CITY COMMISSIONERS MEETING OF LAKE BUTLER, FLORIDA



August 20, 2024

6:00PM

City Hall Lake Butler

200SW 1st Street

Lake Butler, Florida 32054

AGENDA MEETING MINUTES

1. **Call to order – Roll Call, Opening Prayer, Pledge of Allegiance.**
2. Admin Content

*If a person decides to appeal a decision made with respect to any matter at this neeting or hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record is made.*

Mayor Hendrix called the meeting to order at 6:00pm.

In Attendance:

City Commission – Commisioner Sirmones, Commissioner Stephenson, Vice-Mayor Huggins, Mayor Hendrix.

Absent: Commissioner Redman

City Staff – City Attorney Maines, City Manager Hayes, Finance Director Mecusker, Administrative Assistant Evernden. Opening Prayer was led by Vice Mayor Huggins.

Pledge of Allegiance was led by Mayor Hendrix.

Mayor Hendrix requested the board to give a motion to approve the Agenda Format and stated before we do that a request to move #23 Resolution 2024-16 to be after #6 on the Agenda.

A motion to approve the Agenda Format was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval. Motion carried.

1. Public Comments

**Pursuant to Florida Statutes, members of the public shall be given a reasonable opportunity to be heard on a proposition before the City Commission. Upon recognition by the mayor, any person may address the City Commission on any subject either included on the agenda or any other subject.**

* Three (3) minutes per speaker;
* Comments will not be accepted after the meeting begins;
* State your name and address into the record before addressing the City Mayor & Commissioners;
* Address your questions to the City Mayor, not city staff;
* Refrain from demands for an immediate response from City Mayor or Commissioners; and
* No boisterous behavior, personal, impertinent, or slanderous remarks.

Citizen Lisa Huggins 640 SE 4th Street Lake Butler, Florida 32054 spoke to the Commissioners on behalf of the Women’s Club about the collection of funds for the Beautification Project they were working on and asked about the plaques that were supposed to be ordered for the garden. Commissioner Sirmones is working on this and stated he is working on getting them.

Citizen Elizabeth Jefferson 1005 SE 5th Ave Lake Butler, Florida 32054 spoke to the Commissioners concerning her property flooding with water/sewage. She stated that the cities sewage is in her yard. Ms. Jefferson stated she does not think this is right and she wants to know what the city is going to do about it.

1. Approval of Consent Agenda
   1. Meeting Minutes from 7-16-2024
   2. Code Enforcement Report July 2024.
   3. July 2024 WEX Invoice, activity report, and vehicle logs
   4. Animal Control Logs for July 2024.

A motion to approve the Consent Agenda was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval. Motion carried.

1. Presentation by Arcadia Towers via Teams to the City of Lake Butler.

Arcadia Towers completed a presentation to the Commissioners via Teams and explained the benefits of allowing them to come to the City of Lake Butler and develop cell towers on city property. Arcadia explained that the City of Lake Butler would receive a 25% rent fee every month in addition to other benefits so the City would not incur any cost. Locations were discussed, legal fees discussed and upkeep of the areas where the towers would be installed were discussed. Commissioner Stephenson questioned Arcadia if this could be done on private property. Commissioner Stephenson requested the Commissioners and City Manager to consider looking at other Cell Tower Companies to see if we are getting the most revenue if we were to allow the cell towers to be installed in Lake Butler. Vice Mayor Huggins asked what the short term and long-term lease terms would be if the city agreed to the towers. Arcadia stated it would be long term 10-30 years. Mayor Hendrix requested Arcadia to email the Commissioners the entire packet they had shared with her. Commissioner Stephenson questioned Arcadia would there be room for increase in revenue for the city over time. Mayor Hendrix stated to the board that she does not know how to pursue recruiting other companies.

Mr. Maines asked the board if they were interested in looking into this and having the City Manager pursue this. Mr. Maines agreed he would research how this process would need to be completed

Commissioner Stephenson stated he would like to see the city pursue other companies.

A motion to approve the Research and Pursue additional information from other Cell Tower Companies was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval. Motion carried.

1. Discussion and updates from Andy Easton & Associates on the FRDAP Grant for Lakeside Park, Townsend Building Grant and FBIP Florida Boating Grant.

Andy Easton spoke to the board and updated the Commissioners on the process & time frames with the city’s grants they are working on. Doug spoke to the board and updated them on the Engineer that came out to look at the Townsend Building and the boat dock. Doug stated that there will be additional information presented next month to the board from them. Doug also spoke to the board about the Trail Go Grant for the city they applied for.

1. Motion to approve audit presented by James Moore & Co. for the period October 1, 2022, to September 30, 2023. The Auditors will explain the results of the audit (attached).

Brendan McKitrick with James Moore spoke to the Commissioners and explained to them all the attachments he provided for them. A presentation of the audit was gone through and explained to the Commissioners by category.

Mayor Hendrix explained to the board that some of the items in the audit are ongoing from previous Administration (2023) and she wants them to keep that in mind.

Commissioner Stephenson questioned Brendan McKitrick on the actual overall financials for the City of Lake Butler.

A motion to approve the Audit presented by James Moore & Company for the period of October 1, 2022, to September 30, 2023, was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval.

1. Resolution No. 2024-16. A RESOLUTION OF THE CITY OF LAKE BUTLER ACCEPTING AN OFFER TO DONATE HISTORIC PROPERTY TO THE CITY, PROVIDING FOR ACCEPTANCE OF A DEED TO SUCH PROPERTY, WITH CONDITIONS AS PUT FORTH BY DONOR, EXPRESING APPRECIATION TO THE DONOR, PROVIDING FOR THE RECORDING OF THIS RESOLUTION WITH ATTACHMENTS, AND PROVIDING AN EFFECTIVE DATE. **To be read by title only. *This was moved from #23 to #7 on the Agenda Format.***

Mr. Maines requested to please let the record reflect that Vice Mayor Huggins made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-16 was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval. Motion carried.

The Board thanked the family for the donation of the Historic Holding Cell and property given to the City of Lake Butler.

Mr. Whitehead thanked the City Staff and City Attorney for all their assistance and stated they are the nuts and bolts of this happening.

1. Motion to adopt Ordinance No. 2024-04 and for the second reading (reference Voluntary Annexation) **To be read by title only.**

Mayor Hendrix stated that this Ordinance pertains to the Old Public Works Property the city is trying to get annexed into the city limits so it can be rezoned from residential to commercial so the city can sell it.

Motion to approve Ordinance No. 2024-04 (reference Voluntary Annexation) to be read by title only, read by City Attorney Mr. Maines was made by Vice Mayor Huggins. Seconded by Commissioner Sirmones, all in favor, the motion passed unanimously.

1. Motion to approve Professional Services Engineering Agreement, Amendment One to agreement originating from request for qualifications 2018-06-01 CDBG-MIT

Funded Project – CDBG Agreement MT118. This is to be in compliance with the Florida Commerce Audit.

A motion to approve the Professional Services Engineering Agreement, Amendment One to agreement was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval.

1. Motion to approve Professional Services Grant Administration Agreement, Amendment One to agreement originating from request for proposals 2024-01 CDBG-MIT Funded Project – CDBG Agreement MT118. This is to be in compliance with the Florida Commerce Audit.

A motion to approve the Professional Services Grant Administration Agreement, Amendment One to agreement was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval.

1. Resolution No. 2024-09. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE BUTLER, FLORIDA, ADOPTING THIS ADDENDUM TO UPDATE THE CITY’S POLICY RELATING TO CITY PURCHASES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE. **To be read by title only.**

Mr. Maines requested to please let the record reflect that Commissioner Sirmones made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-09 was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval. Motion carried.

1. Motion to adopt Ordinance No. 2024-05 and for the second reading (reference Expanding the Local Community Redevelopment Agency) **To be read by title only.**

Motion to approve Ordinance No. 2024-05 (reference Expanding the Local Community Redevelopment Agency) to be read by title only, read by City Attorney Mr. Maines was made by Commissioner Stephenson. Seconded by Commissioner Sirmones, all in favor, the motion passed unanimously.

1. Discussion with Commissioners to donate/sponsorship to Union County High School & Middle School Band Program on behalf of the City of Lake Butler Commissioners.

Mayor Hendrix explained to the board this is something they have done in the past it would come from the Commissioners personally and would be payroll deducted from their checks. The board agreed to the “Tiger Purple” which is $250 to be split amongst the Commissioners.

1. Discussion and Motion to approve guidelines for how far in advance does the city want to allow for the renting of the Community Center and Townsend Green Building.

Mayor Hendrix stated she had a citizen contact her concerning this issue and there is certain holidays booked out 3-5 years and citizens do not think that is fair. Should we put a time limit on this? Especially if rates increase would they be charged the new rates. Mayor Hendrix stated we can continue this in the September Meeting if the board wants to.

City Attorney Maines stated that there would need to be a notification system in place to notify Citizens of the rate increase each year. The mayor agreed Citizens need to be notified of increases and be charged the new rates even if they are booked 2-3 years in advance.

Vice-Mayor Huggins stated the city should send a letter out to let citizens know of the increases.

Mayor Hendrix asked the board is it fair to allow citizens to book Community Centers 2, 3 or 4 years in advance.

A motion to continue discussion in the September Meeting was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval

1. Resolution No. 2024-10. A RESOLUTION AUTHORIZING THE SUBMISSION OF A FLORIDA RECREATION DEVELOPENTASSISTANCE PROGRAM (FRDAP) GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVORONMENTAL PROTECTION (FDEP) FOR THE 2025-2026 PROGRAM YEAR. **To be read by title only.**

Mr. Maines requested to please let the record reflect that Commissioner Sirmones made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-10 was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval. Motion carried.

1. Resolution No. 2024-11. A RESOLUTION OF THE CITY COMMISSION OF LAKE BUTLER, FLORIDA, AMENDING THE FY2023-2027 CAPITAL IMPROVEMENTS PLAN (CIP) TO INCLUDE RENOVATIONS FOR LAKESIDE PARK, WESTSIDE PARK, FLETCHER PARK AND THE HISTORIC HOLDING CELL. **To be read by title only.**

Mr. Maines requested to please let the record reflect that Commissioner Sirmones made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-11 was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval. Motion carried.

1. Resolution No. 2024-12. A RESOLUTION OF THE CITY COMMISSION OF LAKE BUTLER FOR COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM. (see Exhibit A - Florida Division of Emergency Management). **To be read by title only.**

Mr. Maines requested to please let the record reflect that Vice Mayor Huggins made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-12 was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval. Motion carried.

1. Resolution No. 2024-13. A RESOLUTION MODIFYING THE MONTHLY CHARGE FOR THE WATER AND WASTEWATER UTILITY RATES FOR THE FISCAL YEAR 2024-2025 AND ESTABLISHING AN EFFECTIVE DATE. **To be read by title only.**

Mayor Hendrix explained to the board that this has been discussed in our budget workshops and what we discussed was decreasing the water but increasing the sewage so it would make the citizens neutral, no change to the citizens.

Commissioner Stephenson asked about the Agreement with Department of Corrections on the sewage rates and Mayor Hendrix stated that meeting is scheduled with DOC tomorrow at 1:00 p.m. Commissioner Stephenson questioned the rates previously and currently and Mayor Hendrix explained to him that rates and time frames of increases.

Finance Director Mecusker also explained that DOC had not received those increases in sewage, but citizens received the increase in water.

Mr. Maines requested to please let the record reflect that Vice Mayor Huggins made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-13 was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval. Motion carried.

1. Discussion and Consideration/Board Vote for Fiscal Year 2024-2025 Mileage and Rollback Rate.

Mayor Hendrix stated that she would like to see the rates stay the same as last year and asked if anyone had anything to discuss. No one spoke.

A motion to approve the Fiscal 2024-2025 Mileage Rate at 3.25% and NO Rollback Rate was made by Commissioner Stephenson. Motion seconded by Vice Mayor Huggins. Unanimous approval.

1. Opening Bids for Property and Casualty Insurance and Selection of bidder for the City of Lake Butler Property and Casualty Insurance policy renewal.

Mayor Hendrix stated she was going to open the floor up to City Attorney Maines to discuss the process of the Bids. City Attorney Maines explained that the city has never completed Bids in this manner so what the board is going to do is open the Bids at the Meeting and the Committee (Mayor Hendrix, City Attorney Maines and City Manager Hayes) per the recommendation of City Attorney Maines meet, review and complete the score sheets. If the bids are being opened at tonight’s meeting, we would not have time to review the proposed policies. City Attorney Maines stated the city has received two proposals.

Mayor Hendrix suggested they do a Special Meeting August 27th at 6:30 p.m., after the

Budget Meeting and within the next few days the Committee go ahead and meet complete their process of the bid grading and recommendation and bring this information back to the board on August 27th Special Meeting. Mayor Hendrix stated other sources to advertise the Special Meeting will be utilized to be in compliance since there is not enough time to advertise in the paper.

The two packages received for bids were opened by Mayor Hendrix in the presence of the Commissioners.

A motion to approve the Committee to review bids (consisting of Mayor Hendrix, City Attorney Maines and City Manager Hayes) was made by Commissioner Sirmones. Motion seconded by Commissioner Stephenson. Unanimous approval.

A motion to approve the August 27th Special Meeting for the approval of the insurance was made by Commissioner Sirmones. Motion seconded by Vice Mayor Huggins. Unanimous approval.

1. Motion to approve Modification Number 1 to Subgrant Agreement Between the

Department of Commerce Opportunity and the City of Lake Butler, Florida for CDBG Contract #22DB-OP-03-73-02-N06.

A motion to approve Modification Number 1 to Subgrant Agreement for CDBG Contract 22DB-OP-03-73-02-N06 was made by Vice Mayor Huggins. Motion seconded by Commissioner Stephenson. Unanimous approval.

1. Resolution No. 2024-14. A RESOLUTION OF THE CITY COMMISSION OF LAKE BUTLER, FLORIDA CERTIFYING THE CITY’S COMMENT TO AFFIRMATIVELY FURTHER FAIR HOUSING AND ADOPTING A FAIR HOUSING PLAN TO ENSURE APPROPRIATE AND ACCEPTABLE ACTIONS ARE TAKEN IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE **To be read by title only.**

Mr. Maines requested to please let the record reflect that Vice Mayor Huggins made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-14 was made by Vice Mayor Huggins. Motion seconded by Commissioner Stephenson. Unanimous approval. Motion carried.

1. Resolution No. 2024-15. A RESOLUTION OF THE CITY OF LAKE BUTLER, FLORIDA CITY COMMISSIONERS ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY THE CITY OF LAKE BUTLER; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE. (See Attachments A & B) **To be read by title only.**

Mr. Maines requested to please let the record reflect that Vice Mayor Huggins made a motion to approve and read the Resolution by title and number.

A motion to approve Resolution 2024-15 was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval. Motion carried.

1. City Manager Reports - City Manager, Kimberly Hayes

City Manager Hayes thanked Public Works Director Norris and all the Public Works staff for all their hard work and hours during the storm.

City Manager Hayes thanked all the staff at City Hall for all their hard work and long

hours to get the audits completed. City Manager Hayes passed out a copy of the TAP Audit (Florida Commerce) to the board so they would be able to see the findings and corrective actions.

City Manager Hayes requested the board to approve reimbursement of $500 to the Historical Society for the appraisal of the property donated by Mr. Whitehead. Originally, it was going to be reimbursed to him, but the Historical Society went ahead and paid that because the surveyor needed to be paid in advance.

A motion to approve the $500 reimbursement to the Historical Society out of the CRA funds in October 1, 2024, was made by Commissioner Stephenson. Motion seconded by Vice Mayor Huggins. Unanimous approval.

City Manager Hayes discussed with the board dates for the Christmas Parade. Mayor Hendrix asked about themes and City Manager Hayes stated Disney theme or Candyland theme. Mayor Hendrix asked the board if they wanted to table this discussion until the September meeting and the board agreed.

City Manager Hayes discussed with the board the Interlocal Agreement for Mosquito Control Spraying in Worthington Springs and advised the board that we are under contract until October 1, 2024, with them. Mayor Hendrix stated this was discussed in the budget workshop and the invoicing of Worthington Springs for last year. Mayor Hendrix asked the board if they were in agreement to not renew the Interlocal Agreement with Worthington Springs for the mosquito control and the board agreed to not renew. A non-renewal letter will be mailed 30 days prior to the agreement ending.

A motion to approve termination of the Interlocal Agreement with Worthington Springs for Mosquito Control, was made by Commissioner Sirmones. Motion seconded by Commissioner Stephenson. Unanimous approval.

1. Reports from Finance Department – Dave Mecusker

Finance Director Mecusker discussed with the board the Financial Report for October 2023 – July 2024. Finance Director Mecusker discussed the current year’s budget and progress on next year’s budget. Finance Director Mecusker stated if anyone has questions about the finances, they can call him or stop by his office, and he will be glad to discuss it.

Commissioner Stephenson asked Finance Director Mecusker about last year’s budget and Finance Director Mecusker asked Commissioner Stephenson if he would be willing to come by the office and sit down to go over it with him.

A motion to approve the Financial Reports for the period of October 1, 2023, through July 31,

2024, was made by Vice Mayor Huggins. Motion seconded by Commissioner Sirmones. Unanimous approval.

1. Report of City Attorney – John Maines

Nothing to Report.

1. Comments or Remarks by Commission
   * + - Commissioner Sirmones

Nothing to Report

* + - * Commissioner Stephenson

Nothing to Report

* + - * Vice Mayor Huggins

Stated he would like Mayor Hendrix to take into consideration looking into the issues with Citizen Elizabeth Jefferson. Mayor Hendrix stated she would. Vice

Mayor Huggins also discussed Commissioner Redman and the great job she has done, especially with Farm Share. Vice Mayor Huggins discussed the comments and post that was made about Farm Share on Facebook, and we need to consider how we speak when dealing with people and indifferences. Mayor Hendrix stated that she has volunteered in Farm Share (not recently), and she hears and sees a lot of the hardships and appreciations for what we are doing, and she seen the comments on Facebook about the food being handed out. Mayor Hendrix stated they are trying to find out who is over this program before the city gets involved.

City Attorney Maines stated he is a little bit confused by the conversation because it is his understanding that the city IS NOT over this program. If Commissioners Volunteer to be a part of the Farm Share it is still not a part of city business. Vice Mayor Huggins stated he felt that being a part of the Commission that we should present ourselves as such, we represent the city.

Vice Mayor Huggins spoke to the board about an incident that happened to him by his neighbor who has been cited for improper parking of cars. Vice Mayor Huggins stated that a confrontation happened over the citations and vehicles towed between him and his neighbor because the neighbor blamed him. Vice Mayor Huggins stated that his neighbor cursed him, made racial slurs and came on his property. Vice Mayor Huggins stated Law Enforcement was called. Vice Mayor Huggins stated that because he was doing his job and reporting the violations this happened and what are we going to do when this happens to the Mayor, City Attorney, or the City Manager because they are doing their job and somebody else can’t get what they want. Are we going to do anything about it. Mayor Hendrix stated that this is civil, and the board cannot get involved in this. Mayor Hendrix stated as Commissioners we do not get involved in this, we would have to record it and get Code Enforcement involved. It must go through the Sheriff’s Office regardless of the title we carry we have to let Law Enforcement handle this. We as the board have no recourse regardless of our titles. Maybe in another meeting discuss Florida Statues and Laws on his business and the nuisance this business is creating.

Commissioner Sirmones stated to Vice Mayor Huggins this is a Law Enforcement issue and not a board issue. Walk away and call the law.

Vice Mayor Huggins stated he just wants to remind the board trying to do the right thing and do your job there are people that really get mad. Mayor Hendrix stated that this is civil and there is nothing this board can do.

Mayor Hendrix

Stated she wants to thank all the City Staff for the long hours and hard work between the Hurricane Debby and the audits. Mayor Hendrix stated she has ridden by and seen the staff’s cars at City Hall late and over the weekend. Mayor Hendrix stated she wanted to show her appreciation through certificates for lunch. Mayor Hendrix stated she was very thankful to everyone.

1. Meeting Adjournment

A motion to adjourn the meeting was made by Vice Mayor Huggins. Motion seconded by Commissioner Stephenson. Unanimous approval.

Meeting Adjourned at 8:20 pm.