

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, MARCH 1, 2022
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday March 1, 2022, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:00 p.m. Mayor Kehoe asked that all who wish to speak address him directly and if any staff input is needed, they will be called upon.

INVOCATION

Invocation was given by Angie Hibbard

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited by all.

ROLL CALL

Roberson, Tomlinson, and Mayor Kehoe were present. O'Neill and Vice Mayor Wagner were absent. Town Administrator Irvine, Town Clerk Sandovalsoto and Attorney Maxwell were present.

SCHEDULED PRESENTATIONS

David Ramos, CPA presented the 2020-2021 Audit for the Town and handed a copy to all Council Members for review. A copy is available in the Town Clerk's office for review.

- O'Neill arrived at 6:03 PM

Ramos announced that the finances of the Town were in good order. Property and equipment made up the majority of the assets for the Town. Revenues received by the time were made up of income from grants, Federal monies, taxes, and fees and expenses included items such as police which was the largest expense, water plant, and general administration. The net worth of the Town increased to \$2 million dollars. There were two items that were not in compliance which were the water revenue was not enough to comply with the bond covenants, and the police department was overbudget. The audit was expanded due to the amount of federal dollars the Town received which require additional work from the auditor.

Motion made by O'Neill and a second by Tomlinson to approve the 2020-2021 audit provided by David Ramos, CPA. **Motion passed 4-0.**

Tara Hollis was present via virtual conference to give a presentation regarding the impact fee study. There was a printed presentation that was given out to the Councilmembers and staff to follow the virtual presentation. She noted once the impact fees are adopted, they cannot be changed for 4 years, and any increase must be directly connected to an increased demand. There must be a 90-day notice to change any impact fees after the adoption at the 2nd reading. She gave an overview of the considerations of growth and facilities that could be expanded with the

impact fees collected. There will be four separate Ordinances that are brought to the next meeting for the first reading of the proposed impact fees. There are two readings needed and then the effective date will be 90 days after the adoption date.

- Wagner arrived at the meeting.

CONSENT AGENDA

Motion made by O'Neill and a second by Roberson to approve consent agenda item a, b, c, d, and e.

No comments.

Motion Passed 5-0.

RECOGNITION OF CITIZENS

Sherry Brooks addressed the council regarding concerns the bugs around her home on Crump Road. She stated she contacted the mosquito control, and they were not of any help. She also was concerned with the deterioration of the warehouses that are located on Crump Road and the vehicles that remain after working hours. She also addressed concerns that at times there are trucks blocking both lanes of traffic on Crump Road. Town Administrator Irvine noted that they are looking to have a meeting with the owner of the properties to address the issues.

OLD BUSINESS

- **Mayor Kehoe closed the regular meeting and opened the public hearing at 6:36 PM.**

Second reading of Ordinance O-22-06 Hamilton Bluff CDD.

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida establishing the Hamilton Bluff Community Development District pursuant to chapter 190, Florida Statutes (2021); providing a title; providing findings; creating and naming the district; describing the external boundaries of the district; describing the functions and powers of the district; designating five persons to serve as the initial members of the district's board of supervisors; providing a severability clause; and providing an effective date.

No public comments were received.

Motion made by O'Neill and a second by Wagner to adopt on second reading, Ordinance O-22-06 to include the proof of publication, and the 5 affidavits included. A roll call vote was taken, Roberson aye, Tomlinson aye, O'Neill aye, Wagner aye, Kehoe aye. **Motion passed 5-0.**

Second reading of Ordinance O-22-07 Parks Committee.

Attorney Maxwell read the title for the record.

An ordinance of the Town Council of the Town of Lake Hamilton, Florida, amending the Lake Hamilton code of ordinances, by adding section 2-140 entitled "Lake Hamilton parks and recreation advisory board" to chapter 2 (administration) article VI (boards and committees) of the code of ordinances of the Town of Lake Hamilton; providing for establishment of a parks and recreation advisory board; providing for purpose and responsibilities of the parks and recreation

advisory board; providing for conflicts; providing for severability; providing for codification; and providing an effective date.

Roberson requested an explanation of the board and its purpose.

Mayor Kehoe noted that it was to look at all parks in Lake Hamilton for the future and outline responsibilities.

Motion made by Wagner and a second by Tomlinson to adopt on second reading, Ordinance O-22-07.

No further comments were received.

A roll call vote was taken, O'Neill aye, Wagner aye, Roberson aye, Tomlinson aye, Kehoe aye.

Motion passed 5-0.

Second reading of Ordinance O-22-08 Weiberg West PUD.

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, adopting a Planned Unit Development (PUD) named "Weiberg West", located east of S.R. 17 and approximately 1300 feet south of Hatchineha Road on 31.47 acres in section 21, township 28 south, range 27 east, Polk County, Florida and 34.84 acres adjacent to the northeast corner of Detour Road and Weiberg Road in section 22, township 28 south, range 27 east, Polk County, Florida; superseding and replacing the "Olson PUD" approved February 4, 2020 via ordinance O-20-01; repealing all ordinances in conflict herewith; providing for severability; and providing an effective date.

Associate Planner Hibbard handed out an updated plan of setbacks with correct numbers.

Tomlinson stated that the houses are too close and there are too many houses.

Sherry Brooks stated she agreed with Councilmember Tomlinson.

Motion made by O'Neill and a second by Wagner to adopt on second reading, Ordinance O-22-08.

No further comments were received.

A roll call vote was taken, Wagner aye, Roberson nay, Tomlinson nay, O'Neill aye, Kehoe aye.

Motion passed 3-2.

- **Mayor Kehoe closed the public hearing at 6:45 PM and resumed the regular meeting.**

Future Planning Items

Update/Action on WUP/AWS/WW-

Steve Elias from Pennoni gave an updated on the water use permit (WUP). He stated that the groundwater model has changed and there were positive things with the wastewater ribs recharging the aquifer and they are using it in the models. One offsite well will be needed. He also noted ag wells that they identified and contacted developers to also include in the WUP.

Amendment to Pennoni Agreement for WWTF Design-

Steve Elias from Pennoni, stated the amendment was to accommodate the new developer that entered into agreement for wastewater raised the gallons per day from 200,000 to 250,000. The second issue that was found was that the property purchased by the phone has the Okeechobee basin cutting through the property. If the plant was to stay in the place originally projected, there would be higher costs to treat and higher levels of treatment required, resulting in a higher

operator requirement. They are moving the plan outside of the range of the basin to eliminate these issues.

Sherry Brooks asked if the roads were prepared for the increased development and if the water bill would be increasing.

Vice Mayor Wagner stated that the roads would be improved.

Motion made by O'Neill and a second by Wagner to approve the amendment to the WWTF design with Pennoni in the amount of \$58,000.

No further comments were received.

Motion passed 5-0.

Pennoni Supplemental Agreement for SRF 319 Grant Administration/Design-

Associate Planner Hibbard stated that this grant was to assist in decommissioning septic tanks and preparing them to connect to sewer. There is a 47% match for the Town expenditures.

Motion made by O'Neill and a second by Wagner to approve the supplemental agreement for the SRF Grant Administration and Design in the amount of \$135,000.

No public comments were received.

Motion passed 5-0.

Pennoni Supplemental Agreement for SR 17 Redesign/Administration-

Public Works Director Lewellen stated that this was to redesign the previous project that was approved to send wastewater to Haines City and redirect it to the new wastewater plant that is being designed.

Motion made by O'Neill and a second by Wagner to approve the supplemental agreement for the SR 17 redesign and administration in the amount of \$58,500.

No public comments were received.

Motion passed 5-0.

Amended and Restated Implementation Agreement Southeast Wellfield Project-

Town Administrator Irvine stated that Tom Cloud attended the PRWC meeting on the 16th and did not see any issues with approving.

Mayor Kehoe recommends approval of the amended agreement and recommends the Town be an associate member of the cooperative. Two separate motions are needed for each item.

Motion made by O'Neill and a second by Roberson to approve the amended and restated implementation agreement for the Southeast Wellfield project.

No public comments were received.

Motion passed 5-0.

Approve Town as a Project Associate in the Implementation Agreement WPLFA-

Motion made by O'Neill and a second by Tomlinson to approve the Town as a project associate in the implementation agreement WPLFA.

No public comments were received.

Motion passed 5-0.

NEW BUSINESS

First reading of Ordinance O-22-09 Peddlers, Hawkers, Solicitors- Attorney Maxwell read the title for the record.

An ordinance of the Town Council of the Town of Lake Hamilton, Florida, amending the code of ordinances of the Town of Lake Hamilton, chapter 18, licenses, permits and business regulations; replacing article II. Peddlers, hawkers, and solicitors in its entirety; providing for codification; providing for conflicts; providing for severability; and providing an effective date.

Vice Mayor Wagner questioned if they were redefining the current ordinance.

Mayor Kehoe noted that they were being identified and replacing the Ordinance from 1977. It addresses solicitors and requires them to be licensed by the Town.

Motion made by Wagner and a second by Tomlinson to approve on first reading, Ordinance O-22-09.

No public comments were received.

A roll call vote was taken. Roberson aye, Tomlinson aye, O'Neill aye, Wagner aye, Kehoe aye.

Motion Passed 5-0.

First reading of Ordinance O-22-10 MSBU- Attorney Maxwell read the title for the record.

An ordinance of the Town Council of the Town of Lake Hamilton, Florida, consenting to the inclusion of the entire territory within the municipal boundaries of the town into a Polk County municipal service benefit unit; providing for intent, purpose, and effect; providing for the repeal of laws in conflict; providing for severability; and providing an effective date.

Mayor Kehoe noted that the MSBU must be updated every 10 years.

Motion made by Wagner and a second by Roberson to approve on first reading, Ordinance O-22-10.

No public comments were received.

A roll call vote was taken, Tomlinson aye, O'Neill aye, Wagner aye, Roberson aye, Kehoe aye.

Motion Passed 5-0.

Staff Reports-

Town Administrator-

The SRF grant Resolution requires a 14-day notice of the meeting and requested that a special meeting be scheduled on the 22nd. She stated that the impact fee report will be ready by then and the first reading of all four Ordinances can be read. A special meeting was scheduled for Tuesday, March 22, 2022, at 5:00 PM.

She presented to Council that the Public Works Director and Police Chief have both received job offers from other places. She is requesting the Council consider an amendment to her contract to \$40 an hour in order to raise the PW Director to \$35.81 and the Police Chiefs to \$38.10.

O'Neill stated that the wage increases should start now. He gave an overview of the past and present economic conditions of the Town and the reserves. Over the past 6 years the Town has acquired 1.2 million dollars in reserves. He suggests meeting with the Chief and PW Director to discuss what is needed for the next budget year and come up with a plan for staffing and needs. He also noted that all the employee's wages needed to be looked at.

Tomlinson and Wagner noted that they agreed with O'Neill's recommendation.

Roberson stated that the Town needs to start hiring employees from within the Town.

Mayor Kehoe noted that there were grants to pay for Police Officers for two years.

There was discussion regarding the requests presented by Administrator Irvine.

Motion made by O'Neill and a second by Wagner to amend the Town Administrator's contract to increase the hourly rate to \$40 an hour and also to authorize a wage increase for the Police Chief to \$38.10 an hour and the Public Works Director to \$35.81 an hour and to authorize the mayor to sign the amendment.

Mayor Kehoe stated he was not in agreement with the amendment of the administrators contract and recommended giving the Chief and PW Director a 5% wage increase retroactive to October.

Administrator Irvine stated she was okay with receiving extra vacation time or more retirement contributions in lieu of a wage increase. Mayor Kehoe noted he would not vote to renew the Administrators contract next year.

No further comments were received.

Motion Passed 3-2.

Town Clerk- included in packet.

Police Department- No reports.

Code Enforcement- There will be a cleanup day in April. Chief Teague noted that the Code Enforcement Officer, Tom Mulvaney has resigned.

Community development- CD Director Leonard gave a quick overview of the report included in the packet and stated he will talk more about Feltrom Lakes at the next meeting.

Public Works-No reports. PW Director Lewellen stated that he did not have time to create a report for the agenda.

ATTORNEY COMMENTS: No comments

COUNCIL COMMENTS: Vice Mayor Wagner stated that the Town needed to start planning for the Centennial and get a committee so it can start in 2024.

A charter review committee should also be considered to get necessary changes addressed in the charter.

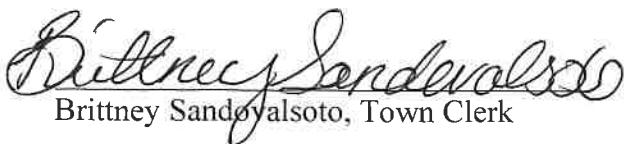
O'Neill noted that he wanted the staff to understand that he and the Council appreciates them.

Roberson noted issues with Tractor Trailers messing up the roads.

ADJOURNMENT:

Motion made by Wagner and a second by O'Neill to adjourn the meeting at 8:17 PM. **Motion Passed 5-0.**

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator