

**TOWN OF LAKE HAMILTON  
MINUTES  
TOWN COUNCIL REGULAR MEETING  
TUESDAY, JUNE 1, 2021  
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday June 1, 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**

Roberson, Tomlinson, O'Neill, and Vice Mayor Wagner and Mayor Kehoe were present. Town Administrator Irvine, Town Clerk Sandovalsoto, Attorney Dawson, CDD Assistant Hibbard, Public Works Director Lewellen, CD Director Leonard and Code Enforcement Officer Mulvaney were present.

**SCHEDULED PRESENTATIONS**

**Proclamation for Code Enforcement Professionals-**

Mayor Kehoe read the proclamation for Code Enforcement Professionals for the record and signed the proclamation. Council and staff congratulated Code Enforcement Officer Mulvaney. Lekia Johnson, from Haines City announced they would have a Juneteenth Celebration were Councilmember Roberson would be recognized. Mrs. Roberson is one of the four African American Council women in Polk County. There will be a parade held on the 19<sup>th</sup> of June on 10<sup>th</sup> Street in Haines City and on June 18<sup>th</sup> a Gala will be held.

**CONSENT AGENDA**

**Consent Agenda item 6 b was pulled from the consent agenda and moved to New Business.**

**Motion made** by O'Neill and a second by Wagner to approve consent agenda item a and c.

No public comments were received.

**Motion Passed 5-0.**

**RECOGNITION OF CITIZENS**

No Citizens were signed in to speak.

**OLD BUSINESS**

**Future Planning Discussion-**

**Alternative Water Supply Pennoni-** Steve Elias, Pennoni, presented the Preliminary Water Supply Alternatives Study to the Town Council. He reviewed some assumptions and presented the Council with alternatives for future water demand possibilities. There was no action on this item.

**PER Update**

This item was tabled for the Special Meeting.

**Consider Impact Fee Study Agreements with Willdan**

Administrator Irvine met with Willdan about impact fee studies, and they recommend doing an impact fee study on Roads and Parks. The cost for the impact fee study of the parks would be \$5000.00 and the cost for the impact fee study of roads would be \$7000.00.

**Motion Made** by O'Neill and a second by Roberson to approve the contract to conduct an impact fee study for parks and an impact fee study for roads.

No Public Comment was received.

**Motion Passed 5-0.**

**First Reading Ordinance O-21-13 LDR Moratorium Extension-**

Attorney Dawson read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, extending the temporary moratorium in order to study, review and to amend the land development regulations for certain non-residential land uses and commercial and industrial zoning districts; located adjacent to the State Road 17 and U.S. Highway 27 transportation corridors; for a period of an additional six (6) months; providing for the rescission or extension of said moratorium by the adoption of a subsequent ordinance, by an amendment to the Town's land development regulations or as otherwise mandated by operation of law; providing for definitions; providing for conflicts; providing for severability; and providing for an effective date.

**Motion made** by Wagner and a second by Tomlinson to approve Ordinance O-21-13 LDR Moratorium Extension.

No Public Comments were received.

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

**Motion Passed 5-0.**

The Regular Meeting was closed, and a Public Hearing was opened at 6:22 PM.

**Ordinance O-21-06 Scenic Terrace Plan Amendment Second Reading-**

Attorney Dawson read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida, amending the comprehensive plan of the Town of Lake Hamilton, Florida, said amendment being known as amendment **21-04ESR**, amending the future land use map classification from agricultural to residential lands – 5 for a 47.32 acre parcel of land located at both the southwest corner and the northeast corner of the intersection of the Scenic Highway (State Road 17) and Hughes Road; and a 18.77 acre parcel of land located on the west side of the Scenic Highway (State Road 17) beginning 660 feet north of Kokomo Road; and amending the future land use classification from undesignated to residential lands – 5 for a 48.03 acre parcel of land on the northeast and southeast corners of the intersection of Hughes Road and Detour Road; and transmitting said amendment to the Department of Economic Opportunity for review and compliance; providing for severability; and providing for an effective date.

David Ehret questioned what the property would be zoned. As Community Development Director Leonard noted that the Comprehensive Plan Cleared with the Department of Economic Opportunity and it would be changing from agriculture to RL5.

**Motion made** by Wagner and a second by Roberson to approve second reading of Ordinance O-21-06 Scenic Terrace Plan Amendment.

A roll call vote was taken. O'Neill aye, Wagner aye, Roberson aye, Tomlinson nay Kehoe aye.  
**Motion Passed 4-1.**

**Ordinance O-21-11 Scenic Terrace South PUD Second Reading-  
Attorney Dawson read the title for the record.**

An ordinance of the Town of Lake Hamilton, Florida, adopting a planned unit development (PUD) named "Scenic Terrace, South", located north and south of Hughes Road from west of Scenic Highway (State Road 17) on the west to approximately one-third of a mile east of Detour Road on 191.72 acres in sections 9 and 10, township 28 south, range 27 east, Polk County, Florida; repealing all ordinances in conflict herewith; providing for severability; and providing an effective date.

**Motion made** by O'Neill and a second by Wagner to approve Ordinance O-21-11 for second and final reading.

No Public Comments were received.

A roll call vote was taken. Wagner aye, Roberson aye, Tomlinson nay, O'Neill aye, Kehoe aye.  
**Motion Passed 4-1.**

**Ordinance O-21-10 Cassidy Group 1B Plan Amendment Second Reading-  
Attorney Dawson read the title for the record.**

An ordinance of the town of Lake Hamilton, Florida, amending the comprehensive plan of the town of Lake Hamilton, Florida, said amendment being known as amendment 21S02, amending the future land use map classification from agricultural to residential lands – 5 for a 9.89 acre parcel of land located at the northwest corner of the intersection of Detour Road and Chicago Avenue; and transmitting said amendment to the Department of Economic Opportunity for review; providing for severability; and providing for an effective date.

**Motion made** by Wagner and a second by Roberson to approve Ordinance O-21-10 for second reading.

No public comments were received.

A roll call vote was taken. Roberson aye, Tomlinson nay, O'Neill aye, Wagner aye, Kehoe aye.  
**Motion Passed 4-1.**

**Ordinance O-21-12 Noise Control Second Reading-  
Attorney Dawson read the title into to record.**

An ordinance of the Town of Lake Hamilton, Florida, pertaining to noise control; amending article iv, noise control, to chapter 20 of the code of ordinances of the Town of Lake Hamilton; declaring this ordinance is intended to secure and promote the public health, safety, welfare and quality of life of the public; including standard for measuring sound using the plainly audible standard; allowing violations of this ordinance to be enforced by issuance of a civil citation; including penalties for violation of this ordinance; providing for conflicts; providing for severability; providing for codification; and providing an effective date.

by Roberson and a second by Tomlinson to approve Ordinance O-21-12 Noise control for second reading.

No public comments were received.

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

**Motion passed 5-0.**

Mayor Kehoe closed the public hearing at 6:31 PM and resumed the regular meeting.

## **NEW BUSINESS**

### **Ordinance O-21-14 Amended Water policy first reading-**

#### **Attorney Dawson read the title 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 approve Ordinance O-21-14 amended water policy for first reading.

No public comment was received.

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

**Motion Passed 3-2.**

### **Resolution R-2021-07 Sodium Hypochlorite Contract-**

#### **Attorney Dawson read the title into the record.**

A resolution of the Town Council of the town of Lake Hamilton, Florida, approving to piggyback the contract between the city of Zephyrhills, Florida and Odyssey Manufacturing, for purchase and services related to sodium hypochlorite; authorizing the Mayor or Town Administrator to execute documents; providing for implementing actions; providing for severability; and providing for an effective date.

Town Administrator Irvine presented the Resolution. The Town had previously piggybacked on a contract for sodium hypochlorite with Zephyrhills which has ended. The attorney asked to review the contract and amend to include a provision regarding piggybacking on the contract.

**Motion made** by O'Neill and a second by Wagner to approve Resolution R-2021-07.

No public was received.

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

**Motion Passed 5-0.**

### **Resolution R-2021-08 Exemption for Alcohol Sales on Public Property.**

#### **Attorney Dawson read the title for the record.**

Resolution of the Town Council of the Town of Lake Hamilton, Florida, regarding the third-party sale and public consumption of alcohol on town property during the fourth of July celebration on July 2, 2021; and providing an effective date.

**Motion made** by Wagner and a second by Roberson to approve Resolution R-2021-08 for an exemption of alcohol sales on public property for the July fourth celebration on July 2<sup>nd</sup>.

Tomlinson asked where the sales would take place. Mayor Kehoe responded that they would be selling it on Main Street. Chief was questioned if he thought it was good idea and he stated that it was okay. Town Administrator Irvine checked with the insurance company and the vendor has liquor liability insurance. It would only include beer and wine and does not include any hard liquor.

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

**Motion Passed 5-0.**

**Authorize staff bonuses with American Rescue Plan Act Funding-**

Town Administrator Irvine explained that the American Rescue Plan Act is funding that is being given by the Federal Government to the town. The money is distributed to the state and then to the county which will disburse the money to the Town. The town is set to receive \$628,652 and half of that will be disbursed this year and the rest will be disbursed next year. The money must be used by 2025. She is requesting a \$2500 bonus for all employees who worked through the pandemic.

**Motion made** by O'Neill and a second by Wagner to approve bonuses for employee in the amount of \$2500.

No public comment was received.

**Motion Passed 5-0.**

**Item 6b was removed from the consent agenda placed under new business. Minutes from the May 4, 2021, meeting.**

There were questions on two comments in the minutes. Clerk Sandovalsoto will review audio and bring minutes back to next meeting for approval. Item tabled until next regular council meeting.

**Staff Reports-**

**Town Administrator-** A budget hearing calendar was included in the packet. There will be a special meeting next Tuesday, and a public hearing with a budget workshop commencing at 5 PM. June 15<sup>th</sup> is the next RLC dinner. Get with the Town clerk by tomorrow if you wish to attend.

**Town Clerk-** included in packet

**Police Department-** The Chief is requesting a withdrawal from the LE Trust Fund for new tasers. There is a 5-year warranty that it comes with.

**Motion made** by Wagner and a second by Tomlinson to approval withdrawal from the LE Trust Fund to purchase new tasers.

No public comments were received.

**Motion Passed 5-0.**

Chief noted that he will be implementing body worn cameras. Proposal will begin next month. There was discussion regarding record keeping and validity of cameras.

**Code Enforcement-** included in packet

**Community development-** Included in packet

**Public Works-** Included in packet.

**ATTORNEY COMMENTS:** Attorney Dawson questioned if the dogs were gone from the property that they filed a motion against. Code Enforcement Officer Mulvaney stated that the dogs were still gone. Attorney Dawson will file a dismissal of the suit.

**COUNCIL COMMENTS:** Vice Mayor Wagner stated on 6<sup>th</sup> Street and Main Street there is no way to access the sidewalk. Lewellen stated the asphalt just started coming in to lay down. Tomlinson stated he would like to see the grass on SR 17 by the town. Lewellen stated they do not mow what does not belong to the town. Mayor Kehoe stated staff will continue to do jobs required by the Town. A request regarding couches that have been sitting on Water tank Road was made as they have been sitting there for months. Attorney Dawson noted if the town did cut the right of ways there would be a liability to the town. Town Administrator Irvine noted that town staff has contacted them about it. Roberson stated that

the new employee that is driving the brush truck was doing a great job. She also noted that the town is not strict enough on property owners and maintaining their yards. Administrator Irvine noted that they will work with the code officer to address those issues. She noted they would look at options regarding vacant property registration. Attorney Dawson noted there are avenues the Town can take with foreclosures on vacant properties that have code fines and liens after 91 days.

**ADJOURNMENT:**

**Motion made** by Kehoe and a second by Wagner to adjourn the meeting at 7:13 PM. **Motion Passed 5-0.**

ATTEST:

  
Brittney Sandovalsoto, Town Clerk

  
Michael Kehoe, Mayor

  
Sara K. Irvine, Town Administrator