

## Regular City Commission Meeting (Tuesday, December 20, 2022)

Generated by Amanda Brown on Tuesday, December 20, 2022

### A. MEETING OPENER

Procedural: 1. Call To Order - Roll Call

- Meeting called to order by Mayor Redman at 6:00 PM.
- Present: Commissioner Sirmones, Vice Mayor Stegall, Commissioner Hendrix, Mayor Redman, Attorney Maines, City Manager Walker

Procedural: 2. Opening Prayer

- Opening prayer led by Mayor Redman.

Procedural: 3. Pledge of Allegiance

- Pledge of Allegiance led by Mayor Redman.

Action: 4. Approval of The Agenda Format

Recommended Action: Motion to approve the agenda format.

- **Motion to approve the agenda format was made by Vice Mayor Stegall and seconded by Commissioner Hendrix.**
- **Unanimous Approval**

### B. CITIZEN INPUT

Information: 1. Provision for Citizen Input

- Provision for citizen input read by Mayor Redman.
- Cindy North, 290 NE 1st Ave, Lake Butler, FL
  - During clean-up month, many items were not collected. There was an issue with items not being positioned near the road for pickup. Things are still there from October.
  - Would like a paper for regulations for yard waste for new citizens.
  - Commissioner Hendrix commented that they had reported this issue as well.
  - There are two metal posts in front of Mr. Walker's house left over from the Christmas parade that Ms. North would like collected.
- Rondoll Huggins, 640 SE 4th St. Lake Butler, FL
  - The Christmas lights on Main Street look good.
  - Flower beds on Main Street are left to go to seed and are an eyesore.
  - Children are driving around town on golf carts and causing a safety issue. If they run the stop sign by Fletcher Meyers, they could be injured since there is no railing along the ditch line. Would it be possible to put a safety barrier there?
  - Requested Code Enforcement follow-up in his neighborhood. Some neighbors are leaving cars on the roadside and in the ditch.
- Norma Jean Cornett, 245 N Lake Ave, Lake Butler, FL
  - Would like to request speed bumps on Lake Avenue and that the noise ordinance be enforced better. Kids are breaking bottles in the park in the evenings.
    - Mr. Maines responded that speed bumps slow emergency vehicles and Lake Avenue is a town thoroughfare. If DoT standards are not perfectly followed and there was an issue with emergency vehicles, the City could be held liable. There is information on speed tables but they have their own issues. He suggests Captain Williams with Code Enforcement be notified.

### C. AGENDA ITEM NUMBER

Action (Consent), Minutes: 1. Consent Agenda

- Vehicle logs were previously included in the Consent Agenda and the Commission would like them included in the future.
- **Motion to approve the consent agenda in one motion and to add the vehicle logs to the consent agenda in the future was made by Commissioner Hendrix and seconded by Vice Mayor Stegall.**
- **Unanimous Approval**

Action, Reports: 2. Financial Reporting for the Period Ending November 30, 2022

- Financial Report was presented by Finance Director, John Sapp.
  - The General, Solid Waste, and Redevelopment accounts saw net increases while the other accounts had net decreases.
  - The new wastewater treatment plant caused the greatest expenses to come from the Wastewater account.
- Commissioner Hendrix brought up concerns that some financial items are reading negative balances and that the 2021-2022 year budget had overage. They requested the commission hold a special meeting in January to discuss the previous and current fiscal year budgets.
- **Motion to approve the financial report for October 1, 2022, through November 30, 2022, and to hold a Special Commission Meeting on January 9, 2023, regarding the 2021-2022 and 2022-2023 fiscal year budgets was made by Commissioner Hendrix and seconded by Commissioner Sirmones.**
- **Unanimous Approval**
- A special commission meeting will be held Monday, January 9, 2023, at 6:00 PM to discuss the 2021-2022 and 2022-2023 annual budgets.

Action: 3. Mainstreet Display Contest Winners

- Mayor Redman presented the awards to all three winners. Each received a certificate, a cash prize, and the next year's occupational license for free.
  - 3rd Place with a \$100 prize was Terry's Florals;
  - 2nd Place with a \$300 prize was Lake Butler Hospital;
  - 1st Place with a \$500 prize was Simply Blessed.
- LB Hospital was not present to receive their award so staff will mail it to them.

Action: 4. Engineering Contract

- This item was skipped due to it being a duplicate of Action Item 7.

Action: 5. Engineering Services Agreement

- Greg Lang, with Mittauer and Associates, addressed the Commission. This grant with the Florida Department of Environmental Protection and the plan has been approved by FDEP.
- **Motion to approve the engineering services agreement with Mittauer and Associates for the design, bid administration, construction administration, and project management for the Wastewater Treatment Facility phases three through five of FDEP agreement number WG088 was made by Vice Mayor Stegall and seconded by Commissioner Hendrix.**
- **Unanimous Approval**

Action: 6. Engineering Services Agreement - ARPA

Recommended Action:

- Greg Lang, with Mittauer and Associates, addressed the Commission to explain that this agreement is to use American Rescue Plan Act Funds to address out-of-compliance issues with the current wastewater system.
- **Motion to approve the engineering services agreement with Mittauer and Associates for the design and construction phase of the lift station replacement was made by Commissioner Hendrix and seconded by Vice Mayor Stegall.**

- **Unanimous Approval.**

Action: 7. Engineering Services Agreement - CDBG

- Greg Lang once again addressed the Commission to explain that this grant came about after multiple storms damaged the City. They applied for grants to help with these issues. He thanked former Mayor Jack Schenck for taking photos and receiving the grant from Governor DeSantis.
- **Motion to approve the Engineering Services Agreement with Mittauer and Associates for the design and construction phase of the replacement of the master lift station and installation of emergency generators at four lift stations was made by Vice Mayor Stegall and seconded by Commissioner Hendrix.**
- **Unanimous Approval**

Action: 8. RFP Grant Administration

- Greg Lang confirmed to the Commission that \$245,900 is the amount allocated for grant administration within the grant. This grant requires the City to have professional administration. Fred Fox Enterprises is an excellent and highly reputable administration company that Mittauer and Associates has worked with before.
- Melissa Fox was present as well in case the Commission had any questions.
- **Motion to approve the Grant Administration from Fred Fox Enterprises for \$245,900 was made by Commissioner Hendrix and seconded by Commissioner Sirmones.**
- **Unanimous Approval**
- **Motion to approve the cost analysis and work plan from Mittauer and Associates was made by Commissioner Hendrix and seconded by Commissioner Sirmones.**
- **Unanimous Approval**

Information: 9. Longevity

- Mayor Redman thanked each employee for their years of service and presented them with a certificate and a check for an amount based on their longevity.
  - Alonzo Stewart, 21 years
  - Cody Douglas, 14 years
  - Willie Henderson, 10 years
  - Mathew Kelley, 8 years
  - Dale Walker, 4 years

Information: 10. Annual Employee Survey

- Mr. Walker presented the results of the employee survey and commended City staff on their hard work this past year.

Action: 11. Tabled Item - 2023-2024 Personnel Policy Section II, Article 10.0

Recommended Action: Motion to approve Section II, Article 10.0 of the 2023-2024 Personnel Policy.

- The Commission discussed whether the budget could support paying 100% tuition for employees who pursue a college degree and the impact that the early payout of sick leave would have on the City. Concerns about paying tuition upfront instead of reimbursement once courses are completed were brought up. The Commission agreed that certifications and the classes to obtain them had been paid by the City for employees previously.
- Mr. Maines reminded the Commission that the item on the agenda was only the early payout of sick leave from the Personnel Policy that was previously tabled by Commissioner Sirmones
- **Motion to table the current item and place a moratorium on the Education section of the 2023-2024 Personnel Policy was made by Commissioner Sirmones and seconded by Vice Mayor Stegall.**
- **Unanimous Approval**

Information: 12. Statistics from Florida Department of Revenue

- Information-only report presented to the Commission with statistical observations from the Department of Revenue.

Action: 13. Hotel

Recommended Action: Motion to approve

- There is a hotel interested in coming to Lake Butler with the requirement that the City have a feasibility study conducted. Core Distinction Group, LLC is currently performing the study to make its report. RMC has been contacted as part of the study to include its impact. Half the cost of the study has been paid and the contract signed.
- Concern was raised regarding the contract being signed and payment made without full Commission approval.
- Mayor Redman passed the gavel to Vice Mayor Stegall.
- **Motion to approve the feasibility study and report with Core Distinction Group, LLC for \$12,500 was made by Mayor Redman and seconded by Commissioner Sirmones.**
- **In Favor: Mayor Redman, Commissioner Sirmones, and Commissioner Stegall**
- **Opposed: Commissioner Hendrix**
- **Motion Approved**

Information: 14. Annual Report for the Historical Preservation Board

- Information-only report of the Historical Preservation board submitted to the State of Florida Historical Resources for the Certified Local Government Program.

Information: 15. Distinguished Budget Award

- This is the fourth consecutive year that this has been earned by the City.
- The cost associated with the submission of the award is approximately \$100.

Information: 16. Monthly Progress Report - CDBG-MIT Grant

- The monthly engineering progress report to the state for the CDBG-MIT Grant. This is to show the grant that has been issued to the City has had no funds received yet. The grant administrator contract was awarded during the meeting.

Information: 17. Monthly Progress Report from Engineers

- Information-only report submitted to DEO for the Wastewater Treatment Plant.

Information: 18. Equipment Grant - USDA

- The City was awarded a Community Facilities Grant from USDA for \$154,950. The City will have a local match cost of \$51,651 which will be paid by the Wastewater Fund.
- The equipment approved was a skid steer and a TRUVAC machine. The skid steer and attachments have already arrived at Public Works. The TRUVAC is scheduled to arrive in February 2023.

Information: 19. Wastewater Grants

- The Florida Department of Environmental Protection grant program awards for the fiscal year 2021-2022 show the City of Lake Butler having received one of the largest grants in the state for the new wastewater treatment plant. This is also the largest grant ever received by the City.

Information: 20. Commission Seat

- The Union County Supervisor of Elections provided information regarding holding a special election to fill the Commission vacancy.
  - The cost is estimated to be \$3,000 to \$4,000.

- The election would be held around the third week in March 2023, or the fourth Tuesday of that month.
- The Commission can appoint a candidate to fill the seat for the remainder of the term. This would allow the seat to be filled by February 2023 and would not incur the cost of an election.
- **Motion to have a special election to fill the commission vacancy was made by Vice Mayor Stegall and seconded by Commissioner Hendrix.**
- **In favor: Vice Mayor Stegall, Mayor Redman, and Commissioner Hendrix.**
- **Opposed: Commissioner Sirmones**
- **Motion Approved**

Discussion: 21. Reinstatement of Two Signatures for Checking and Savings Accounts

- In 2020, the requirement for a second signature on checks was removed due to issues faced at the time. There are still checks and balances within City Hall procedure for payments. It is suggested to reinstate the two-signature requirement for checks issues from the City as an additional measure.
- **Motion to reinstate a two-signature check requirement was made by Commissioner Hendrix and seconded by Commissioner Sirmones.**
- **Unanimous Approval**

Discussion: 22. Interlocal Agreement: Proposed Modification

- The Interlocal Agreement with Union County to provide emergency services to the City was not completed when former Mayor Schenck resigned. Union County is in agreement to accept the Interlocal Agreement in its unmodified form.
- Union County Commissioner Ryan Perez of 400 NE 8th Ave, Lake Butler, Florida, addressed the Commission.
  - When the City and the County wanted to renegotiate the agreement terms, the process started and was paused when the Union County Clerk had Covid. He recommended that the City adopting the agreement with identical terms would benefit the City for now and negotiations could be restarted in the new year.
  - Attorney, Mr. Maines agreed that the terms can be negotiated without terminating the agreement. This would allow the city to address the Fire Department and emergency services and work with other language that needs to be adjusted or removed. Since essential and emergency services are required to be provided by municipalities, Mr. Maines recommended that the Commission accept Union County's offer and direct the attorney to draft an agreement for the January 2023 meeting.
- **Motion to approve the unmodified Interlocal Agreement with Union County was made by Vice Mayor Stegall and Seconded by Commissioner Hendrix.**
- **Unanimous Approval**

Discussion: 23. Mowing Agreement

- A mowing agreement was removed from the previous agenda. The mowing agreement that we have has a potential conflict of interest with an employee.
- Mr. Maines would like to ensure there was no flaw in the bidding process and make sure there were no other issues. He recommended the issue be tabled until it can be researched. Sealed bids are suggested and the Bid policy may need to be reviewed.
- The original agreement is month-to-month and can be terminated immediately if requested.
- **Motion to terminate the current mowing agreement was made by Commissioner Hendrix and seconded by Vice Mayor Stegall.**
- **Unanimous Approval**

Discussion: 24. Waste Disposal Agreement

- A septic disposal agreement was made with a plumbing company to be able to dump up to 4,000 gallons of wastewater in the manhole by the old wastewater treatment plant.

- There are concerns that the company has been dumping excessive amounts beyond the original agreement and the question of if there was a date for the termination of that agreement.
- The attorney was sent a letter from a person who wanted to dump and was told that they were not able to do this at this time.
- A letter to terminate wastewater disposal will be sent to Phillip Macdonald Plumbing and it was suggested to post a no-trespassing sign.
- Other companies have expressed interest in being able to dump within the city once the new Wastewater Treatment Plant is completed.

#### D. REPORT OF CITY ATTORNEY

- Mr. Maines explained to the Commission that when they are copied on emails or in group emails with other Commissioners they do not "reply all" because that can violate Florida's Sunshine Laws. He requested that they only reply to the person who sent the information.

#### E. REPORT OF CITY MANAGER

##### Information: 1. City Manager's Report

- Mr. Walker provided his report to the Commission.

#### F. COMMENTS OR REMARKS BY COMMISSION

- Commissioner Hendrix: Merry Christmas to everyone and she is looking forward to the City Christmas luncheon.
- Vice Mayor Stegall: Merry Christmas and thank you to all the people who came out.
- Mayor Redman: The December Farmshare served 299 families and the next Farmshare will be on January 14, 2023. The commission would like to do the right thing for the citizens of Lake Butler and she appreciates the people coming out and discussing information. Mayor Redman added that the Commission would like to make a good future for those that will live in Lake Butler after they're gone. Merry Christmas.

#### G. ADJOURNMENT

##### Action: 1. Adjourn

- **Motion to adjourn was made by Commissioner Hendrix and seconded by Vice Mayor Stegall.**
- **Unanimous Approval**
- Meeting adjourned at 8:26 PM