

# Town Of Havana

## Regular Council Meeting

### May 27, 2025 – 6:00pm

#### Meeting minutes

#### Call to Order

The meeting was called to order by Mayor Pro Tem Lawrence Reed at 6:03pm. Invocation was led by Mayor Pro Tem Reed, followed by the Pledge of Allegiance.

#### Swearing In Ceremony

The Town Clerk, S. Reena' Alexander swore in Seat 2, Tabatha Nelson & Seat 3, Matt Wesolowski. Penny Key was not in attendance of the meeting and will be sworn in at the next council meeting.

#### Appointment of Mayor & Mayor Pro Tempore

Councilman Wesolowski made a motion to reappoint Eddie Bass as Mayor. Seconded by Councilwoman Nelson and motion carried.

Councilwoman Nelson made a motion to reappoint Lawrence Reed as Mayor Pro Tem. Seconded by Councilman McKinnon and motion carried.

#### Roll Call

A roll call confirmed the presence of the following council members including Tabatha Nelson, Matt Wesolowski, Mayor Pro Tem Lawrence Reed, and Howard McKinnon, ensuring a quorum for the meeting. Councilman Seymour, Councilwoman Key and Mayor Bass was not in attendance.

#### Recognition of Visitors

Mayor Pro Tem Reed requested the clerk to read the instructions for all visitors.

David Wesolowski, 306 N Main ST, was recognized and given permission to speak. Mr. Wesolowski provided to council a Proposal of Ordinance 408. He shared with the council his concerns with regards to the \$270 zoning application process and business tax license. Mr. Wesolowski shared several examples of missed business opportunities due to this process and the red tape. He recommends streamlining the process especially with regards to CBD Ordinance 387 where it states 59 types of businesses allowed. He shared that City of Tallahassee has repealed the business tax license. Mr. Wesolowski shared that these fees and processes does not hurt larger companies such as O'Reilly's but it does hurt the small businesses. It is his understanding that a new business is not allowed to get a license nor utilities without the zoning application process. He stated he has been unable to locate in the charter or ordinance where the zoning application is required. In his packet he listed some pros and cons to streamlining and doing away with the \$270 and charge a \$50 fee for the Town and push Apalachee out unless it is new construction. Mr. Wesolowski shared he feels the Town is throwing away a lot of potential businesses.

Councilman McKinnon shared that the zoning application is a process to protect the Town. He stated that it allows the applicant to state what the use of the business is for. He shared that even though 99% may be honest there may be that 1% that is not and that once a business tax license is provided and utilities are turned on it can be a difficult and expensive process to stop it.

Mr. Wesolowski asked how many times has the Town been protected?

Attorney Finklea shared that the zoning application is in order that the applicant affirms the intentions for approval. If later it is found that the applicant was not honest on the application, it allows for the approval to be pulled back. Leon County and City of Tallahassee have repealed their business tax fees. However, they do have a zoning process. Council can make changes but it will need to be done by an ordinance and reading by

title at two public hearings. Mr. Finklea shared that once a utility application is completed and utility deposit is paid for individual use, the state uses this information for taxing purposes. Residentials are tax exempt. Once utility services are provided, the utility company is obligated by state law to provide utilities.

Councilman McKinnon agrees the Town needs a process but he does agree it can be streamlined and some may not need to go to ARPC. Mr. Wesolowski agrees that the process is needed for new construction but with regards to existing CBD – 59 types that are allowed should just pay license. Councilman McKinnon agreed that we do not need to charge in these scenarios. However, a process is needed. Mr. Wesolowski stated he would rather pay a fee instead of property taxes and utility rates continuing to go up and that is what is happening in Havana. Councilman Wesolowski agrees the CBD needs to be streamlined to bring in new businesses and unless new construction the fee doesn't need to be charged.

Ms. Wilkerson, Town Manager, requested recommendations as to what the council is suggesting. Do they want a discussion on an agenda item, workshop or which direction to go. Mayor Pro Tem Reed shared he thinks a workshop would be good so that everyone understands the process and allow other businesses and people in town to know. Councilman Wesolowski shared his concern that a workshop and the need for ordinance change will be a lengthy process when everyone wants businesses downtown.

Ms. Wilkerson shared that she needs clarification on exactly what the council is suggesting. The discussion tonight has covered several different items such as CBD Ordinance 387, Performance Zoning Ordinance and Business Tax Licensing. She agrees that CBD Ordinance does list 59 types of businesses allowed. However, the planner reviews more than the type of business. They look at parking, runoff, impact on sewer, etc.

Mr. Wesolowski stated again that he feels with regards to CBD Ordinance 387, these 59 types of businesses should pay a license fee and move forward.

Attorney Finklea reiterated that in order to make changes to any ordinance, it must be through an amendment to the ordinance and 2 public hearings. Mr. Wesolowski shared that the Performance Zoning Ordinance needs clarification,

Councilman McKinnon made a motion to have a workshop at 5:30pm before the next council meeting and at the meeting announce the ordinance changes. Ms. Wilkerson shared that it would not give time for the wording of the ordinance. It was mentioned to have it June 10<sup>th</sup> but the attorney stated the advertising could not be met. The Town attorney and Ms. Wilkerson shared the time frame of advertising requirements for public hearings.

Mr. Wesolowski shared that due to the lengthy process of applications, the Town lost out on the brewery that is in Quincy. Mr. McKinnon shared that the process was lengthy but the City of Quincy gave them a grant which sealed the deal for them.

The attorney shared that if the workshop is May 24<sup>th</sup>, the staff could share the timeline at the meeting in order to have the ordinance read by title at the two public hearings.

Councilman McKinnon restated his motion for a workshop at 5:30 on June 23, discussion of ordinance at the meeting and reading at the mid-month meeting and regular meeting in July. Councilman Wesolowski seconded and motion carried.

## Request to Approve Minutes

Councilman Wesolowski made motion to approve the minutes from April 8, 2025 Special Council meeting & Public Hearing, April 22, 2025 Regular Council meeting and April 30, 2025 Special Council Meeting. Councilman McKinnon seconded and motion carried.

## Old Business

### Old Elementary School Resolution 2025-14R-04

Ms. Wilkerson, Town Manager, requests approval of Resolution 2025-14R-05 which updates the fines owed by the owners through May 27, 2025, to \$445,015.00. Ms. Wilkerson also requests guidance from the Town Council on next steps, if any, the council wishes to take.

Mayor Pro Tem Reed requests what it would take to begin foreclosure. Attorney Jody Finklea shared that the Town would need to file a complaint in the Circuit Court in Gadsden County. The owner will probably dispute the complaint in the foreclosure process and will want to negotiate the fines. If the Town takes possession in foreclosure and desires to sell it would need to be sold at fair market value and if not, then the owner could dispute and could be paid the difference. The Town needs to remember that once the property is in possession

of the Town, the liability is on the Town. The Town needs to have a plan for this which includes liability insurance.

Mayor Pro Tem Reed and Councilman Wesolowski both shared that they feel we need to move forward. Councilman Wesolowski shared that he feels it could be sold quickly and that the Town needed to stop living in fear. Mayor Pro Tem stated that it is currently a danger in the community with the sink holes and missing doors. Councilman Wesolowski stated that someone could get hurt now.

Councilwoman Nelson and Councilman McKinnon inquired to the financial burden that the Town is facing. The attorney shared that current owners have turned down recent interests due to below fair market value. Councilman McKinnon stated that paying attorneys can get expensive.

Mr. Ron Tiller, visitor, shared that a value of the property is needed. With the sink holes, asbestos and other issues it could end up being a negative value. Ms. Lou Armesto asked if an environmental study had been done. Ms. Wilkerson, Town Manager, stated not at this time as the property is privately owned. Mr. Finklea suggested getting an estimate of costs before beginning the process. Mr. David Wesolowski shared that he had spoken to a law firm briefly and they stated it would cost less than \$5K. He also shared that the county does foreclosures weekly and he feels it is a no brainer not to try. Ms. Betty Kellum, visitor, stated she spoke to the owner years ago and they were asking \$625K. Ms. Wilkerson shared that the bid for cleanup is going to be more than \$625K to clean it up. David Wesolowski shared that he had offered to buy it himself.

Councilman Wesolowski made a motion for the Town Manager and staff to do an assessment and provide to council the foreclosure process and costs in order that the Council may make a decision. Councilman McKinnon seconded and motion carried.

## New Business

### Planning/Historic Preservation Committee Appointments

Ms. Wilkerson shared that at the April 27, 2023 Council Meeting, the Town Council agreed to appoint seven members to the Planning Committee/Historic Preservation Committee, other than themselves. The Town Manager requested at that meeting that each Council Member submit a proposed and alternate appointee for Council vote at the May Meeting. Ms. Wilkerson shared the current committee members and that Fred Lee and Trena Giddens have resigned from the committee and their seats will need to be filled. All other members expressed an interest to continue to service if council approves. Ms. Wilkerson shared the names of the residents and/or business owners who have submitted an interest letter for the council's review. Their names are Tammy Horne Elmore, Jessica Skipper and Lou Armesto.

Councilwoman Nelson made a motion to appoint Tammy Horne Elmore and Lou Armesto. Councilman McKinnon seconded and motion carried.

### Allstate Construction – Guaranteed Maximum Price Amendment

Ms. Wilkerson stated the Town of Havana engaged Allstate Construction to provide construction management services for our Public Safety Complex Project. In December 2024, Town Council provided the Town Manager with approval to negotiate and enter into scope of work with one of the three approved companies, beginning with the first ranked company and working down the list in rank order, if necessary, to get the best pricing and terms, specific to the Public Safety Complex Construction Project, with a set maximum budget of \$1,000,000.

Scott Brewer of Allstate Construction coordinated an advertised sealed bid process to select subcontractors to perform the work on this building. The total of the initial bidding phase came in at \$1,254,385.11. Town staff proposed to do some of the labor related to site clearing and concrete work to reduce the current budget, or Guaranteed Maximum Price, to \$1,097,660.06, which exceeds the \$1,000,000 grant by almost \$100,000 and does not include the cost of the concrete material for any site work other than the building foundation. This amount also does not include the cost of Builders Risk Insurance. If Allstate carries this expense, the Town will need to add an additional \$4200 to the GMP. We hope to pick up some cost savings through direct purchase (tax exempt) that may offset the cost of our concrete work and Builders Risk Insurance policy.

Ms. Wilkerson is requesting approval of the GMP up to \$1,100,000.00 and authorize to negotiate and execute the GMP documents up to this amount. The Town Manager also requests Council guidance on how to fund the remaining overage, noting that these costs will likely be incurred in the next budget cycle (FY 2026).

Councilman McKinnon made a motion for GMP up to \$1,100,000 and to approve the Town Manager recommendation for \$100K and discuss in budget. Seconded by Councilman Wesolowski.

Mayor Pro Tem Reed asked Scott Brewer if he would be providing a monthly invoice to the Council. Mr. Brewer confirmed that he will be providing a monthly invoice and update. The Town Council voted on the motion and it carried.

### Approval of Resolution 2025-03R, Rate Resolution

Ms. Wilkerson seeks Council approval of Resolution 2025-03R, which proposes to adjust tap fees for our utility services to create a set base tap fee for each utility, plus cost to serve if the actual cost materially exceeds the tap fee. This change is focused on basic residential service, noting no change to larger infrastructure taps which are based on engineered, estimated cost to serve. Currently, the Town charges a tap fee for each new utility service established, which includes a base tap fee (deposit) plus/minus cost to serve, as was approved last July. Though this process got us closer to the true costs of new taps, the administrative load in managing estimates, true-ups, and issuing refunds has increased tremendously.

The Town Manager stated that all customers will be required to pay the base tap fee as the minimum. If a tap is requested, utility crews will do a site visit to determine needs specific to a location. If, after the service is requested, the utility crews believe the cost to serve will materially exceed the base tap fee, the customer will be given an estimate for the requested service, specific to the property in question. If customer still wishes to proceed, they will pay the base tap fee plus any additional costs identified by the Town utility staff. All tap fees must be paid before any work is completed.

The recommended new base tap fee for standard residential service is:

	<b>Current</b>	<b>Proposed</b>
Electric	\$1000 (+/-)	\$1000 (+)
Gas	\$2500 (+/-)	\$1500 (+)
Water	\$1500 (+/-)	\$1000 (+)
Sewer	\$1000 (+/-)	\$1000 (+)

The Town Manager is recommending standardizing the utility deposit to \$400 for both renters and homeowners, for water service plus one or more additional utilities, and not changing it based on credit. I recommend a flat \$40 for water only customers which covers two months of base water usage. Hopefully these changes will streamline the process for staff and customers and make the process less confusing and cumbersome. There is no recommended change to the \$25 per utility connection fee.

A motion was made by Councilman McKinnon to approve Resolution 2025-03R, Rate Resolution. Councilwoman Nelson seconded and motion carried.

### Medical Facility Contract

Item moved to June 24, 2025 Regular Council Meeting.

### Special Events Permits – Terrance Roberts

Ms. Wilkerson shared that applicant, Terrance Roberts, is requesting approval to partner with the Town to host the Juneteenth Ceremony, 6/19/2025 @ 6:00pm at Town Hall and Trunk or Treat, 10/31/2025 @ 5:00pm-7:00pm at the Community Walking Park. Both of these events have been held at the requested locations for several years without any issues.

Councilman McKinnon made the motion to approve these two special event permits. Councilwoman Nelson seconded and motion carried.

### Capital Health Plan – Policy Renewal

Ms. Wilkerson is seeking approval from council to renew the Capital Health Plan policy to provide employee health insurance at a cost of \$100 per month for each employee. All dependent coverage is at the employee's expense. The Town currently has the 3102-Platinum Plan. All premiums are based on age banding. The manager has provided copies of premiums for council's review and these premiums represent an 8.9% increase over the past year.

Councilman McKinnon made a motion to renew the policy and approve the premiums. He also shared that this is one of the benefits that helps keep town employees due to the inability to pay higher salaries. Councilwoman Nelson seconded, and motion carried.

### Budget Workshop Dates

The Town Manager shared that historically, the Town has held a budget workshop in July and August. The Manager requests to hold a workshop in June also to discuss Council priorities and projects. The Manager is recommending the below dates for the FY 25-26 budget workshops. If these dates are approved the advertising requirements will be met.

#### **Budget Workshop Dates:**

June 10, 2025 @ 6:00 PM	Discuss projects / priorities
July 08, 2025 @ 6:00 PM	Discuss utility rates / millage / draft budget
August 12, 2025 @ 6:00 PM	Discuss final draft changes

Councilwoman Nelson made a motion to approve the workshop dates. Councilman Wesolowski seconded and motion carried.

### Certificate of Appropriateness – 211 NW 1<sup>st</sup> Street

The Town Manager presented to council the recommendation of approval from the Planning/Historic Preservation Committee for Mr. John Cheney of Mahua, Inc for the changes to the rear patio space of the property located at 211 NW 1<sup>st</sup> ST (formerly Oscars). Mr. Cheney is desiring to remove and replace the wooden fence, remove and replace the pavers if a match can be made and if not, a poured concrete slab, remove and replace the damaged awning.

Councilman Wesolowski made a motion to approve certificate of appropriateness for the changes at 211 NW 1<sup>st</sup> ST. Councilman McKinnon seconded and motion carried.

### Spray Field Lease Extension

Item moved to the June 24, 2025 Regular Council Meeting.

### 1<sup>st</sup> Public Hearing – Voluntary Annexation – Ordinance No. 408

At 7:20pm, Mayor Pro Tem Reed opened the Public Hearing portion for Ordinance No. 408, Voluntary Annexation from Edward W. Hinson, III on behalf of Salem Four Points, LLC, regarding the property located at 8703 Havana Highway. The Town Clerk read Ordinance No. 408 by title only and confirmed that all advertising requirements had been met.

Ms. Wilkerson shared that this property is contiguous to the current town boundary and annexation of this property does not create an enclave. With regards to utilities, no changes to electric (Talquin Electric), water (Havana), and fire (Havana); gas and sewer may be extended at owner's expense, and Law Enforcement will be provided by Havana Police Department if approved.

Mayor Pro Tem asked for any public comments. No comments. No discussion from the council.

Public Hearing closed at 7:25pm.

### 1<sup>st</sup> Public Hearing – Voluntary Annexation – Ordinance No. 409

At 7:25pm, Mayor Pro Tem Reed opened the Public Hearing portion for Ordinance No. 409, Voluntary Annexation from John N. Bryant and Sara N. Cunningham, regarding the property located at 310 Bostick RD. The Town Clerk read Ordinance No. 409 by title only and confirmed that all advertising requirements had been met.

Ms. Wilkerson shared that this property is contiguous to the current town boundary and annexation of this property does not create an enclave. With regards to utilities, no changes to electric (Talquin Electric), water

(Havana), and fire (Havana); gas and sewer may be extended at owner's expense, and Law Enforcement will be provided by Havana Police Department if approved.

Mayor Pro Tem asked for any public comments. No comments. No discussion from the council.

Public Hearing closed at 7:27pm.

#### 1<sup>st</sup> Public Hearing – Voluntary Annexation – Ordinance No. 410

At 7:27pm, Mayor Pro Tem Reed opened the Public Hearing portion for Ordinance No. 410, Voluntary Annexation from William Spooner and Robert Spooner, regarding the property located at FL/GA HWY south of town on US 27. The Town Clerk read Ordinance No. 410 by title only and confirmed that all advertising requirements had been met.

Ms. Wilkerson shared that this property is contiguous to the current town boundary and annexation of this property does not create an enclave. With regards to utilities, electric - Havana is positioned to serve this property as it is in Havana's territorial boundary; water – (Havana) - currently a 4" main is available on the east side of US27 and no water main available on the west side of US27, services may be extended at the owners' expense; fire (Havana); gas and sewer may be extended at owner's expense, and Law Enforcement will be provided by Havana Police Department if approved.

Mayor Pro Tem asked for any public comments. No comments. No discussion from the council.

Public Hearing closed at 7:29pm.

#### 1<sup>st</sup> Public Hearing – Voluntary Annexation – Ordinance No. 411

At 7:29pm, Mayor Pro Tem Reed opened the Public Hearing portion for Ordinance No. 411, Voluntary Annexation from W. Scott Nelson of WSN Construction, LLC, regarding the property located at FLA-GA HWY south of town on US27. The Town Clerk read Ordinance No. 411 by title only and confirmed that all advertising requirements had been met.

Ms. Wilkerson shared that this property is contiguous to the property in Proposed Ordinance 410 and may only be annexed if Ordinance 410 is approved. With regards to utilities, electric (Talquin Electric); water, sewer and gas may be extended at owner's expense; fire (Havana); and Law Enforcement will be provided by Havana Police Department if approved.

Mayor Pro Tem asked for any public comments. No comments. No discussion from the council.

Public Hearing closed at 7:31pm.

#### Town Manager Report

Ethics Training Reminder for all council members. Must be completed yearly.

Financial Disclosure for all council members is due 7/1/2025.

Waterworks Building – painted and new sign ordered.

Vacancies – Street Technician & Water Technician

DOGE (state level) request for information – staff will be working on this.

Representative Gallp Franklin – Request for Ad Valorem Information for projects he is working on at the capital.

June 4<sup>th</sup> – WastePro Luncheon – Town Hall closed from 11:30a-1:00p.

Substation Repairs – Bank B Transformer Repairs – postponed to 6/23/2025. Conflict with Duke and covering lines.

WWTP – Digester and Equalization Tank repairs are required

WWTP – Digester Inspection – received 2 quotes for inspection - (engaged PRECON to do inspection) and these repairs are not budgeted and will require a budget amendment. Permanent fencing at the Waste Water Treatment Plant has been completed.

Police – statistics attached and on the table.

Fire – total calls 26 (21 in county – 5 in Town)

### Recognition of Each Council Member

Councilman Wesolowski inquired to the status of a proposed ordinance for Jake Brakes. Ms. Wilkerson reported that this is being worked on. Currently Don Harrison, Street Supervisor, and Chief Lewis is waiting to hear back from FDOT and also the Town Attorney is working on the language, proposed fines, etc.

### Motion to Pay the Bills

Councilman Wesolowski made motion to pay the Town bills. Councilman McKinnon seconded and motion carried.

### Motion to Adjourn

Councilman McKinnon made motion to adjourn the May 27, 2025, council meeting. Councilman Wesolowski seconded, and motion carried.

Mayor Pro Tem Reed adjourned the meeting at 7:35pm.

  
LAWRENCE REED, MAYOR PRO TEM

ATTEST:

  
Shrylan R. Alexander, Town Clerk

