

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, JULY 6, 2021
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday March April 6, 2021 at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:00 p.m.

INVOCATION

Invocation was given by Angie Hibbard.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all

ROLL CALL

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

SCHEDULED PRESENTATIONS

None

CONSENT AGENDA

Mayor Kehoe removed item b from the consent agenda. **Motion made** by Wagner and a second by Tomlinson to approve consent agenda item a, c, d and e.

No public comments were received.

Motion Passed 4-0.

RECOGNITION OF CITIZENS

CLAYTON HOERLER spoke about Hamilton bluff area, and the rezoning of agriculture to R5 Administrator Irvine informed the citizen that the item the citizen is talking about is tabled to a future meeting due to the developer not coming to the meeting.

KEITH PENCE asked if there will be a traffic of the rezoning of agriculture to R5 before the vote in a future meeting.

Chuck Walter is concerned about of the drainage on main street. He also had comments about the rezoning of agriculture to R5

Mayor Kehoe called for a brief recess while staff connected remotely with town attorney.

OLD BUSINESS

Future Planning Discussion- Irvine reported that town staff and consultants are still looking at wastewater options and the legal team is drafting paperwork to continue the discussion. She was looking for council consensus to continue to draft and submit the paperwork. Consensus was given.

Irvine introduced Steve Elias, Pennoni Engineer to discuss the purpose for the Pennoni Addendum agreements.

Pennoni Addendum No. 2 and No. 3 to Supplemental Agreement 21-001 - Steve reporting that he is scheduling a meeting with SWFMD in a few days. The water use permit expires August 19th. Since the council decided on an AWS that is not a cooperative project, the application will require additional information related to the option the council decided to move forward with. Addendum No. 2. is requested at \$9,500 and Addendum No. 3 is requested at \$90,000. Steve reported that the town may have to drill and test a well and SWFMD will require current available data to submit for a permit to drill and also for the WUP renewal. This will also include modeling, environmental impact evaluation, water conservation planning, meetings. O'Neill asked about the recent AWS report agreement for \$7,500 and how that incorporates into these addendums. Steve replied that the data gathering is similar but he modeling and other items will be specific.

Motion by O'Neill, second by Wagner to approve Addendum #2 for \$9,500 and Addendum #3 for \$60,000. Discussion: Chuck Walters pointed out the scope of services and stated that the council should collaborate with the current owners of parcels and look at the water wells. Motion passed 4-0.

Pennoni Addendum to Master Agreement for Development Services – due to the timeline for the WUP, Steve was not able to get a draft agreement ready in time to submit for council consideration.

Update on Projects: Road paving/repaving -Discussion on right of way needed on Main Street. Attorney Dawson was speaking through a bad connection so he will communicate with staff regarding the right of way. Staff informed council and public that Chastain Skillman, the engineers drafting the plans have not been provided information in a timely fashion. They contact them every week. It was reported that the staff has been working on this project for several years and the council decided to wait until the water line project is completed. An open house was hosted many years ago and another one will be held when plans are completed by the engineer.

Discuss Floridino Restaurant Sign-

Irvine reported that a sign permit is not part of a building permit. The applicant was informed in November 2020 that the dimensions of the sign did not comply with zoning requirements. They were informed they could apply for a variance which had been the practice in the past. Nothing was heard from them again until March, at which time the moratorium was in place. A sign permit application was received by staff in May 2021 and was denied. Attorney Dawson reported that in his opinion a sign is not subject to a variance. He stated that since staff had informed the application that they could apply for a variance, and per the attorney that is not the case, that the applicant would have a cause for action under promissory estoppel. Council asked why the sign is not part of the entire building permit package. Staff replied that it can be, however sign

information was not submitted at the time the building permit was reviewed. Therefore it requires a separate permit and has zoning regulations. Per attorney, staff took enough action with the application and his representees to authorize it prior to the moratorium taking effect. The applicant relied on information provided by staff and spent money on designing and fabricating the sign.

Motion by Wagner, second by Tomlinson to direct staff to approve the permit for issuance.
Motion carried 4-0.

Review Floridino's Sewer Extension contract/pioneer agreement approval from June 8, 2021-

After further review of the proposal from Odom Contracting the total amount including sod is \$94,590.

An additional proposal was submitted from Go Underground Utilities in amount of \$85,000, all inclusive.

Staff recommends an amendment to Section 2 of the Development Agreement with Mike Floridino to be for a total of \$ 103,000.00. This is the total of the engineering fees and the proposal of the installation of the service line with Go Underground Utilities.

Motion by O'Neill, second by Tomlinson to rescind approval of Odom bid and approve the bid received by Go Underground Utilities; amend the Pioneer Agreement to reflect changes. Motion carried 4-0.

Public Hearing: Mayor Kehoe opened the public hearings at 7:49 PM.

Second reading Ordinance O-21-14 Amended Utility Policies – Irvine read the ordinance for the record: An ordinance of the Town of Lake Hamilton, Florida, relating to water and sewer utilities; amending the code of ordinances of the Town of Lake Hamilton, Florida (the "code"); amending section 32-15, Lake Hamilton code; providing for this ordinance to control in the event of conflict with prior ordinances or resolutions; providing for severability; providing for an effective date.

Motion made by Wagner and a second by O'Neill to adopt Ordinance O-21-14 amended water policy on second reading.

No public comment was received.

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

Closed public hearing at 7:51PM.

First reading Ordinance O-21-16 Hamilton Bluff PUD – Tabled to later meeting

First reading Ordinance O-21-15 Certain LDR Updates – Tabled to later meeting

NEW BUSINESS

Set Preliminary Millage Rate and TRIM hearing – Motion by Wagner second by O'Neill to set the proposed millage at 9.000 mills and hold the TRIM hearing on September 21, 2021 at 5:30 PM. (it is noted that this is the date of the final hearing and Town Administrator schedule the TRIM hearing for September 14, 2021.)

Staff Reports-

Town Administrator- Town Administrator Irvine reported that the council could schedule a special meeting for Tuesday, July 20, 2021 if that worked out for the developer on the Hamilton Bluff PUD and a workshop could be held prior. Meeting was tentative based on developer calendar.

Town Clerk-

Police Department- included in packet

Code Enforcement-

Community development- Doug Leonard reported that regarding developments and traffic studies, the initial study is conducted by the developer and review by town, county and state engineers. The town provides data related to the town concerns. It has already been requested that the developers keep open land at all intersections.

Public Works- no comments.

ATTORNEY COMMENTS: None

COUNCIL COMMENTS: None

ADJOURNMENT:

Motion made by O'Neill, second by Wagner to adjourn the meeting at 8:10 PM. **Motion Passed 4-0.**

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator