

1 LAKE HAMILTON  
2 TOWN COUNCIL REGULAR MEETING MINUTES  
3 TUESDAY, JANUARY 7, 2014  
4 6:30 pm  
5

6 The Town Council of Lake Hamilton held a regular meeting on Tuesday, January 7, 2014 at Town Hall  
7 located at 100 Smith Avenue, Lake Hamilton, FL 33851.

8 **CALL TO ORDER:** Chair Harris called the regular meeting to order at 6:30 PM.

9 **Invocation/Pledge/Roll Call:** Chair Harris dispensed with this as it was done at the work session. Town  
10 Attorney Christman arrived for the regular meeting.

11 **Approval of Minutes: Motion made by Kehoe/seconded by Roberson to approve the minutes of the**  
12 **following meetings: November 13, 2013 special meeting, December 3, 2013 work session; December**  
13 **3, 2013 regular; December 17, 2013 Special; and December 20, 2013 Special. All voted in favor.**

14  
15 **MOTION: Kehoe motioned/Roberson seconded to move item III.A Polk County SR 17 and East Polk**  
16 **Projects presentations to the next item on the agenda. All voted in favor.**

17 **Polk County SR 17 and East Polk Projects presentations:**

18 Town Planner Doug Leonard introduced Tom Wodrich and Chanda Bennett from the Polk County Office  
19 of Planning and Development. Tom Wodrich updated the Council on the SR 17 Ridge Scenic Highway  
20 incentive program. This program provides incentives and policies to conserve and enhance the views  
21 along the road. County staff is requesting town support. Council Member Kehoe asked if there were any  
22 cost factors if the town participated in the program. Mr. Wodrich replied that the program works in  
23 concert with the current zoning and would not be an additional cost. Doug Leonard replied that the  
24 Comp Plan includes and overlay district which is similar to the program.

25 Chanda Bennett provided an update on the East Polk Selected Area Study, which is a land use analysis of  
26 the unincorporated area around Dundee and Lake Hamilton. The purpose was to develop a Vision to  
27 enhance the growth of the cities. The Vision attempts to provide a balance between the existing  
28 character and potential new development.

29  
30 **Old Business**

31 **Crump Road Driveway, Jurin** – Town Planner Leonard reported to the Council that he sent a certified  
32 letter to Mr. Jurin stating he is not allowed to use the driveway for commercial use. Mr. Jurin's  
33 attorney's response letter was included for the Council to review. Planner Leonard reported that the  
34 town and Mr. Jurin are basically at a standoff at this point. Chair Harris replied that it is not a standoff  
35 and asked for Attorney Christman's opinion. Attorney Christman reported that her opinion has been  
36 that a commercial use is not allowed. If the town wants to take action against Mr. Jurin it would be a

37 legal action which would cost money. She also reported that it could be cited as a code violation and  
38 follow the procedure for code enforcement. Chair Harris suggested the attorney compile the  
39 information that the Council has been asking for on this item. Attorney Christman responded that she  
40 has given her opinion on this item and if the council wants more they need to give her a specific  
41 direction.

42 Planner Leonard proposed the town appoint a committee to meet with Mr. Jurin and his  
43 attorney to try to negotiate. He recommended the town committee include himself, the town attorney,  
44 Mr. O'Neil and one council member. Mr. Mace spoke from the audience and asked that council vote on  
45 Chair Harris' recommendation to provide information to the residents. Mr. Mace does not agree that  
46 Planner Leonard should serve on a negotiating committee.

47 **MOTION: Roberson motioned/Tomlinson seconded to send each homeowner on Crump Road the**  
48 **letter from ClarkCampbell no later than February 1, 2014. All voted in favor.**

49 **MOTION: Kehoe motioned/Roberson seconded that Chair Harris, Vice Chair Kehoe be part of a**  
50 **committee to address issues with Mr. Jurin.**

51 **Clerk Irvine stated that it would need to be a public meeting if two council members were being**  
52 **appointed.**

53 **Motion amended to have attorney, Planner Leonard, Chair Harris as primary and vice chair Kehoe as**  
54 **alternate. All voted in favor.**

55 **Charter Review Committee Appointments** – Clerk Irvine reported that this item was tabled from the  
56 last meeting. Council Member Kehoe has provided a resolution he would like the Council to adopt to  
57 establish the Charter Review Committee. Also included is an application from Ruth Ann Eaddy for  
58 appointment to the Committee.

59 **MOTION: Kehoe/Roberson to appoint Ruth Ann Eaddy to the Charter Committee. All voted in favor.**

60 Clerk Irvine reported that the Council has not yet established the Charter Review Committee.  
61 Chair Harris requested that Council Members turn in their nomination to Irvine by January 10<sup>th</sup>.

62 **MOTION: Kehoe/Tomlinson to create a charter review committee and table the process to the next**  
63 **meeting whether it is a special or the regular February meeting. All voted in favor.**

64

65 **CDBG Marye Jayne Heights/Lake Gordon Project: amend contract** – Planner Leonard reported that  
66 language in the contract included the old name for the DOE and they are requiring that it be amended  
67 to show the appropriate name of the agency.

68 **MOTION: Kehoe/Roberson to approved addendum No. 1 to Continuing services agreement dated**  
69 **December 13, 2010 between Chastain-Skillman, Inc. and the Town. All voted in favor.**

70

71 **Highway 27 Sewer Project** – Planner Leonard reported that he is seeking authorization for the Mayor to  
72 execute contracts and applications on this project.

73 **Crump Road Water Line** - Planner Leonard reported that he is seeking authorization for the Mayor to  
74 execute contracts and applications on this project.

75 **MOTION: Kehoe/Swanson to authorize the Mayor to review and complete and execute all documents**  
76 **for Highway 27 sewer and Crump Road water projects. All voted in favor.**

77 **Town Water line Replacement – MOTION: Kehoe/Tomlinson to place this item on a status list with**  
78 **other ongoing projects. All voted in favor.**

79 **Second Reading Ordinance 2013-04 – Open Burning** –Planner Leonard read the title into the record:  
80 Ordinance No. 2013-04, An ordinance relating to the starting and burning of open fires in the Town of  
81 Lake Hamilton; Amending and repealing certain provisions of Section 14-2 (a) through (k) of the code of  
82 ordinances of the Town of Lake Hamilton; Providing and effective date.

83 **MOTION: Kehoe/Roberson to approve Ordinance No. 2013-04. There were no comments from the**  
84 **public. All voted in favor.**

85 **Second Reading Ordinance 2013-16 – Scherling Inc. Rezoning** – Planner Leonard read the title into the  
86 record: Ordinance 2013-06 An Ordinance rezoning 4.73 Acres from AG Agricultural District to M-1  
87 Industrial Zoning District located on the North side of Kokomo Road in Section 8, Township 28 South,  
88 Range 27 East, Polk county, Florida; Repealing all ordinances in conflict herewith; and providing an  
89 effective date.

90 **MOTION: Kehoe/Tomlinson to approve Ordinance 2013-16.**

91 **Comments: Jeff Ahl, Crump Road, asked if it will be used by the owner. Owner's representative stated**  
92 **that anything is possible but it would not be feasible to lease the space.**

93 **All voted in favor.**

94 **New Business**

95 **Appoint Council Chair per Section 32 of the Town Charter – MOTION: Roberson/Tomlinson to appoint**  
96 **chair and co-chair as set.**

97 **Attorney Christman asked for clarification, if that meant reappointing those currently sitting. Council**  
98 **Member replied yes.**

99 **Motion carried 4-1(Swanson)**

100 **Resolution for Standing Committees per Section 15 of the Town Charter** – Clerk Irvine reported that  
101 per the charter the council shall determine the number of standing committees and designate the  
102 character and duties of each. She reported that there are three standing committees: Code Enforcement  
103 Board; Planning Commission and board of Zoning Adjustment. Staff was asked to provide the council  
104 with a list of current members of these committees.

105 **MOTION: Kehoe/Roberson to adopt Resolution 2014-01 reaffirming the standing committees of the**  
106 **town. All voted in favor.**

107 **Appoint Curt Grothmann to the Planning Commission** –Planner Leonard reported that Mr. Grothmann  
108 was in attendance at the meeting and has been an alternate on the commission.

109 **MOTION: Kehoe/Roberson to appoint Curt Grothman to the Planning Commission. All voted in favor.**

110 **Consider new contract with Haines City for Code/Building Inspection** – Clerk Irvine reported that she  
111 added language on page 1 section 2, to the agreement, which she hoped would alleviate some of the  
112 concerns the Council had last time. That language is as follows: The amount and nature of the services  
113 shall be determined by Lake Hamilton and agreed to by Haines city, prior to commence of any services.

114 **Motion: Kehoe/Roberson to authorize the new interlocal agreement with Haines City for Code**  
115 **Enforcement and Building Inspection services.**

116 **Comments: Susan Ahl asked for the cost. Irvine read the Fee Schedule attached as Exhibit A.**

117 **All voted in favor.**

118 **Mayor's recommendation on staffing Lake Hamilton Police Department – MOTION: Kehoe/Roberson**  
119 **to table this item to the next meeting, whether it is a special or the regular February meeting. All**  
120 **voted in favor.**

121 **First Reading of Ordinance 2014-01 – Site Development Review** – Planner Leonard reported that this is  
122 a lengthy document and he ask the Council to read it and get together with him if they have questions  
123 or they could hold a work shop to review it. It requires two public hearings. Attorney Christman read the  
124 title into the record: Ordinance 2014-01 An Ordinance amending Chapter 16, Land Development Code,  
125 Article II, Section 16-40 Development approval and by adopting Section 16-41 Site Development Plan  
126 Requirements, of the code of ordinances of the Town of Lake Hamilton Florida; Providing for  
127 Severability; Repealing all ordinances in conflict herewith; and providing for an effective date.

128 **MOTION: Kehoe/Roberson to place Ordinance 2014-01 on the February agenda for a second reading.**  
129 **All voted in favor.**

130 **Mayor's Report: None**

131 **Police Report:** Deputy Chief informed the Council that Officer David Hurst was being recognized by the  
132 Polk County Police Chiefs Association as officer of the year for a small department. Chair Harris  
133 requested that his award be brought to the next meeting.

134 **Committee/Staff report:**

135 **Code Enforcement:** Irvine reported that Mr. Shifley is unable to attend the town meetings but his report  
136 was included. Chair Harris voices his opinion that the town should consider hiring their own code  
137 enforcement officer.

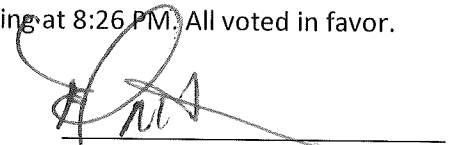
138 **MOTION: Kehoe/Tomlinson that a copy be furnished to the Council the job description for a certified**  
139 **code enforcement officer by the February meeting or a special meeting called by the mayor.**

- 140 **All voted in favor.**
- 141 **Planner:** No report
- 142 **Clerk:** She will be out of the office from Jan. 10-21.
- 143 **Public Works:** Mr. Johnson reported that they have been cleaning up the right of ways and will try to  
144 maintain them.
- 145 **Approval of Invoices/Financial reports:** There were no comments on the finance reports. Chair Harris  
146 questioned expenses out of petty cash and the payment to Cromers.
- 147 **Recognition of Citizens:** Alice Rogers would like some action taken on renters of derelict property now  
148 that town has approved the ordinance.
- 149 **Attorney Comments:** nothing to report
- 150 **Council Member Comments:** none
- 151 **ADJOURNMENT – MOTION:** Kehoe/Tomlinson to adjourn the meeting at 8:26 PM. All voted in favor.

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ATTEST:

  
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TOWN CLERK Sara Irvine

  
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Chair Person Ralph N. Harris