

**CITY OF LABELLE  
REGULAR COMMISSION MEETING**

Mayor Lyons called the meeting to order at approximately 6:05 p.m. He noted he would move to the Public Hearing section of the agenda first, in order to hear the KMJ Investments, LLC request for annexation, comprehensive plan amendment and PUD rezone at the beginning of the meeting, in respect for the citizens that had attended to hear the item.

Ron Zimmerly, Finance Director, led the opening prayer followed by the Pledge of Allegiance. A roll call was taken, and all Commissioners were present.

**PUBLIC HEARINGS**

The Mayor opened the public hearing for first reading of Ordinance Numbers 2020-02, 2020-03 and 2020-04 relating to the KMJ Investments, LLC Annexation, Comprehensive Plan Amendment and Planned Unit Development (PUD) rezone for the 2+/-acre parcel of land location north of SR 80 and ¼ mile east of Huggetts Road.

There was lengthy discussion by the Commission on whether to conduct the first reading or defer the hearing until June or July when more members of the public may be able to participate due to progress with the COVID-19 pandemic. The Applicant's agent, Shellie Johnson, addressed the Commission and asked permission to proceed with the first reading. She noted if there are still concerns in June the Commission could defer the final action at that time. The Mayor noted he would like to hear the changes made by the Applicant based on the Local Planning Agency comments. It was agreed the Commission would proceed with the first reading and the Mayor asked Staff to make a presentation. Derek Rooney, City Attorney read Ordinance Numbers 2020-02, 2020-03 and 2020-04 into the record.

Alexis Crespo presented the Staff Report and outlined the updates made since the Local Planning Agency hearing, including removal of industrial uses, restrictions on repair businesses, mini-warehouse, and outdoor display. She also noted the 8-foot tall opaque fence added to the northern buffer. She clarified the Hendry County Future Land Use currently in place allows for the same general range of uses and intensity. She outlined the changes to the Master Concept Plan.

Shellie Johnson, AICP representing the Applicant made a brief presentation and noted the changes as well, emphasizing responses to concerns from the neighborhood. Commissioner Wilkins thanked the applicant for making the changes.

The Mayor opened the meeting to public comment. Bob Burns, resident of Parkwoods subdivision, expressed his concerns and questions regarding the project, including too much intensity, insufficient utility capacity and access, insufficient water pressure for fire suppression, inadequate vehicular access, and general incompatibility and impact on the neighborhood to the north. He noted we was very concerned about the application.

Beverly Curtis noted she agreed with everything that Mr. Burns had said. She also expressed specific concern about a liquor store.

There was also extensive comments and discussion on roadway improvements in the past that had resulted in increased cut through traffic through the Parkwoods subdivision.

Ronald Dunbar of 1212 Wood Drive also noted his concerns, stating he lived in Parkwood subdivision since 1994. He noted concerns with traffic through his neighborhood, and potential cut through traffic caused by the development.

Bob Burns addressed the Commission again. He added to Mr. Dunbar's concern about cut-through traffic and discussed the history of the SR 80 improvements. He also noted many folks don't come out to hearings to express their concerns.

Commissioner Wilkins thanked the Applicant for addressing many of the concerns discussed aa the LPA, but noted she still has issues about the intensity. She said a major concern is still the alcohol sales/package store and potential outdoor consumption of alcohol.

Ms. Johnson addressed the Commission and noted a convenience store is not a proposed use. She noted Wal-Mart has liquor sales and the need for one would be market driven. She noted she would look into this item with the Applicant and may be able to limit the square footage at the next hearing.

Ms. Crespo clarified that the any outdoor consumption of alcohol with a restaurant would require full PUD amendment, and public hearings before the Commission would be required, if that use was requested in the future.

Commissioner Akin noted he agreed with Commissioner Wilkins on limiting alcohol sales in this project. There was further discussion on whether additional residents would come to the next hearing in June. The Clerk was directed to provide copies of the staff report and presentation at the City Hall drive through for concerned citizens to pick up to get informed on the project. The Clerk was also directed to post the materials on the website. Alexis Crespo confirmed this would be done by end of day on Friday, May 15<sup>th</sup>.

Derek Rooney noted it was the consensus of the Commission to provide mailed notice to all lots in the Parkwood subdivision prior to the June 11<sup>th</sup> Commission meeting.

***Following additional discussion, the item was moved forward to the June agenda for the second public hearing. These items were first readings and no motions were made.***

## **PROCLAMATIONS & PRESENTATIONS**

Mayor Lyons asked Alexis Crespo to make a presentation on the Economic Development Plan. Ms. Crespo presented a PowerPoint presentation on the grant project, schedule, and results of the Asset Mapping Report. A detailed discussion on the City's assets ensued, including discussion on infrastructure, local businesses, recreation, Downtown District, and workforce housing. The Commission had no additional comments or requested changes to the report. There was no public comment.

## **CONSENT AGENDA**

Mayor Lyons moved to the Consent Agenda. He asked for a motion on the consent agenda.

***Commissioner Akin made a motion to approve the consent agenda. Commissioner Kelley seconded the motion. The motion carried 5-0.***

Mayor Lyons adjourned the City Commission meeting at approximately 7:12 p.m. to open the Local Planning Agency meeting.

Mayor Lyons re-opened the City Commission meeting at approximately 7:52 p.m. Derek Rooney noted the Commission was now on Item F.2. under public hearings, and he introduced Resolution 2020-15 relating to the local state of emergency, and ratifying Resolutions 2020-06, 2020-07, 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, 2020-13 and 2020-14.

***Commissioner Wilkins made a motion to approve Resolution 2020-15. Commissioner Kelley seconded the motion. The motion carried 5-0.***

## **OLD BUSINESS**

Mayor Lyons moved to Old Business and asked Ron Zimmerly to provide an update on the SCOP paving project. Mr. Zimmerly noted the original contract was subject to a change order for additional paving, which slightly exceeded the estimate provided at the March meeting. He noted Staff found other sections that needed paving – particularly Hall Street. He noted a lot of public appreciation has been received for the project. Mrs. Linda Smith noted she appreciated the roadway improvements.

Mayor Lyons asked Freddy Perez for an update on the Barron Park improvements. Mr. Perez noted the sprinklers are repaired and working and provided an update.

Mayor Lyons asked for Staff to provide an update on the abandoned house code enforcement issues. Derek Rooney explained the progress that Code Enforcement Official, Allen Pickles, has made in the matter. He noted Mr. Pickles may need an administrative assistant or staff person to assist in preparing notices and paperwork associated with his job. Mr. Rooney walked the Commission through the staff process to notify and process code violations, noting the amount of paperwork and scheduling involved. He noted a full-time assistant may not be needed, but perhaps a part-time person. Ron Zimmerly suggested that the Commission take this up as part of the 2020-2021 budget process coming up shortly.

## **NEW BUSINESS**

1. Gary Hull presented the Sandy Oaks Preliminary Plat. Commissioner Wilkins asked if the plat has sufficient open space to meet the PUD requirements. She noted areas along the River that were inside lots and not common open space. There was discussion that the open space would be reviewed at the time of Site Construction Permit application, and not at plat review. Ms. Crespo noted the site

construction plans and application had not been received yet.

***Commissioner Wilkins made a motion to approve the Sandy Oaks Plat subject to bonding of site improvements. There was discussion on preliminary versus final plat. Commissioner Smith seconded the motion. The motion carried 5-0.***

2. Mayor Lyons noted he would appoint himself to the Tourism Development Council.

## **STAFF REPORTS**

Fire Chief Josh Rimes was not present due to fire activity.

Ben Rowe with the Hendry County Sheriff's Office presented the report attached to the agenda package. Commissioner Wilkins asked if the fire near SR 29 was contained. Lt. Rowe confirmed it was contained.

Ron Zimmerly provided a report from Four Waters noting the progress on sewer project Area A, including status of calculations, survey data/locates, and other aspects of the construction drawings. He noted the project was on schedule. He noted Area J is slightly behind Area A, but they are underway with design calculations and approximately 60% of the conceptual layout.

On the CDBG project, Ron noted that clearances were sent to DEP. Once the City receives approval, the City can proceed with the contractor work for tie-ins. He noted the gravity portion should be completed next week. There is a longer lead time for the pump stations.

Commissioner Wilkins asked if the grant covers the cost for septic conversion or do property owners have to pay. Ron confirmed the grant covered the cost.

City Attorney Derek Rooney noted he had nothing to report.

Superintendent of Public Works, Gary Hull, provided an update on the Helms Road and State Road 80 and SR 29 signalization progress. He noted issues with cameras in the light fixtures, as well as signalization issues along SR 80 at Main Street, Bridge Street and Lee Street. He noted the City would not accept the project until all issues were resolved. Ron Zimmerly also discussed the issues with arrow timing and potentially installing four-way stop signs to get FDOT's attention. There was further discussion on the grease trap ordinance and the need for this regulation. There was discussion on transitioning older businesses without grease traps to meet the new ordinance over time. There was discussion on COVID-19 and impacts on personnel. There was also discussion on the preliminary and final platting process.

City Planner Alexis Crespo presented Staff with the First Baptist Church zoning inconsistency issue, noting the Future Land Use Map, Zoning Map, and Downtown Regulating Plan were inconsistent and the entire property should be in the Downtown future land use and zoning districts. She noted the Church was contacted and issued a letter of support for the City initiating the changes. She also noted she would contact the adjacent property owners. Keitha Daniels was in attendance and noted she would like her property to be included in the Downtown zoning and future land use as well.

Ms. Crespo also asked for direction on the DEO Technical Assistance Community Planning Grant submittal. There was discussion from the Commission, including input from Keitha Daniels with the Economic Development Council. The Commission provided direction that the City should apply for an infrastructure master plan project.

Ron Zimmerly presented Resolution 2020-16 regarding an agreement with FDOT for street lighting maintenance. He noted this is different than the signalization agreement. He also noted electronic document signing is allowed in order to execute this type of agreement on behalf of the City, he would just need a motion. He explained this for the maintenance of approximately 36 streetlights along SR 80. Mayor Lyons asked for a motion.

***Commissioner Wilkins made a motion to approve Resolution 2020-16. Akin seconded the motion. The motion carried 5-0.***

Ron provided an update on the Captain Hendry House re-roofing project. He noted the shingles are being shipped and Crowther Roofing will finalize the project when the shipment arrives. There was discussion on the conditions of the roofline.

Ron gave an update on the CDBG grant writing RFP, which was advertised in the newspaper. He noted this was to advertise grant writing services for the hardening grant, with three (3) rounds of grants from the \$660 million in funding. He noted the Civic Center is not an appropriate structure to attempt to harden based on investigation by an engineer. After discussion he noted a more appropriate grant would be to request funding to harden the City's lift stations. Gary Hull noted the City has 32 total lift stations. Ron suggested the City

hire Guardian to write a grant to harden all of the City's lift stations, which can be done outside of the RFP. He noted Guardian would charge \$3,500 to write the grant and he was not sure if he had time to write the grant. He asked for flexibility to hire Guardian if needed. Commissioner Wilkins asked for clarification on why the RFP is needed. Ron explained the technicalities of administering CDBG grants.

*Commissioner Wilkins said she fully supported the City paying Guardian \$3,500 to write the grant. There was consensus from the City Commission.*

The Building Official and Code Enforcement Reports were included in the agenda materials and no presentations were given.

**BUSINESS BY COMMISSIONERS**

Tommy Smith – Nothing to report.

Julie Wilkins – Commissioner Wilkins thanked Staff for working hard through the pandemic and installing the irrigation at Barron Park.

David Kelley – Nothing to report.

Daniel Akin – Nothing to report.

As there was no further business, the meeting was adjourned at approximately 8:40 p.m.

**APPROVED:**

**\*\*\*SEE CLERK FOR SIGNED VERSION\*\*\***

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David A. Lyons, Mayor-Commissioner

**Attest:**

**\*\*\*SEE CLERK FOR SIGNED VERSION\*\*\***

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Thomas A. Smith, Clerk-Commissioner