

**TOWN OF LAKE HAMILTON  
MINUTES  
TOWN COUNCIL REGULAR MEETING  
TUESDAY, JUNE 7, 2022  
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday June 7, 2022, at 100 Smith Ave., Lake Hamilton, FL 33851.

**CALL TO ORDER**

Mayor Kehoe called the meeting to order at 6:00 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 and Town Clerk attended remotely. Attorney Maxwell was present.

**SCHEDULED PRESENTATIONS**

**Chief Teague Presentations-**

Chief Teague presented a plaque to S&S towing for their help with the first annual touch a truck event.

Chief Teague recognized Officer Byron Lorenzo for 5 years of service with the Town.

Chief Teague recognized Police Operations Manager Regina Pirtle for 15 years of service with the Town.

**CONSENT AGENDA**

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

**Motion Passed 5-0.**

**RECOGNITION OF CITIZENS**

Liz Kuykendall addressed the council regarding a special event, Jam in da Ham, that they want to hold. She requested that all application fees associated with the application be waived for use of Gunter Park and traffic cones to be placed so the street by the park can be closed to traffic.

Roberson recommends waiving the fees.

Administrator Irvine noted that the fee for the special events application is \$25.00, and that fee is waived for residents. A damage deposit of \$100.00 is collected and held until the staff verifies there are no needed repairs or extra time for cleanup and then returned to the applicant. She also

noted that an application is needed for any event held on public property with 25 people or more. O'Neill noted he believes they are reasonable fees.

There was discussion regarding garbage. Administrator Irvine reported she will reach out to Republic Services to see if they can provide receptacles. She also noted that there is an insurance requirement for special events held on public property.

There was discussion regarding it being a Town event.

O'Neill noted he is not comfortable with putting the event under the Town's umbrella unless it is an event by Town and staff. He noted having insurance protects everyone.

Attorney Maxwell noted the reasoning for insurance for the special events.

**Motion made** by Roberson to waive all fees associated with the JT Miller subdivision event, Jam in da Ham.

**Motion fails for lack of a second.**

**Motion made** by O'Neill and a second by Roberson to waive the \$25.00 application fee, the deposit and the insurance requirement for the Jam in da Ham event for this July 2, 2022.

Attorney Maxwell noted that it is for this year only.

**Motion passed 5-0.**

It was noted that a special events application is still required to be turned in for staff review.

### **OLD BUSINESS**

- **Mayor Kehoe closed the regular meeting and opened the public hearing at 6:32 PM.**

#### **Second 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.

**Motion made** by Wagner and a second by O'Neill to adopt on second reading, Ordinance O-22-19. A roll call vote was taken, Roberson aye, Tomlinson aye, O'Neill aye, Wagner aye, Kehoe aye.

No public comments were received.

**Motion passed 5-0.**

#### **Second 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 adopt on second reading Ordinance O-22-20.

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.**

- **Mayor Kehoe closed the public hearing at 6:35 PM and resumed the regular meeting.**

**Future Planning Items Update/Action on WUP/AWS/WW-**

**PRWC 2<sup>nd</sup> Amended Southwest Wellfield Implementation Agreement-**

Mayor Kehoe presented the agenda item and noted that this was the result of changes that were made to the agreement and the Town remains an associate participant.

**Motion made** by O'Neill and a second by Wagner to approve the PRWC 2<sup>nd</sup> amended Southwest Wellfield implementation agreement.

No public comments were received.

**Motion passed 5-0.**

**PRWC 2<sup>nd</sup> Amended West Polk Lower Floridian Aquifer Wellfield Implementation Agreement-**

**Motion made** by O'Neill and a second by Tomlinson to approve the PRWC 2<sup>nd</sup> amended West Polk lower Floridian aquifer wellfield implementation agreement.

An audience member questioned what the PRWC was, and Mayor Kehoe gave an explanation. Additional comments were noted regarding the need for the alternative water source.

Attorney Maxwell stated the discussion should stay on topic and move forward.

No additional comments were received.

**Motion passed 5-0.**

**Consider Pennoni Phase 2 WWTF Preliminary Engineering Report Agreement-**

Community Development Director Leonard addressed the Council and noted that Steve Elias from Pennoni would get a breakdown of what each agreement is for.

Steve Elias from Pennoni gave an overview of the agreement. There was a discussion regarding if the item had already been budgeted.

Roberson noted that the agreement notes Church Street on one agreement and Monroe Street on another. Steve stated he would fix those errors on item #5.

**Motion made** by Wagner and a second by O'Neill to approve Phase 2 WWTF preliminary engineering report agreement.

No public comments were received. **Motion passed 4-1.**

**Consider Pennoni Lower Floridian Aquifer Pilot Well Design Agreement-**

**Motion made** by O'Neill and a second by Wagner to approve Pennoni lower Floridian aquifer pilot well design agreement with the amendment to the agreement to state Monroe Lane instead of Church Street.

No public comments were received. **Motion passed 5-0.**

**Consider Pennoni Monroe Ln Water Plant Facilities Plan Agreement-**

There was discussion regarding the name of the street noted in the Pennoni Agreement that the water plant is located on Church Street, and it was determined that it was Monroe Lane.

Steve Elias noted that this was to define the water plant upgrades. There was discussion regarding the well and the event that it does not go well. Steve noted that if it did not go well, it would still help the process. Motion made by O'Neill and a second by Wagner to approve Pennoni Monroe Lane water plant facilities plan agreement. No further comments were received. **Motion passed 5-0.**

**Consider Pennoni SR 17 Septic to Sewer Bidding and Technical Services Agreement-**

**Motion made** by O'Neill and a second by Wagner to approve Pennoni SR 17 septic to sewer bidding and technical services agreement. No public comments were received. **Motion passed 5-0.**

**Consider Pennoni WUP Addendum 4 Additional Services Agreement-**

**There was discussion regarding the water use permit.**

**Motion made** by O'Neill and a second by Wagner to approve Pennoni WUP addendum 4 additional services agreement. No public comments were received. **Motion passed 5-0.**

**Consider Pennoni WWTF Phase 1 Construction Services Agreement-**

**Motion made** by Wagner and a second by Roberson to approve Pennoni WWTF phase 1 construction services agreement. No public comments were received. **Motion passed 5-0.**

**Kokomo Road Study and Action of Speed Limit-**

Administrator Irvine noted that the Public Works Director was available to provide an update. Public Works Director Lewellen addressed the Council with information regarding the speed study that was conducted on Kokomo Road. He noted that per the study the recommended speed limit would be 65 mph. He still recommends setting the limit to the lowest possible per statute at 35 mph.

Attorney Maxwell noted that there is a standard set by the State that the limit would not exceed 60 mph.

Chief Teague noted that lowering the speed limit would cause more crashes and the Police Department does not have the resources to deal with that.

O'Neill suggests leaving the speed limit at 55 mph.

There was discussion on making the speed limit on both sides of Kokomo Road the same. Chief Teague stated he could make an argument with FDOT.

O'Neill recommends tabling the agenda item until Chief Teague speaks with the FDOT. **Item tabled.**

**NEW BUSINESS**

**Resolution R-2022-08 Amended 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; providing for conflicts; providing for severability; and providing an effective date.

Attorney Maxwell noted that this was discussed at the last meeting and the Resolution is the same with the only change being the location was specified.

No public comments were received.

**Motion made** by Wagner and a second by O'Neill to approve Resolution R-2022-08.

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

**Motion passed 5-0.**

**Resolution R-2022-09 Support of the SunRail-**

There was discussion regarding the location of the SunRail and the effectiveness to elevate traffic issues.

Attorney Maxwell read the title for the record.

A resolution of the Town of Lake Hamilton, Florida, in support of SunRail, inc., establishing a rail stop in Haines city Railroad Park, east Polk County, Florida; providing for incorporation of recitals; providing for directions to the Town Clerk; providing for conflicting resolutions; providing for severability; and providing for an effective date.

Mayor Kehoe noted that all cities have provided support for the SunRail.

**Motion made** by O'Neill and a second by Roberson to approve Resolution R-2022-09.

No public comments were received. A roll call vote was taken, Wagner aye, Roberson aye, Tomlinson aye, O'Neill aye, Kehoe aye. **Motion passed 5-0.**

**Discussion of County Roads in Lake Hamilton-**

Community Development Director Leonard addressed the Council regarding the agenda item and noted he wanted to introduce the item in detail. He gave an overview of where the roads that are being considered are located. He noted that the intersections around those roads would remain County roads. He noted he did not receive much of a response from the County regarding a letter staff sent with some conditions on taking over county roads. Staff met with the County and are now ready to move forward to have the county discuss the process with the town. The traffic study from developments will fall on developers for intersections. Developers are required to present a traffic study and should incorporate intersection improvements.

O'Neill questioned what the benefit would be of taking over the roads.

Debra Lawson addressed the Council and noted that it is a nightmare to get on Kokomo Road to SR 17.

- **Mayor Kehoe closed the regular meeting at 7:33 PM and opened a public hearing.**

**First Reading of Ordinance O-22-21 Weiberg West PUD-**

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, amending a Planned Unit Development (PUD) named "Weiberg West", adding property located approximately 640 feet east of Scenic Highway and approximately 1335 feet south of Hatchineha Road on 10.23 acres in section 21,

township 28 south, range 27 east, Polk County, Florida; providing for scrivener's errors; repealing all ordinances in conflict herewith; providing for severability; and providing an effective date.

**Motion made** by O'Neill and a second by Wagner to approve on first reading Ordinance O-22-21.

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.**

- **Mayor Kehoe closed the public hearing and resumed the regular meeting at 7:35 P.M.**

### **Staff Reports-**

**Town Administrator-** Administrator Irvine requested a budget workshop be scheduled. Clerk Sandovalsoto noted she will be at conference and would not be able to do agenda and minutes. Administrator Irvine stated she would do those. A budget workshop was scheduled for June 21, 2022, at 5:00 PM. She noted Council pay for October through April would be paid and then she will issue another check at the end of the fiscal year for the remaining at the increased amount.

**Town Clerk-** included in packet.

**Police Department-** Included in packet.

**Code Enforcement-** none.

**Community development-** Associate Planner Hibbard noted that the bidding for the septic to sewer project would be advertised the next day and they would be opening bids on July 8, 2022.

**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 recommends Chief Teague coordinates the July 2<sup>nd</sup> festivities.

### **ADJOURNMENT:**

**Motion made** by Wagner and a second by Roberson to adjourn the meeting at 7:40 PM. **Motion Passed 5-0.**

ATTEST:

  
Brittney Sandovalsoto, Town Clerk

  
Michael Kehoe, Mayor

  
Michael Teague, Interim Town Administrator