

**Town Of Havana**  
**Regular Council Meeting & Public Hearing**  
**May 26, 2026 – 6:00pm**

**Meeting minutes**

**1. Call to Order**

Meeting was called to order by Mayor Bass at 6:00pm. Invocation was led by Councilman Mosby followed by the Pledge of Allegiance.

**2. Roll Call**

A roll call confirmed the presence of the following Council members, Matt Wesolowski, Tabatha Nelson, Mayor Bass, Mayor Pro Tem Howard McKinnon, John Bryant, Robert Mosby held present seats at the Dais, and Penny Key was present via phone, ensuring a quorum for the meeting.

**3. Set the Agenda**

Motion was made by Mayor Pro Tem McKinnon and seconded by Councilman Wesolowski to set the agenda. Motion carried.

**4. Recognition of Visitors**

None

**5. Consent Agenda Items**

Motion was made by Mayor Pro Tem McKinnon and seconded by Councilman Wesolowski to approve the consent agenda items. Motion carried.

**6. Old Business**

None

**7. New Business**

**a. Town Manager Contract/Interim Manager Contract**

Town staff presented the proposed Employment Agreement for the selected Town Manager candidate and the Interim Town Manager Agreement for Chief Kenneth Lewis.

Staff advised that both agreements had been reviewed by Town staff, the selected applicants, and approved as to form by the Town Attorney. The Interim Town Manager Agreement would remain in effect until the permanent Town Manager's start date of June 29, 2026, at which time Chief Lewis would return to his position as Chief of Police at his previous rate of pay.

Council discussed the proposed compensation package for the incoming Town Manager. Council members expressed that while the proposed starting salary exceeded that of the outgoing Town Manager, they felt as if the selected candidate was highly qualified and capable of successfully leading the Town. Discussion included future salary adjustments, annual performance evaluations, and the Town's ability to attract and retain qualified leadership.

Council members also discussed the severance provisions contained within the agreement and noted that the provisions were consistent with previous employment agreements utilized by the Town. Following discussion, Council reached a consensus that both agreements were fair and in the best interest of the Town.

Motion by Councilman Bryant, seconded by Mayor Pro Tem McKinnon, to approve the Town Manager Employment Agreement and the Interim Town Manager Agreement and authorize the Mayor to execute all related documents.

Motion carried unanimously.

Staff advised that the anticipated start date for the new Town Manager was June 29, 2026, and efforts would be made to begin onboarding prior to that date if possible.

## **b. Sunshine Law Workshop-Dan O'Hagan**

Mayor Bass introduced Dan O'Hagan, Deputy General Counsel for the Florida Municipal Power Agency (FMPA), to conduct a Sunshine Law Workshop for Town Council.

Mr. O'Hagan explained that, as legal counsel for FMPA member municipalities, he regularly provides Sunshine Law training and updates to elected officials and municipal staff. The workshop was intended to provide an overview of Florida's Government in the Sunshine Law, Public Records Law, and related requirements applicable to public officials.

Mr. O'Hagan encouraged Council members to ask questions throughout the presentation and advised that practical examples and recent real-world cases would be utilized to explain the requirements and limitations imposed by Sunshine Law.

Mr. O'Hagan began the workshop with introductory remarks regarding the purpose of Sunshine Law and its importance in maintaining transparency and public trust in government operations.

Mr. Dan O'Hagan, Deputy General Counsel for the Florida Municipal Power Agency (FMPA), continued the Sunshine Law Workshop by providing an overview of Florida's Public Records Law and Government in the Sunshine Law.

Mr. O'Hagan explained that Florida has one of the broadest public records and open government laws in the nation, noting that these rights are protected by the Florida Constitution. He discussed how Florida's expansive public records requirements often contribute to the public availability of information frequently reported in news media.

The presentation covered:

- The constitutional right of public access to government records and meetings.
- Definitions of public records under Florida law.
- Penalties for non-compliance, including fines, criminal penalties, and attorney fee awards.
- Requirements for responding to public records requests.
- Record retention requirements established by the State of Florida.
- Electronic communications, including emails, text messages, and social media posts.
- The distinction between personal communications and communications relating to Town business.
- Public record implications of communications conducted on personal devices.
- Retention and disposal of records.
- Litigation holds and public records request holds.
- Public records exemptions and confidential information.

During the workshop, Council members asked questions regarding:

- The use of personal cell phones and email accounts for Town business.
- Retention requirements for records maintained by the Town versus duplicate copies maintained by individual Council members.
- Public record notices commonly included on municipal websites and correspondence.
- The treatment of notes, text messages, and social media communications under Florida Public Records Law.

Mr. O'Hagan advised that the determining factor in whether a document or communication is considered a public record is the content of the communication and whether it relates to Town business, rather than the device, account, or platform used to create or transmit the information. Council received the presentation and participated in discussion regarding compliance with Florida's Public Records and Sunshine Laws.

**c. Fire Pension Board-Vacancy**

Interim Town Manager Lewis advised with the departure of the Former Town Manager Kendrah Wilkerson it has created a vacancy on the Fire Pension Board. The council discussed possibility of filling this seat to serve a 2-year term effective June 1<sup>st</sup>. Mayor Pro Tem Howard McKinnon volunteered to join the Pension board. Councilwoman Tabatha Nelson made a motion to have Mayor Pro Tem McKinnon assigned to the Fire Pension Board seat and it was seconded by Councilman Wesolowski. The motion carried.

**d. ARPC Contract Amendment**

The request was for approval to Amendment 0001 to provide additional support to the Town of Havana for updates to the Future Land Use Maps. The agreement addresses compensation of other employees of ARPC to provide these update services. A rate sheet was provided for these mapping services. Councilwoman Nelson made a motion to approve the Amendment to the ARPC contract and it was seconded by Mayor Pro Tem McKinnon. The motion carried.

**e. Gadsden Sun Trails Design Review (Iron Bridge Road)**

Sun trail currently dead ends at the intersection of Orchard Pond Parkway and Old Bainbridge and picks up in Gadsden County. Staff recommends lowering the speed limit on the North end of Iron Bridge Rd to 25 mph, painting directional arrows on asphalt so cyclist can use side walk or street, add additional school cross walk on Iron Bridge Rd near Gus Bert Park for speed reduction, utilize sidewalk on 9<sup>th</sup> Ave. Council members had discussion on the safety measures and conditions currently in place in the area. Mayor Pro Tem McKinnon made a motion to approve the Sun Trails Design Review; it was seconded by Councilman Wesolowski. The motion carried.

**f. FDEP Consent Order-WWTP**

FDEP is proposing placing the Town of Havana under consent order to establish a clearly defined path forward for timeline and repairs to the wastewater treatment plant. As outlined in the order repairs to the digester basin to ensure no leakage, repair EQ basin estimated repair cost 200,000. Remove old clarifier structure left in the ground after construction of the new plant. Critical benchmarks are outlined and must be returned within 60 days; Dewberry Engineers have been providing assistance with drafting a feasible timeline contingent upon funding. Each quarter the staff must provide written status report on progress with the issues due to FDEP within 30 days of the end of each quarter. Within 30 days of the effective date of this order the Town must remit to FDEP a fee of \$500 for administrative cost. Civil penalty of \$6,750 will be deferred if the Town maintains compliance. If the Town fails to comply penalty will be due along with additional stipulation fee of \$100 per day that the town is out of compliance. The Town will have 5 years from the date of the order to make all repairs. Dewberry Engineers will be responsible for creating a timeline the council requested Dewberry attend the July meeting to explain the process and procedure of maintaining compliance with the FDEP consent order. Councilwoman Nelson made motion to approve, Mayor Pro Tem McKinnon seconded. The motion carried.

**g. CHP Health Insurance Renewal**

Approval of CHP renewal of Health Insurance plan. Currently the Town has 3102 Platinum Plan. Town employees contribute \$100 monthly towards their monthly coverage and 100% of cost spouse or children. Town pays monthly premium less the employees \$100 contribution. All premiums are based on age banding. Last year's rate increase was 8.9%. New premiums represent a 10.3% increase over the prior year rate. The manager recommends acceptance of renewal noting the manager will review rates for next year to seek more affordable rates in the future. The employee's contribution rate will remain the same. Councilwoman Penny Key motioned approval of the new terms keeping the employees' rate at \$100 dollars monthly and review over the next year, motion was seconded by Mayor Pro Tem McKinnon. The motion carried.

**h. Resolution 2026-08R for Signing Authority**

Resolution granting signing authority to the Interim Town manager Kenny Lewis 2026-08R to execute and administer all agreements to the State of Florida and or Federal agencies to take effect on the date of hire. This allows the Interim Town manager to ensure all reports are completed, executed, and submitted on time without requiring a special meeting by the council. Councilman Wesolowski made a motion to approve, seconded by Councilwoman Nelson. The motion carried.

**i. WWTP Permit Renewal-Assistance (expires May 2027)**

Request council approval of \$15,500 for Permit Renewal assistance to engage Florida Rural Water to submit WWTP Permit Renewal request, the Town will also have to pay a Permit renewal fee of \$3,000 directly to FDEP. Permit must be renewed every 5 years and there are no members on Town staff with experience necessary to navigate this renewal process. Current Permit expires May 2027. FDEP requires renewal request to be submitted 6 months prior to expiration no later than 11-19-2026. Two vendors submitted quotes to assist with this renewal; Dewberry engineers for \$37,500 and Florida Rural water for \$15,500. Motion made by Mayor Pro Tem McKinnon made motion to approve Florida Rural Water Association to provide assistance, seconded by Councilwoman Nelson. The motion carried.

**j. Special Events Permit-Havana Main Street-Festivals**

Havana Main Street request approval for the following events: Pumpkinfest, Woodfest, and Winterfest. These events will require support by the Town and any expense incurred by the Town will be reimbursed by Havana Main Street. Event insurance is required naming the town as additional insured and any special high risks activities must be noted. Havana Main Street has made payment in full for all events requested. Approval is contingent on FDOT to assist with hanging banners along with event specific insurance which must be provided within 30 days of the event. Councilman Wesolowski motioned to approve, Mayor Pro Tem McKinnon seconded the motion. Motion carried.

**k. Special Events Permit-Havana Main Street-Markets**

Havana Main Street request approval of 7 market dates from June to December and will require support from the Town, any expense incurred by the Town will be reimbursed by Havana Main Street. Event insurance is required naming the town as additional insured and any special risks activities must be noted. Any approval by the Town Council will be contingent upon insurance being provided within 30 days of market. Havana Main Street submitted payment of \$200 for business tax license to operate the market. The Town Code calls for the following tax license \$100 plus \$5 for each space/booth occupied. Based on this fee structure Havana main Street would own \$10 towards these markets. Alternatively, the Town Council may choose to implement the festival fee \$200 per event held on Town property. The council held discussion regarding the effect of the markets on the local businesses along with the approval of all the dates being presented. Mayor Pro Tem McKinnon made a motion to approve market dates through September and allow for Havana Main Street to utilize the \$100 business tax license along with \$5 per booth/stand hosted in the market per fiscal year. Havana Main Street will submit another application for approval for dates throughout the next fiscal year beginning on October 1<sup>st</sup>, 2026, Councilman Wesolowski seconded the motion. The motion carried.

**8. Public Hearings**

**a. Lot Split – 408 SW 5<sup>th</sup> Street (2<sup>nd</sup> Public Hearing)**

Mayor Bass requested the clerk to read the Item No by Title. Ms. Enosha Willaims, Town Clerk, read Item No. 8a, Public Hearing for Lot Split: 408 SW 5<sup>th</sup> St (2<sup>nd</sup> Hearing). This is the 2<sup>nd</sup> of 2 public noticed hearings Mayor Bass request Interim Town Manager to explain the procedures for the hearing. Mr. Lewis read the procedures for the quasi-judicial hearing in accordance to Florida Law.

Mayor Bass called the Public Hearing to order at 6:48pm and requested the clerk to confirm compliance with the advertising and notice requirements. Ms. Williams, Town Clerk, confirmed all advertising and notice requirements were met.

Mayor Bass requested Mr. Lewis to inquire as to ex-parte communications. Mr. Lewis explained ex-parte communications and requested each councilperson to disclose any communications that have been had with

anyone about the 408 SW 5<sup>th</sup> St lot split. Any ex-parte communication between the first hearing on April 21<sup>st</sup> and this hearing on May 26<sup>th</sup> must be disclosed.

Each councilperson stated they had no communications in reference to this lot split at 408 SW 5<sup>th</sup> St. Councilwoman Key stated she would abstain from voting due to conflict as she is the petitioner in the application for the Lot Split request.

Town Council heard testimony, took evidence and heard public comment on the 1<sup>st</sup> Public hearing on April 21<sup>st</sup> 2026. It is now the job of the Council to make a decision based on the evidence. Interim Town manager Lewis reviewed evidence the Council must utilize to make its decision. The record of evidence named by Mr. Lewis details the following information includes: A. Testimony of evidence on behalf of the Town by former Town manager Kendrah Wilkerson, B. Documentary evidence submitted by the Town consisted of the following exhibits (1) Application and recommendation by ARPC, (2) Certified copy of Public advertisement, (3) Correspondence stating a position for or against lot split, if any non was submitted to the Town. C. Testimony evidence on behalf of the applicant by name Penny Key by name, D. Documentary evidence supported by the applicant consists of the following exhibits in which non were provided. Public comment was also presented however; public sentiment is not evident.

Council will make a decision to approve or deny the application based on the competent substantial evidence.

Mayor Bass advises the Town Council has heard the evidence presented at the April 21<sup>st</sup> hearing and the summary of that evidence along with the standards to approve presented tonight May 26<sup>th</sup> 2026. No comments were delivered by the council. Councilman Wesolowski moved to approve the requested Lot Split at 408 SW 5<sup>th</sup> St., seconded by Mayor Pro Tem McKinnon. The motion carried. Councilwoman Penny Key abstained from voting as the applicant due to conflict. Mayor Bass closed the public hearing.

## **b. Request to Amend Zoning- One Gadsden Foundation- Adoption of Ordinance 415- (2<sup>nd</sup> Public Hearing)**

2<sup>nd</sup> Public hearing for the consideration of the adoption of Ordinance 415 and zoning amendment to the Future Land Use Map was called to order. The first Public Hearing for the consideration to Adopt Ordinance 415, and to amend the Future Land Use Map of the Comprehensive plan from Industrial district to Development, 1<sup>st</sup> hearing was held on April 21<sup>st</sup>, 2026 and recommendation was provided by ARPC. Mayor Bass requested the clerk to read the Item No by Title. Ms. Enosha Willaims, Town Clerk, read Item No. 8b, Public Hearing for Zoning Amendment: One Gadsden Foundation Parcel ID 2-34-3N-2W-0000-00241-0000 containing 19.24 acres. Mayor Bass request Interim Town Manager to explain the procedures for the 2<sup>nd</sup> public hearing. Mr. Lewis, Interim Town Manager, advised Town Council will act as the Planning committee allowing for public hearing for this request. Advises this is the 2<sup>nd</sup> of 2 required publicly advertised hearings.

The clerk Enosha Williams began the final reading of Ordinance 415. This hearing allows for final public comment before the Council makes a final vote on this issue. There was no public comment or feedback provided on this hearing. Council members discussed the benefits of changing the parcel from Industrial to Development. Motion was made by Mayor Pro Tem McKinnon to approve the Adoption of Ordinance 415 rezoning the parcel from Industrial to Development and seconded by Councilman Wesolowski. Motion Carried.

Mayor Bass closed the 2<sup>nd</sup> Public Hearing.

## **9. Information Item**

### **a. Town Manager Report**

Interim Town manager Lewis advised there are currently no vacancies within the Town. Sewer updates Legislative appropriation request for Lift Stations for 4.7 million 1 is moving. EQ Basin repair estimated at 200,000 plus removal of old infrastructure. Police Department update, Ribbon cutting ceremony unable to provide dates at this time due to all the help provided by the Town and they would like to finalize everything before providing a date. Law Enforcement and police statistics were provided. Fire report unavailable due to issues with the system.

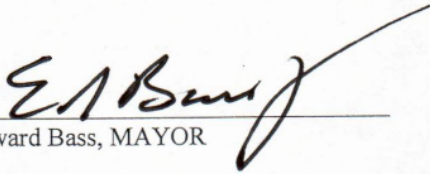
### b. Town Council Report

Councilwoman Nelson gave thanks to Chief Lewis for stepping in as Interim Town Manager along with other council members.

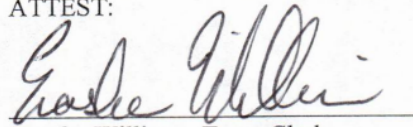
### Motion to Adjourn

Councilman Wesolowski made motion to adjourn, Mayor Pro Tem McKinnon seconded, and the motion carried.

Mayor Bass adjourned the meeting at 7:14pm.

  
Edward Bass, MAYOR

ATTEST:

  
Enosha Williams, Town Clerk

