

**TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 7, 2021
6:00 PM**

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday March September 7, 2021, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:01 p.m.

INVOCATION

Invocation was given at the budget workshop.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited at the budget workshop.

ROLL CALL

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

SCHEDULED PRESENTATIONS

Recognition of Vice Mayor Wagner-Administrator Irvine announced the award that was presented to Vice Mayor Wagner, the lifetime achievement award on behalf of the Florida League of Cities.

20th Commemoration of 9/11- Administrator Irvine read the proclamation for the record and presented it to Chief Teague and Chief Parnell.

Florida Law Enforcement Proclamation- Administrator Irvine read the proclamation for the record. Mayor Kehoe presented the proclamation to Chief Teague.

Fire Prevention Week- Administrator Irvine read the proclamation for the record. Mayor Kehoe presented the proclamation to Chief Parnell and the Firefighters of Polk County's Lake Hamilton station. Administrator Irvine thanked the firefighters for their assistance the week before involving an incident at Town Hall.

Economic Development Strategy and Disaster Resiliency Plan update- Beneshea Frazier from the Central Florida Regional Planning Council addressed the council with an update regarding the economic development strategy and disaster resiliency plan that they have been working on. The draft is expected to be ready by mid-September and it will be available on the website.

CONSENT AGENDA

Item g was taken off the consent agenda and moved to New Business, item f.

Motion made by Wagner and a second by O'Neill to approve consent agenda item a, b, c, d, e and f.

Motion Passed 4-0.

RECOGNITION OF CITIZENS

Lee Hay, 89 Poinsettia Drive, addressed the council with an issue he is experiencing at his property due to the retention pond that was placed on the lot next to his. He wanted to know if the Town had plans to fix the issues. Public Works Director Lewellen stated he spoke with the Contractors, and they will be looking into the issue.

McKayla and Michael Bowen, 430 W Main Street, addressed the council to request an exemption from the Ordinance, which limits the keeping of farm animals to agriculture zoned properties. They want to be able to keep their FFA show pig on their property which is zoned residential. They informed council they have a note from their neighbor who has no concerns. **Motion made** by Wagner and a second by Tomlinson to authorize a temporary variance to allow swine for FFA purposes on the subject property for a temporary period until January 31, 2022. **Motion Passed 4-0.**

OLD BUSINESS

Future Planning Discussion- Update on WUP/AWS/WW – Administrator Irvine stated that staff was still working on the wastewater. They met with James Keene, Haines City Public Infrastructure Director to continue to discuss the SR 17 interlocal.

Steve Elias sent in a supplemental agreement of Saturday for well drilling. A special meeting may be requested during one of the budget meetings. Mayor Kehoe stated to not place items on the agenda that do not have supporting documentation because there is not sufficient time to review those documents. O'Neill stated it financial commitment must come from developers as the Town cannot expend funds without commitment from developers. He stated that the item should be tabled until there is a need from developers. **Item tabled.**

Road Design Review- Council attended a workshop regarding the road design plans. Staff is seeking direction on how to proceed. O'Neill stated that they are budgeting a million dollars that for an overlay project, but they are waiting 60 days to see if there will be a wastewater project planned which would tear up some roads.

Mayor Kehoe closed the regular meeting at 6:53 PM and opened the public hearing.

Second reading of Ordinance O-21-15

Attorney Dawson read the title for the record.

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 contiguous and 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 location is the northwest corner of Detour Road and White Clay Pit Road and containing 9.93 acres.

Motion made by Wagner and a second by O'Neill to approve Ordinance O-21-15. O'Neill questioned which subdivision this was referring to. CD Assistant Hibbard stated it was the Scenic Terrace subdivision.

No public comment was received.

A roll call vote was taken, Tomlinson nay, O'Neill aye, Wagner aye, Kehoe aye. **Motion Passed 3-1.**

Second reading of Ordinance O-21-16-

This item was tabled until October 5, 2021, regular meeting.

Second reading of Ordinance O-21-17-

Attorney Dawson read the title for the record.

An ordinance of the town council of the Town of Lake Hamilton, Florida, amending chapter 16, Land Development Code; amending article III, Land Use, Section 16-103.1, zoning district summary table, and Section 16-109, C-2 limited commercial district; providing for severability; repealing all ordinances in conflict herewith; and providing for an effective date.

CDD Leonard stated this was an Ordinance to create and expand an existing zoning district.

No public comments were received.

Motion made by O'Neill and a second by Wagner to approve Ordinance O-21-17. A roll call vote was taken, O'Neill aye, Wagner aye, Tomlinson aye, Kehoe aye. **Motion Passed 4-0.**

The public hearing was closed at 7:01 PM and the regular meeting resumed.

Request for waiver of certain conditions of Ordinance O-21-11- Administrator Irvine stated that there was a memo in the packet regarding this agenda item. Heather Wertz, who is representing the Scenic Terrace South PUD, is requesting a change to their original plan as they have found 12 lots that have unsuitable soil and those will be converted to open space. They are requesting a change to get back to the 744 lots they originally had. CDD Leonard handed out a proposal of scenic Terrace Plat. There were questions regarding fees paid to Haines City and Lake Hamilton. They requested to be allowed 20-foot setbacks to garage due to the builders wanting an 80-foot pad. Staff was requesting 25 setbacks to the garage. O'Neill stated the Town was faced with unique challenges with renewing the water permit with SFWMD and having no current wastewater facilities, that the developers must engage in the agreements presented by the Town because until the financial agreements are executed, the Town cannot move forward. Staff clarified only one impact fee will be paid. O'Neill suggests the Council not consider any requested until the agreement with the developers regarding impact fees comes to light. Administrator Irvine questioned the attorney if there are substantial changes would it have to go in front of the planning commission a second time. He stated yes if the changes were substantial. **No Action was taken on this item.**

NEW BUSINESS

First reading Ordinance O-21-18-

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 21S03, amending the future land use map classification from agricultural to residential lands – 5 for a 9.93 acre parcel of land located at the northwest corner of the intersection of Detour Road and White Clay Pit Road; and transmitting said amendment to the Department of Economic Opportunity for; providing for severability; and providing for an effective date.

CD Assistant Hibbard stated that this property is the same as the previous parcel discussed.

Motion made by O'Neill and a second by Wagner to approve Ordinance O-21-18 for first reading.

No public comment was received.

A roll call vote was taken, Wagner aye, Tomlinson nay, O'Neill aye, Kehoe aye. **Motion Passed 3-1.**

First reading of Ordinance O-21-19-

Attorney Dawson read the title for the record.

An ordinance of the Town of Lake Hamilton, Florida establishing the Scenic Terrace South Community Development District pursuant to chapter 190, Florida statutes (2021); providing a title; providing findings; creating and naming the district; describing the external boundaries of the district; describing the functions and powers of the district; designating five persons to serve as the initial members of the district's board of supervisors; providing a severability clause; and providing an effective date.

CD Director Leonard reiterated that Council has been briefed regarding the community development district and stated that they must run a notice for a period of 4 weeks before second reading and it will be ready for the October meeting.

Motion made by O'Neill and a second by Wagner to approve Ordinance O-21-19. A roll call vote was taken, Tomlinson nay, O'Neill aye, Wagner aye, Kehoe aye. **Motion Passed 3-1.**

Consider approval of Town Administrator Agreement-

Mayor Kehoe announced that Administrator Irvine and himself reviewed the contract and negotiated changes. Her original vacation amount was 2 and a half weeks and will be changed to 3 and a half weeks. There was an exemption in the original personnel policy that gave exempt employees 3 and a half weeks, but it was removed, and they are not certain how or why.

Attorney Dawson explained there is a risk of employees using their personal vehicles for Town business and should use the Town vehicle when they can.

Motion made by O'Neill and a second by Wagner to approve the Town Administrator employment agreement. **Motion passed 3-1.**

Consider approval of Town Clerk Agreement-

Mayor Kehoe stated that the agreement had been made 2 years ago and there is still one more year left on the agreement. He requested to table the item until after the first of the year.

Motion made by Wagner to table the approval of the Town Clerk's agreement. **Motion passed 4-0.**

Interlocal for Telecommunication services with Sheriff-

This item has already been included in the budget it is just approving the agreement.

Motion made by Wagner and a second by O'Neill to approve the interlocal for telecommunication services with the Sheriff's office. **Motion passed 4-0.**

Consent agenda item g, Compensation plan and new job descriptions-

Administrator Irvine stated that the changes are for the 2021-2022 fiscal year. Included in the packet are the new position descriptions with updated wages in the compensation plan. A lieutenant detective and an admin assistant will be added to the police department. Mayor Kehoe stated he wanted to add a financial coordinator to alleviate strain on the administrator. He mentioned that the uniform account systems should be included in the job description.

Motion made by O'Neill and a second by Tomlinson to approve the compensation plan and the new job descriptions. **Motion passed 4-0.**

Staff Reports-

Town Administrator- Town Administrator Irvine stated there was a memo included in the packet. The contractor for the Town Hall building is scheduled to come in to go over the building and point out areas that are bad. There was a discussion regarding the avenues available if the contractor does not complete the project. She requested council to authorize attorney to draft up a letter of demand. Council asked about the landscaping plan for Town

Hall. She will follow up with the committee. A special meeting will take place after the budget hearing on September 21st.

Town Clerk- Included in packet

Police Department- Included in packet.

Code Enforcement- none

Community development- included in packet. Doug handed out the table of P&Z uses and asked council to review them and schedule a meeting to discuss.

Public Works- included in packet

ATTORNEY COMMENTS: None

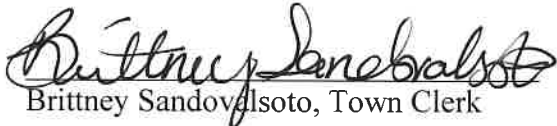
COUNCIL COMMENTS: O'Neill questioned the changes that are being made to the Hwy 27 corridor regarding zoning. No roll up doors or metal facades will be permitted. If changes are wanted, an appointment needs to be set with Doug and Angie to review those.

Vice-Mayor Wagner reported that there will be a ceremony on September 11 to remember the attacks of 9-11. Wreaths will be placed outside of the PD and fire department, and they will play taps at all four times that the attacks took place.

ADJOURNMENT:

Motion made by O'Neill to adjourn the meeting at 8:25 PM. **Motion Passed 4-0.**

ATTEST:


Brittney Sandovalsoto, Town Clerk


Michael Kehoe, Mayor


Sara K. Irvine, Town Administrator