

CITY OF LABELLE
REGULAR COMMISSION MEETING

The City Commission of the City of LaBelle met in Regular Session on Thursday, September 8, 2011. Mayor Puletti called the meeting to order at 7:00 p.m. Finance Director, Ron Zimmerly, led the opening prayer, followed by the pledge of allegiance. A roll call was taken. All Commissioners were present with the exception of Commissioner Lyons.

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

- 1.) August 2011 vouchers and paid bills
- 2.) Minutes from the August 4, 2011 Regular Commission Meeting and the August 18, 2011 Special Meeting
- 3.) Bad Debt/Write-Off List thru Sept. 2011

Commissioner Akin seconded the Motion. Motion carried 4-0.

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

1. Special Exception Request of the Education Center of S.W. Florida was introduced by City Planner, Shellie Johnson. Ms. Johnson explained the original Special Exception was granted in 2009 for a period of 2 years with an annual review and contains no provision for an extension of time. The temporary buildings were to be replaced with permanent structures by 2011. However, with the economic downturn the funding for that project has not been available. The Education Center is in need of additional time and is asking for another Special Exception to continue operations in the temporary buildings for another 2 years. It was discussed briefly. **Commissioner Bone made a motion to approve Resolution No. 2011-17 granting a Special Exception to the Education Center of S.W. Florida. Commissioner Zimmerly seconded the motion. Motion carried 4-0.**

2. The Special Exception Request of Caloosa Baptist Church was heard next. Mr. Randy Bengston addressed the Board for the Church. He and City Planner, Shellie Johnson, explained how the circumstances surrounding the first Special Exception were similar to those of the Education Center. The intention was to replace the temporary buildings with a permanent structure. Again, the funding has not been available for that project as planned. The Church is asking for another Special Exception to allow the use of the temporary building for another 2 years. After a brief discussion, **Commissioner Zimmerly made a motion to adopt Resolution No. 2011-16 granting a Special Exception to Caloosa Baptist Church. Commissioner Akin seconded the motion. Motion carried 4-0.**

3. Next was the Final Public Hearing on proposed Ordinance No. 2011-02 Garbage & Refuse. The Deputy Clerk read by title ORDINANCE NO. 2011-02. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA; AMENDING THE CITY OF LABELLE CODE; AMENDING CHAPTER 8 GARBAGE AND REFUSE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Bone made a motion to adopt Ordinance No. 2011-02. Commissioner Akin seconded the motion. Motion carried 4-0.**

4.) Mayor Puletti opened the Final Public Hearing on proposed Ordinance No. 2011-03 South LaBelle Village DRI. The Deputy Clerk read by title proposed ORDINANCE NO. 2011-03. AN ORDINANCE OF THE CITY OF LABELLE ADOPTING A DEVELOPMENT OF REGIONAL IMPACT (DRI), KNOWN AS SOUTH LABELLE VILLAGE AND IDENTIFIED AS A PORTION OF LAND COMPRISED OF APPROXIMATELY 1,018 ACRES IN SECTION 2, TOWNSHIP 43 SOUTH, RANGE 28 EAST AND 29 EAST, CITY OF LABELLE, HENDRY COUNTY, FLORIDA AS DESCRIBED IN "EXHIBIT A" ATTACHED HEREIN; PROVIDING FOR THE

IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Akin made a motion to accept the recommendation of the L.P.A. and adopt Ordinance No. 2011-03 LaBelle Village DRI. Commissioner Zimmerly seconded the motion. Motion carried 4-0.**

5.) Mayor Puletti opened the Final Public Hearing on proposed Ordinance No. 2011-04 Landscape/Significant Tree Regulations. The Deputy Clerk read by title ORDINANCE NO. 2011-04 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA; AMENDING THE CITY OF LABELLE LAND DEVELOPMENT CODE; AMENDING APPENDIX B, ARTICLE V, SECTION 4-80 ENTITLED "LANDSCAPE REQUIREMENTS FOR ALL ZONING CLASSIFICATIONS" AND ARTICLE III, SECTION 8.7 ENTITLED "HISTORICAL OAK TREE PROTECTION"; ADOPTING A NEW LANDSCAPE AND SIGNIFICANT TREE REGULATION; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Akin made a motion to accept the recommendation of the L.P.A. and continue the hearing until the October 13th meeting. Commissioner Bone seconded the motion. Motion carried 4-0.**

6.) Mayor Puletti opened the Final Public Hearing on proposed Ordinance No. 2011-05 E.A.R. Adoption. The Deputy Clerk read by title ORDINANCE NO. 2011-05. AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE COMPREHENSIVE PLAN, ORDINANCE 2011-05, AS AMENDED; CHANGING THE FUTURE LAND USE MAP; ADOPTING CHANGES TO THE FOLLOWING ELEMENTS: FUTURE LAND USE, TRAFFIC CIRCULATION, HOUSING, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS; REMOVING THE MONITORING AND EVALUATION OF THE CAPITAL IMPROVEMENTS, AND ANNEXATION ELEMENTS; ADDING THE ECONOMIC DEVELOPMENT ELEMENT; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Bone made a motion to accept the recommendation of the L.P.A. and adopt Ordinance No. 2011-05. Commissioner Akin seconded the motion. Motion carried 4-0.**

7.) Mayor Puletti opened the Final Public Hearing on proposed Ordinance No. 2011-06 Natural Resource Management. The Deputy Clerk read by title ORDINANCE NO, 2011-06. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA; AMENDING THE CITY OF LABELLE LAND DEVELOPMENT CODE; AMENDING APPENDIX B, SECTION 6-3 ENTITLED "NATURAL RESOURCE MANAGEMENT"; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. **Commissioner Bone made a motion to accept the recommendation of the L.P.A. and adopt Ordinance No. 2011-06. Commissioner Zimmerly seconded the motion. Motion carried 4.0**

Mayor Puletti called for an Agenda Addition item. Mr. Ray Levinthal addressed the Board for the Legion Riders of American Legion Post 130. He spoke about last year's Bike Fest and asked the Board to consider allowing it again this year. He was directed to complete a Special Event Application and submit it for review as soon as possible.

Under *Staff Reports*:

Fire Chief, Ray Pittman- reported on the recent activity at the LaBelle Fire Department.

H.S.C.O. – Lt. Bryant provided a report containing statistical data from the Hendry County Sheriff's Office for August 2011.

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

City Engineer – ATM Engineering – Tim Taylor reported that the final permit for the

existing water treatment plant had been received and that an ARRA audit by E.P.A. was coming soon. He advised that a grant application had been submitted for new meters in connection with the new water treatment facility. He further reported that the Environmental Resource Permit was still outstanding as were 2 D.E. P. permits.

As for the Wastewater treatment plant, he discussed the recent purchase of a filter from the City of Melbourne and that a head works permit had been submitted for that facility.

City Attorney – Jimmy Luckey briefly discussed the U.S.D.A. application.

Superintendent of Public Works – Michael Boyle had no report.

City Planner – Shellie Johnson –had no further report.

City Finance Director – Ron Zimmerly introduce Resolution No. 2011-14. The Deputy Clerk read by title RESOLUTION NO. 2011-14 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA ADOPTING A TENTATIVE MILLAGE RATE FOR THE CITY OF LABELLE FOR THE FISCAL YEAR 2011-2012; PROVIDING AN EFFECTIVE DATE. The resolution contained a tentative millage rate of 3.3810. Mr. Zimmerly advised that the small rate increase would generate the revenue necessary to balance the City Budget for the next fiscal year and recommended adoption. After some discussion, it was decided that since this was a tentative millage rate and it could be reduced if necessary, **Commissioner Bone made a motion to adopt Resolution No. 2011-14. Commissioner Akin seconded the motion. Motion carried 5-0.** Commissioner Lyons had joined the meeting.

Mr. Zimmerly then introduced Resolution No. 2011-15. The Deputy Clerk read by title RESOLUTION NO. 2011-15 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA ADOPTING A PROPOSED BUDGET FOR THE CITY OF LABELLE FOR THE FISCAL YEAR 2011-2012; PROVIDING AN EFFECTIVE DATE. After a brief discussion, **Commissioner Bone made a motion to adopt Resolution No. 2011-15. Commissioner Zimmerly seconded the motion. Motion carried 5-0.**

Mr. Zimmerly introduced a Capitalization Policy for Capital Assets and explained that a recommendation was made by the auditor to update the current policy. It was decided the matter would be reviewed.

Under Business By Commissioners

Mayor Puletti discussed the water issues currently being experienced at the Barron Library. He also suggested that public hearings be held in October and November to discuss the necessary utility increases.

His final issue was a discussion on withdrawing from the West Hendry County Rec. Board and what kind of impact that might bring. There was discussion on the matter. **Commissioner Lyons made a motion for the Mayor and staff to investigate that possibility. Commissioner Bone seconded the motion. Motion carried 5-0.**

Commissioner Bone asked about sidewalk repairs on Park Ave. Superintendent Boyle advised he would look into it.

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

APPROVED:

Paul K. Puletti, Mayor-Commissioner

Attest:

David A. Lyons, Clerk-Commissioner