

1 LAKE HAMILTON
2 TOWN COUNCIL REGULAR MEETING MINUTES
3 TUESDAY, FEBRUARY 3, 2015

4 6:00 pm

5 The Town Council of Lake Hamilton held a regular meeting on Tuesday, February 3, 2015 at Town Hall
6 located at 100 Smith Avenue, Lake Hamilton, FL 33851.

7 **CALL TO ORDER:** Mayor Wagner called the regular meeting to order at 6:00 PM.

8 **Invocation/Pledge/Roll Call:** Mayor Wagner called on Kehoe to provide the invocation and Roberson to
9 lead the pledge. Roll Call: Kehoe, O'Neill, Roberson, Tomlinson and Mayor Wagner were present. Staff
10 present included Clerk Irvine, Deputy Clerk Freeman, Attorney Christman, Chief Jagniszak, Planner
11 Leonard, Code Enforcement Officer Khalil, Public Works employee Lewellen.

12 **Approval of Minutes – MOTION: O'Neill/Kehoe to approve the minutes of January 6, 2015 Regular**
13 **Meeting; January 15, 2015 Special Meeting; January 27, 2015 Canvass Board and January 29, 2015**
14 **Canvass Board. All voted in favor of the motion.**

15
16 **Recognition of Citizens:**

17 Margaret Freeman – asked for Council support to continue her education and pursue her Clerk's
18 certification.

19 Tom Mace – Pointed out more information on Irvine's job history and still contends she lied on her
20 application for the clerk job.

21 Ralph Harris – Addressed the Council regarding comments John Myer made to Council member
22 Tomlinson. Asked if the council looked into his character before nominating him for the vacant council
23 seat.

24 **A. Woman's Club Centennial Proclamation:** The members of the Woman's Club were asked to
25 come forward or stand. Attorney Christman read the proclamation. Mayor Wager presented it to
26 President Pixie Kehoe.

27 **B. Audit Presentation by David Ramos – Ramos highlighted some information in the audit. Stated**
28 **that improvements have been made. MOTION by Kehoe/Roberson to accept the 2013-2014 Audit. All**
29 **in favor.**

30
31 **Old Business**

32 **Amend December 2, 2014 Special meeting minutes – Irvine reported that her researched**
33 **indicated the best way to deal with the adopted minutes is to have the January 6, 2015**
34 **meeting minutes where the topic is addressed added to the December 2, 2014 special**
35 **meeting minutes. That way if someone requests a copy of the December 2, 2014 minutes**
36 **they will automatically include a copy of the January 6, 2015 Regular meeting where the**
37 **item was addressed and deemed to be incorrect information.**

38 **MOTION: O’Neill/Kehoe to authorize the clerk to attach the January 6, 2015 minutes to**
39 **part of the record for the December 2, 2014 special meeting minutes. No comments.**
40 **Motion passed 3-1(Roberson)**

41

42 **Water Interconnect preliminary cost estimate** – Planner Leonard provided the council with
43 an update. He is waiting for information from Haines City and will contact Winter Haven as
44 well.

45 **Proposed contract for NPDES Mapping and Inventory Services** – Information from the
46 Florida Department of Environmental Protection was provided to the Council. It outlined
47 what the required improvements are and when they need to be completed. Leonard stated
48 the main thing is to move forward and comply with the items, he recommended approval
49 of the contract amendment. O’Neill asked if any maps were found which would alleviate
50 some of the work. Leonard replied that no maps were found which show the stormwater
51 drainage areas. Roberson suggested capping the cost while the town explores grant
52 options.

53 **MOTION: O’Neill/Kehoe to approve the contract amendment for no more than \$17,900.**
54 **No more comments. Motion carried 4-0.**

55

56 **NEW BUSINESS**

57 **Charter Action Items** – Mayor requested that item 3 be moved to 1.

58 1. Rules and Order of Business – The council was presented with an updated rules of order and
59 business with a resolution to adopt if there were no changes made. Attorney read the title for the
60 record: “Resolution 2015-02 A resolution of the Town Council of the Town of Lake Hamilton Establishing
61 Town Council Rules of Procedure; Providing an Effective Date.” **MOTION: Kehoe/Wager to adopt**
62 **Resolution 2015-02 establishing Town Council Rules of Procedure. No comments. Motion Roll Call:**
63 **Kehoe-aye; O’Neill-aye; Roberson-aye; Wagner-aye. Motion carried.**

64 2. Set Pay for Council – The Charter authorizes a pay up to \$100 per month for council and \$125
65 per month for Mayor. **Motion: Kehoe/O’Neill to leave the compensation at \$35 per month for Council**
66 **and \$50 per month for mayor.** Comments: Lonsberry opined that the town could get better council
67 members if they paid more. Favorite stated that most don’t do it for the money. Harris stated that if the
68 town wants to move up there is nothing wrong with increasing the pay.
69 **MOTION carried 3-1(Roberson).**

70
71 3. Elect Vice Mayor – Roberson nominated O’Neill. He declined. **MOTION: O’Neill/Wagner to**
72 **elect Kehoe to serve as Vice Mayor. Comments: O’Neill stated that he felt Kehoe’s availability makes**
73 **him a better candidate for vice mayor. MOTION carried 3-1(Roberson).**

74 4. Consideration for Town Administrator – Attorney Christman read the charter requirements
75 for a Town Administrator and Town Clerk.

76 **MOTION: Kehoe/O'Neill to appoint Sara Irvine as the Town Administrator/Clerk with a 10% raise.**
77 Comments: O'Neill discussed the concerns raised by Mr. Mace during citizen input. Roberson feels that
78 the council is overlooking the best person for the job in Deputy Clerk Freeman. She stated she wanted to
79 make a motion to that effect. Mayor Wagner reported that when Irvine was hired as Clerk she checked
80 her references and all were good. Mace commented that information would be provided to Jerry Hill on
81 the whole process. Rubush stated that running the town takes more than clerk training, Irvine has a
82 degree. Vandemark stated he has been a resident since 1990 and has seen a lot of clerks. Irvine
83 inherited a mess and she pulled the town out of a hole. Since she is qualified give her a chance Harris
84 stated that Irvine may have helped the town out of hole but she had help with other staff and CPA Mike.
85 He also queried the council how they could increase her pay and not the Council pay. O'Neill stated he is
86 uncomfortable giving himself an increase but feels the increased management needs more
87 compensation. Niedlinger stated that the council is doing it for the civic duty and this is Irvine's lively
88 hood. Wormley felt the position should have been opened up and that the council may be selling town
89 staff short. Accused Mayor and staff of past sunshine violations. Niedlinger spoke again to address
90 Wormley comments and asked him to bring those complaints to the proper forum which is not this
91 meeting. Myer said there are three factors to consider based on employee performance. Lonsberry
92 agreed that Irvine has done a good job but someone should find out if she lied on the application.
93 O'Neill replied that that has been done. Roberson stated she was not satisfied.

94 **Roll call vote: Kehoe-aye; O'Neill-aye; Roberson-nay; Wagner-aye. Motion carried.**
95
96 **Discuss First Right of Refusal and Vacate ROW – Parcel 272816827500000120 – Planner Leonard**
97 **reported that the town was contacted by the owner's representative regarding the sale of this parcel.**
98 **The title states that the Town has first right to purchase. Staff doesn't believe the parcel has any value**
99 **for the town and recommends the town waive the first right and also consider vacating the right of way**
100 **at the same time.**

101 **MOTION O'Neill/Kehoe to approve the waiver of first right of refusal. Comments: Attorney suggested**
102 **the motion be revised to direct her to draft a resolution for the waiver and vacation of right of way.**
103 **MOTION was revised by O'Neill/Kehoe to direct the town attorney to draft a resolution for the waiver**
104 **of first right and vacate of right of way on parcel ID 272816827500000120. No further discussion. Roll**
105 **call vote: O'Neill-aye; Kehoe-aye; Roberson-aye; Wagner-aye. Motioned carried 4-0.**
106

107 **First Reading of Ordinance 2015-01 – Attorney read the title for the record: "Ordinance 2014-01, An**
108 **Ordinance Amending Chapter 2 Administration, Article II and Chapter 10 Elections of the Code of**
109 **Ordinances of the Town of Lake Hamilton, Florida, in Response to the approval by the Voters of the**
110 **Town of a New Charter; Replacing the Existing Charter; Which Provides a Council-Town Administrator**
111 **Form of Government; An Elected Mayor; A Five Member Council Comprised of Four At-Large Council**
112 **Members and a Mayor; Three Year Terms of Office; An Elections Process; Providing for Conflicts;**
113 **Providing for Severability; And Providing an Effective Date."**
114 **Kehoe pointed out that on page 6, the word "without" needs to be changed to "outside" or something**
115 **else. Staff reported that on page 4, where the word "chairperson" is listed will be changed to "Mayor".**
116 **MOTION: Kehoe/O'Neill to approve first reading of Ordinance 2015-01 with the changes listed. No**
117 **further comments. Roll Call vote: Kehoe-aye; O'Neill-aye; Roberson-aye; Wagner-aye. Motion carried.**
118

119 **MAYORS REPORT** – Reported that Phil Miller is continuing to paint Gunter Park, the other staff helped
120 out while Phil was absent with a family emergency. There will be a ribbon cutting on Wednesday,
121 February 11th at 5:00 PM. Roberson commented that the light is still not set properly. Mayor reported
122 that A-C-T suggested the town conduct a light study but the Council chose not to do one. They have
123 been out twice to adjust the lights.

124
125 **Police Report** – Chief Jagniszak addressed some vandalism to the Gunter Park fence gate. Nathan
126 Lewellen stated that he repaired it already.

127 **COMMITTEE/STAFF REPORTS**

128 **Code Enforcement** – Report was included with packet. Asked that anyone who has a concern
129 with a property should send him an email via the link on the town’s website.

130 **Planner** – Met with Commissioner Wood’s and Dundee manager and Envisor’s engineer
131 regarding sponsorship of funding (1.4 Million) for the sewer project on HWY 27. Cross connection
132 control program requires Business to have an annual inspection of their dual check valves. They will be
133 billed for this.

134 **Clerk** – Thanked the Council for the appointment to Town Administrator.

135 **Public Works** – Report was in the packet. Asked to bring back complete quotes for new tractor.

136
137 **APPROVAL OF INVOICES/FINANCIAL REPORTS** – Motion: Roberson/Kehoe to approve the invoices. No
138 comments. Motion passed.

139
140 **ATTORNEY COMMENTS** – None

141
142 **COUNCIL MEMBER COMMENTS** –


143 Roberson addressed the comments made by Mr. Harris and thought the council does owe the people an
144 apology.

145 Kehoe suggested the Council have a work shop now that there is a new charter and new administrator.
146 Work shop scheduled for Tuesday, February 10, 2015 at 4:00 PM.

147 O’Neill stated he was happy to see that the town has promoted from within again.

148
149 **Adjournment- MOTION: Kehoe/O’Neill to adjourn at 7:51 PM.**

150
151 
152 Marlene M. Wagner, Mayor

153 **ATTEST:**
154 
155 Sara K. Irvine
156 **Town Clerk Sara K. Irvine**