

1 LAKE HAMILTON
2 TOWN COUNCIL REGULAR MEETING MINUTES
3 TUESDAY, OCTOBER 7, 2014
4 6:00 pm
5

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

8 **CALL TO ORDER:** Chair Harris called the special meeting to order at 6:00 PM.

9 **Invocation/Pledge/Roll Call:** Chair Harris called on Council Member Roberson to lead invocation and Council
10 Member Tomlinson to lead the Pledge. All Council Members were present at the meeting.

11 **Recognition of Citizens:**

12 Richard Swanson addressed the council with concerns on a comment he received from Mr. Harris stating he
13 was asked to be removed from the Council room at the previous meeting because he asked his wife a
14 question and he feels Mr. Harris belittles him and singles him out.

15 Mr. Harris answered his comment and stated he advised everyone at the beginning of the meeting that any
16 loud outburst would be first warned and then escorted outside by the Chief.

17 Earnest Wormley stated he was wondering about Gunter Park and the woods that surround the park. He
18 stated snakes come out of the woods and it is a danger to the children that are out there playing.

19 Mr. Harris spoke about the park and the need for something to be done; he also mentioned that things
20 haven't been getting done and mentioned the light pole and electrical box that have not been finished in
21 Gunter Park.

22 **OLD BUSINESS-**

23 **Public Hearing: Second Reading of Ordinances**

24 **Ordinance 2014-05**

25 **Attorney Christman read the title into the record.**

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

32 **MOTION: Kehoe moved to approve Ordinance 2014-05 and was seconded by Tomlinson.**

33 **Roll Call: Kehoe Aye, O'Neil Aye, Roberson Aye, Tomlinson Aye, Chair Harris Aye. 5-0 MOTION PASSED.**

34 **Ordinance 2014-06**

35 **Attorney Christman read the title into the record.**

36 An ordinance of the town of Lake Hamilton, Florida, adding chapter 18, article iv, special events, pertaining to
37 special events in public parks; providing requirements for small, medium and large group special events in

38 parks and public spaces of the town of Lake Hamilton; providing penalties; providing for conflicts; providing
39 for severability; providing for codification; and providing an effective date.

40 **MOTION: Kehoe moved to approve Ordinance 2014-06 and was seconded by Roberson.**

41 **Roll Call: Kehoe Aye, O'Neil Aye, Roberson Aye, Tomlinson Aye, Chair Harris Aye. 5-0 MOTION PASSED.**

42

43 **Ordinance 2014-07**

44 **Attorney Christman read the title into the record.**

45 An ordinance of the town of Lake Hamilton, Polk County, Florida, adopting a new water use schedule and
46 rates; and providing for an effective date.

47 **MOTION: Kehoe moved to approve Ordinance 2014-07 and was seconded by O'Neil.**

48 **Roll Call: Kehoe Aye, O'Neil Aye, Roberson Aye, Tomlinson Aye, Chair Harris Aye. 5-0 MOTION PASSED.**

49 **Ordinance 2014-08-**

50 **Attorney Christman read the title into the record.**

51 An ordinance proposing a new charter for the town of Lake Hamilton, Florida; replacing the existing charter;
52 providing general powers of the town; providing a council-town administrator form of government; providing
53 for an elected mayor; providing for a five member council comprised of four at-large councilmembers and a
54 mayor; providing three year terms of office; providing an elections process; providing for an appointed town
55 administrator; providing for an appointed town clerk; providing for recall, initiative and referendum;
56 providing charter transition provisions; providing for repeal; providing for a referendum thereon; providing
57 for conflicts; providing for severability; and providing an effective date

58 **MOTION: Chair Harris moved to submit the Charter back to the Charter review committee for revisions.**
59 **Seconded by Roberson.**

60 **Discussion: Ruth Ann Eaddy asked what the issues were. Harris stated there were certain sections that he**
61 **thinks that need to be revised. There was discussion about the contents of the Charter and concerns with**
62 **the authority of the Town Administrator and the lack of funds to provide for another administrative**
63 **employee when there is a need for more maintenance workers.**

64 **MOTION: Kehoe motioned to approve Ordinance 2014-08 with the necessary corrections seconded by**
65 **O'NEIL.**

66 **Roll Call: Kehoe Aye, O'Neil Aye, Roberson Aye, Tomlinson Aye, Harris Nay. 4-1 MOTION PASSED.**

67

68 **NEW BUSINESS-**

69 **Appointment to Code Enforcement Board- Bob Howland nominated Ruth Ann Eaddy to the Code**
70 **Enforcement Board.**

71 **MOTION: Kehoe accepted the nomination and moved to add Ruth Ann Eaddy to the Code Enforcement**
72 **Board. O'Neil Seconded.**

73 **Discussion: Chair Harris asked Mrs. Eaddy if she was willing to serve on the board and she answered yes. 5-**
74 **0 MOTION PASSED.**

75

76 **Authorize H2S cleaning and maintenance contract with Jacobs Air Water System-**

77 Plant Operator Lewellen addressed the Council with a summary of what is included in the J.A.W.S. contract
78 and what it will cover. He explained J.A.W.S would come out and place an access panel and then Haines City
79 will come out after to pump the sand out and when they are finished J.A.W.S will return to pump it with acid.
80 He stated it will work similar to a water tower, but it will be more powerful.

81 **MOTION: O'Neil moved to approve the expenditure of \$6,782 to Jacobs Air and Water Systems for the H2S**
82 **cleaning and Maintenance contract. Seconded by Kehoe. 5-0 MOTION PASSED.**

83 **Proclamation Community Planning Month-**

84 **Attorney read title into the record.**

85 WHEREAS, change is constant and it affects all cities, towns, suburbs, counties, townships, and rural places;
86 and WHEREAS, community planning and plans can help manage this change in a way that provides better
87 choices for how people work and live; and WHEREAS, community planning provides an opportunity for all
88 residents to be meaningfully involved in making choices that determine the future of their community; and
89 WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and
90 demand excellence in planning and plan implementation; and WHEREAS, the month of October is designated
91 as National Community Planning Month throughout the United States of America and its territories, and
92 WHEREAS, The American Planning Association and its professional institute, the American Institute of
93 Certified Planners, endorse National Community Planning Month as an opportunity to highlight the
94 contributions sound planning and plan implementation make to the quality of our settlements and
95 environment; and WHEREAS, the celebration of National Community Planning Month gives us the
96 opportunity to publicly recognize the participation and dedication of the members of planning commissions
97 and other citizen planners who have contributed their time and expertise to the improvement of our Town of
98 Lake Hamilton; and WHEREAS, we recognize the many valuable contributions made by professional
99 community and regional planners of the Central Florida Regional Planning Council and of Polk County and all
100 of our neighboring Towns and Cities and extend our heartfelt thanks for their continued commitment to
101 public service; NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2014 is hereby designated as
102 **Community Planning Month** in the Town of Lake Hamilton, Florida in conjunction with the celebration of
103 National Community Planning Month.

104 **Authorized by Council.**

105

106 **Kitto Pioneering Agreement-**

107 Planner Leonard explained they would like for the Town to waive 5 impact fees for the 7 lots which would
108 amount to the \$10,533 that's in the proposal plus \$500 for each tap that occurs in the next 5 years in the
109 area of the map so they can expect to recoup some of the \$25,000 that was invested.

110 Kehoe asked if it was zoned commercial and Planner Leonard stated it is zoned as, commercial industrial. He
111 asked if the Town will own the water system that is connected and Planner Leonard stated it will.

112 O'Neil asked what the normal amount is in similar cases and Planner Leonard stated it is usually 50/50.

113 Harris asked if they have spoken with Dundee's Planner and he asked what part was commercial. Planner
114 Leonard stated that all the buildings were in Lake Hamilton. Harris asked Code Enforcement Officer Khalil if
115 they could get with the Public Works Department about moving the sign. Chief stated they would not be able
116 to move the sign because it is a D.O.T sign. Mr. Harris was concerned with future issues with Dundee about

117 what was actually inside the town and what is not. Harris asked Planner Leonard to get something in writing
118 from Dundee to show they do not have a problem with the subdivision from the Mayor or City Manager of
119 Dundee.

120 **MOTION: Kehoe moved to approve Resolution 2014-10 with Changes of a max of 4 Taps. Seconded by**
121 **Roberson.**

122 **Roll Call: Kehoe Aye, O'Neil Aye, Roberson Aye, Tomlinson Aye, Harris Aye. 5-0 MOTION PASSED.**

123 **Mayor's Report-**

124 The Mayor reported that this Saturday was the cleanup day at the park and there were no volunteers who
125 signed up. Harris stated they should move it to a later date. She stated Lowes was coming to Bruce Martin
126 Field to paint and to do the bleachers at 7 A.M. the following day and what they didn't finish they would be
127 back to finish. She also stated they are waiting for the engineers to start the plans for the memorial wall.
128 Harris asked if they could contact the News Chief about Lowes Coming and the Mayor stated Brittney already
129 contacted them. Harris asked if they had a camera so they could document volunteering and other events.

130 Kehoe wanted to commend the Police Department on an attempted robbery at the Hair Salon by Smith's
131 Grocery where they were able to apprehend the suspect.

132 **Police Report-** Chief stated that there is nothing to report at this time.

133 **Committee/Staff Reports-**

134 **Code Enforcement:** Markus Khalil, the new Code Enforcement Officer stated he was trained by Steve and was
135 coming along, but was having some troubles with some of the areas. He stated there is a nice church in the
136 Northeast section and he stated they should do a yard of the month or something where the property
137 owners can have the sign in their yard for a month. Mr. O'Neil stated he will donate the sign. Khalil stated
138 they held a hearing and there were liens enforced. Chair Harris asked what the process was for dealing with
139 properties with overgrown grass and weeds that are vacant lots. He stated when the grass is over 12 inches;
140 he sends a violation to the property owner through certified mail. Chair Harris asked about the Ordinance
141 that passed that if the property owners do not cut the grass the Town can cut the grass and it will be placed
142 on their tax roll up. Town Attorney asked Khalil if Steve let him know about the Lot Clearing Ordinance. He
143 said he was not aware of it and Chair Harris stated he needs to get with the Town Attorney so it can be
144 further discussed and explained so he is up to date with the process.

145 Kehoe asked if there is a form that can be filled out for complaints. Khalil stated that the items that are on
146 the report are not all of the open cases that exist and the Council stated they need to see all the active cases
147 to ensure complaints are being taken care of and recorded. Council directed Khalil to create a form that
148 citizens can fill out for complaints about properties.

149 **Planner-**

150 Planner Leonard provided an update for Mary Jane Heights and stated they should see construction to finish
151 up service connections by next week or the week after. He clarified finishing would be finishing up the water
152 connections, the directional line under the highway and finishing up the roads. Council asked for Planner
153 Leonard to bring a completion date for the project at the next council meeting. Planner Leonard stated the
154 other project he was working on was with Kevin who has a hydraulic valve operator and Mr. Lewellen stated
155 the Town definitely needs it. He provided a hand out on the information and stated Kevin was interested in
156 selling it to the Town. He stated his asking price was \$2500. Council consulted Mr. Johnson and he stated it

157 was a good deal for the equipment. They recommended hooking it up to a trailer so it can be used off road.
158 Council stated it would be better to hook it up to the truck because of concerns with workman's comp. Kevin
159 spoke to the Council and stated he would sell it for \$2500 and also help them install it on the truck.

160 **MOTION: Roberson moved to purchase the hydraulic valve operator device for \$2500. O'Neil seconded. 5-**
161 **0 MOTION PASSED.**

162 **Public Works-Gunter Park lights/electric-**

163 Harris stated a date needed to be made for the completion process of the electrical socket and the lights in
164 Gunter Park. He stated there is still no green sticker that allows for the meter to be installed. Harris read the
165 quote from Duke Energy for \$3000 and it stated the light would run from dusk to dawn and would be unable
166 to turn off. It also stated there would be a monthly fee. Kehoe suggested they gate off the area and set up a
167 timer that is locked up. He stated they need to hire an electrician to install the pole. Margaret stated she
168 spoke with the electrician and stated if Duke Energy dropped the line they would do the rest. Harris stated
169 they wanted a light with a timer. Kehoe stated he didn't want the resident's complaining about a light being
170 turned on all night. Harris stated no one lives down there and it would probably benefit because it was
171 provide light to the end of the street. Kehoe stated they need to get with Margaret and Sara to find out what
172 is supposed to happen and about getting a completion date. Harris stated they needed a date for completion
173 to ensure it doesn't get put off again. O'Neil stated they needed to contract an electrician to get proper
174 specifications and bring at least 1 bid back. Harris stated the only thing that was not included in the quote
175 was the junction box. Harris stated to make a completion date for the first of November to see where they
176 are at and to provide an extension and to make sure it meets all specifications.

177 **Approval of Invoices/ Financial Reports-**

178 **MOTION: Kehoe moved to approve the invoices and financial reports for the month of September.**
179 **Seconded by Tomlinson. All in favor 5-0. Motion Passed.**

180 **Attorney Comments- No report from Attorney**

181 **Council Member Comments-** Roberson stated she received a letter from Phil Miller about a reprimand he
182 received from the Mayor. He received the reprimand for taking Mr. Sims to get gasoline which was reported
183 by her. She stated she did not tell the Mayor or the Town Clerk to write a reprimand on Mr. Miller. She was
184 just wondering why there were two Town employees in Dundee at eight in the morning and she had no
185 intention for him to be reprimanded.

186 **Adjournment- MOTION: Kehoe moved to adjourn the meeting at 8:26 PM. All in favor 5-0. Motion Passed.**

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189


190

191 ATTEST:

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Town Clerk Sara K. Irvine


Ralph N. Harris, Council Chair