



Town of Lake Hamilton

Town Council Regular Meeting Agenda – February 6, 2024

Time: 6:00 P.M.

**Location: Town Council Chambers
100 Smith Avenue**

MAYOR MICHAEL KEHOE – VICE MAYOR CORA ROBERSON

COUNCIL MEMBERS, PATRICK SLAVENS, LARRY TOMLINSON, MARLENE WAGNER

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. PROCLAMATION

A. BLACK HISTORY MONTH (pages 3-4)

6. CONSENT AGENDA

Note: Members of the Council may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the Mayor under the Approval of the Order of Business at the beginning of the meeting.

A. January 9, 2024, Regular Meeting Minutes (pages 5- 20)

B. Asset Status Change (pages 21- 26)

7. PUBLIC COMMENT (Limited to 3 Minutes) Your Town Council welcomes and invites citizens to comment on items (Non-Agenda Items) of community interest/concern or to bring forth areas of personal attention which may not have been fully addressed by Town Staff after prior contact to Town Hall, the Council may immediately act on any item or may request it be placed on a future agenda for further consideration.

8. NEW BUSINESS

A. Public Hearing and First Reading of Ordinance O-24-1 Business Impact Statement (pages 27-31)

B. Public Hearing and First Reading of Ordinance O-24-2 Utilities Amendment (pages 32-43)

C. Public Hearing and First Reading of Ordinance O-24-3 Water Connection Amendment (pages 44-47)

D. Public Hearing and First Reading of Ordinance O-24-4 Detour School Annexation (pages 48-52)

E. Public Hearing and First Reading of Ordinance O-24-5 Water Tank Community Development District (pages 53-58)

F. Code Enforcement Inter-local Agreement for Special Magistrate (pages 59-64)

G. Planning Advisory Services Agreement (pages 65-69)

9. STAFF REPORTS

TOWN ADMINISTRATORS REPORT

TOWN CLERK REPORT
TOWN ATTORNEY REPORT
TOWN COUNCIL COMMENTS

ADJOURNMENT

Any opening invocation that is offered before the official start of the Town Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Town Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Town Council or the town staff, and the Town is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the Town Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the Town Council Chambers or exit the Town Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Any person desiring to appeal any decision made by the Town Council, with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and for such purposes, must ensure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense, as the Town does not provide one. (F.S. 286.26.105)

ATTN: PERSONS WITH DISABILITIES. In accordance with the American with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding, please contact the Town Clerks Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting, provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice).



TOWN OF LAKE HAMILTON, FLORIDA

PROCLAMATION

WHEREAS, noted historian, Dr. Carter G. Woodson, announced the second week of February as "Negro History Week" in 1926 in order to increase public awareness and appreciation of the important role that African- Americans have played in shaping America's history; and

WHEREAS, the United States government officially recognized Negro History Week in 1976 as part of the U.S. Bicentennial, expanding it to Black History Month; and

WHEREAS, America is a melting pot of cultures and ethnicities; all part of the "Land of the Free." Black History Month fosters cultural awareness and understanding, while encouraging education about contributions made by Americans of color; and

WHEREAS, the omission of much of the history and contributions of African- Americans from textbooks and other literature has impeded awareness and appreciation; and

WHEREAS, the celebration of Black History Month is a positive way of recognizing the culture and history of African- Americans as vital to the core beliefs and values of this society; and

WHEREAS, the contributions of African-Americans have been vital to the growth and development of the Town of Lake Hamilton.

NOW, THEREFORE, I, Michael W. Kehoe, by the virtue of the authority vested in me as Mayor of the Town of Lake Hamilton, and on behalf of the Town Council, do hereby proclaim February 2024 as

BLACK HISTORY MONTH

and encourage the local citizens to participate in activities that foster awareness and appreciation of African Americans' contributions to shaping the history of Lake Hamilton, Florida, and America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Lake Hamilton to be affixed to this on the 6th day of February 2024.

Michael Kehoe, Mayor

ATTEST:

Jacqueline Borja, Town Clerk

Dated this 6th day of February 2024.

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, January 9, 2024
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday January 9, 2024, 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 Council Member Larry Tomlinson

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

ROLL CALL

Council Member Larry Tomlinson, Council Member Patrick Slavens, Council Member Marlene Wagner and Mayor Michael Kehoe were present. Vice Mayor Cora Roberson was absent.

Staff: Town Administrator Steven Hunnicutt, Attorney Heather Maxwell, Town Clerk Jacqueline Borja, Public Works Director Patrick Henry and Town Planner Chris Kirby were present.

PROCLAMATION

Martin Luther King Day Proclamation was given by Mayor Kehoe

CONSENT AGENDA

Motion made by Council Member Slavens and second by Council Member Tomlinson approved December 5, 2023, Regular Meeting Minutes, Budget Amendment Request and Chairman's Circle/ Sponsorship Opportunities in the amount of \$2,500. **Motion Passed 4-0**

RECOGNITION OF CITIZENS

Clint Guerrieri 116 Gordan Dr., Haines City
Winston Lungren 620 Heolden Lakes Ct.
Marilyn Lopez 237 Palm Dr.
Livia E Cruz 222 Poinsettia Dr.
Charles Rafael 198 Omahe St.
Wayne Green 215 Sample Ave.
Mary O'Neal 104 Gordan Dr.
Carmen Ruiz 103 Grove Dr.
Shane Dunn 211 W Nelson Ave
Nayeli Pulid 512 W Smith Ave
Azana Perez 195 Orange Dr.

OLD BUSINESS**Public Hearing and Second Reading Ordinance O-23-15 Comprehensive Plan Amendment**

ORDINANCE O-23-15: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON FLORIDA SAID AMENDMENT BEING KNOWN AS 23-15ESR, AMENDING THE CURRENT AND FUTURE LAND USE MAP CLASSIFICATION FROM AGRICULTURAL LANDS TO PUD FOR 626.82 ACRES OF LAND LOCATED ADJACENT TO THE EAST SIDE OF DETOUR ROAD, ADJACENT TO THE SOUTH SIDE OF KOKOMO ROAD AND ADJACENT TO THE NORTH SIDE OF LAKE HATCHINEHA ROAD; TRANSMITTING SAID ADMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMPLIANCE REVIEW; PROVIDING FOR SEVERALBILITY; AND PROVIDNG FOR AN EFFECTIVE DATE.

Attorney Maxwell read the title for the record; opened the public hearing, with no comments the public hearing was closed.

Motion made by Slavens and a second by Wagner to approve Ordinance O-23-15 Comprehensive Plan Amendment.

No public comments were received. A roll call was taken, Slavens aye, Tomlinson aye, Wagner aye and Kehoe aye. **Motion Passed 4-0.**

Public Hearing and Second Reading Ordinance O-23-16 Rezoning 626.82 Acres

ORDINANCE O-23-16: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA REZONING A 626.82 ACRES OF LAND LOCATED EAST OF DETOUR ROAD; ADJACENT TO THE NORTH SIDE OF LAKE HATCHINEHA AND ADJACENT TO THE SOUTH SIDE OF KOKOMO ROAD; AGRICULTURAL TO PUD KNOWN AS GROUP 9; AMENDING THE LAKE HAMILTON PUD TO INCLUDE SUCH 626.82 ACRES OF LAND; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR CORRECTIONS OF SCRIVENERS ERRORS; PROVIDING FOR CONFLICT AND EFFECTIVE DATE.,

Attorney Maxwell read the title for the record; opened the public hearing, with no comments the public hearing was closed.

Motion made by Slavens and a second by Wagner to approve Ordinance O-24-16 Rezoning 626.82 Acres.

No public comments were received. A roll call was taken, Slavens aye, Tomlinson aye, Wagner aye and Kehoe aye. **Motion Passed 4-0.**

NEW BUSINESS**Public Hearing and Resolution R-24-1 Water Treatment Plant and Well Project Improvements.**

Attorney Maxwell noted that the updated version of the Ordinance was on the dais and all Council Members were given a copy of the record.

RESOLUTION R-24-1: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF), ADOPTION OF THE WATER FACILITY PLAN FOR THE IMPLEMENTATION OF MONROE ST. WTP AND OFFSITE WELL IMPROVEMENTS, EFFECTIVE THIS DATE

Steve Elias from Pennoni presented the technical and financial aspects of the Water Treatment Plant and Well Project Improvements.

Attorney Maxwell read the title for the record; opened the public hearing, with no comments the public hearing was closed.

Motion made by Slavens and a second by Wagner to approve Resolution R-24-1 Water Treatment Plant and Well Project Improvements.

No public comments were received. A roll call was taken, Slavens aye, Tomlinson aye, Wagner aye and Kehoe aye. **Motion Passed 4-0.**

Professional Civil Engineering Services/Town Hall Addition

Gadd & Associates will be providing Civil Engineering for the new addition to Town Hall, for the Building Department. Staff recommended the approval for compensation of \$11,650.00 for the Civil part of the building.

Motion made by Slavens and a second by Tomlinson to approve professional Civil Engineering services/Town Hall Addition. A roll call vote was taken. Tomlinson aye, Wagner aye, Slavens aye, and Kehoe aye. **Motion Passed 4-0.**

STAFF REPORTS:

Town Administrator- Town Administrator Hunnicutt gave an overview of department reports.

Town Clerk- Town Clerk Borja mentioned to Council the upcoming dates for the MLK Luncheon in Polk State, Annual Banquet Luncheon, Ridge League Dinner and Legislative day in Tallahassee. Town Clerk Borja informed Council of her upcoming Clerk Election Workshop and the commencement of her classes and the dates they are scheduled.

Police Department- Included in Packet.

Community development- Included in Packet

Public Works- Included in Packet.

TOWN ATTORNEY COMMENTS: No comments were made.

COUNCIL COMMENTS: No comments were made.

ADJOURNMENT:

Motion made by Wagner and a second by Kehoe to adjourn the meeting at 9:10 PM. **Motion Passed 4-0.**

ATTEST:

Michael Kehoe, Mayor

Jacqueline Borja, Town Clerk

Steven M. Hunnicutt, Town Administrator

From the Desk of ...

Chief Michael Teague



12/29/2023

TO: Staff

SUBJECT: Council Report

March Items:

- 1 New Officer Started December 22 and another one will start January 15th
- Accreditation in Process (working on policies)
- 2 Applicants will be scheduled for January
- Body Camera still in testing mode
- Still a backlog on receiving vehicles 4 have been ordered
- Trailer wrapped, new Polaris wrapped, light trailer wrapped, both K9 Vehicles wrapped
- Old Crown vic to be wrapped for recruiting and special events
- Old Polaris to be wrapped to match new one
- Centennial badges ordered
- Centennial shirts ordered
- 3 new body cameras arrived (grant received for these)
-
-

Michael Teague



LAKE HAMILTON POLICE DEPARMENT

PO Box 126, 100 Smith Ave, Lake Hamilton, FL 33851

PHONE: 863-437-4711/ FAX: 863-439-1136

DECEMBER 2023 - MONTHLY ACTIVITY REPORT

	TOTAL CALLS	TOTAL ARRESTS
ABANDONED/ IMPOUNDED	1	0
ABANDONED / FOUND PROPERTY	0	0
ABDUCTION	0	0
AED ASSIST	1	0
ALARM	3	0
ANIMAL COMPLAINT	0	0
ANIMAL COMPLAINT - DOMESTIC	1	0
ANIMAL COMPLAINT - LIVESTOCK	0	0
ANIMAL COMPLAINT - WILDLIFE	0	0
ASSAULT	0	0
ASSAULT - AGGRAVATED	0	0
ASSIST OTHER AGENCY	6	0
ATTEMPT TO CONTACT	4	0
BATTERY	0	0
BATTERY - AGGRAVATED	0	0
BATTERY - DOMESTIC	0	0
BURGLARY - BUSINESS	0	0
BURGLARY - CONVEYANCE	0	0
BURGLARY - RESIDENTIAL	0	0
BURGLARY - STRUCTURE	1	0
CHILD ABUSE	0	0
CRIMINAL MISCHIEF	0	0
CRUELTY TO ANIMALS	1	0
CURFEW VIOLATION	0	0
CUTTING	0	0
DANGEROUS SHOOTING	2	0
DEATH INVESTIGATION	0	0
DIRECTED TRAFFIC ASSIGNMENT	14	0
DISABLED VEHICLE	1	0
DISTURBANCE - CIVIL	3	0
DISTURBANCE - FAMILY	3	0
DISTURBANCE - JUVENILE	0	0
DISTURBANCE - NOISE	3	0
DISTURBANCE - VEHICLE NOISE	2	0
DISTURBANCE - WEAPON	2	0
DISTURBANCE	5	0
DROWNING	0	0

DRUNK DRIVER	0	0
DRUNK PERSON	0	0
ESCAPED PRISONER	0	0
EXCITED DELIRIUM	0	0
EXTORTION	0	0
FELONY	0	0
FIGHT	1	0
FILING FALSE REPORT	0	0
FIRE	0	0
FIRE ASSIST	0	0
FIRST RESPONDER REQUEST	0	0
FRAUD/FORGERY/COUNTERFEITING/UTTERING	0	0
FUNERAL ESCORT	0	0
GAMBLING	0	0
GRAND THEFT	1	0
HARRASSING PHONE CALLS	0	0
HIT & RUN FATALITY	0	0
HIT & RUN INJURIES	0	0
HIT & RUN PROPERTY DAMAGE ONLY	4	0
HIT & RUN SERIOUS INJURY TO RESULT IN DEATH	0	0
HITCHHIKER	0	0
HIGHWAY OBSTRUCTION	1	0
IDENTITY THEFT	0	0
INDUSTRIAL ACCIDENT	0	0
INFORMATION	73	0
INJURED PERSON	0	0
INVESTIGATION	9	0
LAW ENFORCEMENT CALL	1	0
LEWD ACT	0	0
LITTERING	0	0
LOST PROPERTY	0	0
LOST/ABANDONED TAG OR DECAL	0	0
MAIL THEFT	0	0
MEDICAL ASSIST	0	0
MENTALLY ILL PERSON	0	0
MISDEMEANOR	0	0
MISSING / ENDANGERED PERSON	0	0
MOLESTING	0	0
MURDER	0	0
NARCOTICS VIOLATION	0	0
NATURAL DISASTER	0	0
OPEN DOOR / WINDOW	0	0
OVERDOSE	0	0
PATROL BUSINESS	1612	0
PATROL REQUEST	3	0
PATROL RESIDENCE	466	0
PERIMETER CHECK	142	0

PETIT THEFT	0	0
POSS FIREARM BY FELON	0	0
PROPERTY DAMAGE NON-CRIMINAL	0	0
PROWLER	0	0
RESISTING OFFICER	0	0
RETAIL THEFT	0	0
RIOT	0	0
ROBBERY	0	0
RUNAWAY	2	0
SERVE CIVIL PROCESS	0	0
SEXUAL BATTERY (FAMILY,UNK,KNOWN)	0	0
SHOOTING/THROWING MISSILE INTO BUILDING	0	0
SHOOTING/THROWING MISSILE INTO VEHICLE	0	0
SHOOTING/ PERSON	0	0
SOLICITATION VIOLATION	0	0
SPECIAL DETAIL	20	0
STOLEN TAG / DECAL	0	0
STOLEN VEHICLE	1	0
STOLEN VEHICLE RECOVERED	0	0
SUBJECT STOP	0	0
SUICIDE ATTEMPT	0	0
SUSPICIOUS AIRCRAFT	0	0
SUSPICIOUS INCIDENT	6	0
SUSPICIOUS PERSON	4	0
SUSPICIOUS VEHICLE	5	0
TAMPERING	0	0
THEFT	0	0
TRAFFIC ASSIGNMENT	0	0
TRAFFIC COMPLAINT	3	0
TRAFFIC STOP	253	36
TRESPASSING	1	0
UNCONFIRMED EMERGENCY	10	0
VEHICLE CRASH	9	0
WORTHLESS CHECK	0	0
VIOLATION OF INUNCTION	0	0
WARRANT / CAPIAS ARREST	0	0
OVERALL TOTAL	2697	36
	TOTAL CITATIONS	TOTAL ARRESTS
CRIMINAL TRAFFIC	40	36
NON-CRIMINAL TRAFFIC	194	0
PARKING TICKETS	0	0
WARNINGS	110	0
OVERALL TOTAL	194	36
	TOTAL WGT / VALUE	TOTAL ARRESTS

Recovered Cannabis		
Recovered Cocaine		
Recovered Meth		
Recovered Heroin		
Recovered Pills		
Seized Currency		
Based on Property received in Prop Room and not marked Dispo- COR Action- FX		

Officer	Calls	Reports	Checks	FIR	Arrest-T	Arrest-F	Arrest-M	Arrest-W	R-Cannabis	R-Cocaine	R-K2	Pills	R-Meth	R-Firearms	S-Currency	S-Vehicles	Accidents	Citations	Ch-Citations	Warnings	Community Outreach	Training Hours
Teague																						
Votour																						
Ortiz-Gonzalez	441	7	398		1		1											31	1	4		
Weissman	364	20	282		15		15		19.4				1.1				1	21	15	8		
Sumerlin	333	10	212		4		4										3	4	3	4		11
Jules	540	14	459		11		11											83	16	36		
Gagliardi	550	12	515														4	3	7	7		
Digiovanni	469	11	357		5		5										1	13	5	51		
Vacant																						
Vacant																						
Meyer																						
Garrison																						
Total	2697	74	2223	0	36	0	36	0	19.4	0	0	0	1.1	0	0	0	9	155	40	110		11
Reserve Hrs																						

Officer	Citations	Reports Ck	Reports/SAO	Admin Calls	Evidence Items	Validations	Visitors	Code Cases	Backgro Cks	Subpoenas	Accidents Mailed	Emails Checked	Training Hours
Gina			2	52			20				1	1575	
Kim	181	89	50	78			55			34	7	233	
Total	181	89	52	130	0	0	75	0	0	34	8	1808	0

Monthly Proficiency Reports -December 2023
Lake Hamilton Police Department

Patrol

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Year to Date	Same Month Last Year	(+ / -) (%)
Patrol															
Calls	1850	2027	1904	1902	2459	2411	2370	2542	2445	2582	2791	2759	28042	1724	(+) 37%
Lima	75	58	49	57	66	71	67	84	70	77	75	74	823	61	(+) 18%
Warrant Arrest	0	0	0	0	0	1	0	0	0	0	2	0	3	0	(+) 0%
Felony Arrest	0	0	1	0	1	2	2	1	1	0	2	0	10	1	(-) 100%
Misd. Arrest	31	22	21	16	22	28	21	23	19	42	28	36	309	21	(+) 50%
Total Arrest	31	22	22	16	23	31	23	24	20	42	32	36	322	22	(+) 42%
Cannabis	0	0	0	12.5	0	9.11	19.5	1.701	10.2	5.5	4.8	19.4	82.711	5.6	(+) 71%
Cocaine	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Methamphetamine	0	0	0	0	0.8	0	0	0.07	0	0	4.8	0	5.67	0.3	(-) 100%
Firearms	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Pills	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
K2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Traffic															
Citations	100	72	93	101	118	112	80	145	171	240	224	155	1611	90	(+) 42%
Criminal Citations	24	22	22	16	17	31	20	20	18	44	33	40	307	21	(+) 48%
Warnings	68	124	115	84	118	55	54	79	76	110	128	110	1121	92	(+) 16%
Crashes	14	11	14	10	4	10	15	17	13	16	12	9	145	8	(+) 11%
DUI	0	1	0	0	0	0	0	0	0	0	0	0	1	0	(+) 0%
DRE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Deployments	0	0	2	1	0	1	0	0	0	0	0	0	4	0	(+) 0%
Apprehensions/Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Hours Trained	14	12	13	10	14	16	14	9	15	15	11	11	154	14	(-) 21%
Demos	0	0	0	0	0	0	0	0	1	1	1	0	3	0	(+) 0%
Searches	0	0	2	0	0	0	0	0	0	0	0	0	2	0	(+) 0%
Heroin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Patrol Cont															
Seized Vehicles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%
Deaths	0	0	0	0	0	0	1	0	0	1	0	0	2	0	(+) 0%
Seized Currency	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(+) 0%



Memorandum

To: Town Council

From: Public Services Director

Date: 12-27-2023

Subject: Monthly Update for activities and work performed in December 2023

Sanitation: Normal Operations continue.

Parks: Routine mowing and cleaning of bathrooms continue. Martin ball field has received additional grooming of the clay infield. The Christmas Tree lighting was a good event for the Town.

Streets: Normal Operations. MG Underground has continued prepping and paving roads.

Water: The Water plant operations are normal. Pennoni continues to design phase 2.

Sewer: The wastewater plant has been placed into service as of November 1, 2023. The general contractor is now working through the list of punch items to complete the project. Phase 2 planning continues.

MISC: The search for a wastewater plant operator continues. US water is contracted for operation of the WWTP in the short term.

Sincerely,

Patrick Henry

Public Works Director

Town of Lake Hamilton On-going Projects(FY 2024)

	Action Item	Deadline	Budget	Status /Update
Police Dept				Updated 12/27/2023
Total				
Building and Planning				
Scenic Terrace Phase 1 (Taylor Morrison, Richmond, Casa Fresca and Century Complete)				162 permits approved. 28 issued.
Scenic Terrace Phase 2 (Starlight Homes)				103 permits approved. 75 issued
Scenic Terrace Phase 3				Final plat and addresses approved. Home construction scheduled for January 24.
Feltrim Lakes				SR 17 entrance to be relocated to Chicago Ave. Revised plans pending.
Hamilton Bluffs Phase 1, 2 &3				Final plans approved . Site preparation scheduled for Jan 2024
Weiberg 2 and 5				Preliminary plat approved. Construction plan comments addressed
New Building Department (CIP)			\$ 350,000	Working on Conceptual Floor design
Hamilton Bluffs 4-7 (Group 9)	3/5/2024			Petition to rename Group 9 to HB 4-7 received 12/08/23. With Town attorney
Detour School Annexation	2/6/2024			Advertising required.
Hamilton Bluffs CDD				Amended petition received 12/08/23. With Town attorney
Group 9 annexation and Comp Plan amendment	1/9/2024			Completed. DEO approval pending. Comp and Rezone 2nd reading - Jan 9th 2024
Total				
Open				
Site Work				HB Phase 1 & 2 January 24, site construction start
Plat and Layout				Weiberg 2 and 5 Preliminary Plat approved Nov 7
Total				
Streets				
SR17 Sewer Extension (Pennoni)	11/17/2023			90%. Street paving pending. Construction end date Jan 2024
319 Grant Septic to Sewer	11/17/2023			100%. Punch list items provided 11/14
Sidewalk Program - JT Miller Subdivision (Pennoni)				On hold
Road and Drainage Project - (Chaistain - Skillman)	11/17/2023	\$ 1,975,000		Bid package and plans need revision. April 1, 2024 estimated start.
SR 27 Force Main Project	12/27/2023	\$ 1,300,000		Project included in the 2024 WWTP Phase 2 Grant. Oct 2024 estimated proj. start
Total				
Parks and Recreation				
Gunter Park Phase II -FRDAP Grant A21046	4/30/2023	\$ 50,000		100% completed. Funds issued to Lake Hamilton Aug 8th
Detour Road Ballpark - FRDAP Grant A21070	4/30/2023	\$ 50,000		100% completed. Funds issued to Lake Hamilton Aug 8th
Bruce Martin Little League Field - Proposed Improvements	2024	\$ 50,000		Proposed improvements - Improve restrooms and ballfield lighting
Veterans Park - Proposed FRDAP project	2024	\$ 50,000		2024-25 proposed FRDAP funded . Proposed Improvents - Gazebo & Water Element
Total				
Water				
Water Permit	12/27/2023			613,000 MGD, go through 2028.
WTP Build Out	12/27/2023			Survey complete. Title work complet. Private residential driveway to be relocated.
WTP Phase 2	12/27/2023			In Design. Construction scheduled for 2024
Total				
Wastewater Plant				
WWTP accepting wastewater	11/17/2023			Contractor finalizing punch list items for Phase 1. Plant in full operation
WWTP Phase 2	12/27/2023			In Design. Construction scheduled for 2024

Town of Lake Hamilton On-going Projects(FY 2024)

Action Item	Deadline	Budget	Status /Update
Total			
Collections and Distributions			
Septic to Sewer MG (Pennoni)	12/27/2023		90% completion - Street Resurfacing started. Estimated completion Jan 15th 2024
319 Grant - Censtate (Pennoni)	11/15/2023		Punch list items complete. Grant finalized
Total		\$	
Total CIP			

Permit #	Pe Permi	Site Address	Pal Owner	Description	Constructic	Square Fee	Applicant Name	Applicant A	Main Status
230571	# BPR	320 Omaha Street N	0	0	0	0	0	Natasha Pokhai	PO Box 945 Issued
230570	# UPC	Detour Rd (between Hugt	0	0	Install 8034' Cor	0	0	Debbi Harden - M/ 14480 62nd	Approved
230546	# BPR	113 Poinsettia Dr	## Oaks F	Re-roof	8000	0	0	Budget Roofing - (PO Box 745	Finald
230543	# BPR	524 Smith Ave	27- Ramch 4	Concrete Slab 1	2000	220	Ramchand Deoch; PO Box 236	Issued	
230540	# BPR	331 MAIN ST	0	0	Complete re-roof	31990	3500	A-First Choice Roc PO Box 305	Issued
230527	# SPR	265 Hidden Lake Lane	0	0	Install roof moun	42000	0	Alberto Murias Jr 6236 Kings	Issued
230500	# BPR	312 Smith Ave	0	0	Foundation Repa	18779	0	Alpha Foundation; 3723 Hogsl	Issued
230499	# BPR	101 Church St S	27- LUZ CL 6'	Chain Link Fen	3500	0	Kevin Lopez	PO Box 641	Issued
230498	# BPR	110 Gordon Dr	0	0	Re-roof	21475	1350	Safe and Sound Rc 4313 E CR	Finald
230497	# BPR	2672 Buttercup Ave	0	0	New SFR - Voyag	392482	2345	Starlight Homes Fl 1064	Green Issued
230496	# BPR	2668 Buttercup Ave	0	0	New SFR - Lariss	336581	2011	Starlight Homes Fl 1064	Green Issued
230495	# BPR	2664 Buttercup Ave	0	0	New SFR - Glimm	356498	2130	Starlight Homes Fl 1064	Green Issued
230476	# BPR	4552 Ranunculus St	0	0	New SFR 4/2.5 2'	466962	2790	Taylor Morrison o 2600 Lake	Issued
230475	# BPR	4548 Ranunculus St	0	0	New SFR4/3 273i	457924	2736	Taylor Morrison o 2600 Lake	Issued

Types of Permits Issued	Issued Permits By Type
Commercial Building	2
Commercial Electric	0
Commercial Mechanical	0
Commercial Plumbing	0
Commercial Roofing	0
New Single-Family Residence	54
Residential Alteration	1
Residential Building	7
Residential Electrical	0
Residential Fence	2
Residential Mechanical	0
Residential Plumbing	0
Residential Roof	3
Residential Swimming Pool (cage)	0
Right of Way	3
Temporary Construction Trailer	0
Site Work	0
TOTAL	74

NSFR Permits Approved - Ready for Pick Up	80
NSFR Permits Entered - In Review	22
NSFR Permits Pending	2
NSFR Permits Submitted – not yet entered	0
Inspections for the month	332
BTRs Issued / Amt Collected	0
Certificates of Occupancy Issued – Residential	7/888.71
Building Permit Fees Collected	\$30,848.88
Building Permit Review Fees Collected	\$15,028.03
Administration Fees Collected	\$630.00
Elec/Mech/Plumb New Construction/reinspection/Sign Fees Collected	
Site Plan Review Fee Collected	\$4,487.08/\$14,815.83 (Site)
TOTAL ALL FEES COLLECTED	\$66,698.53



Town of Lake Hamilton

Town Council

Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Asset Status Change

DATE: January 12, 2024

SUMMARY: The Town is in need of a new mower. (3) proposals were looked at, the Exmark with a price of \$13,699.99, and one at \$10,959.00, and a John Deer at \$11,379.00. The Town has a Bat Wing Mower, that has not been used, and has been sitting for over a year. To save the Town money, a trade in was done, and a new mower was purchased at \$5,009.00.

ATTORNEY REVIEW: YES: ☐ NO: ☐ N/A: ☒

FINANCIAL IMPACT: YES: ☒ NO: ☐ \$5,009.00, which will be covered in the 2023/24 Budget under GL 001.541.053.

RECOMMENDATION: Staff is recommending the asset disposition change.

ATTACHEMENTS: Asset Status Change, and pictures of mowers.

Asset Status Change

(Current or new owner department initiates form; check below which change applies; complete respective section in detail; forward to Finance.)

Submitted By: Town Administrator Date: 12/27/2023

Owner Department: Streets Cost Center: Equipment

Asset Description: Batwing Mower Asset #: _____

Model RC2512 Serial #: 1636107

Department Director
Approving Status Change: S.Hunnicutt Date: 12/27/2023

**Clearing Agent
Approval
(Initial/Date)***

**Stolen
Asset**

Date Theft Discovered: _____

Police Report Filed: ☐ No ☐ Yes (Attach Report)

Transfer

From

To

Date

Owner
Department:

Other
Department: Streets

Cost Center: 001-541-064

12/12/2023

Acceptance: _____

(Receiver Signature)

Owner
Department

☐ Surplus

Surplus

Other
Department: _____

Cost Center: _____

Acceptance: _____

(Receiver Signature)

Trade - In

Vendor Name: Davie Power Equipment

Amount Allowed: \$5,009.00

New Asset Purchased: \$13,699.99

Disposal

(Post 30-Day Surplus Process)

Cleared By

Method

Date

☐

Fleet Maintenance

☐

Sold at Auction

☐

Procurement Services

☐

Other (Describe
Below):

☐

Technology Services

For Finance, Fleet Maintenance, Procurement Services and Technology Services use only.

DAVES POWER EQUIPMENT LLC
 29722 US HIGHWAY 27
 PO BOX 429
 LAKE HAMILTON, FL 33851
 Phone: 863-438-9888, Fax: 863-438-9887
 Email: davespowerequipment@verizon.net
 Web Address: www.davespowerequipment.com

Order Acknowledgment

Invoice No.: 120925
 Date: 12/12/2023
 SP: MIKE ROUSCH

Bill To:

TOWN OF LAKE HAMILTON

PO BOX 126,
 LAKE HAMILTON, FL 33851

Ship To:

TOWN OF LAKE HAMILTON

PO BOX 126,
 LAKE HAMILTON, FL 33851
 Phone: 863-247-0606

Parts :

Part	Description	Sold	Shipped	BO	Price	Net Price	Extension
EXM LZE801CKA604 A1	LAZER E 60" FX801 SUSP SEAT Serial #: 415232425	1.00	1.00	0.00	\$13,699.99	\$10,959.00	\$10,959.00
EXM INVOICE- BID	No description	1.00	1.00	0.00	\$0.00	\$0.00	\$0.00

Trade In :

Part	Description	Sold	Shipped	BO	Price	Net Price	Extension
GEI USED 00091	LAND BATWING RC2512	-1.00	0.00	0.00	\$6,000.00	\$6,000.00	(\$6,000.00)

Misc. Charges :

Description	Amount
Freight Surcharge/Setup	\$50.00

Subtotal:	\$5,009.00
Tax:	\$0.00
Total:	\$5,009.00
Balance Due:	\$5,009.00

Signature: _____
 Date: _____

This is an order acknowledgement. This sale is not final.



Exmark LZE801CKA604A1 60" Lazer Z E Series Zero Turn Mower



SKU#: LZE801CKA604A1



*****Exmark products are only available for in store pick up. We do not ship Exmark products*****




SKU#: LZE801CKA604A1

Exmark products are only available for in store pick up. We do not ship Exmark products

Qty - 1 +

\$13,699.99 *(Like Item)*

Add To Cart

 [Add To Compare](#)

[Details](#)



The perfect choice for professional landscape contractors who want the innovative engineering and commercial-grade quality of a Lazer Z zero turn riding mower, but in a value package. It features the same welded, heavy-duty, 1.5"x 3" tubular steel unibody frame found throughout our Lazer Z models. You can also choose from two rugged Kawasaki® V-Twin engines or a Kohler® Command™ EFI engine matched to a full-floating, UltraCut™ Series 4 cutting deck, in 48, 52,

John Deere Z740R

[All Manufacturers](#) / [John Deere](#) / [Lawn Care Equipment](#) / [Zero Turn Mowers](#) / [Z700 Series](#) / Z740R



Feature Overview

John Deere Z740R

- 23.5-hp (17.5 kW)* FX series engine
- 48-, 54-, or 60-in. High-capacity PRO mower deck with welded deck reinforcements
- 24-in. seat with fully adjustable mechanical suspension
- Cut height adjustment dial adjusts mower in ¼-in. increments from 1.5 - 5 inches

Engine power 23.5 hp / 17.5 kW

Engine model FX730V
number

U.S. warranty 4 year/1000 hour bumper-to-bumper* (*Term limited to years or hours used, whichever comes first, and varies by model. See the LIMITED WARRANTY FOR NEW JOHN DEERE TURF AND UTILITY EQUIPMENT at [JohnDeere.com](#) or [JohnDeere.ca/TUWarranty](#) for details.)

Warranty 4 year/1000 hour bumper-to-bumper* (*Term limited to years or hours used, whichever comes first, and varies by model. See the LIMITED WARRANTY FOR NEW JOHN DEERE TURF AND UTILITY EQUIPMENT at [JohnDeere.com](#) or [JohnDeere.ca/TUWarranty](#) for details.)

Z740R - 60 Inch Deck (\$11,379.00)

\$11,379.00 MSRP**

Add to Cart 

Hi there, have a question? Text us here.

Request a Demo/Quote

\$ Get Financed

 Text us



Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Ordinance 2024-01, implementing State Statutory Mandated, to prepare a mandatory business impact estimate that may have an impact on local business near a zoning change.

DATE: February 1, 2024

SUMMARY: The Town Attorney has prepared Ordinance 2024-01, to make sure the Town is in compliance with the State Mandate, on the business impact statement requirements.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☐ NO: ☒ There is no Financial Impact.

RECOMMENDATION: Staff is recommending the approval of Ordinance 2024-01.

ATTACHEMENTS: Copy of Ordinance 2024-01

ORDINANCE 2024-01

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING CHAPTER 1 OF THE LAKE HAMILTON CODE OF ORDINANCES, TO ADD SECTION 1-13, IMPLEMENTING THE STATE’S STATUTORY MANDATE TO PREPARE BUSINESS IMPACT ESTIMATES PRIOR TO THE ADOPTION OF PROPOSED ORDINANCES PURSUANT TO SECTION 166.041(4), FLORIDA STATUTES; PROVIDING FINDINGS; ADOPTING BUSINESS IMPACT ESTIMATE PROCEDURES, REQUIREMENTS AND EXEMPTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

Section 1. Findings. In adopting this Ordinance, the Town Council of the Town of Lake Hamilton, Florida (the “Town”) hereby makes and expresses the following findings, purposes, and intent:

(1) The Town has been conferred broad legislative powers to enact ordinances to perform governmental functions and exercise power to promote the health, welfare, safety and quality of life of a local government’s residents by both the Florida Constitution and the Florida Legislature.

(2) The procedures for adopting municipal ordinances are set forth in Section 166.041, Florida Statutes.

(3) The Florida Constitution grants municipalities broad authority to take actions furthering citizens’ health, welfare, safety, and quality of life called “home rule,” and this authority includes legislative powers to enact local laws.

(4) Florida municipalities have those governmental, corporate, and proprietary powers that enable them to conduct municipal government, perform municipal functions and provide municipal services, and exercise any power for municipal purposes, except as otherwise provided by law.

(5) These home rule powers have been liberally construed when reviewed by courts.

(6) This broad home rule authority is limited by two guideposts: preemption, where a higher level of government such as the State has already legislated on a topic, and standards of reasonableness.

(7) A municipal ordinance can be declared invalid on the grounds that it is inconsistent with the Florida Constitution or Florida Statutes, and inconsistency may be found where a municipal ordinance is either preempted by or in conflict with the Florida Constitution or Florida Statutes.

(8) A municipal ordinance can also be declared invalid on the grounds that it is arbitrary or unreasonable, meaning that it has no legitimate governmental interest, and municipal ordinances are presumed valid by courts reviewing them, and the burden falls on the challenger to establish the ordinance's arbitrary or unreasonable nature.

(9) Beginning October 1, 2023, municipal ordinances adopted in Florida may be subject to local challenge based upon failure to produce a "business impact estimate."

(10) If a court invalidates an ordinance, this ruling may result in imposition of attorneys' fees against a municipality if an ordinance is later determined to be arbitrary or unreasonable.

(11) The Florida Legislature also adopted a statutory mandate that municipalities produce a "business impact estimate" prior to passing an ordinance, subject to certain exemptions and exceptions.

(12) The statute (Chapter 203-309, Laws of Florida, codified as Section 166.041(4), Florida Statutes) mandates that the estimate must be published on the municipality's website and include certain information, such as the proposed ordinance's purpose, estimated economic impact on businesses, and compliance costs.

(13) This unfunded state mandate also imposes certain conditions on lawsuits brought by any party to challenge the legal validity of local ordinances as preempted by state law, arbitrary, or unreasonable.

(14) The state has created a number of exemptions for certain specified ordinances, including

- Ordinances required to comply with federal or state laws or regulations
- Ordinances relating to the issuance or refinancing of debt
- Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- Ordinances required to implement a contract or agreement, including grants or financial assistance
- Emergency ordinances
- Ordinances related to procurement
- Ordinances enacted to implement: Part II, Ch. 163, including land development regulations, zoning, development orders, development agreements, and development permits; Sections 190.046(CDDs); the Florida Building Code; the Florida Fire Prevention Code.

(15) The Town Council has provided all necessary public notice and held the requisite public hearings and accepted testimony and other competent, substantial evidence from the public for purposes of making these findings and determining to adopt this ordinance.

Section 2. AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON, TO ADD SEC. 1-13, TO BE TITLED “IMPLEMENTATION OF STATUTORY MANDATE TO PERFORM BUSINESS IMPACT ESTIMATES.” That Chapter 1 of the Code of Ordinances of the Town of Lake Hamilton, Florida (hereinafter “the Code”) is hereby amended to add Section 1-13, which shall be read as follows (underline language added):

Sec. 1-13. – Implementation of Statutory mandate to perform business impact estimates.

The Town Council hereby adopts the implement the Florida statutory mandate contained in section 166.041(4), Florida Statutes, to perform business impact estimates prior to the adoption of certain ordinances as specified in the statute. The Town Council shall perform a business impact statement in accordance with the requirements or the statute for all ordinances not exempted by section 166.041(4)(c) or 166.0411, Florida Statutes, and may in its sole discretion determine to perform a business impact statement for any ordinance that is exempt under the statute. Nothing contained herein is intended to create additional mandates for performing the business impact estimates of exempt ordinances or to waive any exemption. The Town hereby authorizes and adopts a pass through charge applicable to any person, firm, entity, or business which requests or sponsors the adoption of an ordinance solely to assess, cover and collect the fees, deposits, costs and expenses relating to pertaining to the preparation of the business impact estimate. The Town may in its sole discretion waive this pass through charge.

Section 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

Section 4. CONFLICTS. Should any provision contained in this Ordinance conflict with any prior provision of the Code or any Town ordinance, then the provisions of this ordinance shall control.

Section 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption.

INTRODUCED on first reading this ____ day of _____, 2024.

PASSED on second reading this ____ day of _____, 2024.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

JACQUELINE BORJA, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, TOWN ATTORNEY

Record of Vote	Yes	No
Roberson	_____	_____
Tomlinson	_____	_____
Slavens	_____	_____
Wagner	_____	_____
Kehoe	_____	_____



Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Amending Code of Ordinance Section 32-14 and Section 32-15

DATE: February 1, 2024

SUMMARY: The Town staff has reviewed Ordinances pertaining to Emergency Response Rates and Utility Audit Fees, along with Account Payment Methods, that need to be updated, having some scrivener's errors. The Town Attorney has also review the language that needed to be changed, and has updated the Ordinances, to reflect proper language, with current operations of the Town.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☐ NO: ☒ There is no Financial Impact.

RECOMMENDATION: Staff is recommending the approval of Ordinance 0-24-02 with the new language, and has been updated currently by the Town Attorney.

ATTACHEMENTS: Copy of Ordinance 0-24-02

ORDINANCE O-24-02

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, RELATING TO WATER AND SEWER UTILITIES; AMENDING SECTION 32-14 AND SECTION 32-15 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON, FLORIDA (THE “CODE”); TO UPDATE EMERGENCY RESPONSE RATES AND UTILITY AUDIT FEE; TO UPDATE UTILITY ACCOUNT PAYMENT METHODS; PROVIDING FOR CODIFICATION AND SCRIVENER’S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1. TITLE; FINDINGS.

(a) Findings. In adopting this Ordinance and modifying the Town Code, the Town Council of Lake Hamilton, Florida, hereby makes the following findings:

(1) The Town is authorized, pursuant to general and special law and its home rule powers contained in statutes and the Florida Constitution, to own, manage, operate, provide and extend central water, wastewater, and reclaimed water services both within and without the Town of Lake Hamilton, Florida.

(2) In furtherance thereof, the Town declared beginning in 2013 and continuously thereafter an exclusive water and wastewater service area both within and without the Town limits.

(3) The Town is authorized by its Charter, Section 166.201, Florida Statutes, and Sections 180.13 and 180.191, Florida Statutes, to establish and fix rates, fees, and charges for customers within and without the boundaries of the Town.

(5) The rates, fees, and charges established herein provide funding for water and wastewater utility services which promote the health, safety, and general welfare of the Town’s customers as therefore beneficial to the rate payers of the Town’s water and wastewater utility system.

(6) The Town has provided the required public notice and held the necessary public hearing(s) in order to adopt these rules.

SECTION 2. REVISIONS TO SECTION 32-14, LAKE HAMILTON CODE.

Section 32-14 of the Code of Ordinances of the Town of Lake Hamilton, Florida, (the “Lake Hamilton Code”) is hereby amended to read as follows (~~strike through~~ language deleted, underline language added):

“Sec. 32-14. - User charges, billing, delinquent accounts.

All customers of the town's water and sewer systems shall pay all applicable monthly user charges, connection fees, lines extension charges and all related charges at rates established by the town council. Billing for water and sewer service shall be rendered monthly, or as otherwise determined by the Town council. Requests for re-connection after service has been terminated shall be accompanied by payment of a re-connection service fee established by resolution of the town council. Payment of the entire amount of the delinquent bill and additional payment to offset any deficiencies in the required deposit account shall be required. Re-institution of service shall be accomplished only by the department of public works. Any unauthorized connection shall subject the violator to the full penalties of the law.

(1) Adoption of Water System Rates. The Town hereby establishes and adopts the following water rates:

(a) Users of potable water for residences located inside the Corporate Limits of the Town of Lake Hamilton shall pay a minimum monthly sum, which shall be known as the "Service Fee", plus the per thousand gallon consumption charges as adopted by Ordinance No. O-2014-07 of the Town of Lake Hamilton, and as may be amended by Ordinance from time to time.

(b) Users of potable water for residences located outside the Corporate Limits of the Town of Lake Hamilton and all non-residential uses whether located inside or outside the Corporate Limits shall pay a minimum monthly sum, which shall be known as the "Service Fee", plus the per thousand gallon consumption charges as adopted by Ordinance No. O-2014-07 of the Town of Lake Hamilton, and as may be amended by Ordinance from time to time.

(2) Adoption of Wastewater System Rates. The Town Council of the Town of Lake Hamilton hereby establishes a Retail Wastewater Service Base Rate of \$48.51 and a Usage Rate in the amount of \$13.61 per thousand gallons of wastewater, as measured by retail water meter reading. A current schedule of the Wholesale Wastewater Service Rate shall be on file in the office of the Town Clerk.

(3) Annual Indexing Adjustment of Rates. That each October 1 from and after October 1, 2021, the latest water and wastewater charges shall be adjusted by the greater of (1) 3%, or (2) the amount of the annual increase in the index numbers of based upon the change in that year's Consumer Price Index for all Urban Consumers: water, sewer, and trash collection services in U.S. City Average.

(4) Miscellaneous Rates. The Town adopts the following miscellaneous rates:

Utility Service Fees and Charges for Residents and Business

Service Charge Description	Amount
Note: Water turn/off are conducted the next business day unless same day service is requested and paid by 4:00 PM	

New Account Admin Charge (to open an account)	\$30
Closing Account Admin Charge added to the account prior to return of Deposit	\$30
New Account Water Deposit – required to open a new account	\$200
Non-Sufficient Fund Fee	\$30
Delinquent Account increased deposit	\$400
Delinquent Account meter turn off Fee	\$30
Account holder request for temporary meter turn on/off service.	\$30
Optional Same day meter turn on service fee in addition to all other fees applicable. Not available for accounts with payment plan.	\$30
After Hours Emergency Meter Service Response Fee. Normal Hours are - Outside of Normal Hours: Monday through Friday from 8:00AM to 5:00PM	\$60
<u>Emergency Service Response Visit Fee –</u> <u>During Business Hours: Monday through Friday from 8:00AM to 5:00PM</u>	<u>\$30</u>
<u>Labor – Emergency Response:</u> <u>During Business Hours: Mon-Fri (8:00AM to 5:00PM) – Technician</u> <u>During Business Hours: Mon-Fri (8:00AM to 5:00PM) – Supervisor</u> <u>Outside Business Hours: Mon-Fri (8:00AM to 5:00PM) – Technician</u> <u>Outside Business Hours: Mon-Fri (8:00AM to 5:00PM) - Supervisor</u>	<u>\$45/hr</u> <u>\$65/hr</u> <u>\$67.50/hr</u> <u>\$97.50/hr</u>
<u>Materials/Supplies – Emergency Response/Repair</u>	<u>Materials Cost Only</u>
In person or over the phone service fee in addition to credit card fees	\$5
Late Fee is 10% of unpaid water use balance assessed after the 20 th COB	10%
Water audit and/or disputed meter reading if results of audit determine meter is working accurately. This Fee is Waived if Meter is not Registering within AWWA Standards	\$60 <u>\$25</u>
Accounts with OnSyte Performance System – Monthly fee	\$37.52
New meter and connection set fee ¾" (new meters installed 4 business days minimum after application is submitted).	\$200 labor + cost of parts
New meter and connection set fee 1" (new meters installed 4 business days minimum after application is submitted). Maximum Residential size.	\$200 labor + cost of parts
New meter and connection set fee 2" (new meters installed 4 business days minimum after application is submitted).	\$300 labor + cost of parts
New Meter and connection above 2" will need to be included in building permit and approved by the town. The installation and cost will be the responsibility of the account holder and must be done by a licensed professional.	
Relocating Existing meter.	Based on New Meter Set Fee costs Breakdown minus the cost of the meter
Construction Meter – Admin new account and closing fee (\$60) + Set up and take down fee (\$60) + monthly Base charge and water usage Billed monthly. + equipment deposit (\$1500.00) + Water Deposit (\$200). Any Construction Meter Account not paid on time monthly will be discontinued, unpaid charges will be deducted from the deposit and meter will be reclaimed. A new account will need to be opened at that time.	
Damage to Meter Box, Damage to Meter, Damage to any appurtenances to the water system.	Labor and replacement cost
Penalty for Meter Tampering/Theft of Service 1 st infraction	Statutory
Penalty for Meter Tampering/Theft of Service 2 nd infraction	Statutory
Penalty for Meter Tampering/Theft of Service 3 rd infraction	Statutory

Penalty for Obscured Meter	Statutory
Penalty for Cross Connection	Statutory
Penalty for Connection to Other Systems	Statutory

SECTION 3. REVISIONS TO SECTION 32-15, LAKE HAMILTON CODE.

Section 32-15 of the Code of Ordinances of the Town of Lake Hamilton, Florida, (the “Lake Hamilton Code”) is hereby amended to read as follows (~~striethrough~~ language deleted, underline language added):

Sec. 32-15. - Utility service policies.

The town council hereby adopts user service rules, regulations, policies and fees as set forth below. The administrator/clerk may for convenience publish these utility service policies in a document containing the utility service application with instructions for completing it, referencing pertinent state laws affecting water customers, and specifying the current fees for deposits, impact fees and setting meters, and other information that the administrator or clerk may determine is needed from time to time.

(1) Establishment of Water Service. Every residential dwelling unit and every non-residential land use, be it a business, an industrial operation, a non-profit or a church, shall apply to the Town for water service. Upon payment of deposits and fees by the applicant, the Town will establish the water service connection, which shall be the only potable water connection for the customer. Water service will be immediate and continuous as long the account remains current.

(a) A water meter set fee, based on the size of the meter that has been chosen by the customer, shall be charged by the Town for tapping the water main and furnishing and installing a water meter. The fee is the same whether the property and the customer are located within or outside the town.

(b) The Town will construct, extend and provide water service from the water main adjacent to the property requesting water service; shall set the water meter and check valve, and shall connect the water meter to the water service.

(c) If the property is on the opposite side of the road from the water main, the applicant shall hire a licensed plumber or underground utilities contractor to tap the main and bore a water service line under the road. The plumber or contractor is responsible for applying for and receiving an approved permit from the Town, or in the case of crossing a Polk County or Florida State road or highway, a permit from the appropriate agency. Materials and methods employed shall be specified by the permitting agency.

(2) Water Application and Fees.

(a) The applicant must apply for water service from the town as a new applicant. They shall complete a Water Service application provided by the town, provide required documentation, and pay to the Utility Billing Office a deposit in the amount established by the Town Council as amended from time to time, which is currently \$200.00. An administrative fee of \$30 is also due at time of application.

(b) As a part of the application, the applicant shall provide a picture ID; and documents' showing the applicant is authorized to reside or conduct business at the address shown on the application.

(c) The town will have water turned on at said address the next business day of completed application being accepted by the Utility Billing office. Applicants may pay an additional service fee to have service established sooner. Applications made on a Friday may not be turned on until the next Monday.

(d) Water may be turned on for inspection purposes with an application and a \$60 fee. Service will remain on for 48 hours.

(3) Other Services Provided. Upon the opening of a utility account, the account holder agrees to be charged for other municipal services provided by the Town. For residential properties located in the town limits, the services and charges include: Water, sewer, and associated taxes and service, Garbage and Recycle, Trash, and Stormwater. For commercial customers, charges include: Water and associated taxes and Stormwater. For accounts located outside the town limits, charges include: Water, sewer and associated taxes and service.

(4) Rates. Water Rates are set forth in sec. 32-14 of the Town Code. Other utility charges are determined by adoption the annual budget.

(5) Payment for Services. Water meters are read on/or near the 20th of every month. Users are billed monthly on the last business day of each month. Payments are due on the 20th of every month.

(a) ~~Payments can be made in person at town hall on any Monday, Wednesday, or Friday not a state or federal holiday by cash, check, money order or credit card (service fees apply). Payments can be dropped in the after hours payment box located outside of town hall. Credit card payments by phone can only be done on Fridays and the 20th of the month. A credit card company convenience fee will be charged for all credit/debit card payments. A town service charge~~ An administrative service processing charge is collected for all in-person or over the phone credit/debit card payments. Payments can also be dropped in the after-hours payment box located outside of Town Hall.

(b) User and service charges not paid on or before the 20th of the month will have a late charge ~~added to the bill assessed to the account and said fee shall be payable by the next month on the 20th~~ 20th day of the next month. If the 20th falls on a weekend or a holiday, the late

charge will be applied to the unpaid bill on the ~~working day~~ next business day following the due date.

(6) Delinquent Accounts/Disconnect Water. Accounts will be considered delinquent if any account balance is ~~sixty (60)~~ thirty (30) days past due and will be subject to water service being discontinued with no further notice. A \$30 disconnect fee will be applied to the account. Monthly water base fee and all other service charges will continue to be billed.

~~(a) At any time that the User's Account is delinquent for more than sixty (60) days and is over \$200, the amount on deposit for the customer will be withdrawn from the deposit account and applied toward payment of the delinquent bill. Such amount will then be invoiced to the User's Account. In the case of an account that has become so delinquent that the original deposit has been depleted, the deposit to re-establish water service will be double the current deposit of \$200, which would be \$400.~~

~~(b a)~~ Hardship Status – The town understands that some customers may not be able to pay the full balance due to a hardship. If that is the case, the account holder must ~~set up an approved request~~ a payment plan with the Clerk's Finance office. If a payment plan ~~has been is~~ approved, ~~future~~ late fees during the plan period will be waived if the payment plan is being adhered to. If the account holder ~~does not abide by defaults on the terms of the payment plan, the account service will be turned off disconnected and item (6) and (6)(a) above will prevail.~~ Payment plans cannot extend past ~~three months~~ ninety (90) days.

(7) Restore Water – Upon receipt of payment of the full past due amount and disconnect fee from the customer, or in case of a hardship, an approved payment plan with specified payment being received and recorded, the Utilities Department shall have the water service restored to the customer the next business day. ~~Payments to restore water made on Friday may not be turned on until Monday. Re-connection payments made on a Friday may result in restoration of services on the following Monday.~~

(8) Non-sufficient Funds. Should a payment made by check not be accepted by the bank, ~~water service will be discontinued, and~~ all future payments must be paid by cash, money order, ~~certified~~ Cashier's check or credit card. A \$30 non-sufficient fund fee, ~~a \$30 disconnect fee,~~ plus the amount of the unpaid bill will be charged to the account holder.

(a) Should a payment be made by credit card and the account holder initiates a credit card chargeback with their financial institution without first attempting to resolve a payment issue with the Town (referred to as "merchant") a \$30 credit card chargeback fee, plus the amount of the unpaid bill, will be charged to the account holder. Thereafter, the customer will not be eligible to make future credit card payments.

(9) Destruction and Tampering. By opening an account for services, you agree not to maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the water system of the town.

(a) If you or any person using your property willfully tampers with, damages, or illegally connects to, diverts or extends the system without first applying for and receiving service

from the town, you are in violation of Sections 812.14(2)-(5), Florida Statutes and can be charged with a misdemeanor of the first degree, which is punishable by a fine of \$1,000.

(b) If a meter has been locked by staff because of a delinquent account or no application for service on file to the property and it is determined that the lock was removed without staff authorization, the meter will be removed, the account will be considered delinquent and all past balances must be paid to reestablish a new account and all fees must be paid to reinstall the meter.

(10) Putting Account on Vacation Mode/Transfer Account. You may submit an application to modify your account for any time you will be away from your residence for more than six months. This will take off the charges for garbage and trash. The bill will still show the Water Base Rate and Stormwater charges. If you relocate to another property which is served by the Town of Lake Hamilton, you must file an application to establish services at the new property. You do not need to pay another deposit, but your account must be current in order to transfer.

(11) Reporting a Possible Leak/Dispute a High Bill/Zero Consumption. If a water customer desires the town to check their meter for a leak or possible defective meter or service line, they should report it to the utility billing specialist and a work order will be completed and given to the Water Department. If there is no issue with the meter or town service line, the customer will be billed \$60. The water customer should follow up with the Clerk's office to determine the outcome.

(a) The town is not responsible for service lines beyond the meter.

(b) If there is an issue with the meter and components, the town will repair the meter and components at no cost to the customer.

(12) Water Meter Maintenance. Water Meters are maintained on a set schedule. As a result of these maintenance activities, the meter or the register(s) may be changed. The new meter reading shall be brought to the attention of Utility Billing. If a change in register numerical sequencing causes an error in the consumptive calculations, the customer's account may not be charged correctly. Once discovered, the customer will be notified of the error and if any adjustments are due they will be posted. Accounts shall be adjusted as described below:

(a) The period in question may not be any greater than the previous six (6) months.

(b) If the payment(s) was less than the average, the customer shall be sent a corrected bill.

(c) The customer will be allowed to pay this amount over the same number of months as the months in question, up to a maximum of six (6) months.

(d) If the payment(s) was greater than the average, the customer's account shall be credited the difference.

(13) Payment for Water Service in the Event of a Leak. Plumbing problems beyond the meter outlet are the responsibility of the customer. There are instances when the customer's plumbing system may develop a leak. As a courtesy by the Town, this policy is intended to offer the customer some billing relief in the form of a credit while the Town recovers a portion of the cost to treat and deliver the water. In the event an inordinate increase in water usage by any customer is discovered in the billing process, it is the duty of the customer to immediately determine if there is a leak within the building or buildings on his property or in the service line from the meter to the building(s) and make immediate repairs.

The customer may recognize the leak and initiate repairs, or Utility Billing may issue a work order if "HIGH CONSUMPTION" is detected through the billing system. If Utility Billing issues a work order the water meter will be read a second time. If the reading is correct, a door tag will be left notifying the customer that a leak may exist on their system. A water audit will be recommended and scheduled upon the customer's request and ~~\$60~~ \$25 billed to the account. Once the customer has been notified, they will have until the next billing cycle to correct the leak for any monetary adjustment to be considered. Any high consumption that occurs beyond that time will not be considered for adjustment / credit because the customer should be proactive with making repairs once they are alerted to a problem, either by a high consumption invoice or a notification from staff. Hence, from the time of the first high consumption invoice until repaired should be no more than three (3) months. The three (3) month period will be the only period considered for the leak credit review. Once the customer repairs the leak and provides a written request explaining the problem, which should include proof of repairs (with proper dates), they can request an adjustment to offer some financial relief in the form of a courtesy credit. The customer shall pay all current charges and NOT delay payment during the leak credit review process. If a credit is authorized, it will appear on a future bill. Only one (1) credit per a twelve (12) month period shall be considered per property. This policy is NOT intended to address repetitive plumbing problems.

- (a) The base service charge shall not be included in determining the credit.
- (b) The Utility Maintenance Division shall determine the average water consumption for a six (6) month period prior to the leak to establish a "base-line".
- (c) Utility Billing Division shall determine which invoices constitute the high usage to use in the calculations associated with the adjustment.
- (d) Utility Billing Division is authorized to provide the customer a credit for three months of high usage amount over the amount as calculated in (b) above at current water rates, based upon the following criteria:
 - (1) The customer has properly completed the repair and submitted documentations for the credit request form and,
 - (2) The cause of the high consumption was found during the billing cycle or water audit, and/or
 - (3) The customer recognized the leak, and

(4) The cause was such that a reasonable and prudent customer could not recognize the problem in a timely manner.

(e) Only these leaks may be considered:

- (1) Underground domestic pipe leaks
- (2) Under the structure domestic pipe leaks
- (3) Underground irrigation pipe leaks
- (4) Leaks in the fitting connecting to the water meter

(f) Leaks that will NOT be considered:

- (1) Toilet, faucet or other fixture leaks
- (2) Swimming pool problems, (piping, pumps, filters, etc.)
- (3) Sprinkler equipment problems, (timers/controllers, sprinkler heads, etc.)
- (4) Customer negligence
- (5) Water theft
- (6) Unknown or unexplained water consumption

(14) Payment for Zero Consumption – Water consumption is measured through mechanical water meters. These meters are owned by the Town and maintained on a specified schedule. The maintenance schedule has been established to promote accurate readings and protect the interest of the customer and the investment of the Town. Being a mechanical device, there are instances when a meter may "slow down" or may fail completely and stop totalizing water flow. The Utility Billing System normally detects these problems and provides a "Zero Consumption - Low Meter Use Report". This report checks the latest meter reading and lists those active accounts with zero consumption. Utility Maintenance staff reviews this report and generates a work order to have field personnel investigate. The meter is then checked, replaced and/or repaired, and the results given Utility Billing via the completed work order form. Based on that information, the customer will be "BACK BILLED" for all water consumed but not registered as follows:

- (a) The period in question may not be any greater than the previous twelve (12) months.
- (b) The average water consumption per month will be determined.
- (c) The average water consumption per month, totaled for the number of months in question will be the amount the customer will be back billed.

(d) It shall be determined if the monthly base charge was paid or should be back billed.

(e) The customer will be allowed to pay the total amount due over the same number of months as the months in question, up to a maximum of twelve (12) months.

(15) Closing an Account. The Town must receive a signed application or electronic communication from the account holders verified email to modify or close an account. When the application is received a final meter reading will take place and the applicant's deposit will be used to pay the final bill, disconnect fee and any delinquent charges. If the deposit is not enough to pay the outstanding balance an invoice will be mailed to the applicant and payment must be received within 15 days of date the invoice was mailed.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.

The Town Council intends that this Ordinance be made part of the Town of Lake Hamilton Code of Ordinances, and that sections of this Ordinance can be renumbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance may be renumbered or re-lettered and scrivener's or typographical errors and clarification of ambiguous wording that do not affect the intent may be corrected with the authorization of the Town Administrator without the need for a public hearing.

SECTION 5. CONFLICTS.

If the event of a conflict with any other Town ordinances or part of ordinances, the provisions of this Ordinance shall control.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, word, or other part of this Chapter is for any reason declared unconstitutional or invalid by any court of competent jurisdiction, such part shall be deemed separate, distinct and independent and the remainder of this Chapter shall continue in full force and effect.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect immediately upon its passage.

INTRODUCED and PASSED on first reading this 5th day of APRIL 2022.

PASSED and ADOPTED on second reading this 3rd day of May 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

JACQUELINE BORJA, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, TOWN ATTORNEY

Record of Vote	Yes	No
Slavins		
Roberson		
Tomlinson		
Wagner		
Kehoe		



Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Correction of error in water connection fees, amending table 1, section 32-8 of the code of ordinances.

DATE: February 1, 2024

SUMMARY: The Town staff has reviewed Water Connection fees, and advised the Town Attorney of the error in the inside town limits versus outside the town limits, to change the underlined connection fee about, as follows: current \$18,554.32 for inside the town, to \$14,495.56, and \$14,495.56 for outside town limits to \$18,119.45.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☐ NO: ☒ There is no Financial Impact.

RECOMMENDATION: Staff is recommending the approval of Ordinance 0-24-03, with the change of the Water Connection fees, as underlined in the attached Ordinance.

ATTACHEMENTS: Copy of Ordinance 0-24-03

ORDINANCE O-24-03

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA; AMENDING TABLE 1 OF SECTION 32-8(e) OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON TO CORRECT AN ERROR IN THE TABLE OF WATER CONNECTION FEES FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITH METERS UP TO 6.0 INCHES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLITS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1. AMENDMENT TO TABLE 1, SECTION 32-8. CODE OF ORDINANCES.

Table 1, located in Section 32-8(e) of the Code of Ordinances of the Town of Lake Hamilton, Florida, is hereby corrected and shall read as follows (~~striketrough~~ language deleted, underline language added):

Table 1: Water Connection Fees for Residential and Commercial development with meters up to 6.0 inches			
Meter Size (in inches)	Ratio to meter size	Water Connection Fee for Service Inside Town Limits	Water Connection Fee for Service Outside Town Limits
1.0 & less	1.0	\$2,319.29	\$2,899.11
1.5	2.0	4,638.58	5,798.23
2.0	5.0	18,554.32 <u>14,495.56</u>	14,495.56 <u>18,119.45</u>
3.0	8.0	37,108.64	46,385.80
4.0	16.0	57,982.28	72,477.79
6.0	25.0	115,964.56	144,955.70

SECTION 2. CODIFICATION AND SCRIVENER'S ERRORS.

The Town Council intends that this Ordinance be made part of the Town of Lake Hamilton Code of Ordinances, and that sections of this Ordinance can be renumbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance may be renumbered or re-lettered and scrivener's or typographical errors and

clarification of ambiguous wording that do not affect the intent may be corrected with the authorization of the Town Administrator without the need for a public hearing.

SECTION 3 CONFLICTS.

If the event of a conflict with any other Town ordinances or part of ordinances, the provisions of this Ordinance shall control.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, word, or other part of this Ordinance is for any reason declared unconstitutional or invalid by any court of competent jurisdiction, such part shall be deemed separate, distinct and independent and the remainder of this Ordinance shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect immediately upon its passage.

INTRODUCED and PASSED on first reading this ____ day of _____, 2024.

PASSED and ADOPTED on second reading this ____ day of _____, 2024.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

JACQUELINE BORJA, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, TOWN ATTORNEY

Record of Vote	Yes	No
Slavens		
Roberson		

Ordinance O-24-03

Page 3 of 3

Tomlinson		
Wagner		
Kehoe		



Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council, Town Attorney

FROM: Chris Kirby, Town Planner

AGENDA ITEM: Ordinance O-24-04 Detour School Annexation

DATE: February 6, 2024

SUMMARY: Multiple parcels totaling 58 acres adjacent to Lake Hamilton property on Lake Hatchineha Road, petitioned by the property owner for annexation.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☐ NO: ☒ If Yes, Please Explain:

RECOMMENDATION: Staff recommends approving Ordinance O-24-04 Detour School Annexation

ATTACHEMENTS: a) Public Notice
 b) Ordinance

ORDINANCE O-24-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTON, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE PROPERTY LOCATION IS 4,000 FEET EAST OF DETOUR ROAD ON THE SOUTHWEST CORNER ALFORD ROAD CONTAINING 58.70 ACRES.

WHEREAS, a petition integrate territory into the Town of Lake Hamilton has been filed requesting the Town to extend its corporate limits to include certain property herein described; and

WHEREAS, the Town of Lake Hamilton deems it expedient and practical to incorporate said territory as the same is in conformity with overall plans for extending boundaries of the Town; and welfare, and

WHEREAS, the property herein described is contiguous and adjacent to the corporate limits of the Town of Lake Hamilton, and the property will become a part of the unified corporate area with respect municipal services and benefits.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

1. That the Town Council of the Town of Lake Hamilton does hereby annex into the corporate limits of the Town of Lake Hamilton, Florida, 4 parcels owned by the Cassidy Land Development, LLC and consisting of a total of 58.70 acres, described as follows:

Parcel Number: 272822-000000-011030, 272822-000000-011020, 272822-000000-011010, 272822-000000-013040

Section 22, Township 28 South, Range 15 East, Polk County, Florida.

2. The town boundaries of the Town of Lake Hamilton are hereby redefined to include the parcels of land described above and in accordance with Exhibit “A” hereto attached

Ordinance O-24-04
Page 2

and made a part of the Ordinance.

3. All ordinances in conflict herewith are hereby repealed.
4. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provision and portions of this ordinance shall remain in full force and effect.
5. This ordinance shall take effect upon adoption.

INTRODUCED on first reading this ____ day of _____, 2024.

PASSED on second reading this ____ day of _____, 2024.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

JACQUELINE BORJA, TOWN CLERK

Approved as to form:

HEATHER MAXWELL, TOWN ATTORNEY

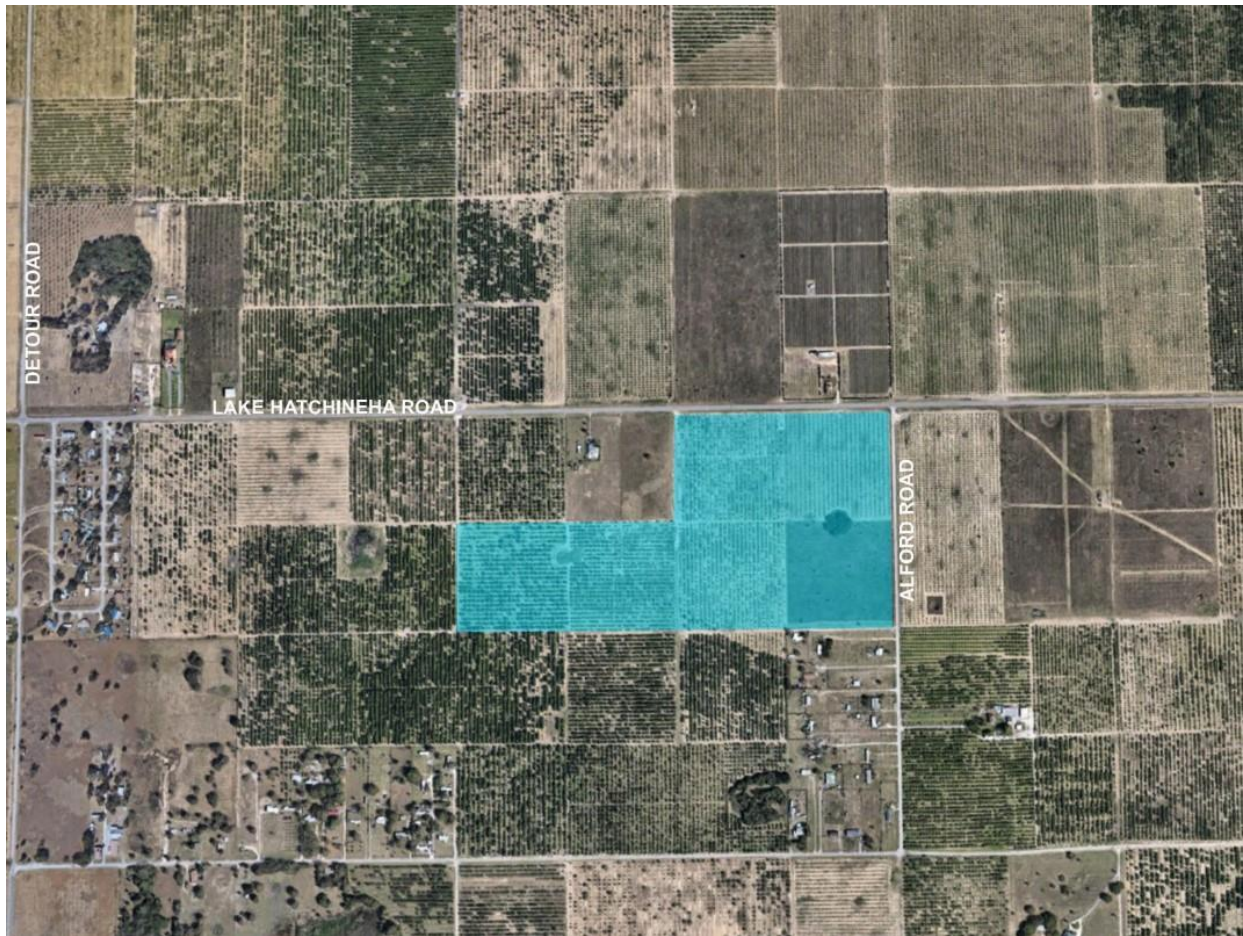
Ordinance O-24-04
Page 3

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
Slavin	_____	_____
Kehoe	_____	_____

Ordinance O-24-04
Page 4

EXHIBIT A

Group 9 Annexation and Legal Description





Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council, Town Attorney

FROM: Chris Kirby, Town Planner

AGENDA ITEM: Ordinance O-24-05 Water Tank CDD

DATE: February 6, 2024

SUMMARY: An Ordinance to create the Water Tank Community Development District.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☐ NO: ☒ If Yes, Please Explain:

RECOMMENDATION: Staff recommends approving Ordinance O-24-05 Water Tank Community Development District

ATTACHEMENTS: a) Public Notice

b) Ordinance

ORDINANCE NO. O-24-05

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE WATER TANK ROAD COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2023); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICTS BOARD OF SUPERVISORS; PROVIDING SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Cassidy Land Development, LLC, a Florida limited liability company ("Petitioner"), has filed a Petition to Establish the Water Tank Road Community Development District (the "Petition") with the Town Council of the Town of Lake Hamilton (the "Town Council") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Water Tank Road Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, whose address is 346 East Central Ave, Winter Haven, Florida 33880; and

WHEREAS, the owners of one hundred percent (100%) of the real property to be included in the District have consented to the establishment of the District; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the Town Council on __Feb 6th____, 2024, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the Town Council, pursuant to the information contained within the Petition and based on an investigation conducted by staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Petition are true and correct; and
- (2) The Petition is complete in that it meets the requirements of Section 190.005(2)(a), *Florida Statutes*; and
- (3) The appropriate Town of Lake Hamilton staff have reviewed the Petition for establishment of the District on the proposed land and have advised the Town Council that said Petition is complete and sufficient; and
- (4) Establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the state comprehensive plan or the Town Comprehensive Plan; and

- (5) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- (6) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- (7) The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- (8) The area that will be served by the District is amenable to separate special-district government; and

WHEREAS, pursuant to the information stated above, the Town Council has decided to grant the Petition to establish the Water Tank Road Community Development District; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, upon the effective date of this establishing Ordinance, the Water Tank Road Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA:

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the "Water Tank Road Community Development District Establishment Ordinance."

SECTION 2. BOARD FINDINGS. The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

SECTION 3. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

SECTION 4. CREATION OF DISTRICT; DISTRICT NAME. The Petition filed to create the Water Tank Road Community Development District is hereby granted and there is hereby created a community development district, which is situated within the Town of Lake Hamilton, Florida, which District shall be known as the "Water Tank Road Community Development District."

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference, the overall boundaries encompassing 289 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 6. FUNCTIONS AND POWERS. The District is limited to the performance of those powers and functions as described in Chapter 190, *Florida Statutes*. The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct,

reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in Section 190.012(2)(a), *Florida Statutes*; and security powers, including but not limited to guardhouses, fences and gates, and electronic intrusion detection, as authorized and described in Section 190.012(2)(d), *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all Town of Lake Hamilton ordinances and policies governing land planning and permitting of the development to be served by the District. The District shall not have any zoning or permitting powers governing land development or the use of land. No debt or obligation of the District shall constitute a burden on any local general-purpose government.

SECTION 7. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Warren K. Heath, Daniel Arnette, Lindsey Roden, Jessica Petrucci, and Lauren O. Schwenk. All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

SECTION 8. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption.

INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2024.

PASSED AND ADOPTED on second reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2024.

TOWN OF LAKE HAMILTON, FLORIDA

ATTEST

JACQUELINE BORJA, TOWN CLERK

APPROVED AS TO FORM:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson		
Tomlinson	.	
Kehoe		
Wagner		
Slavin		

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF SECTIONS 14 AND 15, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 15; THENCE N89°00'52"E, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 15, A DISTANCE OF 1323.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N89°00'52"E, A DISTANCE OF 1323.79 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE S00°35'17"E, ALONG SAID WEST LINE, A DISTANCE OF 48.70 FEET; THENCE DEPARTING SAID WEST LINE, RUN N88°52'48"E, A DISTANCE OF 1323.96 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE N00°36'19"E, ALONG SAID EAST LINE, A DISTANCE OF 45.50 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15; THENCE N89°01'05"E, ALONG SAID SOUTH LINE, A DISTANCE OF 1323.44 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 14; THENCE N89°28'09"E, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 14, A DISTANCE OF 2624.54 FEET TO A POINT WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE S00°26'38"E, ALONG SAID WEST LINE, A DISTANCE OF 999.03 FEET; THENCE DEPARTING SAID WEST LINE, RUN N89°25'40"E, A DISTANCE OF 936.05 FEET; THENCE S00°21'04"E, A DISTANCE OF 250.00 FEET; THENCE N89°25'40"E, A DISTANCE OF 375.97 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14; THENCE S00°19'07"W, ALONG SAID EAST LINE, A DISTANCE OF 82.56 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 SECTION 14; THENCE S89°24'42"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1310.42 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14; THENCE S89°24'43"W, ALONG SAID SOUTH LINE, A DISTANCE OF 2620.49 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14; THENCE S00°37'20"E, ALONG SAID WEST LINE, A DISTANCE OF 1334.57 FEET TO A POINT ON THE SOUTH LINE OF SECTION 15; THENCE S89°18'33"W, ALONG SAID SOUTH LINE OF SECTION 15, A DISTANCE OF 662.35 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST OF THE SOUTHEAST 1/4 OF SECTION 15; THENCE N00°36'50"W, ALONG SAID EAST LINE, A DISTANCE OF 1332.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15; THENCE S89°09'50"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1324.30 FEET TO A POINT ON THE EAST LINE OF THE EAST 1/2 OF THE SOUTHEAST OF THE SOUTHWEST 1/4 OF SECTION 15; THENCE S00°35'48"E, ALONG SAID EAST LINE, A DISTANCE OF 1329.53 FEET TO A POINT ON THE SOUTH LINE OF SECTION 15; THENCE ALONG THE SOUTH LINE OF SECTION 15 THE FOLLOWING TWO (2) COURSES AND DISTANCES; S89°18'33"W, A DISTANCE OF 662.35 FEET; THENCE S89°22'01"W, A DISTANCE OF 1324.10 FEET TO A POINT ON THE WEST LINE OF THE WEST 1/2 OF THE SOUTH W 1/4 OF SECTION 15; THENCE N00°34'51"W, ALONG SAID WEST LINE, A DISTANCE OF 2647.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 289 ACRES MORE OR LESS



Town of Lake Hamilton
Town Council
Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Interlocal Agreement between the City of Eagle Lake and the Town of Lake Hamilton, for a Special Magistrate.

DATE: February 1, 2024

SUMMARY: The Town Attorney has prepared a Interlocal Agreement between Eagle Lake and Town of Lake Hamilton. The services will provide Special Magistrates hearings for Code Enforcement, and Red Light Camera violations for the Police Department.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☒ NO: ☐ The Financial Impact will be billable hours of \$175.00, when the Special Magistrate is used to perform services rendered.

RECOMMENDATION: Staff is recommending the approval of Interlocal Agreement between City of Eagle Lake and Town of Lake Hamilton.

ATTACHEMENTS: Copy of Interlocal Agreement.

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF EAGLE LAKE AND
THE TOWN OF LAKE HAMILTON REGARDING THE
UTILIZATION OF A SPECIAL MAGISTRATE
TO ENFORCE MUNICIPAL CODES**

WHEREAS, local governments are authorized to enforce their codes and appoint a Code Enforcement Special Magistrate and Hearing Officer pursuant to Florida Statute 162, *et. seq.*; and Florida Statute 316.0083, *et. seq.*; and

WHEREAS, the Florida Attorney General, via AGO 2000-34, has approved of the use of Interlocal Agreements as an alternative means of enforcing codes; and

WHEREAS, local governments are encouraged to enter into agreements that will allow a more efficient use of their resources and to cooperate in matters of code enforcement.

WHEREAS, Joseph P. Mawhinney, an attorney licensed to practice law in the State of Florida and admitted to the Florida Bar, currently serves as the City of Eagle Lake's Code Enforcement Special Magistrate;

WHEREAS, the Town of Lake Hamilton has a need for a Code Enforcement Special Magistrate and Traffic Camera Hearing Officer to hear and adjudicate cases relating to code enforcement and other quasi-judicial matters, as more specifically set forth in various sections of the Lake Hamilton Code of Ordinances; and

WHEREAS, pursuant to Florida law, the Town of Lake Hamilton and City of Eagle Lake are authorized to enter into an Interlocal Agreement on the basis of mutual advantage; and

WHEREAS, the Town of Lake Hamilton desires to enter into an Interlocal Agreement with the City of Eagle Lake in order for Joseph P. Mawhinney to serve as its Code Enforcement Special Magistrate and Traffic Camera Hearing Officer.

NOW, THEREFORE, the City of Eagle Lake (hereafter “City”) and the Town of Lake Hamilton (hereafter “Town”), enter into this Interlocal Agreement in order to agree that Joseph P. Mawhinney, of Reed, Mawhinney and Link, may also serve as the Code Enforcement Special Magistrate and Traffic Camera Hearing Officer for the Town of Lake Hamilton in accordance with the terms of this Agreement as set forth hereinafter:

Section 1. Definition.

Municipality – The City of Eagle Lake and the Town of Lake Hamilton.

Section 2. Authorization.

(A) The Special Magistrate is hereby authorized to serve as Special Magistrate and Hearing Officer (hereinafter interchangeably referred to as “Special Magistrate” or “Hearing Officer”) as contemplated by Florida Statute 162, *et. seq.* and Florida Statute 316.0083 *et. seq.*, for the Town in the process of enforcing the Town’s Code of Ordinances.

(B) The Special Magistrate when exercising his/her authority as vested hereunder and by law, shall consider, apply and enforce the local and state laws which are applicable in the municipality where the alleged violation occurred and as otherwise provided herein.

Section 3. Special Magistrate Designation.

The Special Magistrate shall be the individual, or individuals, as selected and determined by the City and Town with the qualifications set forth in the City and Town Codes of Ordinances and as otherwise set forth in Florida law. Nothing contained herein shall prevent and/or abridge the City's right to designate a different Special Magistrate, alternates or replacement therefore for the City's code enforcement matters, in accordance with its own criteria and time-line.

Section 4. Conduct of Hearing.

(A) The Special Magistrate shall conduct the Hearings in a manner the Special Magistrate deems appropriate.

(B) The Special Magistrate shall have the power to:

1. Adopt rules for the conduct of its Hearings.
2. Adopt rules for the conduct of its Hearings consistent with Chapter 162 of Florida Statutes and the requirements of due process.
3. Take testimony under oath.
4. Conduct Hearings for all purposes permitted by Chapter 162 *et. seq.*, and Chapter 316.0083 *et. seq.*, Florida Statutes.
5. To enter orders granting relief to the full extent permitted by law.

Section 5. Withdrawal by Municipality.

Any party to this Agreement may withdraw from this Agreement and its utilization of the Special Magistrate by providing no less than ten (10) days' written notice to the Clerk of each respective municipality with a copy to the Special Magistrate.

Section 6. Funding.

The expenses of the Special Magistrate shall be paid by the municipality utilizing the Special Magistrate's services. In this regard, the municipality utilizing the Special Magistrate shall pay the Special Magistrate directly and the Special Magistrate shall bill the municipality directly. Further, the Town of Lake Hamilton shall pay the Special Magistrate at an hourly rate of \$175 per hour.

Section 7. Public Records.

Except as otherwise provided by law, all of the records of the Special Magistrate shall be public records and available for public inspection.

Section 8. Special Magistrate Hearings.

The municipality requesting Special Magistrate services shall have the responsibility to provide, at the municipality's expense, the meeting room, secretary, staff and equipment necessary to conduct hearings in accordance with Florida law and the applicable Charter and Code provisions.

Section 9. Modification.

No modification of any of the terms of this Agreement shall be valid unless in writing and executed with the same formality as this Agreement by the same parties hereto.

Section 10. Partial Invalidity.

In the event any clause or portion of this Agreement shall be determined to be invalid by any Court, it is understood and agreed that such invalid clause or portion of this Agreement shall have no effect upon the validity of other portions of this Agreement, and all of the other provisions of this Agreement shall be valid and enforceable.

Section 11. Effective Date.

This Agreement shall take effect on the date immediately upon approval by the Town and City.

IN WITNESS WHEREOF: The parties hereto have approved this Agreement and caused such to be executed on the date indicated herein.

CITY OF EAGLE LAKE

TOWN OF LAKE HAMILTON

By: _____
Suzy Wilson, Mayor

By: _____
Michael Kehoe, Mayor

Date Executed: _____

Date Executed: _____



Town of Lake Hamilton

Town Council

Agenda Summary Report

TO: Mayor, Town Council

FROM: Steven Hunnicutt Town Administrator

AGENDA ITEM: Planning Advisory Services Agreement

DATE: January 31, 2024

SUMMARY: The Town needs to have it's (LDR) Land Development Code update, with current building codes, and laws. The Town is a Member of the (CFRPC) Central Florida Regional Planning Council, and has provided a scope of work, to completely overhaul, and go through the current (LDR) bringing it current, that will address the current development standards with the residential development, and future commercial development standards.

ATTORNEY REVIEW: YES: ☒ NO: ☐ N/A: ☐

FINANCIAL IMPACT: YES: ☒ NO: ☐ \$\$46,000 (forty-six thousand dollars)
 This is not a budgeted item and will require a budget amendment in the 24/25 budget. The \$46,000., will be broken down into installments as detailed on page (2) of the Agreement. The funded will come from the Building Department's SUBS, PUBS, & MEMBERSHIP G/L Account 001-5240054.

RECOMMENDATION: Staff is recommending the approval of the Planning Service Agreement.

ATTACHEMENTS: Copy of the PLANNING ADVISORY SERVICES AGREEMENT

PLANNING ADVISORY SERVICES AGREEMENT

With the

TOWN OF LAKE HAMILTON

THIS AGREEMENT is made and entered into this _____ day of _____, 2024, by and between the **Central Florida Regional Planning Council** (hereinafter referred to as the "COUNCIL") and the **Town of Lake Hamilton** (hereinafter referred to as the "TOWN").

BACKGROUND

- A. The TOWN desires to engage the COUNCIL to provide professional planning services to prepare an update to the TOWN's Unified Land Development Code which is detailed in Attachment A – Scope of Work and is a part of this Agreement.
- B. The COUNCIL desires to provide such professional services in accordance with this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto do mutually agree as follows:

I. GENERAL

The TOWN engages the COUNCIL to assist the TOWN in drafting an update to the TOWN's Unified Land Development Code; and the COUNCIL shall provide the professional services required under this Agreement with the TOWN.

II. SCOPE OF WORK

The COUNCIL shall perform, in a satisfactory and proper manner, the work and services detailed in Attachment A - Scope of Work, and shall satisfy all requirements of the guidelines specified therein.

VI. TERMINATION

- A. This Agreement may be terminated by the written mutual consent of the parties.
- B. Either party may terminate this Agreement for cause upon written notice of thirty (30) days. Written notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery.
- C. In the event the Agreement is terminated, the COUNCIL shall be reimbursed in the amount commensurate with the work satisfactorily accomplished on the effective date of termination.

VII. COMPLIANCE WITH LAWS

The COUNCIL warrants, represents, and agrees that it will comply with all federal, state, and local laws, rules, and regulations applicable to the fulfillment of the requirements of this Agreement.

VIII. PERSONNEL

- A. The COUNCIL represents that it has, or will secure at its own expense, personnel necessary to perform the services under this Agreement.
- B. The COUNCIL shall continuously staff the project with personnel as deemed necessary by the COUNCIL to fulfill its obligations under this Agreement. Qualified persons may be added, deleted, or substituted at any time during the period of this Agreement, as the COUNCIL may deem necessary or appropriate.

IX. DATA TO BE FURNISHED TO COUNCIL

Upon reasonable request of the COUNCIL, the TOWN shall provide to the COUNCIL, at no cost, all information, data reports, records, and maps in its possession, or which become available to it, that are necessary for the execution of work of the COUNCIL under this Agreement.

X. RIGHT TO WORK PRODUCTS

Copies of all writings, maps, charts, reports, findings, and other relevant non-copyrighted material shall become the property of the TOWN upon final payment for the services included herein.

XI. ASSIGNMENT

This Agreement shall not be assignable.

Attachment A

LAKE HAMILTON - SCOPE OF WORK**TOWN OF LAKE HAMILTON LAND DEVELOPMENT CODE****Tasks**

The COUNCIL shall complete an evaluation and analysis of the existing Land Development Code and draft revisions to the Land Development Code based on issues and opportunities identified in the issue identification process, existing conditions within the TOWN, the TOWN's adopted plans and documents, applicable federal, state, and local laws, a review of development and planning trends, a review of innovative zoning and land use practices, and input from the public. The COUNCIL shall create information fact sheets/guides, development application checklists, and revised development applications to facilitate ease of use and understanding of the development review processes addressed in the Land Development Code.

A. **Task 1.** The COUNCIL shall coordinate and conduct project orientation, issues and opportunities identification, and a summary report as follows:

1. Conduct a project orientation meeting with TOWN staff including the TOWN's Development Review Committee to discuss the update process and identify issues and opportunities with the existing Land Development Code.
2. Obtain comments and input about code-related issues from those who regularly administer the Land Development Code and with those who may be affected by proposed changes to the Land Development Code. This may include survey(s) to Town staff, stakeholders including business owners, realtors, developers, and builders, and the public.
3. Complete an analysis and evaluation of the existing Land Development Code based on:
 - a. Issues identified in the issue identification process.
 - b. Existing conditions within the TOWN.
 - c. Adopted TOWN plans and documents.
 - d. Applicable federal, state and local laws.
 - e. Review of development and planning trends.
 - f. Review of innovative zoning and land use practices.
 - g. Input from stakeholders.
4. The COUNCIL shall prepare a summary report of findings based on comments and input received and the analysis of existing Land Development Code including:

D. **Task 4.** The COUNCIL shall prepare for and attend Public Hearings

The COUNCIL shall assist the TOWN by providing the following:

1. Attend and present at public hearings with the Planning and Zoning Board and TOWN Commission.
2. Any additional consultation with TOWN staff as requested by phone or in person.

Deliverable 4: Documentation of the completion of Task 4.