

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



TOWN COUNCIL REGULAR MEETING
Thursday, April 14, 2022
6:30 p.m.
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for March 1, 2022, Workshop Meeting and March 24, 2022, Regular Meeting
- VII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VIII. PUBLIC HEARINGS AND SECOND READINGS**
 - a. **ORDINANCE NO. 510: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY CLARIFYING THAT NO PERMIT SHALL BE ISSUED FOR AN ILLEGAL LOT OF RECORD; CHANGING THE REFERENCE FROM MAYOR TO TOWN ADMINISTRATOR THROUGHOUT CHAPTER 54; AMENDING SECTION 54-6 TO ALLOW A COMMON DRIVEWAY TO BE UTILIZED FOR NO MORE THAN TWO RESIDENTIAL ABUTTING PROPERTIES NEXT TO A NON-RESIDENTIAL USE UNDER CERTAIN CONDITIONS; INCORPORATING BY REFERENCE THE DEFINITIONS FROM THE TOWN ZONING CODE, CHAPTER 58; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**
 - b. **ORDINANCE NO. 511: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 46, SIGNS, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE I, IN GENERAL, SECTION 46-2, DEFINITIONS, TO REVISE THE DEFINITION OF CHANGEABLE COPY SIGN, AMENDING DIVISION 1, GENERALLY, OF ARTICLE III, STANDARDS AND REGULATIONS, BY ADDING NEW SPECIFIC PROHIBITIONS IN SEC. 46-53 AND CLARIFYING THEREIN THAT ANY SIGN NOT SPECIFICALLY AUTHORIZED AND EXEMPTED IS**

PROHIBITED, AND ADDING A NEW SUBSECTION (G) TO SECTION 46-69 TO AUTHORIZE CHANGEABLE COPY SIGNS FOR PLACES OF WORSHIP UNDER CERTAIN CONDITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENERS' errors; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

IX. REGULAR AGENDA AND FIRST READINGS

- a. Discuss and authorize terms of renewal of Solid Waste and Recycling contract with Waste Pros and authorize Mayor to sign renewal contract**
- b. Act on Mask Mandate**
- c. Discuss ARPA Charrette and brochure - consider funding for same**
- d. Discuss rental property Ordinance**
- e. Reschedule July and September Workshops and November and December Regular Meetings**

X. REPORTS

- a. Town Attorney**
- b. Mayor**
- c. Town Administrator**
- d. Council/Committee/Delegate Report**
- e. Treasurer's Report**

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. 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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TOWN COUNCIL MEETING
April 14, 2022
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on April 14, 2022. 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.

TOWN COUNCIL REGULAR MEETING
Thursday, April 14, 2022
6:30 p.m.
OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held on Thursday, April 14, 2022, at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were Mayor Jay Foy, Vice Mayor Lawrence Gordon, Council Member Dennis Withington, Council Member Ray Caranci, and Council Member Dr. Teresa Johnson. Also present were Town Attorney John Foster and Town Administrator, Janice C. Rutan.

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy led in the Pledge and offered the Invocation

ROLL CALL

All members were present.

APPROVAL OF AGENDA

A motion was made by Vice Mayor Gordon, seconded by Council Member Johnson, and unanimously passed (5-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the March 1, 2022, workshop, and March 14, 2022, regular meeting.

A motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed (5-0) to approve the consent agenda as presented.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Not present. (Staff presented report under Administrator's Report)

PUBLIC HEARINGS AND SECOND READINGS

ORDINANCE NO. 510: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY CLARIFYING THAT NO PERMIT SHALL BE ISSUED FOR AN ILLEGAL LOT OF RECORD; CHANGING THE REFERENCE FROM MAYOR TO TOWN ADMINISTRATOR THROUGHOUT CHAPTER 54; AMENDING SECTION 54-6 TO ALLOW A COMMON DRIVEWAY TO BE UTILIZED FOR NO MORE THAN TWO RESIDENTIAL ABUTTING PROPERTIES NEXT TO A NON-RESIDENTIAL USE UNDER CERTAIN CONDITIONS; INCORPORATING BY REFERENCE THE DEFINITIONS FROM THE TOWN ZONING CODE, CHAPTER 58; 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 ready by Attorney Foster. The Town Administrator reported that the Town Planner was not present at the meeting but had called her office earlier in the day to express support in the passage of both Ordinance 510 and 511.

Mayor Foy opened the floor to public comment. There being none the Public Hearing was closed. **A motion was then made by Council Member Withington, seconded by Council Member Johnson, and unanimously passed (5-0) to approve Ordinance 510 on final hearing.**

ORDINANCE NO. 511: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 46, SIGNS, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE I, IN GENERAL, SECTION 46-2, DEFINITIONS, TO REVISE THE DEFINITION OF CHANGEABLE COPY SIGN, AMENDING DIVISION 1, GENERALLY, OF ARTICLE III, STANDARDS AND REGULATIONS, BY ADDING NEW SPECIFIC PROHIBITIONS IN SEC. 46-53 AND CLARIFYING THEREIN THAT ANY SIGN NOT SPECIFICALLY AUTHORIZED AND EXEMPTED IS PROHIBITED, AND ADDING A NEW SUBSECTION (G) TO SECTION 46-69 TO AUTHORIZE CHANGEABLE COPY SIGNS FOR PLACES OF WORSHIP UNDER CERTAIN CONDITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENERS' errors; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The title was ready by Attorney Foster. Council Member Caranci expressed his objection about approving a use that should not be allowed in residential areas.

Mayor Foy commented that he was more in favor of the Ordinance than not in favor although he conceded it would be difficult to enforce.

Council Member Johnson expressed her appreciation to the Town Attorney for drafting an Ordinance that provoked thoughtful discussions. She noted the change copy signs would be a way to inform the community and public, adding that the Town Council acted with careful consideration in their decision.

Mayor Foy opened the floor to public comment. One person in the audience expressed their support of the Ordinance.

There being no further comment, a motion was made by Council Member Johnson the pass Ordinance 501 on final reading. The motion was seconded by Council Member Withington and passed 4-1 with Council member Caranci voting against its passage.

REGULAR AGENDA AND FIRST READINGS

Discuss and authorize terms of renewal of Solid Waste and Recycling contract with Waste Pros and authorize Mayor to sign renewal contract

Town Administrator Rutan presented Staff's report. Chris Schulle, Regional Director of WastePro was also present.

The Town Administrator highlighted the terms that had been discussed and agreed upon:

- **Vegetation pick up: Change the day of week from Tuesday to Wednesday (alternative would be to limit waste to 6 cubic yards per household and to increase annual assessment \$72.00 per year, per residential unit).**

- **Unlimited yard waste to continue (residential only, landscapers would still be required to remove vegetative waste from residential properties in excess of 3 CY).**
- **All household trash to be placed in blue Town of Haverhill Waste Receptacles (no bags, other type receptacles except for day after Thanksgiving and day after Christmas).**
- **Annual increase to be actual cost of CPI not to exceed 5% to be determined in June annually**
- **Cost of hurricane debris to remain as is in current contract**
- **Contract to be renewed for 3 years, however, the matter of Wednesday vegetative waste can be revisited if after one year.**

Discussion followed. The Town Administrator expressed her concern that the new schedule would limit the days available for Staff to mow the swales along Belvedere Road. Chris Schulle requested the Town Council allow the vegetation pick up to begin one hour earlier (6:00 a.m.) to allow for Belvedere Road to be picked up prior to rush hour and to assist the Town with their mowing schedule. Council agreed to amend Section 6.1.2 of the Ordinance to allow for this change.

Next discussed was the matter of outside landscapers. WastePro would prefer that outside landscapers be required to take all clippings and vegetation with them. The reason being that many landscapers bring vegetation from outside the Town and leave it on the Haverhill property because we have unlimited vegetation. The ordinance allows for no more than 3 cubic yards to be left by a landscaper. It was agreed to leave the requirement at 3 cubic yards and monitor for abuse.

Council directed Staff to negotiate with WastePro and present the final product for Council consideration.

Act on Mask Mandate

Mayor Foy presented this item for Council consideration. **A motion was then made by Council Member Withington, seconded by Council Member Johnson, and unanimously passed (5-0) to allow wearing masks to be optional while in Town Hall and to recommend the wearing of masks while in Town Hall for those not vaccinated.**

Discuss ARPA Charrette and brochure - consider funding for same

The Town Administrator offered Staff's report. She explained they had received a proposal from Digital Content Loft in the amount of \$2,750 that included design of the brochure that would be sent to the residents with print ready files, website landing page design and development, QR code integration, e-mail campaign funnel, subscription management and analytics and reporting.

The brochure would be sent to all the residents informing them of the ARPA funding program and would list in detail the programs the Town was hoping to fund with the money. The residents would be asked to rank the proposed projects. It would also include the QR code that once scanned would bring the residents to the Town's website where the

questionnaire could be completed and documents. Residents not wanting to download the QR code could go directly to the website and complete the ranking questionnaire.

It was the intention of the committee to hold a charette. Consensus of Council supported the idea. There would be a station explaining each of the projects in detail with visuals and drawings for the residents to better understand each project. Mayor Foy suggested that minutes be taken at each station so those present, questions and answers could be documented.

It was agreed the Committee Members would manage the charette. Discussion followed as to whether Council Members attending the event could ask questions of another Council Member.

A motion was then made by Council Member Withington, seconded by Council Member Johnson, and unanimously passed (5-0) to approve the request for funding in the amount \$8,000 which would include the cost for Digital Content Loft and the cost for the charette materials and staff.

Discuss rental property Ordinance

The Town discussed in detail the proposed Ordinance Miami Dade was adopting that was related to rent increases, etc. Council Member Caranci commented that the Town should consider requiring a license to those persons renting their homes so the Town could monitor rentals. But, because Haverhill does not currently have an Ordinance that regulates rentals within the Town, it would be difficult to enforce. It was agreed to have Staff monitor complaints received from tenants and if it becomes a recurring problem, Council will reconsider the matter.

Reschedule July and September Workshops and November and December Regular Meetings

The Town Administrator offered Staff's report. After discussion, the following changes were made to the Town Council meeting schedule:

July Workshop is rescheduled for July 12, 2022

September Workshop is rescheduled for September 1, 2022

Schedule Public Budget Hearings scheduled for September 8, 2022, at 6:30 p.m. and final budget/adoption hearing for September 22, 2022, at 6:30 p.m.

November 2022: The first meeting of the month is scheduled for Thursday, November 10, 2022, at 6:30 p.m. The second meeting of the month would be cancelled as it falls on Thanksgiving Day.

December 2022: The first meeting of the month falls on Thursday, December 8, 2022. The second meeting of the month would be cancelled.

January 2023 Workshop is rescheduled for Tuesday, January 10, 2023

REPORTS

Town Attorney

Attorney Foster announced that the definition of "tree stump" was found in Ordinance 497, Property Standards. This was in response to the inquiry made by Frederick Ritter at the

previous meeting, specifically asking if he could keep his tree stump in his yard so he could eventually carve the stump as tree art.

Mayor

Mayor Foy requested Town Council support in sending the County a preemptive letter requesting they consider lighting along Belvedere Road and a gate at the E-3 canal at the south side of Belvedere Road as part of their Bridge Improvement Project. The Town would also ask that they replace the reflective markers at the school crossing intersection at Belvedere and Haverhill. The Council supported the correspondence be sent.

EPA Staff had been instructed to move forward with the Loxahatchee River Plan.

The annual NPDES report had been signed and sent on behalf of the Town.

Mayor Foy suggested the Town purchase a table at the Palm Beach County League of Cities annual installation banquet as Vice Mayor Gordon would be sworn in as the President of the League. All agreed.

Town Administrator

The Town Administrator offered the following police report for the previous month:

- 1 vehicle burglary to an unlocked vehicle in a parking lot near 1073 N. Military Trail (3/15/2022@ 9:30 p.m.)
- 37 traffic stops
- 90 business/resident checks

The Town Administrator reported the Town had received requests for support of the following Proclamations:

- April to be Water Conservation Month
- May 15-22, 2022, to be Water Reuse Week
- April to be STD Awareness month
- May to be Hepatitis Awareness Month

Discussion followed with the Town Administrator explaining that Proclamations are usually supported by the Town Council at the end of the meeting through recognition, not a formal document. In the past the Town had adopted Proclamations in support of Water Conservation Month and the Homeless Awareness Month. Mayor Foy explained that they take Staff time to prepare and are usually “bubble-gum, feel good” matters. Council Member Johnson noted that the persons sending the Proclamations were asking for the Council to adopt the Proclamations. She would like to see them placed on the agenda for formal Council action.

The Town Administrator next reported on the Safety Audit completed by the Town’s Insurance agency. It was their recommendation the Town have a CEPTED (Crime Prevention Through Environmental Design) done by PBSO. She gave a brief overview of the completed study. Council suggested she present the full report at the May workshop.

Council/Committee/Delegate Report

Vice Mayor Gordon reported on the three outstanding student candidates that had received scholarships from the Palm Beach County League of Cities.

Council Member Johnson reported on a Town Hall meeting she had attended sponsored by Congresswoman McCormick. She learned that the Town could be eligible for federal funding

through appropriations. She offered the telephone number to the Town Administrator for follow up.

Treasurer's Report

Not available.

UNFINISHED BUSINESS

Council Member Caranci reported that he would like to follow up with Ian Cotner regarding the still outstanding issues resulting from the October accident when WastePro brought wires down. The Town Administrator would forward the most recent correspondence to Council Member Caranci.

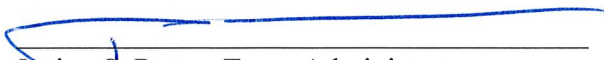
NEW BUSINESS

None.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved: April 28, 2022



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor