

1 LAKE HAMILTON  
2 TOWN COUNCIL REGULAR MEETING MINUTES  
3 TUESDAY, JANUARY 6, 2015

4 6:00 pm

5 The Town Council of Lake Hamilton held a regular meeting on Tuesday, January 6, 2015 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 called on Roberson to provide the invocation and O'Neill to  
9 lead the pledge. Roll Call: Kehoe, O'Neill, Roberson, Tomlinson, Harris and Mayor Wagner were present.  
10 Staff present included Clerk Irvine, Deputy Clerk Freeman, Attorney Christman, Chief Jagniszak, Planner  
11 Leonard, Code Enforcement Officer Khalil, Public Works employee Lewellen.

12 **Approval of Minutes – MOTION: O'Neill/Roberson to approve the minutes of November 4, 2014**  
13 **Special Meeting; November 4, 2014 Regular Meeting; November 25, 2014 Special Meeting; December**  
14 **2, 2014 Special Meeting; December 2, 2014 Regular Meeting; Special Meetings of December 16, 18**  
15 **and 19, 2014. All voted in favor of the motion.**

16  
17 Chief Jagniszak asked the Chair if he could address the Council. He wanted to address the council  
18 regarding comments made by Councilperson Roberson at the December 2<sup>nd</sup> special meeting. Chair  
19 Harris told him that item is on the agenda and he should address it then. Chief stated that he wanted  
20 the minutes to reflect the inaccuracy of the statement made at that meeting. He was asked to wait until  
21 old business and address it at that time.  
22

23 **Recognition of Citizens: Bob Howland, Main Street –** Provided the Council an update on the damage  
24 from the recent sanitation truck incident. He said the insurance company has agreed to pay for the  
25 repairs in full. City staff helped with the work and they are satisfied.

26 **Tom Mace, Crump Road –** Handed out folders to the Council. Clerk Irvine read for the record what was  
27 contained. Sara Irvine job application for the Town of Lake Hamilton and a article from The Ledger dated  
28 December 17, 2014. Mr. Mace proceeded to address the Council regarding Sara Irvine's application to  
29 the town, which states she resigned from her past employment. Mr. Mace stated that she lied in her  
30 cover letter. He stated that the reason she left Afton was because she was fired. He stated that those  
31 are the facts and she lied to get the job. He asked the Council to either ask for her resignation or fire her  
32 based on her lie on the application. Irvine asked Mr. Mace where he got his facts from and suggested  
33 that he review the minutes from the Afton City Council. Chair Harris asked the Council what their  
34 pleasure was.

35 **MOTION: O'Neill/Kehoe to dismiss the information brought to the Council.** Discussion: Roberson asked  
36 what the attorney's opinion is on the matter. Attorney Christmas stated that is it appropriate to dismiss  
37 the subject. Chair asked for a roll call vote: **Kehoe-aye; O'Neill-aye; Tomlinson-aye; Roberson-Nay;**  
38 **Harris-Nay. Motion passed.**

39 **Alice Rogers, Smith Ave-** Asked for an update on the trash pick-up. The Mayor reported that the new  
40 employee started on December 29<sup>th</sup> but then had to take some time off for a death in the family. He has  
41 been trained on the truck and is getting going on a regular schedule soon.

42

43 **Ruth Ann Eaddy, Charter Committee** –addressed the Council and those in attendance at the meeting  
44 regarding voting yes for the Charter replacement.

45 **A. Appoint Chair Person per charter** – Chair Harris stated that he is not in the running to be  
46 appointed chair person.

47 **MOTION: Kehoe/Roberson to appoint O’Neill as Chairman of the Council. No discussion. Motion**  
48 **passed.**

49 **Chair O’Neill took the gavel and moved to the chair person seat.**

50 **B. CPA Mike Brynjulfson presentation** – Clerk Irvine reported that Mr. Brynjulfson had a family  
51 emergency and was not able to be present.

52

### 53 **Old Business**

54 **Public Hearing – Second Reading of Ordinance 2014-09** – Attorney read the title for the  
55 record: “Ordinance 2014-09, An Ordinance of the town of Lake Hamilton, Florida:  
56 Correcting a Scrivener’s Error in Section 6 of Town of Lake Hamilton Ordinance 2014-08;  
57 Inserting Correct Date for Replacement of Existing charter as February 1, 2015, which was  
58 inadvertently listed as February 1, 2014; Providing for conflicts; and Providing for an  
59 Effective Date.”

60 **MOTION: Kehoe/Tomlinson to adopt Ordinance 2014-09. Discussion: Roberson asked for**  
61 **clarification on the ordinance. Attorney Christman reported that it was to fix an error in a**  
62 **date. The adopted ordinance listed an effective date of February 1, 2014, which had**  
63 **already passed. It should read February 1, 2015. Roll call vote: Kehoe-aye; Tomlinson-**  
64 **aye; Roberson-aye; Harris-aye; O’Neill-aye. Motion passed.**

65

66 **Water Interconnect preliminary cost estimate** – Doug Leonard introduced Steve Elias from  
67 Envisors who discussed the preliminary proposed cost of \$86,000. Harris suggested it be  
68 added to the CIP as it is not something that needs to be done now. Council consensus was  
69 to have staff talk with Haines City regarding an interconnect option again. Staff to research  
70 shared costs and alternate funding options.

71

72 **Proposed contract for NPDES Mapping and Inventory Services** – Doug Leonard reported  
73 that Envisors was under contract for this project for 10 years now. The supplement contract

74 would be for mapping and inventory related to NPDES permit. Harris stated that he  
75 believes there is some map from the water plant project which already contains this  
76 information. Leonard reported that he has not seen any map which shows the stormwater  
77 outfall areas. Chair O'Neill suggested keeping Envisors for this project and also review the  
78 past records for any mapping already done. Roberson asked if the town has to use the  
79 same contractor. Chair O'Neill stated that Envisors has the past knowledge of the project.  
80 Nathan Lewellen stated that since Envisors have done the previous work, getting a new  
81 engineer would be going backward. Roberson stated that during the water treatment plant,  
82 Envisors would keep coming back to the Council with increased prices. Mayor Wagner  
83 stated that the town does have another engineer on retainer but they would not take over  
84 where Envisors left off, they would have to start from scratch. Leonard reported that the  
85 \$4800 would take the town through the end of this fiscal year. Steve Elias stated that it is  
86 about a 2-3 month timeline to do the work the FDEP is requesting. Harris asked for a  
87 boarder picture. O'Neill gave a brief history of the NPDES. Lewellen stated that the phases  
88 are regulated by DEP and they will tell the town what is needed next. Leonard reported  
89 that Winter Haven has been working on it for 20 years and they have a fee attached to  
90 resident's water bills. No action was taken on this item.

91

92 **Councilmember Kehoe request regarding past comments at a meeting** – At this time Chief Jagniszak  
93 was allowed to address the Council. Chief read a statement: "The December 2<sup>nd</sup> 5:30 (meeting) minutes  
94 indicate a grossly inaccurate statement that reflects on the integrity of the Police Department. I'm not  
95 sure that since the statement was made a public record, that it could be removed from the minutes. But  
96 being it is a false statement, maybe it can be. One of the Council Members stated that one of my officers  
97 in the Police Department has several DUI's on their driving record and still works for the Town. I've  
98 checked all my Officer's driving records and I assure you none of my Officers have a D.U.I. or have been  
99 arrested for D.U.I. Therefore the statement stating one of the Officers still working for the Town has  
100 been arrested for D.U.I. is not truthful and gives a bad reflection on the Police Department as a whole  
101 and if the Chair could, would you obtain the name of the Deputy that works for the Sheriff that is  
102 releasing information that is considered by the State not public record if said information is obtained by  
103 NCIC or FDLE files. The Deputy doing so is committing a crime and I'm sure the High Sheriff will deal with  
104 him accordingly, once identified. Being nationwide Police Departments are being scrutinized; I want you  
105 to know you have six officers doing their best for you. So if you can, please have the minutes corrected  
106 to reveal the truth for uncorroborated statements made publicly tarnish the perception of people's  
107 opinions of an agency doing the best for you."

108 Chair O'Neill asked if the minutes could be annotated to reflect the correct information as researched by  
109 Chief. Attorney and Clerk will review how to amend or reflect in the minutes the inaccuracy of the  
110 statement made. Kehoe stated that he wanted to discuss this item so that the Council does not make  
111 allegations at a public meeting. Chair O'Neill moved on to the next agenda item.

112 **Gunter Park Lights Update** – The Mayor provided an update regarding concerns expressed  
113 about the amount of light generated from the new fixture. She stated that ACT will ask the  
114 subcontractor to adjust the light heads and see how that works.

115

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118

119 **NEW BUSINESS**

120 **Request to Establish a Handicapped Parking Space on the south side of Main Street** – Mayor Wagner  
121 reported that the business owner has decided not to proceed with this request.

122

123 **Resolution for standing committees** – Attorney Christman read the resolution title for the record, “A  
124 resolution of the Town Council of the Town of Lake Hamilton, Reaffirming the Standing Committees of  
125 the Town”.

126 **MOTION: Harris/Kehoe to approve Resolution 2015-01. No discussion. Motion carried.**

127

128 **Resolution requiring reimbursement** –Attorney Christman read the resolution title for the record, “A  
129 resolution of the town Council of the Town of Lake Hamilton, Florida, Establishing a policy requiring  
130 town officials of the Town of Lake Hamilton to reimburse the Town of Lake Hamilton for expenses for  
131 functions paid on behalf of a Town Official in circumstances where the official commits to attend a  
132 function and does not attend.”

133 **MOTION: Harris/Kehoe to approve Resolution 2015-02. No discussion. Motion carried.**

134

135 **Canvass Board for January 27, 2015 Special Election** – Clerk Irvine reported that she needed two people  
136 to serve on the canvas board. **MOTION: Harris/Kehoe to appoint Larry Dale Tomlinson, Deputy Clerk**  
137 **Freeman and as alternate Chief Jagniszak to the Canvass Board for the January 27<sup>th</sup> special election.**  
138 **No discussion. All voted in favor.**

139

140 **MAYORS REPORT** – Mayor Wagner thanked Allan Kitto for the tree trimming donation. The memorial  
141 wall is progressing. There are volunteers available to build it. Lowes is donating supplies and an engineer  
142 donated the plans. The cement shuffle board slabs will be removed. Staff tried a jack hammer but at  
143 didn’t work. They will use the back hoe but it needs repair as the transmission needs replaced. **MOTION:**  
144 **Kehoe/Tomlinson to approve an expenditure not to exceed \$6,000 to repair the backhoe. No further**  
145 **discussion. All voted in favor.**

146

147 **Police Report** – Chief reported that the police department worked with another agency to conduct a  
148 DUI checkpoint. He reported that it was successful and they will conduct others.

149

150 **COMMITTEE/STAFF REPORTS**

151 **Code Enforcement** –Report was included in the packet. Discussion on areas of concern for  
152 follow-up. Discussion on yard of the month program.

153 **Planner** – Planning Commission will begin working on amending the sign ordinance.

154 **Clerk** – Reminder about the special election on Jan. 27<sup>th</sup>. Clerk read a proclamation for Florida  
155 First Responder Appreciation Week.

156 **Public Works** – Nathan Lewellen provided a December Water Treatment Plant update for the  
157 packet. Maintenance of equipment was discussed. Nathan reported he has been researching putting the  
158 generator at auction. Top we may get there is \$10,000 but we have to pay to get it there.

159 **MOTION: Harris/Roberson to sell the generator at market price. No further discussion. All voted in**  
160 **favor.**

161  
162 **APPROVAL OF INVOICES/FINANCIAL REPORTS** – Clerk Irvine reported that the clerk’s office has been  
163 busy with special election preparation, fiscal year-end work, audit preparation and now calendar year-  
164 end so she was not able to produce any reports. Bills are being paid and a report will be available next  
165 month as will the Audit presentation.

166  
167 **ATTORNEY COMMENTS** – Ethics training Feb. 7<sup>th</sup>.

168  
169 **COUNCIL MEMBER COMMENTS** –

170 **Kehoe: None**


171  
172 **Harris: Talked about water billing accuracy. Roberson also stated she felt that a professional needs to**  
173 **set the meters when they are replaced.**

174  
175 **Tomlinson – None.**

176  
177 **Roberson – Could someone look into cutting bushes at 546/Kokomo? Mayor discussed the concern**  
178 **with the town employee mowing the medians and other high traffic areas. Clerk was asked to look into**  
179 **outsourcing that mowing.**

180  
181 **Adjournment- MOTION: Harris/Kehoe to adjourn at 8:00 PM.**

182  
183   
184 Barrett O'Neill, Council Chair

185 **ATTEST:**  
186   
187 Town Clerk Sara K. Irvine  
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