

# Town Of Havana

## Regular Council Meeting

### August 27, 2024 – 6:00pm

#### Meeting Minutes

#### Call to Order

The meeting was called to order by Mayor Loughmiller at 6:00pm. Invocation was led by Councilman Reed, followed by the Pledge of Allegiance.

#### Roll Call

A roll call confirmed the presence of the following council members including Landon Seymour, Tabatha Nelson, Lawrence Reed, Penny Key, Mayor Loughmiller and Mayor Pro Tem Eddie Bass, ensuring a quorum for the meeting. Councilman Wesolowski was absent from the meeting.

#### Recognition of Visitors

##### **Anissa Butler, President of Blessings of Hope – 435 Forest Drive**

Ms. Butler wanted to personally thank council for all the support in the past for Blessings of Hope Empowerment Outreach, Inc.

#### Request to Approve Minutes

None.

#### Old Business

##### **Old Elementary School Resolution 2024-14R-8**

Ms. Wilkerson, Town Manager, requests approval of Resolution 2024-14R-8 which updates the fines owed by the owners through August 27, 2024, to \$308,015.00. As mentioned in the July meeting, the Town Attorney will discuss any available recourse for the future. The owner of the property paid the delinquent taxes but has made no effort to correct any deficiencies at the property.

Ms. Wilkerson shared that citizens have complained about the mowing but no communications from the owners. Councilwoman Key stated money is not available to do more at this time. Mayor Loughmiller asked if at any point are the fines too excessive.

Town Attorney, Jody Finklea shared that the Town can incur the expense of fencing, boarding up, etc or move forward with foreclosure. However, foreclosure process will take 6-months to a year to complete with legal cost. Also, if the owner fights the foreclosure, there will be an increase in legal expense. The Council can give permission to the Town Manager to reduce fines in order for property to be brought to code and this may be an incentive to the owner.

Ronnie Butler, 600 Twin Ponds, Havana, FL, asked about eminent domain. Mr. Butler inquired about eminent domain. He stated that the Town had the Alexander Building torn down. Mr. Finklea advised against the use of eminent domain. It is available and one of the tools the Town has. There is a statute in FL called the Bert Harris Act – to take property from private owner to improve – requires full value be paid. Statutorily when a property is taken through eminent domain the purchaser is required to pay a % of the purchase price in attorney fees to the property owner and that can range up to 30% of purchase price. Eminent domain and the Bert Harris Act give the property owner rights. If the Town desires to take court action, Mr. Finklea feels foreclosure on the liens is a better route to take.

Councilman Reed asked what is brought to speed? Mr. Reed is concerned about the dangers on this property which include the asbestos in the building and the sink holes. Mr. Reed wants to know what can we do for the community.



Ms. Wilkerson stated that the sink holes follow the storm drain across the front. Mayor Loughmiller would like to know what the costs would be to fill the sink holes. Councilman Bass suggests being cautious reducing fines if the owner is not going to bring to code and keep it maintained. Councilwoman Key inquired as to the foreclosure route can a discussion be had with the interested parties. Mr. Bass shared that the owners are asking \$675K and turned down an offer of \$350K.

Mr. Finklea shared that the tax role shows \$1.1 million value. He stated that a foreclosure you can make a profit but there is also a capital cost. Councilman Bass shared probably will cost at least \$250K to tear down and clean up. Councilman Reed shared that some immediate action needs to be taken as citizens have been voicing concerns for a very long time. People have concerns about their families and children. Citizens are stating that if it was anywhere else, it would be resolved. Ronnie Butler stated to tear it down. It's an eyesore and need to use reserves to resolve this issue. Ms. Janice Eakin, 474 Timber Run asked if there were any other liens and currently is the Town liable?

Ms. Wilkerson shared that foreclosure had been discussed, there were the lawsuits between the two owners which the Town was waiting to see if the back taxes were paid, Alexander building was much smaller and cost less and the Town does have some reserves but as a homeowner herself she would not recommend using all reserves. She mentioned that since the owners have paid the back taxes and moved, maybe their focus has changed.

Councilwoman Key asked when the legal case between the owners was finalized. Mr. Finklea shared it was in July and the back taxes were paid then. He also shared that an LLC has no liability but if the Town owns the property, all liability is on the Town. Mr. Finklea stated that if the Town decides on foreclosure, the first step is a notice. However, he warns not to threaten because people ignore if no action follows.

Councilman Bass made motion to send notice and request code compliance with a specific date. If a plan is received, then discuss fine reduction. Councilwoman Nelson seconded. Motion carried.

## **New Business**

### **Resolution 2024-03R-2 Rate Increase**

Ms. Wilkerson requests approval of Resolution 2024-03R-2 rate increases and electric/gas customer access charges which were discussed in the budget workshops. These increases are necessary to ensure continuity of utility operations at Town of Havana.

Motion made by Councilman Bass to approve Resolution 2024-03R-2. Seconded by Councilwoman Key and motion carried.

### **Amended & Restated All Requirements Project – Solar II Energy Participation Agreement**

Ms. Wilkerson shared that previously in council, Havana committed to participate in solar projects across the state as part of our FMPA All-Requirements Project Commitment. Havana's participation is in phase II of FMPA's Florida Municipal Solar Project offering, consisting of 250KW (1/4 MW) of electric capacity split between the two facilities: Rice Creek in Putnam County and Whistling Duck in Levy County. The Rice Creek facility is due to come online by the end of October. However, the Whistling Duck project has been pushed back in its schedule by more than a year, and the costs have increased significantly due to a number of factors. The Town has indicated that it no longer wants to participate in the Whistling Duck project. Once online, Havana will begin receiving its share of energy from the Rice Creek facility, which will cover a significant portion of the Town's own electric usage. Ms. Wilkerson is requesting approval of First Amended & Restated All-Requirements Project Solar II Energy Participation Agreement.

Councilman Bass made the motion to approve Amended Agreement. Councilwoman Nelson seconded, and motion carried.

### **FY24 & FY25 County Fire Contract**

Ms. Wilkerson recommends approval of the FY24/FY25 Fire Contract. Concerns were addressed by the County. She feels that Chief Harrison and Chief Hood's discussions seemed to work and also the cost of staffing Greenshade Fire Department.

Councilwoman Nelson made the motion to approve the FY24/FY25 Fire Contract. Councilman Bass seconded, and motion carried.

### **Certificate of Appropriateness Application – Havana Heritage & History Society**



The Town Manager presents a recommendation from the Planning/Historic Preservation Committee to Town Council regarding the application for Certification of Appropriateness submitted by Bill Piotrowski for the property known as Havana History & Heritage Society, Inc., located at 204 2<sup>nd</sup> ST NW, Havana, FL. The committee is recommending approval of the application. Mr. Bill Piotrowski is here to speak on this matter.

Mr. Piotrowski, 93 Sand Creek RD, shared that the museum was established in 2017. It averages between 5-11K/year. The changes will offer classrooms, library, conference rooms and a 5000 sq ft community hall. The changes to the exterior will be the entrance door.

Councilwoman Nelson made the motion to approve the Certificate of Appropriateness application. Councilwoman Key seconded. Councilman Bass stated that he would excuse himself from the vote due to his wife, Karen Bass, serving on the committee. Motion carried with all remaining members present voting to approve.

### Waste Water System Update – OMI/FDEP Inspection

Ms. Wilkerson reported that the Town received notice in early June that our waste water treatment plant, lift stations, and spray fields would be inspected on 6/27/2024. Council has been provided a copy of the FDEP Warning letter received as a result of that inspection. The Town has issued a notice of breach of contract to OMI for multiple issues outlined in the warning letter. OMI drafted a response to the Warning letter, noting any repairs already made and this response has been submitted to FDEP. OMI has also provided an email update on progress in the spray field. Ms. Wilkerson wants council to note that OMI has been paid for services not received, specifically as it pertains to spray field maintenance, for multiple years. Town Staff have requested from OMI a written action plan to correct the deficiencies.

No vote is required at this time.

### Special Events Permit – Health & Resource Fair 10/12/24

Ms. Wilkerson presents a special events application for Council review for a Health & Resource Fair in the Community Park hosted by Health United Resources (Non-Profit). It is to be held on 10/12/2024. They are requesting police & fire display booths and vehicles and four (4) additional trash cans. This may create a small expense for the Town to staff the HPD booth though this is at the discretion of the Police Chief.

The event will be free and open to the public. Vendors giving out information and local church will be distributing bags of food. Nothing will be sold at the event.

This event is the same day as Pumpkifest which Police & Fire are already committed to. Chief Lewis shared he can reach out for possibly a different day.

Councilman Bass made motion to approve and ask about a different day. Councilman Seymour seconded, and motion carried.

### Town Manager Report

The generator project is 75%-80% complete. Healthy Havana continues to have a large turnout and it is a lot of fun. Everyone is encouraged to attend. Fire Chief Harrison is continuing to work toward an ISO Inspection. Total calls were 15 for the month of August of which 14 were in the County. Chief Harrison shared that Wade Nelson is certified and Mr. John Browning is close. Contact has been made with Michael Morach to request an ISO Inspection.

### Recognition of Each Council Member

Councilwoman Nelson wants to move forward with the "Thank You" to the community for donations and allow community to meet the firefighters and presentation of new equipment.

Mayor Loughmiller shared that there is an abandoned truck at 4<sup>th</sup> ST and 8<sup>th</sup> AVE and it is ¾ the way in the street. Town Manager and Chief Lewis will look into this.

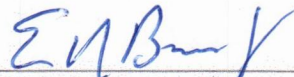
### Motion to Pay the Bills

Councilman Bass made motion to pay the Town bills. Councilman Seymour seconded and motion carried.


### Motion to Adjourn

Councilman Bass made motion to adjourn the August 27, 2024, council meeting. Councilman Reed seconded, and motion carried.

Mayor Loughmiller adjourned the meeting at 7:36 pm.

  
EDWARD N BASS, JR.

ATTEST:

  
Shrylan R. Alexander, Town Clerk

