

CITY OF LABELLE
REGULAR COMMISSION MEETING

Mayor Puletti called the Regular Commission meeting to order at 7:00 p.m. Commissioner led the opening prayer, followed by the pledge of allegiance. A roll call was taken. All Board members were present.

Commissioner Lyons made a motion to approve the consent agenda containing:

- 1.) February 2011 vouchers and paid bills
- 2.) Minutes from the February 10, 2011 Regular Commission Meeting.

Commissioner Zimmerly seconded the Motion. Motion carried 5-0.

PUBLIC HEARINGS, RESOLUTIONS, ORDINANCES AND CITIZENS CONCERNS contained the following:

Resolution No 2011-05 Florida Boating Improvement Program Grant Application. The Deputy Clerk read by title proposed Resolution No. 2011-05. A RESOLUTION OF THE CITY COMMISSIONERS OF LABELLE, FLORIDA, APPROVING THE SUBMISSION OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC), FY 2011-2012 FLORIDA BOATING IMPROVEMENT PROGRAM (FBIP) GRANT APPLICATION FOR FUNDING DEVELOPMENT OF THE LABELLE CITY WHARF AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Bone made a motion to adopt Resolution No. 2011-05. Commissioner Lyons seconded the motion. Motion carried 5-0.

Resolution No. 2011-06 Vacation of Plat. The Deputy Clerk read by title proposed Resolution No. 2011-06. A RESOLUTION OF THE CITY COMMISSION OF THE CITY LABELLE, FLORIDA, TO VACATE A PORTION OF THE PLAT OF FORD PARK, SECTION ONE, AS PETITIONED BY PALM PRO, LLC; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Lyons made a motion to adopt Resolution No. 2011-06. Commissioner Zimmerly seconded the motion. Motion carried 5-0.**

Resolution No. 2011-07 State of Florida D.O.T. Utility Work Agreement was heard next. Superintendent Boyle explained that the agreement was covering the milling and repaving that D.O.T. would be doing on Bridge Street, between S.R.80 and the Glades County line. **Commissioner Lyons made a motion to adopt Resolution No. 2011-07. Commissioner Zimmerly seconded the motion. Motion carried 5-0.**

The last item was the Annual Review of the Special Exception for B&B Wholesale. No one was present to represent the company. City Planner, Shellie Johnson, advised the Board that she had spoken with the owners several weeks ago and that they had indicated they weren't sure they were going to stay in that location. She had since learned that the property is vacant. It was decided that the Special Exception would not be extended.

New Business contained an issue of placing a moratorium on Zoning Approvals for Pain Management Clinics. Mayor Puletti explained that the County had recently enacted such a moratorium and had asked that the City consider doing the same. It was decided a document would be prepared and presented for consideration and review at the next meeting.

Under *Staff Reports*:

Fire Chief – Ray Pittman – was not present

H.S.C.O. – was not present

City Engineer – AIM Engineering – David Whidden was not present.

City Engineer – ATM Engineering – Grant Misterly reported on adjustments being made to the current water treatment plant. Mayor Puletti asked about the recent problem at that facility and the failure of the company responsible for the installation and monitoring of the equipment to respond in a timely manner. Mr. Misterly advised that he and Superintendent Boyle had spoken with the company and expressed very strongly the concerns the City has about continuing to work with them. Superintendent Boyle also spoke about the issue. Mr. Jeff Lazar commented that the water used to make the iced tea at Wendy's smelled so bad he couldn't drink it. There was a brief discussion.

Mr. Misterly gave a brief update on the new water treatment plant project.

City Attorney – Jimmy Luckey introduced a resolution for the extension of the interim financing with Florida Community Bank. The Deputy Clerk read by title proposed RESOLUTION NO. 2011-08. RESOLUTION PROVIDING FOR THE MODIFICATION OF THE CITY OF LABELLE, FLORIDA, WATER AND SEWER REVENUE NOTE, SERIES 2007, AND THE LOAN AGREEMENT RELATING THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AGREEMENT OF MODIFICATION BETWEEN THE CITY AND PREMIER AMERICAN BANK, N. A., D/B/A FLORIDA COMMUNITY BANK, IN CONNECTION THEREWITH; APPROVING THE FORM OF SECOND AGREEMENT OF MODIFICATION; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. **Commissioner Bone made a motion to adopt Resolution No. 2011-08. Commissioner Akin seconded the motion. Motion carried 5-0.**

Attorney Luckey advised that the Bond Validation Hearing would be coming up and that the County was reviewing the contracts concerning the right-of-way and the well sites. Mayor Puletti advised that the County, on Tuesday night, voted to sign the agreement. The W.S.I contracts were discussed briefly, along with the size of the new containers.

H.S.C.O. – Lt. Bryant provided a report on activity in the City of LaBelle for the month of February. She discussed it briefly. She also discussed the upcoming Sheriff's Fun Day activities.

Superintendent of Public Works – Michael Boyle – reported on the issue at the water plant earlier that day. The matter was discussed.

Attorney Luckey advised that in the matter of the moratorium on zoning approvals for pain management clinics to be discussed at the next meeting, he had concerns over a possible conflict with a new law enacted by the State last November. Mayor Puletti suggested that it would be reviewed by staff before being brought to the Commission for action.

City Planner – Shellie Johnson – had no further report.

City Finance Director – Ron Zimmerly – had no report.

Under *Correspondence Requesting Action*, was an invoice from the Hendry County Economic Development Council, Inc. Mayor Puletti explained that this would be allowing the City to join the SWFL Regional Economic Development Partnership but, he wasn't sure just where that organization was with the loss of Mr. Harrison. He suggested that someone from the organization should come to the Board and provide some updated information. There was a brief discussion.

Commissioner Zimmerly reported the only negative comments she heard on Swamp Cabbage was too many delays in the parade.

Commissioner Akin asked for the status on R.K.O. There was a brief discussion.

As there was no further business, the meeting was adjourned.

APPROVED:

Paul K. Puletti, Mayor-Commissioner

Attest:

David A. Lyons, Clerk-Commissioner