

**MOORE HAVEN CITY COUNCIL REGULAR MEETING  
DECEMBER 05, 2023, AT 7:00 P.M. AT CITY HALL  
299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA, 33471.**

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Council Members Present:

Clay Browning, Mayor  
Jacob Eighner, Vice Mayor, Financial Officer  
Marcus “Marc” Decker  
Alisha Beck  
Bradley Smith

Others Present:

Ashley Wills, City Clerk  
Larry Tibbs, City Manager  
Brad Simmons, Public Works Director  
Steve Ramunni, Attorney

**ROLL CALL:**

Given by Browning.

**ITEM 2: INVOCATION AND PLEDGE:**

Invocation given by Beck. Pledge lead by Browning.

**ITEM 3: ADDITIONS, DELETIONS, AND CORRECTIONS TO THE AGENDA:**

NONE.

**ITEM 4: DISCUSS AND/OR APPROVE THE FOLLOWING MEETING MINUTES:**

November 21, 2023, Regular Meeting Minutes.

**MOTION:** By Decker to approve November 21, 2023, Regular Meeting Minutes, seconded by Beck. Motion carried.

**ITEM 5: DISCUSS BUDGET IMPACT OF OBSERVED HOLIDAYS:**

**Tibbs** states the total payroll cost for all City employees per hour is \$604.15 so for an 8-hour shift that is \$4,833.20, once you factor in FICA and FRS that comes to a total of \$5,858.81. All of our observed holidays fall on a Monday - Friday so we have budgeted for that. Declaring an additional holiday does not impact the budget, it will only have an impact on productivity.

**ITEM 6: DISCUSS AND/OR APPROVE SWAPPING LOTS WITH THE FIRST BAPTIST CHURCH:**

**CITY OWNED-370 AVE J, BLOCK 19 LOTS 6 + E ½ OF 7 AND CHURCH OWNED-357 AVE J, BLOCK 158 LOTS 12 + 13.**

**Eighner** states we may need a survey to identify the property.

**Ramunni** states I can order a title search for the churches lots, but we wouldn't need a survey unless you want one.

**Eighner** states we would be inquiring new lots that have belonged to people that have passed away in the past. On their property in between the house and the fence, I'm not sure where that property line is or if that fence that belongs to that house is on our side of the property.

**Ramunni** states if the church is in possession of a survey that would be helpful. But normally I would do a title search for their property and then I would look at it then we could do an exchange of deeds.

**Eighner** states I will get in touch with the church about a survey, and I would like for Ramunni to do a title search.

**MOTION:** By Decker to approve swapping 370 Ave J, block 19 lots 6 +E ½ of 7 for 357 Ave J, block 158 lots 12 + 13, seconded by Eighner. Motion carried.

**Ramunni** states you all may want to think about compiling a list, hold an auction and give a minimum bid where people can bid over that minimum bid if they would like to.

**ITEM 7: REPORT OF OFFICERS:**

**CITY MANAGER:**

**Tibbs** states on our downtown project here they have discovered that there is more muck than they anticipated they are continuing to work and C.A.S is in the process of opening a change order that will have to come back before you all to include that additional de-mucking that was not included in the original contract.

**Beck** states are they are willing to eat some of the cost because that was on them?

**Tibbs** states we will have to determine what the liability is. They did soil samples out here and apparently in some cases it's off quite a bit.

**Ramunni** states can you send me the contract.

**Eighner** states we have to keep our eye on the budget, if we don't have a number of how much more it's going to cost by next Wednesday, we need to stop the work, because we have to prepare for that. You may want to send an email to the engineers and let them know.

**Tibbs** states I sent one yesterday, but without a specific date. So, I will follow up with them tomorrow.

**CITY ATTORNEY:**

**Ramunni** states I tried to follow up with Pringel about the potable water protection zone. I told him I would do their ordinance if he sent me their formatted word, so I am waiting on that so I can get on their agenda. A brief update on CaPFA, we have been having a Tuesday afternoon call because there is a new perspective project with the University of Central Florida that is similar to what we already have in place, so that is moving forward we are looking at holding some public meetings in January and possibly close in February that is approximately \$175 million.

**Eighner** states comment about a little bit about where we are at about the last time, we were in court with Baez, and he was to have his junkyard experts names to you by the 1<sup>st</sup> at 5pm.

**Ramunni** states I received 3 on Friday and that's just an extra layer of work.

**Eighner** states the judge asked Baez if he had any expert witnesses. And his expert witnesses are someone who can come onto the property and tell you that a busted-out van is worth however much money. That's what it sounds like.

**Ramunni** states we may want to look at getting a magistrate, because judge Lundy is going to be gone by the end of next year or sooner. And a new judge may not want to deal with code enforcement.

**Browning** states yes, because in the long run it will help us.

**CITY CLERK:**

NONE.

**CRAIG A. SMITH**

NONE.

**CAS GOVERNMENT SERVICES:**

NONE.

**PUBLIC WORKS DIRECTOR:**

**Simmons** states I spoke with GoUnderground and they should be here Thursday or Friday to resume their work. They have to go to the other side of the river to do work over there and then they will do the bore under the river. They should have a proposal by tomorrow for the Ave H lift station renovation.

**Browning** states can you look into the canals being sprayed?

**ITEM 8: APPROVAL OF THE BILLS IN THE AMOUNT OF \$91,245.23:**

**Tibbs** states I would like to make a correction on the list, there is a payment here from Performance Napa Auto Parts for \$5,463.99 that is for tablet for the mechanic that has software on it for diagnostics on vehicles. The belt for a fan and scanner were bought together. It will save us in the long run, because now we have to pay someone \$900 just to come out.

**MOTION:** By Eighner to approve the bills in the amount of \$91,245.23, seconded by Beck. Motion carried.

**ITEM 9: CITIZENS COMMENTS/GENERAL CONCERNS, SPEAKERS ARE LIMITED TO 3 MINUTES:**

NONE.

**ITEM 10: MAYOR AND COUNCIL TO GIVE REPORTS:**

**Eighner** states I would like for code enforcement to focus on Ave F those apartments at the end there is stuff in the code book we could get that property owner for, Chalo Nitka is underway so I would like to announce that Mr. Stanley and Mr. Howard are the grand marshals this year. The latest TDC director has resigned and moved on to a better job, but I just want to make you aware that I probably won't be doing too much TDC here in the future.

**Beck** states I would like the board to send something over for Mrs. Storter service. Are we going to have a Christmas luncheon for the employees?

**Wills** states we usually do, we work a half day Friday so we will close at 11am and have lunch and go home.

**Beck** when will the garbage cans be in and the attachments.

**Tibbs** states I have not got a delivery date. We have two quotes for someone to come in and install the attachments and we are waiting for another one.

**Decker** states I would like Tibbs to get in contact with Branch to find out if we can get a schedule for when they are in town for animal control. We used to get a report for her. Another question was there any paperwork filled out on that incident yesterday?

**Simmons** states not yet but I did tell them there would be no more of that, or they will no longer be employees here.

**Decker** states one employee was mowing another employee's grass, when he should have been cutting around the streets.

**Ramunni** states you gave them a verbal warning.

**Simmons** states yes.

**Ramunni** states you need to document their personnel file that there was a verbal warning.

**Browning** states we need to post the Christmas light contest, so people are aware of it.

**ITEM 11: DISCUSS FINANCIAL STATEMENTS IF NEEDED:**

NONE.

**ITEM 12: ADJOURNMENT:**

**MOTION:** By Eighner to adjourn the meeting, seconded by Beck. Motion carried.

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**Ashley Wills, City Clerk**  
Meeting adjourned at 7:42 P.M.

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**Clay Browning, Mayor**

THESE MINUTES ARE NOT VERBATIM, IF ANYONE WISHES TO LISTEN TO THE MEETING IN ITS ENTIRETY, DIGITAL RECORDINGS ARE AVAILABLE.