

1 LAKE HAMILTON
2 TOWN COUNCIL REGULAR MEETING MINUTES
3 TUESDAY, NOVEMBER 4, 2014

4 6:00 pm

5 The Town Council of Lake Hamilton held a regular meeting on Tuesday, November 4, 2014 at Town Hall
6 located at 100 Smith Avenue, Lake Hamilton, FL 33851.

7 **CALL TO ORDER:** Chair Harris called the regular meeting to order at 6:00 PM.

8 **Invocation/Pledge/Roll Call:** Chair Harris dispensed of the invocation and pledge as they were recited at
9 the previous meeting. Roll Call: Kehoe, O'Neill, Roberson, Tomlinson, Harris and Mayor Wagner were
10 present. Staff present included Clerk Irvine, Attorney Christman, Chief Jagniszak, Planner Leonard.

11 **Approval of Minutes – MOTION:** Kehoe/O'Neil to approve the minutes from the Regular meeting
12 September 2, 2014; Special Meeting October 1, 2014; Regular meeting October 7, 2014; and
13 Emergency Special meeting October 13, 2014.

14 **Discussion:** Mr. Richard Combee asked the council not to approve the September minutes until he can
15 get clarification on the discussion regarding his land use application. Chair Harris reported that the
16 motion is to approve the minutes which are based on the action taken at that meeting. Town
17 Attorney replied that the minutes are just a synopsis of the meeting action.

18 All voted in favor of the motion.

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21 **Recognition of Citizens:**

22 Tom Mace addressed the Council regarding comments made by Ruth Ann Eaddy during her
23 presentation on the Charter at the last meeting. Discussed article 17 of the present charter. Also
24 stated that according to Charter article 31 can remove mayor if she is not qualified.

25 Bonnie Nielinger, 4700 Crump Road, reported that she was shocked when she read the September
26 minutes about noise ordinance. Does not recommend using a decibel for measurement. Chair Harris
27 clarified the ordinance and stated it is for "reasonable person" standards. She also had a question on
28 building permits and wondered if a business owner or property owner must tell the council what
29 business will be located there before a building is issued. Planner Leonard replied, yes if the property
30 is not located in a residential area.

31
32 **Old Business**

33 **Public Hearing for budget:** Clerk Irvine reported that due to a calculation error the town
34 had to repost and hold the budget hearing again. The ad valorem tax was understated in
35 the budget publication which requires a new hearing. This amount equals about \$5,000
36 more in tax revenue. Chair Harris closed the regular meeting and opened the public
37 hearing:

38 **1. Review the final budget.** Clerk Irvine reviewed the updated budget and indicated
39 that the ad valorem taxes increased from 501,814 to \$507,383, which increased the total
40 General Fund budget to \$1,172,846 and increase of \$5,569.

41 **2. Announce the Final Millage Rate** – Town Attorney Christman read the following
42 into the record: The taxing authority is the Town of Lake Hamilton; The final millage rate is
43 8.4276 mills, which is an increase to the roll-back rate of 7.9790 mills; the final millage rate
44 is a 5.622% increase over the Rolled Back Rate of 7.9790 mills.

45 **3. Adopt the final millage rate – Resolution 2014-17.** Attorney Christman read the
46 resolution title for the record, “A Resolution of the Town of Lake Hamilton, Polk County,
47 Florida, Adopting the Revised Final Levying of Ad Valorem Taxes for Fiscal Year 2014-2015
48 beginning October 1, 2014, and ending September 30, 201; And Providing for an Effective
49 Date”.

50 **MOTION: Kehoe/O’Neill to approve Resolution 2014-07. No further discussion. Roll Call**
51 **Vote: Kehoe-aye; O’Neill-aye; Roberson-aye; Tomlinson-aye; Harris-aye. Motion passed.**

52 **4. Adopt the final budget – Resolution 2014-18.** Attorney Christman read the
53 resolution title for the record, “A Resolution of the Town of Lake Hamilton, Polk County,
54 Florida, Adopting the Revised Final Budget for Fiscal Year 2014-2015 beginning October 1,
55 2014, and ending September 30, 201; And Providing for an Effective Date”.

56 **MOTION: Kehoe/Tomlinson to approve Resolution 2014-18. No further discussion. Roll call**
57 **Vote: Roll Call Vote: Kehoe-aye; Tomlinson-aye; O’Neill-aye; Roberson-aye; Harris-aye.**
58 **Motion passed.**

59 Chair Harris closed the public hearing and reconvened the regular council meeting at 6:23
60 PM.

61 **Review the proposed Capital Improvement Budget** – Clerk Irvine reported that she and
62 Planner Leonard made the requested revisions to the Capital Improvement Budget. But in
63 light of the next agenda item, she asked if the Council wanted staff to add information for
64 park light replacement. Staff will make the changes and it bring it to the December meeting
65 for approval.

66 **Gunter Park Light Quotes-** At the special meeting on October 13, 2014, a motion was made
67 “to hire ACT to replace the two polies in the Bruce Martin Park and installation of the
68 electrical pole and lighting for Gunter Park not to exceed \$15,000...”. The repair for the
69 Bruce Martin Park and new light at Gunter Park exceed that amount. Therefore, this item is
70 before the Council. Cindy Rodriquez from ACT was present to discuss the different options
71 for a light at Gunter Park.

72 Ms. Rodriquez discussed the challenges with getting the quotes for the new light, as their
73 vendors were busy with other projects. The time frame for ordering the parts is usually 2-3
74 weeks. She believes they can get the materials and have the lights in place within 3-4
75 weeks.

76 O'Neill asked Planner Leonard if the cost of the light could be included after the fact as part
77 of the grant which was recently approved for submittal. Leonard replied that can't go back
78 to use the grant money for that if any money is received.

79 **MOTION: Kehoe/O'Neill to authorize the installation of the Gunter Park light with LED**
80 **lighting for \$10,719.15.**

81 **Discussion: Kehoe noted that the town should do specifications before they get bids or**
82 **quotes for large projects. Tomlinson thought that \$10,000 seemed like a lot of money but**
83 **Florida Power (now Duke Energy) charges \$25.50 per month. All voted in favor.**

84

85 **NEW BUSINESS**

86 **Adjust FRDAP Resolution Numbers 2014-11 and 2014-12 to 2014-15 and 2014-16 – Staff**
87 **reported that they made in error in the numbering of the resolution and is requesting that**
88 **Council approve the renumbering.**

89 **MOTION: Kehoe/O'Neill to authorize the renumbering of Resolutions 2014-11 and 12 to**
90 **2014-15 and 16 in the clerk's resolution index. No discussion. All voted in favor.**

91 **Discuss the time for Special Meetings – Councilmember Roberson requested that this item**
92 **be on the agenda as she felt special meetings should only be done in the evening rather**
93 **than the morning. Kehoe stated that he understood but those grants were free money and**
94 **it was on a time frame to get the approval. He stated that in his recollection there have**
95 **only been three morning meetings since he has been on council. Chair Harris stated that if**
96 **he can make he can make it. Mayor Wagner has no problem calling special meetings in the**
97 **evening but circumstances were unique. Roberson said she spoke with others about this**
98 **grant and they had their applications completed long ago. Leonard reported that the DEP**
99 **rewrote the rules late in the session and waited until October to notify potential applicants**
100 **of the changes, hence the hurried nature.**

101 **Water Leak Adjustment Policy – Councilmember O'Neill requested this item be on the**
102 **agenda to consider offering residents a break on water bills due to water leaks. He**
103 **recommends that when a leak is discovered the property owner must show proof that the**
104 **repair was done by a plumber then staff will take the average of the three highest bills over**
105 **a six month period and bill the resident that amount to clear the balance. This would only**
106 **be allowed once in a ten year period. Clerk Irvine reported that staff is working on**
107 **updating other policies for water/utility billing and will include this as part of those**
108 **updates. O'Neill asked that this policy be implemented now as Mr. Florindino requested**
109 **his help on this matter.**

110 Chair Harris tuned the gavel over to Vice Chair Kehoe to make a motion.

111 **MOTION: Harris/O'Neill to take Florindinos three highest bills and average them out to get a payment**
112 **amount, must present staff with proof of repair and ensure by staff that it was completed. No further**
113 **discussion. All voted in favor.**

114 Chair Harris resumed chair duties.

115
116 **Request to Transfer road maintenance from County to Town** –Doug Leonard introduced Jay Jarvis,
117 Director of the Polk county Transportation Division. He asked the council if they had any interest in
118 taking over the maintenance responsibility for Water Tank Road, Kokomo Road and Hatchineha Road
119 (portions). Council felt that with the limited staff and equipment the town was not interested.

120
121 **MAYORS REPORT** – Mayor Wagner reported that work at the Ball Park was almost complete. The
122 painting and equipment repairs are done but the backstops still need new wire.

123 The Mayor discussed entering into a mutual aid agreement with the Town of Dundee to hope
124 when the water treatment operator needs time off. This is coming up as he will be out on paternity
125 leave soon. Chair Harris said since we already have a contract with Haines City why not continue to use
126 them. Mayor tried to explain that the agreement with Dundee would be of no cost. She was asked to
127 contact Haines City.

128
129 **Police Report** – Chief reported that all is good.

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132 **COMMITTEE/STAFF REPORTS**

133 **Code Enforcement** –Report was included in the packet. Markus Khalil addressed the council
134 regarding the lawn beautification program.

135 **Planner** – The Board of Adjustment will meet on Thursday for a variance request.

136 **Clerk** – Republic has scheduled the cleanup day for Saturday, November 8th. Please have items
137 out by 6:00 AM.

138 **Public Works** – Nathan Lewellen handed out a report of water plant related matters. He asked if
139 he could purchase new mud pumps. Council suggested he buy a Honda motor. O'Neill commented that
140 the Council made sure there was money in the budget to take care of the water plant. Harris asked
141 about used and broken inventory. Nathan stated it is a project in the works. They are inventorying and
142 taking pictures of items that might be able to sell. Tomlinson stated that a lot of items should have been
143 thrown out years ago. Harris asked about the flushing valve at Crump Road. Nathan reported the auto
144 flusher is broken and he has been doing a manual flushing and it working on the repair. Tomlinson asked
145 about the valve exerciser. Nathan reported that the town has it and paid for it but it is not operational
146 without the PTO. They are working on figuring out how to use it. Considering purchasing a tractor with
147 all that is needed rather than just a new lawnmower. Staff will look into what is needed.

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149 **APPROVAL OF INVOICES/FINANCIAL REPORTS – MOTION: O'Neill/Tomlinson to approve the invoices**
150 **and finance reports for October 2014. All voted in favor.**

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152 **ATTORNEY COMMENTS** – She gave a shout out to Brittney for translating the ballot into Spanish.
153 Attorney asked for Council direction regarding the complaint made by Chair Harris. She is unable to

154
155 determine any specific charges from the documents submitted by Chair Harris. Roberson thought it
156 should have been turned over to someone else. Christman stated that she needed to know how to
157 proceed. She needs specifics and doesn't want to speculate.

158
159 **COUNCIL MEMBER COMMENTS –**

160 **Kehoe: Regarding the hiring of new employees. MOTION: Kehoe/O'Neill that all future hires effective**
161 **this date that all applicants have a background investigation with a satisfactory employment history;**
162 **fingerprint by FDLE; DMV check; criminal history; if they are hired they need to provide at their own**
163 **expense a medical exam to prove they can do the job they are applying for to include a drug**
164 **screening.**


165 Discussion: Tomlinson stated that the DMV only goes back three years. Nathan Lewellen stated it would
166 be difficult for someone applying for a \$10/hour job to pay to get a physical, he suggested it be a payroll
167 deduction. Mayor Wagner stated if they are hired the town could pay them back. Require it of only
168 those who are offered the job, not all being considered for the position. Chief Jagniszak stated it takes
169 about six months for a complete finger print process. Kehoe suggested we table to the discussion for a
170 special meeting in December.

171 **Kehoe withdrew his motion.**

172
173 **Roberson:** Stated she would like to see the Council and town employees have a better relationship. Felt
174 is not appropriate to share negative comments. Keep it professional.

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178 **Adjournment- MOTION: Kehoe/Harris to adjourn at 8:05 PM. All voted in favor.**


Vice Chair Michael Kehoe

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182 **ATTEST:**
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184 _____
185 Town Clerk Sara K. Irvine