

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

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday November 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.

INVOCATION

Invocation was given by Cora Roberson

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

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 via virtual conference.

SCHEDULED PRESENTATIONS

Rick Parnell with the Polk County Fire Department presented the Lake Hamilton monthly report to the Council.

CONSENT AGENDA

Mayor Kehoe requested to move item b from the consent agenda to new business item i.

Motion made by O'Neill and a second by Tomlinson to approve consent agenda items a.

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 monthly progress meeting was held last week for the wastewater treatment facility. They are gaining progress on construction. He noted that the structure would be arriving at the end of November. The septic to sewer project is ready to go to bid. There are currently 80 residents signed up to convert to sewer. He noted that the bid package for the resurfacing project is almost ready to go out.

- **Mayor Kehoe opened a public hearing at 6:08 PM.**

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.

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

Tomlinson questioned if there were still 40-foot lots.

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

Ordinance O-22-24 Feltrim Lakes Comprehensive 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.

Motion made by Wagner and a second by O'Neill to adopt Ordinance O-22-24 on second reading.

Roberson asked where the proposed property was, and staff explained where it was.

Donielle Mixon presented pictures to the council of another community that was developed by Feltrim that now allegedly has garbage everywhere. She asked council to look at other properties before they agree to approve developments in Lake Hamilton.

Kehoe noted for the record that Mixon is not a resident of Lake Hamilton.

Roberson asked if they are going to build the homes and he said they were and there would be commercial retail property at the front of the development. A roll call vote was taken. Tomlinson nay, O'Neill aye, Wagner aye, Roberson nay, Kehoe aye. **Motion passed 3-2.**

Ordinance O-22-25 Feltrim 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.

Motion made by Wagner and a second by O'Neill to adopt Ordinance O-22-25 on second reading.

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

NEW BUSINESS

Ordinance O-22-26 Hamilton Bluff Rezoning-

Attorney Maxwell read the title for the record.

An ordinance of the Town Council of the Town of Lake Hamilton, Polk county, Florida, an ordinance rezoning 9.89 acres of land located at the northwest corner of Detour Road and Chicago Avenue from AG agriculture district to PUD planned unit development zoning district to be included in an existing PUD known as Hamilton Bluff; amending the Hamilton Bluff PUD to include the 9.89 acre parcel that lies in section 16, township 28 south, range 27 east, Polk County, Florida; providing for severability; providing for correction of scrivener's errors; repealing all ordinances in conflict herewith; and providing an effective date.

Motion made by O'Neill and a second by Wagner to approve Ordinance O-22-26 on first reading.

No public 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 6:29 PM.

Resolution R-2022-18 Write off debt from inactive accounts-

Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida, Polk County, Florida, authorizing the finance department to write off unpaid balances from inactive utility accounts; providing for conflicts; providing for severability; and providing an effective date.

Clerk Sandoval Soto explained that these balances were accounts that have been closed on no payments have been received. Due to the type of accounting, the balances account for these balances as received. To help clear up the books and have a clearer accounting, they are requesting the Council to write off these balances. All accounts that qualify will have to still place the \$400 deposit if they reopen the account in the future.

Motion made by O'Neill and a second by Roberson to approve Resolution R-2022-18.

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-2022-19 Garbage rate increase-

Attorney Maxwell read the title for the record.

A resolution of the Town Council of the Town of Lake Hamilton, Florida, Polk County, Florida, providing an adjustment to the refuse service charge effective December 1, 2022; repealing all provisions in conflict herewith; providing for severability; and providing for an effective date.

Mayor Kehoe noted that we have always had an admin fee attached to the rate for processing. The current rate only covers that amount due to Republic. A fee of 5% is being requested for admin costs due to the recent rate increase from republic.

Motion made by O'Neill and a second by Wagner to approve Resolution R-2022-19.

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

Discussion regarding future Council Meeting Dates-

The Clerk noted that the January meeting was the day after a holiday and suggested it be moved to the following Tuesday.

Motion made by Roberson and a second by Tomlinson to move the January 3rd meeting to January 10.

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

Consider Purchase of Server for ADG Accounting Software-

Interim Administrator Teague noted that the accounting software that the Town purchased needed a separate server for security purpose the cost included in the proposal includes labor. He is requesting that this be funded through ARPA funds.

Motion made by O'Neill and a second by Wagner to approve the purchase of the server plus labor being funded by ARPA funds.

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

Consider Pennoni Revised Supplemental Agreement for The Bluffs Phases 1&2-

Interim Administrator Teague presented the agreement with Pennoni and noted that there were no resources for staff to look at the water and sewer for Hamilton Bluffs and this agreement covers those aspects. There are items noted in the agreement that are optional but won't be needed. The maximum is \$30,000 for engineering review and they are payable on a monthly basis. The traffic impact study is optional, and they do not intend to activate that part of the agreement. Teague noted that the finances are very restricted right now and the development fees have gone to other things. The traffic study was deleted from the agreement for \$12,000.

Motion made by O'Neill and a second by Wagner to approve the Pennoni supplemental agreement for The Bluffs Phases 1&2 with the revision of a maximum of \$30,000 for engineering review and deleting the \$12,000 traffic study component.

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

Consider Pennoni Revised Supplemental Agreement for Weiberg West Subdivision-

Motion made by O'Neill and a second by Wagner to approve the revised Pennoni supplemental agreement for Weiberg West subdivision with the funding source being the community development professional fees.

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

Consider Foreclosure Lien Orders from SM hearing-

Attorney Maxwell noted that she is requesting to take the Special Magistrate orders off the agenda and bring them back in the December meeting.

Motion made by Wagner and a second by O'Neill to table this item to the December meeting.

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

Job Descriptions-

Fiscal Coordinator-

Clerk Sandoval Soto noted that she is requesting the job description to be updated due to it not accurately reflecting the duties and responsibilities the position.

Motion made by O'Neill and second by Tomlinson to approve the fiscal coordinator job description.

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

Administrative Specialist/ Assistant Town Clerk-

There was discussion regarding the job title and position.

Motion made by O'Neill and a second by Wagner to approve the Administrative Specialist/ Assistant Town Clerk job description.
No public comments were received. **Motion passed 5-0.**

Staff Reports-

Town Administrator- Interim Administrator Teague announced that due to marketing changes for the open positions, there have been an abundant of applications received for all the open positions. They will be interviewing and hiring in the near future for those open positions. He noted that the first pass for hurricane debris was completed, and the Town did all of the collecting for that. He noted that there will be a second passthrough to get mixed debris. All the debris needs to be in the front of the property and not in any alleyways. A special meeting was requested for November 22, 2022, at 5:00 PM.

Town Clerk- included in packet.

Police Department- Included in packet.

Code Enforcement- Included at desk.

Community development- Included in packet.

Public Works- Included in packet.

ATTORNEY COMMENTS: No comments

COUNCIL COMMENTS: Roberson noted that the Town needs to consider hiring their own Building Inspector due to the volume of work that the Town will have in the near future.

ADJOURNMENT:

Motion made by Wagner and second by Roberson to adjourn the regular at 7:51 PM. **Motion passed 5-0.**

ATTEST:


Brittney Sandoval Soto, Town Clerk


Michael Kehoe, Mayor


Michael Teague, Interim Town Administrator