

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 13, 2022
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday September 13, 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 passed as it was already done at the previous special meeting.

PLEDGE OF ALLEGIANCE

Invocation was passed as it was already done at the previous special meeting.

ROLL CALL

Roberson, Tomlinson, O'Neill, Wagner, and Mayor Kehoe were present. Interim Town Administrator Teague and Town Clerk Sandoval were present. Attorney Maxwell was present.

SCHEDULED PRESENTATIONS

Eric DeHaven, Polk Regional Water Cooperative-

Eric announced that he is the PRWC Executive Director, and he has taken over for Ryan Taylor. He is present because the Town is interested in changing to a project participant. The Cost is around \$1500. He gave a presentation regarding the cities that have already signed up and participants and how the cost is distributed between the cities. He noted that half of the cost is covered by grants. There is a total of \$6.5 million dollars cost to the cities. The water district and Heartland are covering some of the cost. The PRWC is for long term water security. Beyond 2025, the water district could cut the water use permits back. This also enhances the status with the water management district when renewing the water use permits. It would be difficult for the small town to come up with an alternative water supply by itself in the time needed.

Mayor Kehoe asked if the water from the PRWC was already treated.

Eric noted that the water is treated, and they are studying right now the differences in treatment. There may need to be an adjustment treatment to blend the water with the Town's current supply. There are Heartland funds available to help pay to receive and adjust the water plant to blend the water.

O'Neill asked the cost and when is it due.

Eric noted that it will begin in October 2024 and will continue for 20 years. The main funding is the loan. They have developed a business plan to project costs.

CONSENT AGENDA

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

No public comments were received.

Motion Passed 5-0.

RECOGNITION OF CITIZENS

There were no citizens signed in to speak.

OLD BUSINESS

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

Interim Town Administrator Teague noted that the wastewater treatment plant is under construction.

The water use permit came back this week with additional questions regarding one of the developments and they are working on getting those back.

- **Mayor Kehoe opened a public hearing at 6:12 PM.**

Ordinance O-22-22 Assessment Procedures

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida relating to the funding of capital improvements and essential services through the imposition of special assessments; providing the procedure for the imposition of such special assessments; providing definitions and findings; authorizing the imposition and collection of special assessments to fund the cost of capital improvements and essential services providing a special benefit to real property within the town; authorizing the creation of assessment areas; providing for the optional and mandatory prepayment of assessments; establishing procedures for notice and adoption of assessment rolls and for correction of errors and omissions; providing that assessments constitute a lien on assessed property upon adoption of the assessment rolls; establishing procedures and methods for collection of assessments, including assessments imposed on government property; authorizing the issuance of obligations secured by assessments; providing for various rights and remedies of the holders of such obligations; providing that such obligations will not create a general debt or obligation of the town; providing for severability; and providing an effective date.

Mayor Kehoe noted that this ordinance is not putting any assessments, it is only creating the structure for assessments in the future.

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

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.**

NEW BUSINESS

Ordinance O-22-23 Hamilton Bluff PUD Amendment

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Polk County, Florida, amending a Planned Unit Development (PUD) named "Hamilton Bluff", amending the layout, increasing the parks total acreage and amending the percentage of forty-foot-wide and fifty-foot-wide lots but not increasing overall density; amending the "Hamilton Bluff PUD" approved October 5, 2021 via ordinance O-21-16; providing for severability, providing for correction of scrivener's errors; providing for conflict; and providing for an effective date.

Hibbard noted that there are 2 maps in front of Council members showing the amended layout. They are increasing the size of the park and it is one of the highest points in central Florida. The park will be open to the public and not in a gated community. In doing the increase to the park, they have to redesign the streets. None of the conditions are affected except the streets.

Tomlinson questioned if they are getting rid of 40-foot lots.

Hibbard noted that some have been reversed and 52% of the lots are 40-foot lots.

Ernest Wormley noted that there will be a parking issue with the changes to 40-foot lots.

Glen Lawhorn said it was ridiculous to approve the ordinance because the lot sizes are so small.

Keith, a resident of the town noted that he came and stressed to the council regarding the new developments, the road density and that the streets can not handle the traffic now and questioned how it would handle 20,000 more people. He asked about the traffic study and when roads would be paved.

Mayor Kehoe responded to the citizens questions.

Debra Lawson stated it is an infrastructure nightmare and questions who the 40-foot lots would be benefiting. She noted that Lake Hamilton could not take that kind of development.

Donielle Mixon questioned the park in the middle of the subdivision and how would that benefit if it is surrounded by houses.

Motion made by O'Neill and a second by Wagner to approve on first reading, Ordinance O-22-23.

Roberson noted that they did not want the lots reduced to 40 feet. Mayor Kehoe noted that this Ordinance does not change the lot sizes, those were already approved.

No further comments were received. A roll call vote was taken. Tomlinson nay, O'Neill aye, Wagner aye, Roberson nay, Kehoe aye. **Motion passed 3-2.**

Ordinance O-22-24 Feltrim Lakes Comp Plan Amendment

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 lands and retail/ office/ residential to residential lands M for a 27.13 acre parcel of land located adjacent to the east side of Scenic Highway and adjacent to south side of Kokomo Road; and transmitting said amendment to the Department of Economic Opportunity for compliance review; providing for severability, providing for correction of scrivener's errors; providing for conflict; and providing for an effective date.

Interim Administrator Teague noted he spoke with Feltrim and they have been very helpful in the community. They are willing to put all impact fees up front and fill in one of the grid streets.

Tomlinson questioned if they would be short term rentals.

Teague noted Lake Hamilton is not a vacation spot.

Hibbard gave a presentation for the comp plan amendment's intentions for town homes. She noted it would add affordable housing besides single family homes. There will be approx. 6 units per building with garages. The planning commission recommendation is to move forward with the comp plan amendment.

There was discussion regarding parks and improvements.

Glen Lawhorn noted that the density would be about 27 per acre and if the Council approves something like this on the little footprint, it will be bad.

There was discussion regarding the traffic, infrastructure, and existing businesses.

Mayor Kehoe closed the public comments.

Motion made by O'Neill and a second by Roberson to approve on first reading, Ordinance O-22-24.

No further comments were received. A roll call vote was taken. O'Neill aye, Wagner aye, Roberson aye, Tomlinson aye, Kehoe aye. **Motion passed 4-1.**

Ordinance O-22-25 Feltrim Lakes PUD

Attorney Maxwell read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, rezoning a 27.13-acre parcel of land located adjacent to the east side of Scenic Highway and adjacent to south side of Kokomo Road from AG – agricultural and C-2 neighborhood commercial to PUD – planned unit development zoning district; providing for severability, providing for correction of scrivener's errors; providing for conflict; and providing for an effective date.

Hibbard presented the PUD, and it is a follow up to the previous Ordinance. It is 5 units per building. They requested commercial space, to get more commercial businesses in Lake Hamilton. They have submitted everything requested regarding stormwater, roads and DOT's access points.

There was discussion regarding other cities and the commercial areas near residential homes. There was clarification on how many units per acre and total units proposed.

Mayor Kehoe closed public comment.

Motion made by O'Neill and a second by Roberson to approve on first reading, Ordinance O-22-25.

No further comments were received. A roll call vote was taken. O'Neill aye, Wagner aye, Roberson aye, Tomlinson nay, Kehoe aye. **Motion passed 4-1.**

Mayor Kehoe closed the public hearing at 7:20 PM.

Resolution R-2022-15 Authorization to Open Bank Accounts for Impact Fees

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 Clerk Sandoval Soto gave an overview of the 5 bank accounts that are being requested. 4 for the new impact fees and 1 for property and evidence.

Motion made by O'Neill and a second by Wagner to approve Resolution R-2022-15.

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.**

Resolution R-2022-16 Transition to a Project Participant for the PRWC

Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida; relating to the Town of Lake Hamilton transitioning to a project participant for the combined projects implementation agreement for the Polk Regional Water Cooperative; providing for incorporation of recitals; providing for authority; making findings; providing for directions to town staff; authorizing the execution of documents relating thereto; providing for severability; providing for applicable law; providing for conflicts, and providing for an effective date.

Mayor Kehoe noted that this resolution is so the Town can return to the PRWC as a project participant.

Motion made by Wagner and a second by O'Neill to approve Resolution R-2022-16.

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.**

Consider Purchase of New Lawn Mower and Tractor for PWD

Interim Administrator Teague noted that they are requesting a new lawn mower and Tractor for public works to cover the additional mowing they have now with the roads that were recently acquired. He went for 3 bids and went with one of the higher bids because the maintenance on the machines could be done in the Town. He is requesting they be funded through the ARPA funds.

Tomlinson questioned if it had A/C and Teague noted it does not.

He also noted the contract with the lawn care company will be cancelled.

Motion made by O'Neill and a second by Tomlinson to approve the purchase of the Lawn Mower and Tractor.

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

Approve Communications Service Tax Agreement with Dept of Revenue

Town Clerk Sandoval Soto noted that the agreement with the Department of Revenue is an updated agreement to be able to access their database.

Motion made by Wagner and a second by Roberson to approve the Communications Service Tax Agreement with the Department of Revenue.

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

Staff Reports-

Town Administrator- Interim Administrator Teague noted that there is a lot of infrastructure going into the Town that was approved through the budget. There will be a Town Hall style meeting in October with the projects laid out to ask questions about. There are two projects on Hwy 27 and possibly a third.

Town Clerk- Clerk Sandoval Soto asked if anyone wanted to go to the RLC Dinner they would need to RSVP with her. Wagner stated she wanted to attend the RLC dinner. She requested a special meeting be scheduled after the Budget Hearing.

Police Department- Included in packet.

Code Enforcement- Included in packet.

Community development- Included in packet.

Public Works- Included in packet.

ATTORNEY COMMENTS: No comments

COUNCIL COMMENTS: No comments.

ADJOURNMENT:

Motion made by Wagner to adjourn the regular meeting at 7:40 PM. **Motion passed 5-0.**

ATTEST:


Brittney Sandoval Soto, Town Clerk


Michael Kehoe, Mayor


Michael Teague, Interim Town Administrator