



REGULAR CITY COMMISSION MEETING MINUTES

April 15, 2025

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.

The meeting was called to order at 6:05pm.

In Attendance:

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

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

Mayor Hendrix asked Administrative Assistant Page if the record reflected Commissioner Redman was present, and Administrative Assistant Page confirmed yes.

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 was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 5-0.

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.

There were no public comments.

Mayor Hendrix closed the floor to public comments.

4. Approval of Consent Agenda

- a. Meeting Minutes from March 18, 2025
- b. Code Enforcement Report March 2025.
- c. March 2025 WEX Invoice, activity report, and vehicle logs
- d. Animal Control Logs for March 2025.
- e. Board of Adjustment Public Hearing Minutes from March 18, 2025

Motion to approve the consent agenda was made by Commissioner Redman. Motion was seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

5. Award of Invitation to Bid (ITB 2025-01) for Residential, Commercial Collection, Disposal of Solid Waste

Mayor Hendrix explained that the Board received the bid proposals and other documents from City Manager Hayes and her staff who spent a lot of time on this bid process.

City Manager Hayes stated that this bid process was a challenge, and stated that it is the first time she and Hayden have done this before and that they learned by trial and error, and stated that Mr. Mecusker worked very hard to provide the numbers for the percentages and rates from the bid proposals.

Commissioner Stephenson asked if there was a reason that the City only received 2 bids. City Manager Hayes & Mayor Hendrix explained that the 2 bids were the only 2 that were received. Commissioner Stephenson asked if the bid was advertised properly, and City Manager Hayes confirmed it was advertised properly.

Mayor Hendrix stated that the City has not had not such great service, speaking as a citizen and commissioner, and stated she has received several complaints about missed trash pickup, damage to roads, and referenced the original agreement that stated that GFL would provide assistance for the damage to the roads and that after 3 years, that assistance was removed from the agreement and stated the City's streets are not in good condition due to the garbage trucks, which is why the bid went out for single-axel trucks.

Mayor Hendrix stated after speaking with City staff, and stated that there are things within the original contract that should have been being done but was not being done but the City was not reporting the stuff not being done appropriately or at all, and referenced that GFL was supposed to be picking up limbs, which City staff picks up is her understanding and City Manager Hayes confirmed it was in the original contract.

Mayor Hendrix stated that GFL is the lowest bidder, and asked the Board about putting specific items within the new contract to address issues, and referenced the proposal stating if a truck breaks down, another truck is to come and replace the broke down truck, and stated that this has not happened, and that it would not be the same day, but would come the next day.

Mayor Hendrix stated that there was not good communication on holiday schedules and that Waste Pro had the holiday schedule very clear, but GFL did not have that information listed, and raised concerns with GFL as a citizen, commissioner, and receiving several calls from citizens.

Commissioner Redman referenced the experiences she has had with the garbage service, and stated she was not aware of the limbs needing to be picked up by GFL.

Commissioner Stephenson asked if there was a certain requirement for limbs and debris pickup and Mayor Hendrix stated there was a certain requirement.

Mayor Hendrix referenced the \$5,000 donation from GFL in the original contract and stated that the first amendment to the contract removed that and there was no assistance to the City for the damage to the roads by the garbage trucks.

A representative from GFL requested to approach the podium and speak, Mayor Hendrix gave permission to do so.

Kevin Smith is the General Manager of GFL in Gainesville and started in 2016. Mr. Smith addressed the issues Commissioner Redman referenced, and that the type of trucks being used originally has been changed and corrections have been made to address some of the issues brought up tonight.

Mr. Smith understands the frustrations expressed by the Board and explains that communication is very important.

Mr. Smith referenced the two hurricanes from last year that affected trash pickup and schedules.

Mr. Smith addressed the truck friction, truck size, and bid consideration, and stated that each Board member would have his personal phone number for any issues that may arise.

Vice-Mayor Huggins asked Mr. Smith for his name again. Mr. Smith answered Vice-Mayor Huggins and provided his business card to each person on the Board as well as City staff.

Mayor Hendrix asked about the trucks breaking down and referenced the negative feedback the City sees and receives about the trash not being picked up and that the route has not changed, and asked about the entire neighborhoods that have been missed, and asked if there were new drivers, and referenced that Mr. Page has reached out in the past and will sometimes be able to reach someone, and sometimes not, and will send an email and will sometimes get a response and sometimes not and that has been a frustration, and that citizens may have to wait until the next day or next pickup day, and expressed that it is a long time from Friday to Tuesday for a can that is already full on Friday.

Mr. Smith understands the issues brought up by Mayor Hendrix, and stated that instead of one truck, GFL would have 2 trucks, and that the route is being split up to maximize manpower and efficiency and to mitigate the issues with trash not being picked up.

Vice-Mayor Huggins asked if the Board picks GFL, who would be a direct contact to reach out to for missed pickup so it is easier for City staff and citizens to receive trash service.

Mr. Smith answered that himself would be copied on all correspondence, the Route Manager Dwayne Harding, Office Manager Chanel Williams, as well as the other contacts listed in the proposal and admires the authenticity of the City.

Vice-Mayor Huggins referenced the multiple issues he has heard about and that has been brought up, and stated that this is the first time he has seen a GFL representative in person, and Mr. Smith took the responsibility of that miscommunication and failure and assured Vice-Mayor Huggins it would be corrected.

A representative from Waste Pro asked to approach the podium and speak, and Mayor Hendrix gave permission to do so.

Dayna Williams is the Director of Governmental Affairs with Waste Pro, and acknowledged her 18th year with the City this month, and gave a backstory about Waste Pro.

Ms. Williams explained that she understands the issues that have been brought up and suggested that the issue the City has may not just be about price, but value and the whole picture for the City of Lake Butler and stated that if the City was happy with the current service, then the City would not have been put out for bid.

Ms. Williams referenced the ITB requirement for a single-axel truck and referenced the operation plan within Waste Pro's proposal.

Ms. Williams explained several points within their proposal, specifically the routes, considerations of avoiding school districts and Main Street during busy hours, the maintenance plan, how breakdowns are handled, the different software and maintenance schedule on the trucks, what the trucks are equipped with, including GPS and Third Eye, which provides video footage for staff to confirm trash pickup issues.

Ms. Williams addressed the customer service availability, and stated that the City would have her cell phone number, Division Manager Nathan Frischkorn's number, and would always be available anytime, and there is a local office in Alachua, which is 25 minutes away from City Hall, and referenced the online tracking program they have that is live, and that the City would have access to it for quick responses and pictures can be shared and is a online recording system, and reports can be pulled for review.

Ms. Williams also explained another messaging system called Call them all, text them all, which is normally used during hurricanes. Ms. Williams also stated that the City can be provided with a personalized website linked to the Waste Pro website. Ms. Williams referenced the engagement and stated that Waste Pro is a community partner and not a vendor.

Ms. Williams explained that the reason she brings all of this up is that what the City requested in the ITB was provided by Waste Pro and in great detail and reiterated what she said earlier about the concern not being about just price, but also value.

Ms. Williams stated that Waste Pro's intention is to lift the burden of excessive trash pickup issues from the Commission and staff.

Ms. Williams referenced the pricing, stating that the City's proposal states that the price would not be changed for 3 years, which was taken into consideration during the draft of their proposal.

Ms. Williams referenced that she lives in Alachua and is only 25 minutes away from the City if she was needed and stated she has previously met with Commissioners Redman & Sirmones and that she is always accessible, as is Nate the Division Manager and thanked the Board for their time.

Commissioner Stephenson asked about the 1 single-axel truck listed in the proposal and referenced the 1 dual-axel truck that the City was not receiving adequate service on, and clarified with Ms. Willaims, who confirmed that 1 single-axle truck would be used and that Nate Frischkorn drove the entire City, and stated that Waste Pro will have no issue with picking up the City's trash with 1 single-axel truck and would have spares available if one broke down and are very confident in their ability to service the City with the 1 truck.

Motion to award the City of Lake Butler Invitation to Bid (ITB 2025-01) for Residential, Commercial Collection, Disposal of Solid Waste was made by Commissioner Redman. Motion was seconded by Vice-Mayor Huggins.

In Favor: AYES

Vice Mayor Huggins

Commissioner Redman

Commissioner Stephenson

Commissioner Sirmones

Opposed: NAYS

Mayor Hendrix

The motion passed 4-1.

City Attorney Maines suggested that Mr. Kevin Smith schedule a meeting with City Manager Hayes and Mayor Hendrix to address the issues brought up and to discuss these issues in detail.

City Manager Hayes reassured the Board that with what the City has faced in the last 3 years with administration, she is here now, and she will be holding GFL accountable and will follow the contract and that the services will be provided and wanted to provide reassurance to the Board that she will stay on top of this.

Mayor Hendrix requested that when the contract is drawn up, that it be brought before the Board to ensure all concerns are addressed and if there are any issues with lack of service or anything, that there is a clause that the contract can be terminated before the 3-year period has expired and stated that the issue has been ongoing for not 3 years, but 9 years.

Mr. Smith stated that the technology explained by Waste Pro, that GFL also has on their trucks.

6. Approval of Infrastructure Consulting & Engineering (ICE) Award of Boat Ramp Design Contract for Lakeside Park (Scope, Schedule, and Fee) for Florida Boating Improvement Grant (FBIP) Grant #24073

Mayor Hendrix recapped this agenda item that this project has already been awarded at the March meeting.

Motion to approve the Infrastructure Consulting & Engineering (ICE) Award of Boat Ramp Design Contract for Lakeside Park (Scope, Schedule, and Fee) for Florida Boating Improvement Grant (FBIP) Grant #24073 was made by Commissioner Redman. Motion was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 5-0.

7. Approval of Consultant Contract for Grant Services between City of Lake Butler & Andy Easton & Associates for Florida Boating Improvement Grant (FBIP) Grant #24073

Mayor Hendrix explained this is also for the Florida Boating Improvement Grant and as discussed previously, this was also awarded at the March meeting as well.

Motion to approve the Consultant Contract for Grant Services between City of Lake Butler & Andy Easton & Associates for Florida Boating Improvement Grant (FBIP) Grant #24073 was made by Commissioner Redman.

Commissioner Stephenson asked City Attorney Maines what the Board's responsibility is for this project and process, and that the City is approving them to do the work, and City Attorney Maines confirmed that is the process.

Motion was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 5-0.

City Attorney Maines explained that the City has had very good experience with Andy Easton with satisfactory results and have a long-standing good working relationship with Andy Easton.

8. Approval of Agreement between City of Lake Butler, Florida & Commercial Industrial Corp. for City of Lake Butler Sprayfield Modifications Project with DEP Agreement No. WG088

Mayor Hendrix stated that this has already been awarded previously and that this is their contract.

Motion to approve the Agreement between City of Lake Butler, Florida & Commercial Industrial Corp. for City of Lake Butler Sprayfield Modifications Project with DEP Agreement No. WG088 was made by Commissioner Redman. Motion seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

9. Approval of Change Order No. 1 for City of Lake Butler Sprayfield Modifications Project with DEP Agreement No. WG088

Mayor Hendrix asked what the purpose of the Change Order was.

City Manager Hayes explained that DEP did not inform Mittauer & Associates to include in the construction documents the by-laws that are required to be in compliance with state, federal and local laws, so this change order is to reflect the additional information required by DEP.

Motion to approve the Change Order No. 1 for City of Lake Butler Sprayfield Modifications Project with DEP Agreement No. WG088 was made by Commissioner Redman. Motion seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

10. Approval of Notice of Award and Transmittal of Contracts for City of Lake Butler Ground Storage Tank Project LP WTP GST Upgrade with DEP Agreement No. LPA0314

Commissioner Redman clarified that this is for the water tank and recapped on the bid process that took place.

Motion to approve the Notice of Award and Transmittal of Contracts for City of Lake Butler Ground Storage Tank Project LP WTP GST Upgrade with DEP Agreement No. LPA0314 was made by Vice-Mayor Huggins. Motion seconded by Commissioner Redman. Unanimous approval. Motion passed 5-0.

11. Request for Approval of Loan Request for \$71,818.00 from Wastewater Fund to Water Fund to pay invoices from Water Main Break on January 17, 2025

Mayor Hendrix referred to City Manager Hayes to explain this agenda item to the Board. City Manager Hayes explained the backstory of this issue in detail. City Manager Hayes explains that she called in WW Gay to do the repairs. After everything was fixed, she was working with FDOT, Future Works and Preferred Materials, and has been on the phone with them multiple times since January to receive the payment of the \$71,818.00 that happened cause of the damages, parts and salaries to repair the water main break, and that it has been a fight ever since.

Mrs. Hayes stated that she has spoken with Preferred Materials, and that Future Works has not talked with her yet, so after trying to get them to settle this issue to no avail, she got with Mr. Maines who recommended that the City seek outside advice, and referred to Mr. Maines on his behalf.

City Attorney Maines explained that the outside attorney is Mr. Robert Butts, a construction attorney out of Gainesville and that as soon as FDOT was aware that the City had retained outside counsel, they immediately put a stop payment on the project to be paid to the subcontractors.

Mayor Hendrix stated that this should have been done to begin with, FDOT should have done this to start. City Manager Hayes clarified that FDOT is putting a claim on them, and is not going to pay them due to the situation, and that a stop payment would be placed on the project until the matter is resolved.

City Manager Hayes stated the reason for her coming to the board was that Mr. Butts informed the City that the City cannot withhold payment from WW Gay because we called them in to fix the break, and that then we can get reimbursed from however this is fought which is the reason from the request for the loan from Wastewater Fund to Water Fund and that the loan would be put back when the money is reimbursed to the City.

Mayor Hendrix stated that this should be the responsibility of the contractor, and asked if the fees the City has incurred for outside counsel and Mr. Maines' time on the issue can also be recovered from this, and asked Mr. Maines if we can hold FDOT responsible for this, and the outside attorney stated that to get to that stage of litigation

it would be thousands of dollars. Mayor Hendrix asked if the City could ask FDOT, and the worst they can say is no.

Mayor Hendrix stated that this is their fault, and that City staff has spent a lot of time trying to recover this money and a lot of manpower has gone into this situation and asked if the City had any insurance policy that could be used to recover this, which Mr. Maines stated he does not believe so and City Manager Hayes confirmed.

Vice-Mayor Huggins clarified the conditions of the loan, and clarified the legal fees the City would be out of pocket for and City Manager Hayes explained the amount of legal fees incurred from outside counsel Mr. Butts. Mayor Hendrix added plus City staff's time working on the issue

City Manager Hayes clarified that the only person who has been back and forth calling and dealing with these companies has been herself, and Mayor Hendrix stated this would be her time incurred dealing with this issue.

City Attorney Maines explained that the agreement was that he would call the County Attorney and Mrs. Hayes would call the County Coordinator.

Mayor Hendrix referenced the original term lien that was used, and Mr. Maines clarified that the term lien was the incorrect term and that lien and claim are two very different things.

Commissioner Stephenson clarified how many hours the City was without water and referenced the amount of money lost by the businesses, and Mr. Maines stated that the alarming issue would be to expose the City's issue with not providing water to the businesses and residents and that nobody has claimed this loss of business or money.

Commissioner Stephenson referenced the money lost by the City for the loss of water, and Finance Director Mecusker stated the City would eat that cost of the loss of revenue.

Motion to approve the Loan Request for \$71,818.00 from Wastewater Fund to Water Fund to pay invoices from Water Main Break on January 17, 2025 was made by Commissioner Redman. Motion was seconded by Commissioner Sirmones. Unanimous approval. Motion passed 5-0.

12. City Manager's Report – Kimberly Hayes, City Manager

City Manager Kimberly Hayes provides her report to the Board addressing the following items listed on her report:

- Update on Townsend Green Building Roof
- Update on Advertisement of Commercial Property located at 9422 SW SR 121
- Update on FDOT SCOP Grant #G2W10
- Update on Fletcher Myers Park Plaque & Dedication
- 2nd CDBG Public Hearing for CDBG Grant Application for WWTP & Splash Park
- Letter to DOGE
- 1st Budget Workshop scheduled for May 8, 2025 at 5:45pm following the 2nd CDBG Public Hearing at 5:30pm on May 8, 2025.

13. Report from Public Works Department – Jason Furman, Acting Public Works Director

Acting Public Works Director Jason Furman provides his report to the Board addressing the following items:

For Public Works:

- 811 Registration
- Spring Beautification Month
- Spring Mowing
- Concrete Mixer & Concrete Supplies Ordered
- Pothole Maintenance
- Splash Park representative coming April 17th/18th

For Water & Wastewater:

- Multiple Water Breaks fixed without disruption of service
- Sewer Main Line Collapsed on NW 2nd Ave and NW 2nd St Repair
- New Grinder Pump installed at Lift Station 5
- New Effluent Pump installed at WWTP.
- New Blower arrived for WWTP.
- Effluent Pump at Lift Station 1 died 4/11/2025, needs replacement

14. Reports from Finance Department – Dave Mecusker

Finance Director Dave Mecusker provides the Financial Reports to the Board for their approval, which are a list of the following reports:

- Monthly Financial Report for period October 1, 2025 through March 31, 2025
- Reconciled Bank/Books – Status Report
- Summary of Activity by Month YTD (Remaining budget till 9/30/25 Revenue/Expense Status Report

Motion to approve the Financial Report was made by Commissioner Redman. Motion seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

15. Approval of 2nd Budget Revision for 2024-2025 Fiscal Year effective

Finance Director Dave Mecusker presents to the Board the 2nd Budget Revision for the 2024-2025 Fiscal Year effective April 1, 2025.

Motion to approve the 2nd Budget Revision for 2024-2025 Fiscal Year was made by Commissioner Redman. Motion was seconded by Commissioner Stephenson. Unanimous approval. Motion passed 5-0.

16. Report of City Attorney – John E. Maines IV

Nothing to report.

17. Comments or Remarks by Commission

- Commissioner Sirmones – No comment.
- Vice-Mayor Huggins – Referenced the crosswalk on CR 231 and the orange barricades and asked if there is a crossing guard and City Manager Hayes confirmed yes and that it would be a temporary assignment while construction is underway.
- Commissioner Redman – April Farm Share fed 189 families, no Farm Share in

May and Happy Easter. No school on Friday due to Good Friday. Mayor Hendrix referenced the holiday schedule that had the holiday for Easter on Monday but it should be Friday, and stated that City Manager Hayes called her about the confusion, and Mayor Hendrix approved for City Hall to be closed for Good Friday instead of Monday.

- **Commissioner Stephenson** – Referenced the GFL proposal and questioned the rate increase spreadsheet for residential and commercial, but the Board has not voted for the rate increase. Mayor Hendrix clarified on the reason for the spreadsheet and additional fees for administration to prepare the bills and pay for the bills, postage. Commissioner Stephenson stated he thought it would be a board function to approve to increase the rates. Mayor Hendrix asked if the Board would like to vote on the increase. City Attorney Maines advised the Board that if they want to vote on the increase, they can certainly do so and that the Board awarded the bid.

City Attorney Maines stated that this can be a consent agenda item or a regular agenda item in May if the Board wishes to do so.

Finance Director Mecusker asked if this can be discussed and voted on tonight, and City Attorney Maines stated that this needs to be an agenda item or a consent agenda item.

City Attorney Maines stated a separate motion can be made for the board approval of the rates.

Motion to approve the Solid Waste Rates with the increase of \$6 to the Residential Base Rate and \$40 to the Commercial Base Rate as shown on the spreadsheet was made by Commissioner Redman. Motion seconded by Commissioner Stephenson. Unanimous approval. Motion passed 5-0.

- **Mayor Hendrix** – No comment other than thank you to City staff and Happy Easter.

18. Meeting Adjournment

Motion to adjourn the meeting was made by Commissioner Redman. Motion was seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

Meeting was adjourned at 7:50pm.