



REGULAR CITY COMMISSION MEETING MINUTES

December 17, 2024

6:00PM

City of Lake Butler

200 SW 1st Street

Lake Butler, Florida 32054

AGENDA

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

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

In Attendance:

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

Absent: Commissioner Sirmones

City Staff – City Manager Hayes, City Attorney Maines, Finance Director Mecusker, Administrative Assistant Page

Opening Prayer was led by Commissioner Redman.

Pledge of Allegiance was led by Mayor Hendrix.

a. Admin Content

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

2. **Approval of The Agenda Format.**

a. Motion to approve the agenda format.

Motion to approve the agenda format was made by Commissioner Redman. Motion seconded by Commissioner Stephenson. Unanimous approval. Motion passed 4-0.

3. 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.

Mayor Hendrix opened the floor to public comments.

Leonard Watkins
210 SE 6th Avenue

Mr. Watkins asked about the City's zoning in the neighborhood he resides in. Mr. Watkins referenced the mobile homes within the City, and is asking the Commission for more clarification on the zoning regarding the placement of mobile homes. Mr. Watkins referenced that his understanding on the current zoning regulation that when replacing a mobile home, the timeframe in which to replace it is 6 months, and stated that some people may not have the funds available to replace that home in 6 months. Mr. Watkins stated that if the mobile home is not replaced within 6 months, then the mobile home cannot be replaced. Mr. Watkins states that 6 months is not enough time to clean up the mobile home and replace it within the 6 month timeframe. Mr. Watkins stated that he has inherited property from parents, grandparents, and that with the current zoning, he is unable to do anything with his property. Mr. Watkins stated that the rezoning is unfair. Mayor Hendrix clarified to Mr. Watkins that the zoning in that area has not been changed since the 90's. It is not anything that is recent. City Attorney Maines stated that the 6 month timeframe Mr. Watkins is referencing is a city-wide applicable rule. Mr. Watkins confirmed with the board that it is city-wide, and reiterates that it is not enough time. City Attorney Maines stated he is not aware of a casualty in which a person was unable to replace a mobile home in the 30 years that this rule has been in effect. Mr. Watkins stated that he recently learned this rule. City Attorney Maines stated that he is not aware of any issue throughout the City that occurred because of this rule. City Attorney Maines explained that the purpose of the law is to reduce the population of mobile homes within the City. Maines stated that the concern is real, but he is unsure and unaware that this has happened, and that this rule has been on the books for over 30 years. Mr. Maines stated that he knows multiple families that have had mobile homes and the mobile homes have gotten moved and they were unable to replace them. Mr. Watkins asked if the City can prolong the time, and Mr. Maines clarified that it would probably not be a indefinite thing but with a casualty, it might be considered differently due to the situation of the casualty, but that is the current rule. Mayor Hendrix suggested an extension in the circumstances of a casualty. Mr. Maines explained that what the Board can do is a text amendment in the event of a casualty, in which the rendering of the home is unusable, or it is urgently necessary to replace a home, that the timeframe can be extended from 6 months to 12 months. Mr. Maines stated that doing a text amendment for an event that might happen could create a problem in the future, and stated that the rule could be modified in the event of a casualty, and that would be the rule moving forward.

Mr. Watkins explained the reason that he brought this to the Board is because the current verbiage of the rule is plain, and generally states if you do not replace the mobile home within 6 months, then you are unable to replace it, and Mr. Maines did confirm that that is the current rule.

Mr. Maines stated that that is the rule, but the rule could be modified in the event of a casualty that a person suffered.

Deidra Oliver
527 SW 14th Street

Clarified that with what was said during the previous discussion about the zoning that has not been changed, and Mayor Hendrix confirmed that there was no change to the zoning in that area since the 90's and states that it is RSF-1. Ms. Oliver said "So there's no mobile homes that have been put there since the 90's? Mayor Hendrix stated that she is unable to answer whether a mobile home has been placed in that area or not, and Ms. Oliver asked City Manager Hayes if she knew, and City Manager Hayes stated she was not sure, and she did not live in the City and is not sure. Mayor Hendrix stated that if a person has placed a mobile home on that property and did not go through the proper permitting process, than the City would not know. Ms. Oliver stated that the mobile homes are connected to the City's water and sewer system. Mayor Hendrix clarified to Ms. Oliver that the City does not go and check if they have permits for the mobile

home to have water and sewer. Ms. Oliver stated that anybody can place whatever they want, and Mayor Hendrix did not respond and moved forward with the conversation, and Ms. Oliver said she is just wanting clarification and asked who would know if anybody has brought in a mobile home in that area since the 90's. Mayor Hendrix stated it would have to be researched and reported back after research has been done. Ms. Oliver stated that she knows that mobile homes have been brought in since the 90's and are connected to city water, and stated that the City knew they were brought in, and is unsure why all of a sudden it is a big issue. Mayor Hendrix reiterated that research will have to be done. City Attorney Maines clarified that if anyone has any information about any mobile homes that have been placed since the 90's, they can provide that information to the City Manager to research and investigate, and City Manager Hayes clarified that action can be taken if they did not go through the proper process of permitting and following the right channels. Ms. Oliver asked Mr. Maines to repeat what he said. Mr. Maines reiterated that if anyone has any information about any mobile homes that have been placed since the 90's, they can provide that information to the City Manager to research and investigate. Ms. Oliver stated that she does not work for the City, and that is not her job to provide that information to the City. City Manager Hayes stated that she will look into this matter further. Commissioner Stephenson asked Ms. Oliver if the mobile homes in question were replacing existing mobile homes, and Ms. Oliver answered no. Mayor Hendrix clarified that building permits are not issued by the City, but that the County issues permits, and that this matter would be further researched. Ms. Oliver asked if the County checks the zoning, or if they just let a person put a mobile home on the property, and Mayor Hendrix clarified that they do check the zoning, and referenced that the County checks with the City first before issuing a permit on the zoning of the property and stated that what the City will do is check every single parcel in the area that Ms. Oliver is referring to and check with the County to see if they pulled the appropriate permits to put the mobile homes on the property. Ms. Oliver said that the City can check the whole town, and Mayor Hendrix clarified that the neighborhood Ms. Oliver is bringing up will be what is first researched, and that the City will start in one area. Ms. Oliver referenced that the paper that was given out at the last meeting has single family homes and mobile homes as well, and are wrong, and Mayor Hendrix stated it would be reviewed, and if any documentation is incorrect, that the City would get with the Planning and Zoning Board and Ms. Sandra.

April Watkins
210 SE 6th Avenue

Ms. Watkins asked the Board how the City can take a piece of property that someone pays taxes on and deem it commercial without the property owner's knowledge, and stated that people are paying taxes on it and are unaware of the rezoning without knowing this information. Mayor Hendrix clarified that there is a section in that area that is zoned commercial, but was rezoned in the 90's and when that happened and you already had a home, and once a piece of property in that area is sold, the property is then zoned Commercial, and you cannot have a house on the property, and if there is an existing home, then it would be considered residential for the current property owners, and asked Mr. Maines for clarification. Mr. Maines clarified that the use may be able to be continued as Residential. Mayor Hendrix stated that she is aware of the area Ms. Watkins is referencing over by the EMS building and Car Wash and explained that the same circumstance is on SR 100 as well, and Mr. Maines referenced the multiple homes on SR 100 that are in a Commercial zone, but were they are being considered residential due to having the homes there before the zoning was adopted in the 90's. Ms. Watkins asked if there was any sort of notification that was sent out to the property owners that if they ever move off the property, that the property would no longer be Homestead, but Commercial, and Mr. Maines stated that it would be able to be continued as Residential. Ms. Watkins stated that as far as she is aware, nobody is aware of this circumstance and stated that there should be some type of notification sent to the citizens informing them of this matter. Mayor Hendrix stated that most likely back in the 90's before this zoning took place, there would have been hearings, and referenced that as far as today's procedures, there are hearings that take place before any piece of property is rezoned

and stated that there were postings, hearings, and meetings would have taken place and that the entire City's rezoning was a directive from Tallahassee. Ms. Watkins asked if the situation is that the people who own these properties are stuck, and Mayor Hendrix clarified that Mr. Maines believes that it would be able to be continued as Residential use but Mayor Hendrix's understanding is that once a parcel is sold, then the zone is transferred to Commercial. Ms. Watkins asked how we can check this to see if it has changed and what the rule is. Mr. Maines stated that it can be reviewed. City Manager Hayes stated that the City can contact Sandra about this and let Ms. Watkins know.

Mayor Hendrix asked if there were any more public comments.
Mayor Hendrix closed the floor to public comments.

4. Approval of Consent Agenda

- a. Meeting Minutes from 11-19-2024
- b. Code Enforcement Report November 2024.
- c. November 2024 WEX Invoice, activity report, and vehicle logs
- d. Animal Control Logs for November 2024.

Motion to approve the consent agenda was made by Commissioner Redman. Motion was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 4-0.

5. Approval of Project Architect Agreement between City of Lake Butler and MLD Architects for Townsend Building Preservation Project

Mayor Hendrix referred to City Manager Hayes to explain this project agreement. City Manager Hayes explained that this is the grant that is being managed by Doug Sanders with Andy Easton & Associates for the replacement of the Townsend Building roof and windows, and stated that this is the 3rd go-around due to issues with the previously approved architect and stated that he lost all of his property up in Tennessee due to the storm that destroyed a significant portion of Tennessee. City Manager Hayes stated that another architect has put in a bid and has been awarded the bid, and with the Board's approval of the agreement, we hope to get the process started with replacing the roof and windows.

Commissioner Stephenson clarified by asking if the Board is approving to change the architect. City Manager Hayes clarified that this is a new change for a new architect.

Motion to approve the Project Architect Agreement between City of Lake Butler and MLD Architects for Townsend Building Preservation Project was made by Commissioner Stephenson. Motion was seconded by Commissioner Redman. Unanimous approval. Motion passed 4-0.

6. Approval of Resolution No. 2024-20 for adoption of Union County Comprehensive Emergency Management Plan (CEMP)

Mayor Hendrix referred to City Manager Hayes to explain this Resolution. City Manager Hayes explains that this Resolution is for the Emergency Management that the City works with the County, and in order to work with them during emergencies and to receive funding from FEMA for emergency situations, this Resolution is required in order to be able to receive federal assistance and stated that the City is working on the paperwork for Hurricane Debby and Hurricane Helene.

Motion to approve Resolution No. 2024-20 to be read by title only was made by

Commissioner Stephenson. Title read by City Attorney Maines. Motion seconded by Commissioner Redman. Unanimous approval. Motion passed 4-0.

7. Discussion on Withdrawal of Land Development Regulations Amendment and Comprehensive Plan Amendment Application for the 45 subject parcels in the RSF-1 zone in the Southeast section of the City of Lake Butler

Mayor Hendrix stated that this agenda item was at the request of Vice-Mayor Huggins and referred to him. Vice-Mayor Huggins explained that at last month's meeting, he was feeling under the weather and just wanted to discuss the withdrawal of the application. Vice-Mayor Huggins asked what the form was that was presented last month. Mayor Hendrix clarified that this form is the list of the 45 parcels that Vice-Mayor Huggins had put in the request for to have rezoned. Vice Mayor Huggins asked if anyone spoke to anyone on the list about the rezoning, and referenced that Commissioner Stephenson had asked about this, and asked if we talked to any of the residents. Mayor Hendrix stated that it was her understanding that we would not talk to any of the residents, and that if the persons that wanted to have it rezoned, and that if the City did talk to anyone, that City Attorney Maines urged us to track all communications with any residents about the rezoning, the date, and specifics. Vice Mayor Huggins expressed that his concern if anybody has spoke with anyone and stated that a lot of people listed on the form are deceased. City Attorney Maines stated that the Property Appraiser's Office houses these records and stated that their website is where the information was derived from and that if the property has not been transferred to the heirs, than the Property Appraiser's office would not know who would be the person inheriting the property of the deceased, and the record will reflect the deceased person until such an event took place. Vice Mayor Huggins referenced the vote that passed to withdrawal the application, and if at the end, during his comments and remarks, he could let the citizens know that he has been in contact with some homebuilders and that if they wanted to reach out to him, he has some information to share about stick-built homes versus modular homes, and the life span of stick-built homes. Mayor Hendrix stated that there are some organizations that assist with funding of new homes and constructions, and that she would get the information together to share with the citizens and said she was thinking to reach out to Habitat from Humanity, and said that at the end, he will be able to speak on this matter further.

8. City Manager Reports - City Manager, Kimberly Hayes

Report Item #1:

City Manager Hayes explained that a photo has been provided to each board member of the front of the Community Center, and stated that she had a meeting with Ms. Harriett Maines about the name being placed back on the right side of the front door instead of its current location, and referenced that apparently years ago, the name of the building was located on the right side of the double doors and requested from the Commission that the name be placed back on the building where it was in the original gold lettering that it was like before and she told Ms. Maines she would bring this to the Commission for their consideration. Mayor Hendrix referenced that this gold lettering was on there before the fire that took place, and when the building was restored, the former City Manager had the gold lettering taken off the building and put it where it is now. Mayor Hendrix stated that there is a still a plaque on the inside of the building and that the lettering was replaced. Commissioner Stephenson asked if the letters on the building now are moveable and if they are steel or plastic, and City Manager Hayes said they were made of some sort of steel and stated that she wants the name where it is at now and the gold lettering put beside the double doors as well. Mayor Hendrix stated that she does not think it is a good use of tax dollars to put back the gold lettering.

she does not think it is a good use of tax dollars to put back the gold lettering. Commissioner Redman expressed that her concern is that the current name is very visible and looks good, and she remembers it being on the side, but this stands out and looks good to me. Commissioner Stephenson asked again if the letters can be moved and Mayor Hendrix answered that moving the letters is not what Ms. Maines has asked, she wants it in different places. Commissioner Stephenson asked if this was just an item for discussion, City Manager Hayes confirmed yes, and Commissioner Stephenson stated that the board had discussed this, and the board's consensus was to leave the name as it stands now.

Report Item #2:

City Manager Hayes referenced the request to put the Green name back on the Townsend Building, and explained that the previous City Manager's regime, the Green name was removed from the building, Finance Director Dave Mecusker stated it was under Former City Manager Walker's regime, and that the request had been made to put the name back on the building. Mr. Mecusker explained that the building was originally owned by the Green Family, and when they donated the building to the City, it was the shared understanding that the building would be named the Townsend-Green Building. A grant was obtained by the State for \$2 million and all records of the building say "Townsend-Green" and when Former City Manager Walker put the new lettering of the building, they left the Green name off. Mayor Hendrix asked why he took the name off, and City Manager Hayes explained that the building just says Townsend Building, and Mr. Mecusker said that now that the building just says Townsend Building, the Green Family is upset due to this change that was made by the former City Manager and stated that it would not be an issue to add back the name.

Motion to put the Green name back on the Townsend Building to restore its name to reflect Townsend-Green Building was made by Commissioner Redman. Motion was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 4-0.

Report Item #3:

City Manager Hayes provided an update to the Board on the FRDAP grant for Lakeside Park and Splash Park Improvements for \$200,000, and informed the board that the City was unfortunately denied the grant. City Manager Hayes explained Mr. Andy Easton reached out and explained that there was a title that was placed on one document and not the other document, and that the State was extremely strict on this grant and its paperwork associated with it and so the grant application was denied due to a technicality. City Manager Hayes said that the City will reapply next year for the FRDAP grant with the added information.

Report Item #4:

City Manager Hayes provided an update to the Board on the Rural Infrastructure Grant for \$250,000 and informed the board that the City was also unfortunately denied for this grant. Mayor Hendrix referenced that this grant was for the water tank, with the additional funding that the City needed to come up with due to the cost increase of the project. City Manager Hayes explained that this grant was applied for by 93 other cities/counties, and we were denied, but Mittauer said that we could go after other grant funding. Mayor Hendrix expressed her concern that with the additional funding needed, when the bids are opened by City staff on Friday (12/20/2024) and there is an overage, the City will have to come up with the difference and will have to figure out where the money will come from.

Report Item #5:

City Manager Hayes provided an update to the Board on the FDOT SCOP Grant for

repaving of SW 8th Place, SW 1st Drive, SE 7th Street and SE 3rd Street, stated that she has been working on this project for several months. City Manager Hayes stated that the issue with this project is not the grant because the City was awarded the grant, but the problem is with SE 3rd Street and SW 8th Place, when the surveyors looked at the property years ago, the road actually according to the surveys would encroach right into The Watkins family's yard and right up to their house where the new road should go. City Manager Hayes said what we had to do was have everything re-surveyed, and when that was provided to the engineers, the engineers stated that the City must make contact with the property owners to make sure this situation is okay, and then if they are in agreement with the conditions of the new road project, than this road has to be maintained for 10 years in order for us to remain eligible for this project and grant, and we change the name to be a maintained survey with the Board's approval. Mayor Hendrix asked about the remaining section of property not used by the new road, and asked if down the road, if the road is shifted over, should the City do something about putting something in place to make sure that this does not cause future issues for the property owners and City Manager Hayes stated that she is working with the surveyors and engineers on this issue.

Report Item #6:

City Manager Hayes provided an update to the Board on the appraisal of the old Public Works Property by Mr. Donald Lee Hardenbrook. Stated that the appraisal was supposed to be ready on Monday but Mr. Hardenbrook fell off a ladder and she referred to Public Works Director Sam Norris if Mr. Hardenbrook has met with him yet, and Public Works Director Sam Norris stated that he met with him today and City Manager Hayes stated that next month, the appraisal should be ready to present to the board.

Report Item #7:

City Manager Hayes provided a reminder to the board for donations for door prizes for the Northeast Florida League of Cities (NEFLC) Christmas Dinner on December 19, 2024. Commissioner Redman asked how many door prizes we had, and City Manager Hayes answered that we had a few but not too many, and that we had approximately 25 door prizes and the board collectively agreed that what we had is enough door prizes.

City Manager Hayes reminded the board for Rural Counties Days, stated she sent the board members an email and if anyone is interested in attending the event at the Capitol in Tallahassee on March 19 – 20, 2025 to let us know and wishes everyone a Merry Christmas.

9. Reports from Finance Department – Dave Mecusker

Finance Director Dave Mecusker provides the monthly financial report for the period October 1, 2024 to November 30, 2024.

Motion to approve the financial report for the period October 1, 2024, to November 30, 2024 was made by Commissioner Redman. Motion was seconded by Vice Mayor Huggins. Unanimous approval. Motion passed 4-0.

10. Report of City Attorney – John Maines

City Attorney Maines explained that the original agenda tonight had the Board reviewing RFQs and he advises that RFQs, RFPs, bids should be reviewed by City staff and recommends the board set a precedent for this moving forward to defer to City staff. Mayor Hendrix asked if a policy needs to be made, and Mr. Maines stated that a policy could be made. Vice Mayor Huggins asked if the board is unable to see the bids

until City Manager Hayes brings the bids to the board, and Mr. Maines clarified that the board can see the bids at any time after they have been opened by City staff, and all documents can be requested and read by the board prior to it being brought to the Commission meeting and that it is all public record, and that this is only seeing the City Manager and staff to be the ones to open, grade, and provide a recommendation from the bids to be presented to the Board. Mayor Hendrix asked if the Board was in agreement to have the City Manager draft a policy, and the overall consensus was to create a policy to be presented to the board for review and approval.

11. Comments or Remarks by Commission

Mayor Hendrix referenced that it was not reflected and entered into the record that Commissioner Sirmones was absent, and requested it be entered into the record to reflect that Commissioner Sirmones is absent.

Commissioner Sirmones - Absent

Vice Mayor Huggins – Happy Holidays to everybody. Vice Mayor Huggins would like to inform the board and citizens that he did some research on some homebuilders, referenced America's Home Place who has built a lot of homes in the area, and stated that when he did the comps, the comps were made to compare modular homes and was unsure if modular homes are permitted due to them being placed on a slab and Mayor Hendrix confirmed that yes, they are permitted. Vice Mayor Huggins stated that America's Home Place's price points are a bit cheaper than most modular homes, and Clayton Homes builds modular homes, and there are manufacturers in Lake City, and if anyone wants to reach out to him for more information via email they are welcome to do so, but did state that modular homes are more expensive. Vice Mayor Huggins did state that both manufacturers do have financing available for new homes. Vice Mayor Huggins did state that the size of the home will be a factor on determining the price, as well as the lot size and to comply with the regulations, you must ensure that the home will fit with the lot requirements. Vice Mayor Huggins stated that he will do more research and will continue to look into this matter. Vice Mayor Huggins stated that if anyone wants to reach out, his email is on the website, to reach out with any questions they have. Vice Mayor Huggins explained that the companies will ask you what size home you want, what size lot you have and will contact the City for the zoning and requirements, and stated that not being able to place a mobile home on your property cannot stop us from moving forward. Vice Mayor Huggins thanks the citizens for bringing him their concerns and thanks the Board for the opportunity to serve on the Board, and thanks Finance Director Dave Mecusker for the financial reports and explanations on the City's financial situation. Vice Mayor Huggins stated that he still owes the Public Works Department lunch from working during the storms that came through this year.

Commissioner Redman – Merry Christmas.

Commissioner Stephenson – Had the pleasure of being in the Christmas Parade, and was so happy to see the entire community come out and watch the Parade, and came from far and wide to watch the parade, and the number of people watching the Parade was truly outstanding. Stated he spoke with City Manager Hayes and Mrs. Hayes has ideas to make the Parade bigger and better. Stated that the City's lighting condition is poor. The lighting need to be better and brighter and City Manager Hayes said she spoke with Doug Sanders about getting some better and brighter lighting on Main Street and Lake Avenue.

Mayor Hendrix – Referenced the Toy Giveaway at the Community Center following the Christmas Parade. Stated this was the 2nd year giving away toys. 700 toys were given away, and Andrews Site Prep donated over \$10,000 in various different kinds of toys for the kids for Christmas and that she helped with the preparation and shopping of the gifts, and that the money that will be given to the 1st Place, 2nd Place and 3rd Place winners was donated by an anonymous donor and that 1st Place will receive \$200.00, 2nd Place will receive \$150.00, and 3rd Place will receive \$100.00 and they will be presented at next month's meeting. Mayor Hendrix suggested the idea of providing a certificate or plaque of appreciation to the Andrews Family for their donations for attempting to restore the splash park, as well as the toy giveaway and wishes to continue with the toy giveaway. The board's consensus was to present Andrews Site Prep with a plaque of appreciation. Mayor Hendrix concludes her remarks by wishing everyone a Merry Christmas.

Commissioner Redman reminded everyone that Thursday, December 19, 2024 is Early Release and that the kids would be out of school until Tuesday, January 7, 2025.

12. Meeting Adjournment

Motion to adjourn the meeting was made by Commissioner Redman. Motion was seconded by Vice Mayor Huggins. Unanimous approval. Motion passed 4-0.

Meeting was adjourned at 7:04pm.