

**TOWN OF LAKE HAMILTON
MINUTES
SPECIAL MEETING
TUESDAY, MARCH 22, 2022
5:00 PM**

The Town Council of Lake Hamilton held a Workshop and a Special Meeting on Tuesday February 22, 2022, at 5:00 PM, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 5:06 p.m.

INVOCATION

Invocation was given by Angie Hibbard

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited by all.

ROLL CALL

O'Neill, Roberson, Tomlinson, Vice Mayor Wagner, and Mayor Kehoe were present. Town Administrator Irvine, Town Clerk Sandovalsoto, Associate Planner Hibbard, CD Director Leonard, Chief Teague, and PW Director Lewellen, were present. Attorney Maxwell was present via virtual conference.

SPECIAL MEETING BUSINESS

Mayor Kehoe opened the public hearing at 5:07 PM.

First reading of Ordinance O-22-11.

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, amending the comprehensive plan of the Town of Lake Hamilton, Florida, said amendment being known as amendment 22S05, amending the future land use map classification from agricultural to residential lands – 5 for a 20.56 acre parcel of land located adjacent to White Clay Pit Road and approximately 645 feet west of Detour Road in section 9, township 28 south, range 27 east, Polk County, Florida; and transmitting said amendment to the department of economic opportunity; providing for severability; and providing for an effective date.

Associate Planner Hibbard presented the Ordinance to the Council and gave the location of the property noted in the Ordinance. The developer requesting the change is currently under contract with the property owner. The annexation of the property will be on the April meeting agenda. The property listed will become part of the development, Scenic Terrace South.

Councilmember O'Neill stated that the original property had 700 homes, then parcel 410 brought another 44 homes, and this property is adding 104 homes so the total for the development now is at 848 homes.

Town Administrator Irvine stated that only 500 of those homes were part of phase 1 for the Wastewater plant. PW Director Lewellen clarified that the Town has an agreement with the developer for 500 ERC's that note availability at a specific time. The permit was submitted for 740 homes which was approved by Lewellen. Phase 1 of the wastewater treatment plant capacity has already been allocated to Scenic Terrace South and the town SRF project.

O'Neill questioned if the additional homes added to the development would be part of phase 2. PW Director Lewellen agreed that the remaining homes would be part of phase 2.

Town Administrator Irvine noted that there was an error on the Ordinance under the votes, O'Neill was listed twice. The Clerk will fix the error for next reading.

No further comments.

Motion made by O'Neill and a second by Wagner to approve the first reading of Ordinance O-22-11. A roll call vote was taken. O'Neill aye, Roberson aye, Tomlinson aye, Wagner aye, Kehoe aye. **Motion Passed 5-0.**

First reading of Ordinance O-22-12.

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, amending a planned unit development (PUD) named "Scenic Terrace South", located north and south of Hughes Road from west of Scenic Highway (State Road 17) on the west to approximately one-third of a mile east of Detour Road on 191.72 acres in sections 9 and 10, township 28 south, range 27 east, Polk County, Florida; adding 30.49 acres located north of White Clay Pit Road adjacent to Detour Road in section 9, township 28 south, range 27 east, Polk County, Florida; repealing all ordinances in conflict herewith; providing for severability; and providing an effective date.

Associate Planner Hibbard presented the Ordinance. It is an amendment to the existing Scenic Terrace South; it is adding an additional 30 acres to the development. She gave an overview of the map and the exit of traffic from Hughes Road.

Councilmember Roberson questioned where the traffic would flow to.

Associate Planner Hibbard noted that the probable flow of traffic from the development could impact Detour Road, and Scenic Hwy N and Detour Road South. She also noted that the developer is in contact with the Florida Department of Transportation (FDOT).

Rennie Heath, Cassidy Group addressed the Council on behalf of the development. He noted that they have retained a traffic study in which offsite road improvements will be addressed.

O'Neill questioned if the traffic study would be submitted to FDOT and who makes the final judgment if a traffic light is needed at an intersection.

CD Director Leonard noted that the Engineer for the project is preparing the detailed plans. It includes off site background traffic, north and west of the project and background traffic south of Hatchineha Road. The project must reach the stage of being approved for construction to be included. When the Bluffs reaches that stage, a traffic study will be done, and it will include traffic from Scenic Terrace South.

Rennie Heath with Cassidy Group noted that the traffic engineer will conclude what impacts will come from the development and the civil engineer will use that data and create a plan that will be submitted to FDOT or to whomever has jurisdiction over the road in question.

Mayor Kehoe noted there were already plans for Scenic Hwy and Hwy 27 at Kokomo Road.

Roberson noted that FDOT is at a standstill with the Kokomo Road and Scenic Hwy intersection until they receive information from the developer.

Rennie Heath noted that if the intersection is already failing the developer is not responsible for improvements.

Mayor Kehoe requested the traffic study be included in the agenda for the regular meeting in April and Rennie Heath said he would and requested him to send an invite.

Motion made by O'Neill and a second by Wagner to approve the first reading of Ordinance O-22-12.

No further comments were received.

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

Motion Passed 5-0.

Mayor Kehoe closed the public hearing at 5:27 PM and resumed the special meeting business.

Resolution R-2022-04.

Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida; to authorize new town bank accounts at SouthState bank.

Town Administrator Irvine noted that the Town is receiving impact fees for water and wastewater and CPA Mike recommends opening separate accounts for the different projects. He may have recommended opening up sperate accounts for each developer, but she will have to verify with him. She also noted that this will give the staff the ability to open any future accounts needed for the Town without bringing them back to the Council.

No public comments were received.

Motion made by Wagner and a second by Roberson to approve Resolution R-2022-04. A roll call vote was taken, Tomlinson aye, Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. Motion passed 5-0.

Council recommendations of Utility Fees-

Town Administrator Irvine stated the Clerk presented the comparison of fees at the previous regular meeting and requested the Council provided any recommendations to make changes to the current fee schedule.

Roberson stated that she recommends dropping the additional \$30 fee to reconnect for delinquent accounts.

Tomlinson agreed that there should be only one \$30 fee.

She clarified that they were for the delinquent fees. Consensus of the Council was to remove the \$30 reconnect fee for delinquent accounts and the After Hours Fee of \$30. Leaving only the \$30 disconnect fee for next day service and the \$30 fee for same day service.

Administrator Irvine stated she work with the attorney and staff to update fees. She clarified for the council that the current policy is payment of the fees before it can be turned on and that payment plans are not eligible for same day service was still the consensus of the Council. Consensus of the Council was to keep those policies.

Attorney Maxwell questioned if the current fees were adopted by Resolution or by Ordinance as it should be presented in the same format.

Administrator Irvine stated that the original was by Resolution but then it was later added in by Ordinance.

Attorney Maxwell stated it would need to be presented in the same format.

Key Action Items-

Roberson and Tomlinson noted they both agreed with the document drafted by O'Neill. O'Neill presented his document regarding items that are important for the Council to obtain and stated it needs to be tracked. He stated it was a good way to have actions that were previously decided by council to be in a condensed format. All the items are important, and they expect staff to be working on them.

Town Administrator Irvine noted that she scheduled a meeting with the Chief and PW Director Lewellen and decided to include the Clerk due to the building department needs. The meeting is scheduled for Thursday to discuss the future needs for positions in each department. She contacted Doug Thomas with SGR which provide searches for hire. The cost to receive a nice document that advertises, does background checks, and everything else but review applications and conduct interviews, totals \$24,900. If there is no hire that comes from the service, the whole process is redone, and the only cost endured would be to advertise. Also, if the new hire stays less than 18 months, they will readvertise. That is mainly for council appointed hires. Another option is an ala cart service for \$14,000 and digital marketing which she did not have a cost for. They noted that building officials are in high demand at the moment. She will be meeting someone who is contracted with Pennoni to see if he maybe able to supplement as the Community Development Director for a while. She noted that hiring a consultant would be the way to go.

Roberson noted that Irvine could reach out to Candi Bufford in Bartow for people they know that they can recommend for the job.

Irvine stated she will come back with information at a workshop or the regular meeting.

O'Neill stated that the first priority was to protect the interest of the existing residents. The way staff and Council works with the developers creates a reputation for the Town. He noted the need to work efficiently with developers while protecting the needs of the Town.

Administrator Irvine stated her and PW Director Lewellen met with Kelli Callihan and Mike Stripling from Davenport to discuss their processes for working with developers and on-site development inspections. Also Associate Planner Hibbard met with Cassidy Group to discuss their future developments.

There was discussion regarding the utility area to the east. Steps need to take place to verify the utility area.

Administrator Irvine stated wolverine is waiting on the surveyor. It is high priced at \$31,500 to get the 12 parcels surveyed. It will provide a sealed document which if it goes to court, the surveyor will testify. She believes that this is the final step to continue action. She will verify the information with Tom Cloud and bring it back to the Council.

The Town was included in a grant for \$1.975 million for road and drainage. It is only waiting for the approval of the Governor. The County Commissioner is sending a letter of support. She also drafted two letters encouraging the Governor to sign for all grants listed.

Associate Planner Hibbard gave an update on the water use permit. They are asking for 1.5 million gallons per day. The town's current permit is for 300,000 gallons per day. The ribs would recharge 500,000 gallons of water and ag wells were identified to include in the permit to reduce the amount of gallon increase. Steve Elias with Pennoni noted that they are speaking with Cassidy Group regarding a deep ag well on their property to include. After 2025 the Town will need an alternative water source.

PW Director Lewellen stated that are working on the same timeline for the wastewater treatment facility phase 1 which includes some of Scenic Terrace and the SRF. Phase 2 discussions and planning will commence in mid-April.

PW Director Lewellen mentioned he had an item that he must bring to the council in order to reduce the fee of the permit from the Department of Environmental Protection for the Wastewater Treatment Plant to \$100. He noted that the Town of Lake Hamilton meets the population requirements of Section 218.075, F.S., and is the applicant for a public purpose project for which the fee reduction is sought and qualifies for permit processing fee reduction for the 2017 fiscal year due to the following factors: the per capita taxable value is less than the statewide average for the current fiscal year, the percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year, and the ad valorem operating millage rate for the current fiscal year is greater than 8 mills. A copy of official minutes for this meeting will be included in the application to show that this request was announced and mentioned in the public forum and that the Town meets the requirements.

The Town Administrator will execute the application and no further action is needed from the council.

PW Director Lewellen met with the engineer regarding the road project, and they stated they couldn't touch it until April 4th. He reduced the project to 1 million dollars (estimated) and focused on fixing the existing problems. He also took out roads that are affected by the wastewater project. With the grant that the Town may acquire from the state, that estimates a 3-million-dollar budget to repair and replace roads and drainage. Even if the Town receives the grant the following streets will not be included in the project: Main St, 2nd Street, Smith Ave, Bryant Ave, Omaha Street, and 6th Street. The costs to repave and replace have increased significantly. He explained some of the methods he would include to improve drainage issues that 6th Street is currently facing to catch runoff.

CD Director Leonard gave an update on the Grands. They are currently mitigating a problem due to being in the 100-year flood plain; parts of the property are considered a wetland so they may have to mitigate a larger portion of the site.

Attorney Maxwell addressed the Council to advise not to discuss items that were not published for the agenda and to stay within the parameters of the agenda.

O'Neill noted a pushback regarding the Bluff's due to the amount needed for wastewater guarantees.

Administrator Irvine stated she met with Rusty at SouthState regarding funding the wastewater project, it seemed to be achievable, but they were not happy with having impact fees as the source of payments.


A workshop was scheduled for Tuesday, March 22, 2022, at 4:00 PM to review the sign ordinance. A limit of one hour was set for the meeting.

ADJOURNMENT:

Consensus of the Council to adjourn at 6:26 PM.

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator