECTION, THAT THE SEAT BE FILLED BY APPOINTMENT OF THE REMAINING MEMBERS OF THE TOWN COUNCIL; PROVIDING THAT IF A VACANCY OCCURS IN A

COUNCIL SEAT WITH LESS THAN EIGHTEEN MONTHS REMAINING IN A TERM, BUT MORE THAN ONE HUNDRED SEVENTY NINE DAYS, THE REMAINING COUNCIL MEMBERS MUST MAKE A GOOD FAITH EFFORT TO APPOINT A SUCCESSOR TO FILL THE REMAINDER OF THE TERM; AND IF LESS THAN ONE HUNDRED AND EIGHTY DAYS REMAIN IN THE TERM OF A SEAT BEING VACATED, THE REMAINING MEMBERS MAY, BUT ARE NOT REQUIRED TO APPOINT A SUCCESSOR; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

g. **ORDINANCE NO. 508:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE III, FINANCIAL MATTERS, DIVISION 2, PURCHASING, SECTION 2-66, BIDDING PROCEDURES, BY DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

XII. REPORTS

Town Attorney

Mayor

Town Administrator

Committee/Delegate Report

Treasurer's Report (included in packet)

XIII. UNFINISHED BUSINESS

XIV. NEW BUSINESS

XV. 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

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John Fenn Foster, Town Attorney
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TOWN COUNCIL MEETING
October 28, 2021
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on October 28, 2021. 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 and exhibit signs of illness, such as coughing or sneezing, please do not enter 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. Town Council has considered the health, safety and welfare of its residents and the public, and voted to continue to require face masks be worn during public meetings and public hearings in Town Hall and Town Council Chambers to address the Town Council. Masks will be required for those persons entering Council Chambers. Those persons gathering outside the Town Hall are encouraged to maintain a separation of at least six feet from one another. 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 meeting 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.

The Town Administrator reported that several of the Town's e-mail accounts had been hacked and as such she would be requiring staff and Council change their passwords. Accounts would be disabled would not be restored until the new passwords set up.

The Town Administrator next reported on the previous week's incident in which a vegetation truck had taken down power, cable and phone lines in the Ponderosa/Woodland and Mimosa Court area of Town. It was a complicated process to get the utilities to work with each other to restore full service to the residents. A very lengthy discussion followed, and it was agreed to allow Council Member Caranci to function as the liaison between the Town of Haverhill and the utility companies to work together and determine if this area of Town would be a candidate for underground wiring whether through an FP&L program or APRA funds.

Discussion followed.

Committee/Delegate Report

Mayor Foy reported on an EPA/Army Corps intent to rule that an internal body of water could be considered a water of the state. Such a rule would have a direct effect on the treated waters of Wellington. He next discussed the plans to reduce discharges from Lake Okeechobee to the St. Lucie River and its increase to the Caloosahatchee River.

Vice Mayor Gordon would defer his committee and delegate report to the November 9th workshop or the meeting of November 18, 2021, when he would be in attendance.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Council Member Johnson reported that in response to her letter requesting lights be installed at the basketball courts at the Haverhill Park, she had heard back from Commissioner Weiss and Commissioner Bernard, both of whom would be working with Parks and Recreation Director Call on the project.

Mayor Foy reported on his correspondence with David Ricks in response to the County's 5-year traffic improvement plan.

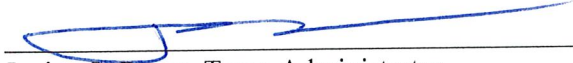
NEW BUSINESS

None.

ADJOURNMENT

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

Approved: November 18, 2021


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor

**TOWN OF HAVERHILL
LOCAL PLANNING AGENCY
Thursday, October 28, 2021
OFFICIAL MINUTES**

A meeting of the Local Planning Agency was held at the Town Hall, 4585 Charlotte Street on Thursday, October 28, 2021. Those present were Jay Foy, Mayor, Lawrence Gordon, Vice Mayor (via teleconference); Ray Caranci, Council Member and Theresa Johnson, Council Member. Also, present were John Foster, Town Attorney, and Janice C. Rutan, Town Administrator.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

The Town Administrator called the roll. All Town Council Members, sitting as Local Planning Agency for the Town of Haverhill were present except for Council Member Withington. Vice Mayor Gordon attended via teleconference.

Make recommendation to the Town Council regarding the adoption of Ordinance 502:

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL,
FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING
ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY
AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR
TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW
SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING
FOR AN EFFECTIVE DATE AND OTHER PURPOSES**

The title was read by Attorney Foster. He offered staff's report and explained that although the Ordinance proposed reducing the required garage spaces from 2 to 1, the required number of total parking spaces would not be reduced.

Council Member Caranci commented on the lack of landscaping shown on the proposed site plan.

There being no comments from the Public, a motion was made by LPA Member Johnson, seconded by LPA Member Caranci, and unanimously passed to recommend Town Council approval and transmittal of Ordinance No. 502 on first reading.

Adjournment:

With no further matters to come before the Local Planning Agency, the meeting adjourned at 6:35 p.m.

TOWN COUNCIL REGULAR MEETING
Thursday, October 28, 2021
OFFICIAL MINUTES
AGENDA

CALL TO ORDER:

Mayor Foy called the regular meeting to order immediately following the close of the Local Planning Agency meeting.

COMMENTS FROM THE PUBLIC

Michael Cohen, Ivywood Road: Requested status of the proposed Ordinance affecting the Airport Overlay zone. Council explained the matter would further be addressed at the November 9, 2021, Workshop.

Edward Stalf, 5263 Belvedere Road: Requested status of the proposed Ordinance affecting the Airport Overlay zone. Council explained the matter would further be addressed at the November 9, 2021, Workshop.

Mr. Stalf next addressed the frontage road to his property, questioning whether it was Belvedere or Trailaway. It was explained that the legal address is Belvedere Road. Trailaway Lane was used as access for purposes of bringing water to the properties along Trailaway including his own. A brief discussion followed. He noted he would attend the meeting of November 9, 2021

APPROVAL OF AGENDA

A Motion was made by Council Member Caranci, seconded by Council Member Johnson, and unanimously passed (4-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for September 23, 2021, Final Public Budget Hearing and Regular Meeting

A Motion was made by Council Member Johnson, seconded by Council Member Caranci, and unanimously passed (4-0) to approve Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

PBSO Deputy Kayla Schnell was present. She reported no property crimes for the previous period. There had been thirty traffic stops. There had been a report of a suspicious person at 4500 Belvedere Road, but no case number assigned.

The Town Council expressed their appreciation to Deputy Schnell and the PBSO.

COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE

Not present.

PUBLIC HEARING AND SECOND READINGS:

None.

REGULAR AGENDAS AND FIRST READINGS

RESOLUTION 2021-12: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE

INTEGRITY GROUP TO PROVIDE GRANT PROGRAM MANAGEMENT CONSULTING FOR THE AMERICAN RESCUE PLAN ACT; AND PROVIDING AN EFFECTIVE DATE

Attorney Foster noted he had reviewed the proposed agreement between the Town of Haverhill and Integrity Group to provide management services for the ARPA funding program for legal sufficiency. A motion was then made by Council Member Caranci, seconded by Council Member Johnson, and unanimously passed (4-0) to approve resolution 2021-12.

FIRST READING: ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

The title was read by Attorney Foster. Attorney Foster offered staff's report. he noted the local planning agency had recommended Town Council adoption and transmission of Ordinance No. 502.

A motion was then made by Council Member Johnson, seconded by Vice Mayor Gordon, and unanimously passed (4-0) to adopt Ordinance 502 on first reading.

FIRST READING: ORDINANCE NO 498: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 1.03 BY CLARIFYING THE GENERAL POWERS OF THE TOWN; SECTION 2.04 BY DELETING THE REFERENCE TO REMOVAL OF ELECTED OFFICIALS BY ANY MEANS OTHER THAN BY GENERAL LAW OF THE STATE OF FLORIDA; SECTIONS 2.05 AND 2.06 TO CLARIFY THAT THE TERM OF OFFICE BEGINS AFTER RECEIPT OF THE CERTIFIED ELECTION RESULTS FROM THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR ON THE DATE THE ELECTION WOULD HAVE OCCURRED IN THE EVENT THAT THE ELECTION IS UNCONTESTED; SECTION 3.05 BY SPECIFICALLY AUTHORIZING THE TOWN COUNCIL TO EMPLOY AND RETAIN PROFESSIONALS AND CONSULTANTS; SECTION 4.03 BY DETAILING THE PROCESS IF A CANDIDATE DIES, WITHDRAWS, BECOMES DISQUALIFIED, OR IS OTHERWISE REMOVED FROM THE BALLOT BETWEEN THE PERIOD BETWEEN THE SUBMISSION OF THE BALLOTS FOR PRINTING AND THE ELECTION AND DEEMING THE REMAINING CANDIDATE IN A TWO PERSON RACE THE VICTOR IF THE OTHER CANDIDATE DIES, WITHDRAWS OR IS OTHERWISE DISQUALIFIED; SECTION 4.05 TO AUTHORIZE THE COUNCIL TO ESTABLISH THE DATE OF THE GENERAL OR SPECIAL ELECTION AND ALLOWING FOR TIES IN ELECTIONS TO BE DECIDED BY THE DRAWING OF LOTS, INCLUDING DEFINING "DRAWING BY LOTS" IN SECTION 5.01(20); ADDING A NEW SECTION 4.06 TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE FOR THE CONDUCT OF ELECTIONS NOTWITHSTANDING ANY OTHER PROVISION OF THE CHARTER TO THE CONTRARY; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT

QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

The title was read by Attorney Foster. He reported the Charter Committee had unanimously recommended the proposed changes included in Ordinance 498 be sent to the Town Council for their consideration and adoption.

A motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed (4-0) to approve Ordinance 498 on first reading.

FIRST READING: ORDINANCE NO. 503:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.05 BY AMENDING THE CHARTER TO CHANGE THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO YEARS TO THREE YEARS, BEGINNING WITH THE MARCH GENERAL ELECTION TO BE HELD FOLLOWING THE APPROVAL OF THE AMENDMENT OF THE CHARTER BY THE ELECTORATE; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

The title was read by Attorney Foster. He reported the Charter Committee had recommended the proposed changes to be sent to the Town Council for their consideration and adoption on a 3 to 1 vote with Member William De Bay voting against the 3-year term.

Edward Stalf, present in the audience noted he was not in favor of a three-year term although he understood the difficulty in finding people in the community to run for an elected seat.

A motion was made by Council Member Johnson, seconded by Council Member Caranci, and unanimously passed (4-0) to approve Ordinance 503 on first reading.

FIRST READING: ORDINANCE NO. 504: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 4.03 BY AMENDING THE CHARTER TO IMPOSE A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE FIRST DAY OF QUALIFYING AND AUTHORIZING THE TOWN COUNCIL TO ESTABLISH BY ORDINANCE CRITERIA TO SHOW A CANDIDATES RESIDENCY IN THE TOWN; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED

UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

The title was read by Attorney Foster. He reported the Charter Committee had unanimously recommended the proposed changes to Ordinance 504 be sent to the Town Council for their consideration and adoption.

A motion was made by Council Member Johnson, seconded by Council Member Caranci, and unanimously passed (4-0) to approve Ordinance 504 on first reading.

FIRST READING: ORDINANCE NO. 505: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.03 BY AMENDING THE CHARTER TO PROVIDE THAT IF THE ELECTORS OF THE TOWN APPROVE THE EXTENSION OF THE TERM OF OFFICE FOR A COUNCILMEMBER FROM TWO YEARS TO THREE YEARS, THAT A SPECIAL ELECTION BE HELD FOR ANY VACANCY THAT OCCURS WITH EIGHTEEN MONTHS OR MORE LEFT IN THE TERM OF THE SEAT THAT IS BEING VACATED AND IF NO ONE QUALIFIES FOR THE SPECIAL ELECTION, THAT THE SEAT BE FILLED BY APPOINTMENT OF THE REMAINING MEMBERS OF THE TOWN COUNCIL; PROVIDING THAT IF A VACANCY OCCURS IN A COUNCIL SEAT WITH LESS THAN EIGHTEEN MONTHS REMAINING IN A TERM, BUT MORE THAN ONE HUNDRED SEVENTY NINE DAYS, THE REMAINING COUNCIL MEMBERS MUST MAKE A GOOD FAITH EFFORT TO APPOINT A SUCCESSOR TO FILL THE REMAINDER OF THE TERM; AND IF LESS THAN ONE HUNDRED AND EIGHTY DAYS REMAIN IN THE TERM OF A SEAT BEING VACATED, THE REMAINING MEMBERS MAY, BUT ARE NOT REQUIRED TO APPOINT A SUCCESSOR; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

The title was read by Attorney Foster. He reported the Charter Committee had unanimously recommended the proposed changes to Ordinance 505 be sent to the Town Council for their consideration and adoption.

He explained that the 18 months would commence on the date the candidate officially was certified as the winner, on in the case of an uncontested election, the date of the election.

A motion was made by Vice Mayor Gordon, seconded by Council Member Johnson, and unanimously passed (4-0) to approve Ordinance 498 on first reading.

ORDINANCE NO. 508: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN'S CODE OF ORDINANCES, BY

AMENDING ARTICLE III, FINANCIAL MATTERS, DIVISION 2, PURCHASING, SECTION 2-66, BIDDING PROCEDURES, BY DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

The title was read by Attorney Foster. He explained that the proposed Ordinance would afford the Town more options in letting out contracts without having to formally bid the project. Preparing bids to be let out for award was a time-consuming, costly, undertaking for a small municipality and this Ordinance would assist the Town to award contracts that had already been put out through the competitive bidding processes of another governmental entity.

Attorney Foster clarified what would constitute personal property, goods, etc.

A motion was made by Council Member Caranci, seconded by Council Member Johnson, and unanimously passed (4-0) to approve Ordinance No. 508 on first reading.

REPORTS

Town Attorney

None.

Mayor

None.

Town Administrator

The Town Administrator requested Town Council direction on opening the Town Hall to public use. Two HOA's had requested use in the month of November and December. She reminded the Town Council that during COVID, the Town Council voted to shut down outside use of the Town's facilities. Discussion followed.

It was agreed that only local HOAs could use the facility if CDC guidelines were followed and that they clean and sanitize the room after each use.

The Town Council was in support declaring November 13 – 21 National Hunger and Homelessness Awareness Week. The Town Administrator would prepare the Proclamation for the Mayor's signature.

**TOWN OF HAVERHILL
LOCAL PLANNING AGENCY AND REGULAR TOWN COUNCIL MEETING
Thursday, October 28, 2021
6:30pm**

[illegible]