

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, MAY 3, 2022
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday May 3, 2022, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:01 p.m.

INVOCATION

Invocation was given by Angie Hibbard.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited by all.

ROLL CALL

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

SCHEDULED PRESENTATIONS

Swear in Mayor, Michael Kehoe-

Clerk Sandovalsoto swore in Mayor, Michael Kehoe.

Swear in Council Seat 2, Larry Dale Tomlinson.

Tomlinson was not present, agenda item tabled until the next meeting.

Swear in Council Seat 4, Marlene Wagner

Clerk Sandovalsoto swore in Marlene Wagner, Council Seat 4.

Clerks Week Proclamation-

Mayor Kehoe read the Proclamation for Clerks Week and Presented the Proclamation to Clerk Sandovalsoto.

Chief Teague Presentations-

Item tabled.

Erin Killebrew, Citrus Connection Presentation-

Erin Killebrew was present and gave the Council an update on the transit services. There have been 185 riders which do not include drop offs in Lake Hamilton. There were 12,820 revenue miles in Lake Hamilton which has increased by 3400 miles from last year. The new contract price presented by Citrus Connection is in the amount of \$20,358.90, which is the full proportion of the fair share. She noted that the bus services have not been active in Lake Hamilton since

February 25th due to lack of bus operators. She stated she was not sure if the services would return in this fiscal year, but guaranteed they would be October 1, 2022, using a contracted service. She asked if they could get a commitment from the town to work towards 20% of the fair share to work towards this in a 3-year period.

Mayor Kehoe noted that the service is important to the community, and they need to factor the cost into the budget for next fiscal year.

Council consensus noted to work towards continued services for next fiscal year. Administrator Irvine will work towards putting something for the services in the budget.

CONSENT AGENDA

Motion made by Wagner and a second by Roberson to approve consent agenda item a, b, c, & d. No comments.

Motion Passed 4-0.

RECOGNITION OF CITIZENS

Mayor Kehoe gave an overview of the Council Rules and Procedures regarding public comment. Liz Kuykendall addressed the council regarding relocating the Lending Library that is located in Gunter Park that she has only heard from Nathan once regarding moving it. She also expressed concerns regarding the traffic and speeding on Kokomo Road and Detour Road. Mayor Kehoe noted they will make the Police Department aware of the issues.

OLD BUSINESS

- **Mayor Kehoe closed the regular meeting and opened the public hearing at 6:31 PM.**

Second 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 this included door to door peddlers and it was noted that it does.

No public comments were received.

Motion made by O'Neill and a second by Wagner to adopt on second reading, Ordinance O-22-09. A roll call vote was taken, O'Neill aye, Roberson aye, Wagner aye, Kehoe aye. **Motion passed 4-0.**

Second reading of Ordinance O-22-10 Fire Services 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.

No public comments were received.

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

A roll call vote was taken, Roberson aye, Wagner aye, O'Neill aye, Kehoe aye. **Motion passed 4-0.**

**Second reading of Ordinance O-22-13 Impact Fees-
Attorney Maxwell read the title for the record.**

An ordinance amending the Town of Lake Hamilton Code of Ordinances by adding chapter 33 to the Code of Ordinances; imposing impact fees for the purpose of providing municipal facilities, public safety, streets, and parks and trails necessitated by new development; providing for a short title, stating authority and applicability of the ordinance; providing for intents and purposes; providing rules of construction; providing definitions; providing for the imposition of municipal facilities impact fees; providing for the imposition of public safety impact fees; providing for the imposition of streets impact fees; providing for the imposition of parks and trails impact fees; providing for computation of the amount of the impact fees; providing for the payment of impact fees; establishing impact fee trust funds; providing for limitations and restrictions on the use of said trust funds; providing a method for refund of fees paid; providing exemptions and credits; providing an appeals process; providing for penalty and enforcement; providing for inclusion in the Town of Lake Hamilton Code; providing for codification; providing for correction of scrivener's errors; providing for severability; providing for conflicts; and providing an effective date

No public comments were received.

Motion made by Roberson and a second by O'Neill to adopt on second reading, Ordinance O-22-13. A roll call vote was taken, Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. **Motion passed 4-0.**

**Second reading of Ordinance O-22-14 Sign Regulations Amendment-
Attorney Maxwell read the title for the record.**

An ordinance of the Town of Lake Hamilton, Florida, repealing the Town's current sign rules; creating article X of chapter 16 of the Town Code providing comprehensive sign regulations; making related findings; providing for codification, severability, and an effective date.

Attorney Maxwell noted Attorney Eshinfielder was present virtually for any questions. Associate Planner Hibbard encouraged Council not to do away with billboards and to work with businesses. Attorney Maxwell noted that current billboards can stay unless they receive more than 50% destruction of the sign. It was noted that SEC 16-717 temporary signs should say council member instead of commissioner. Sect 7-23 E wordage needs to be fixed. Recommended language regarding sandwich boards was they shall be taken inside at the end of each business day.

No public comments were received.

Motion made by O'Neill and a second by Roberson to adopt on second reading, Ordinance O-22-14 with a change to section 16-723 paragraph e to state sandwich board signs should be," shall be taken inside at the end of each business day". A roll call vote was taken, Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. **Motion passed 4-0**

**Second reading of Ordinance O-22-15 LDR Revisions- Swine-
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 Land Development Code, Article III, Land Use, Division 4, Requirements for specific uses, Section 16-177, Farm Animals, to add sub-paragraphs (o), to allow one swine to be kept on

residential zoned property in conjunction with a 4-H or Future Farmers of America program; Providing for conditions to obtain a permit; providing for duration of permit; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

Administrator Irvine noted a similar instance in another city changed their ordinance to allow a small pony or donkey. Town may have to amend ordinance in the future.

No public comments were received.

Motion made by O'Neill and a second by Wagner to adopt on second reading, Ordinance O-22-15. A roll call vote was taken, O'Neill aye, Roberson aye, Wagner aye, Kehoe aye. **Motion passed 4-0.**

**Second Reading of Ordinance O-22-16 Water Tank Road Town Property FLU-
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 22S06, amending the future land use map classification from agricultural to public buildings and grounds for a 19.74 acre parcel of land located adjacent to Water Tank Road and approximately 660 feet east of Detour Road in section 15, 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.

No public comments were received.

Motion made by Wagner and a second by Roberson to adopt on second reading, Ordinance O-22-16. A roll call vote was taken, Roberson aye, Wagner aye, O'Neill aye, Kehoe aye. **Motion passed 4-0.**

**Second reading of Ordinance O-22-17 Water Tank Road Town Property Rezoning-
Attorney Maxwell read the title for the record.**

An ordinance of the Town of Lake Hamilton, Florida, rezoning a 19.74-acre parcel of land located adjacent to Water Tank Road and approximately 660 feet east of Detour Road in section 15, township 28 south, range 27 east, Polk County, Florida from agricultural to PI - public intuitional zoning district; repealing all ordinances in conflict herewith; providing for severability; and providing for an effective date

No public comments were received.

Motion made by O'Neill and a second by Roberson to adopt on second reading, Ordinance O-22-17. A roll call vote was taken, Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. **Motion passed 4-0.**

**Second reading of Ordinance O-22-18 Utilities amendment Replacing Chapter 32-14 and
Chapter 32-15-**

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, relating to water and sewer utilities; amending the Code of Ordinances of the Town of Lake Hamilton, Florida (the "code"); repealing and replacing sections 32-14 & 32-15, Lake Hamilton Code; establishing water & sewer monthly user charges by ordinance; providing for codification and scrivener's errors; providing for conflicts; providing for severability; 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-22-18. A roll call vote was taken, Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. **Motion passed 4-0.**

- **Mayor Kehoe closed the public hearing at 6:49 PM and resumed the regular meeting.**

Future Planning Items

Update/Action on WUP/AWS/WW-

Town Administrator noted that Angie and Doug have an update in their report regarding the water use permit. The town was granted an extension. Alternate water source is part of the reasoning for the extension and the town may have to drill a well. Wastewater project-the design is almost complete. She noted Hartman is requesting an increase for his hourly rate for up to \$275 an hour.

PWD Lewellen noted that the first contract with Hartman, was a discounted rate in the beginning. The town is still in need of the services.

Administrator Irvine requested to add a quote from the Florida League of Cities to draft a developers Agreement for Hamilton Bluff to special meeting.

O'Neill noted he spoke with the FLC and they have resources to deal with the unique situation the town is facing.

Approve Updated Fee for Hartman Consultants, LLC-

Motion made by O'Neill and a second by Roberson to approve the update fee for Hartman Consultants LLC.

No public comments were received.

Motion passed 4-0.

Consider Council Wage Increase-

Mayor Kehoe noted that there could possibly be two meetings a month in the future and the council is currently at about 50% of the allowable wage per the charter and believes it should be raised.

Motion made by Wagner and a second by Roberson to increase the wage of council to \$100 a month and \$125 for the Mayor.

No public comments were received.

Motion passed 4-0.

NEW BUSINESS

Appoint Vice Mayor per Town Charter-

O'Neill nominated Wagner for Vice Mayor. No other nominations were heard.

Motion made by O'Neill and a second by Roberson to appoint Wagner as Vice Mayor.

No public comments were received.

Motion passed 4-0.

Approval of Roads Project Engineering Addendum-

PWD Lewellen noted that they focused on drainage issues in the roads project in order to get grant approval and required additional engineer work. There is a \$29,386 increase in the total cost.

Administrator Irvine noted that the total grant was for \$3.7 million which is broken into 2 years. Associate Planner Hibbard noted Church Street was pulled off the original plans because sewer is going down that road and will be repaved then.

PWD Lewellen noted that they had to scale back how many roads they could do because of the increased prices from the original quote. They are focusing on the roads that are in the worst condition.

Roberson stated with that kind of money they should have gone and looked at the roads that should have really been paved so it would not look like the town is spending money in one place of the town.

O'Neill noted that looking for grants to cover cost is beneficial to save taxpayers' dollars, but they have to stay on track with grant restrictions.

PWD Lewellen noted they intend to do all streets that are in need, but the road assessments that were done noted that the worst streets were in the downtown area. They do not have the funds to address 100 percent of the streets. They are trying to be the most efficient with the money.

There was direction to staff to look at those troubled roads and see if staff can repair troubled areas.

Motion made by O'Neill and a second by Wagner to approve an additional \$29,386 for Chastain Skillman for engineering services.

No public comments were received.

Motion passed 3-1.

Republic Services Contract Renewal Rates-

Administrator Irvine noted that Mary Boyer was unable to attend the meeting and Council can table the item if they would like her to be there. The contract is not new it is just amended with an increase of 5% and fuel adjustment which is included in the 5%.

Mayor Kehoe questioned why clean ups were done twice a year if they offer bulk services weekly.

PWD Lewellen noted that they take other items on clean up days including tires off the rim.

Motion made by Wagner and a second by Roberson to approve the renewal rates with Republic Services.

No public comments were received.

Motion passed 4-0.

Resolution R-2022-06 Alcohol Sales on Public Property 2022 July Celebration- Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida, Polk County, Florida, regarding the third-party sale and public consumption of alcohol on town property during the 2022 July celebration; and providing an effective date.

Mayor Kehoe noted this is the same Resolution as passed last year and the only change was to add a clause for rain days which provides a date certain and the rain out.

Administrator Irvine noted that the insurance said it okay because it is a Town sponsored event unless it went on too often then there may have to do other ideas. She recommends it to go to the new Parks committee.

Motion made by O'Neill and a second by Wagner to approve Resolution R-2022-06.
No public comments were received.

A roll call vote was taken, O'Neill aye, Roberson aye, Wagner aye, Kehoe aye. **Motion passed 4-0.**

- **Mayor Kehoe closed the regular meeting and opened a public hearing at 7:22 PM. First reading of Ordinance O-22-19 Comprehensive Plan Amendment- Attorney Maxwell read the title for the record.**

An ordinance of the Town of Lake Hamilton, Polk County, Florida, amending the Comprehensive Plan of the Town of Lake Hamilton, Florida, said amendment being known as amendment 22S07, amending the future land use map classification from agricultural to residential lands 5 for a 10.23 acre parcel of land located approximately 640 feet east of Scenic Highway and approximately 1335 feet south of Hatchineha Road in section 21, township 28 south, range 27 east, Polk county, Florida; and transmitting said amendment to the Department of Economic Opportunity; providing for severability; providing for correction of scrivener's errors and incorporation into the comprehensive plan; providing for conflicts; and providing for an effective date.

Associate Planner Hibbard stated this is 10.23 acres that square off Weiberg West piece adjacent to Scenic Hwy.

Motion made by Roberson and a second by O'Neill to approve on first reading, Ordinance O-22-19.

No public comments were received.

A roll call vote was taken, Roberson aye, Wagner aye, O'Neill aye, Kehoe aye. **Motion passed 4-0.**

- **Mayor Kehoe closed the public hearing and resumed the regular meeting at 7:27 PM.**

First reading of Ordinance O-22-20 Permit Fee Schedule- Attorney Maxwell read the title for the record.

An ordinance of the Town Council of the Town of Lake Hamilton, Polk County, Florida, amending the Lake Hamilton code of ordinances, by amending article II. Section 8-24 fees for duplicate services, permit transfers, re-inspections, and plan re-submittals, by amending section 8-25 permitting fees, and by deleting section 8-64 provision of numerals by town to owners of structures; providing for severability; providing for codification and scrivener's errors; providing for conflicts; and providing for an effective date.

Motion made by O'Neill and a second by Wagner to approve on first reading, Ordinance O-22-20.

No public comments were received.

A roll call vote was taken. Wagner aye, O'Neill aye, Roberson aye, Kehoe aye. **Motion passed 4-0.**

Consider appointing a Centennial Committee-

Mayor Kehoe noted this would be under the Parks Board that the Town created. This could require a budget and be a conflict of interest for the Council. Staff needs to research the correct date to find out when the Town was recorded.

Attorney Maxwell noted that she has a contact that has access to that historical information, and she will ask them for assistance.

There was discussion regarding the July Celebration. Administrator Irvine noted that she has not received a call back from Zambelli.

Consider appointing a Charter Review Committee-

Mayor Kehoe questioned what the issues were with the Charter. Vice Mayor Wagner stated there was concern will all the new people and maybe see language in the Charter could be changed, looking in the future.

The legal description of the Town was discussed because it is included in the charter. Attorney Maxwell noted the Charter does allow to redefine boundaries without charter amendments.

Staff Reports-

Town Administrator- She gave an update on the key action items presented by O'Neill at the previous special meeting. She has recommendations for future staffing needs. They hired Lisa Harris as the code enforcement officer part time. They have had no luck on the finance position. She wanted council authorization to hire a headhunter to find that position and for the lead planner position.

Mayor Kehoe stated there is no salary on the website for the lead planner position. Administrator Irvine will look at the department head recommendations. She will be out of the office until Monday and Clerk Sandovalsoto will be interim Administrator in her absence.

Mayor Kehoe noted he does not believe having part time employees will be sufficient in the building department. Council would like to hire a full-time Building Official.

Town Clerk- She reminded Council of the Ethics Training that will be held in Haines City.

Police Department- Included in packet.

Code Enforcement- none.

Community development- included in packet.

Public Works-included in packet.

Administrator Irvine noted that they hired a new employee for field supervisor, Ron Martin.

ATTORNEY COMMENTS: No comments

COUNCIL COMMENTS:

Mayor Kehoe commented about the Town's utility service limits. The Town cannot go into others service areas and encourages the Town address that quickly.

CDD Leonard noted he will look into that to see what SFWMD says as they need to declare service area based on the fact that we are building a wastewater plant.

PWD Lewellen recommends tabling the discussion.

Mayor Kehoe noted he discussed with the Attorney and after O'Neill requested a plan for the future he requested to post the Town Administrator position and gave a copy of a job description which includes what is in the charter. Irvine is also welcomed to apply for the same position. He requested the applications be directed to the Town Clerk.

Administrator Irvine questioned if her contract was being terminated.

Mayor Kehoe noted the contract is not being terminated that the position would take effect after contract expires. That information will be posted. They can send their application and resume for consideration to the Town Clerk.

Attorney Maxwell noted it is not binding Council to hire someone else.

Motion made by Roberson and a second by Kehoe to post the Town Administrator position September 22, 2022, and possibly sooner. Start date to post now.

Make sure it is clear that the position may not even be available.

Motion restated, Post Town Administrator position starting September 22, 2022, possibly sooner and be posted now.

O'Neill noted he hopes that the current Administrator expresses interest in the position at least for another year.

No public comments were received.

A roll call vote was taken, O'Neill aye, Wagner nay, Roberson aye, Kehoe aye. **Motion passed 3-1.**

O'Neill noted that he appreciates all the hard work and dedication from staff.

Mayor Kehoe noted he is not trying to break up the council and looks forward to the future of the town.

ADJOURNMENT:

Motion made by Wagner to adjourn the meeting at 8:18 PM. **Motion Passed 4-0.**

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator