

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, MAY 5, 2020
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday May 5, 2020 at 85 N Omaha Street, 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, Wagner (present via video conference per Governor's Executive Order 2020-69) and Kehoe were present, Roberson was absent. Town Administrator Irvine, and Attorney Jeffrey Dawson were present.

SCHEDULED PRESENTATIONS

Health Care and EMS Worker Proclamation-

The Health care and EMS worker proclamation was read for the record by Town Administrator, Sara Irvine.

2020 US Census Proclamation-

The 2020 US Census Proclamation was read for the record by Town Administrator, Sara Irvine.

Oath of Office-

Councilmember Roberson was not present; therefore, her Oath of Office will be held at the next public hearing.

Town Clerk Sandovalsoto initiated the Oath of Office to Councilmember O'Neill.

Consent Agenda-

Motion Made by Wagner and a second by O'Neill to approve the consent agenda items: a, b, c, d, and e as noted on the Agenda. **Motion Passed 4-0.**

RECOGNITION OF CITIZENS

John Meyer addressed the Council with concerns regarding a permit he had applied for was issued. He addressed the valuation of the building costs assessed and his actual costs. He asked the Council to consider reviewing the international building code valuation as it raises the cost of the permits. Council directed staff to look into the fees and what other options there are valuating permits.

OLD BUSINESS

Floridino's Sewer extension contract-

May 5, 2020

Regular Council Meeting Minutes

Page 2

Community Development Director Leonard presented the design contract for the sewer extension to Floridino's Restaurant. He stated it would take 30-40 days to complete the permitting process for installation of the sewer. They are seeking a contract with the town to split the costs of the sewer line extension which is estimated at \$50,000.

Motion made by Wagner and a second by O'Neill to approve the contract for design of the sewer extension to Floridino's new restaurant site. **Motion Passed 4-0.**

NEW BUSINESS

Appoint Vice Mayor

Motion made by O'Neill and a second by Tomlinson to nominate and appoint Marlene Wagner as Vice Mayor. A Roll Call vote was taken. O'Neill aye, Tomlinson aye, Wagner aye, Kehoe aye. **Motion Passed 4-0.**

Discussion of July 2nd event-

Administrator Irvine contacted Zambelli, who provides the fireworks each year and has not heard anything back from them yet. Mayor Kehoe recommends cancelling the event this year and maybe redirect a celebration at the time Town Hall opens. There was a consensus of the Council to cancel the July 2nd event.

Approve Amendment to commitment letter-

Administrator Irvine presented this letter and stated it is for the Bank to close on the building remodel loan. The closing on the loan will have to take place soon in the future.

Motion made by O'Neill and a second by Tomlinson to approve the amendment to the commitment letter. **Motion Passed 4-0.**

Resolution R-2020-06 Bond Anticipation Note-

Attorney Dawson read the title into the record.

Resolution R-2020-06

A Resolution of the Town of Lake Hamilton, Florida; authorizing the issuance of not exceeding \$1,255,000 water system revenue bond anticipation note, series 2020; providing for the form of such note; providing for the payment thereof and entering into certain covenants and agreements with the owner thereof; providing for the negotiated and private sale of such note; finding the necessity of a negotiated and private sale; approving the sale of said note to the original purchaser; providing for severability; providing an effective date.

Motion made by O'Neill and a second by Tomlinson to approve Resolution R-2020-06. A roll call vote was taken. Tomlinson aye, O'Neill aye, Wagner aye, Kehoe aye. **Motion Passed 4-0.**

Resolution R-2020-07 Updated Refuse Fees-

Attorney Dawson read the title into the record.

Resolution R-2020-07.

A Resolution of the Town of Lake Hamilton, Florida, updating, and imposing fees related to removal of non-garbage refuse; providing for conflicts; and providing an effective date.

Motion made by O'Neill and a second by Tomlinson to approve Resolution R-2020-07. A roll call vote was taken. Wagner aye, O'Neill aye, Tomlinson aye, Kehoe aye. **Motion Passed 4-0.**

Contract for Engineering Services with Pennoni for FDEP/ SRF-

May 5, 2020

Regular Council Meeting Minutes

Page 3

Community Development Director Leonard presented the contract and stated the proposal with Haines City is pending approval. He stated a commitment is needed to take the proposal to the SRF board. The changes would include starting with 136 Homes in Mary Jane Heights. There was inquiry about the price of the design if they decided not to go forward with the project. O'Neill expressed his concern about the customers financial burden with switching over to sewer. There was discussion regarding the costs and how those initial costs can be covered for residents. A resident addressed concerns about the cost for the change and that it is asking a lot from homeowners.

Motion made by O'Neill and a second by Wagner to approve the contract for engineering services with Pennoni for FDEP/ SRF. **Motion Passed 4-0.**

STAFF REPORTS:

Town Administrator- Town Administrator Irvine noted that she had extended the local state of emergency and would continue extending it weekly following the County.

Police Department- Chief Teague stated one of the patrol cars was damaged due to the contractor working on Town Hall.

Code Enforcement- Included in Packet

Community development- Community Development Assistant Hibbard announced that there is a bus that will be in Town that supplies Wi-Fi for a certain period of time throughout the day and it would be a great opportunity for residents to utilize the Wi-Fi to fill out their census. Cards will be sent to residents to encourage participation.


Public Works- Public Works Director Lewellen gave an update on the Construction project. He stated it was ready for drywall.

ATTORNEY COMMENTS: No comments.

COUNCIL COMMENTS: No Comments.

Motion made by O'Neill and a second by Wagner to adjourn the meeting at 7:29 PM. **Motion Passed 4-0.**

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>O'Neill, Barrett, Stephen</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Town Council - Town of Lake Hamilton</i>	
MAILING ADDRESS <i>3450 Crump Rd.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Winter Haven</i>	COUNTY <i>Polk</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Barrett O'Neill, hereby disclose that on _____, 20 20:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, Extreme Graphics;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*Vote regarding Veterans Wall and commemorative plaques on the wall.
My business, Extreme Graphics, sells the plaques for the wall to the town.*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

5/5/20
Date Filed

Barrett O'Neill
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.