

**CITY OF LABELLE
REGULAR COMMISSION MEETING**

Mayor Lyons called the meeting to order at approximately 6:20 p.m. Ron Zimmerly, Finance Director, led the opening prayer followed by the Pledge of Allegiance. A roll call was taken, and all Commissioners were present.

PROCLAMATIONS, PRESENTATIONS & PUBLIC COMMENT ON AGENDA ITEMS

The Purple Heart City presentation was deferred to the December meeting by the request of the petitioner.

Mayor Lyons asked Dan DeLisi, AICP to address the City on his proposal to connect his project at the Hendry/Lee County line to City of LaBelle Utilities. Derek Rooney, City Attorney, provided a brief overview of the petitioner's request to connect to utilities by extending lines to the site. He noted the ability to service significant additional properties via the extension.

Mr. DeLisi noted the project is a high-end RV Park and the benefits to the City including increased tax base and fee generation from the utilities. He provided the project location adjacent to the C-43 reservoir.

Josh Evans, P.E. noted the site is 6 miles from the existing utilities at the Wal-Mart. He noted a 6-inch line would be needed to serve the project. He noted the developer was also investigating utility availability through FGUA. He noted the project would contain 450 RV sites, along with commercial and amenities. He noted there would be a private package plant to provide sewer service and the developer just needs water service. Commissioner Akin asked the size of the project and it was noted the project is 140 acres.

Following further discussion, Commissioner Wilkins noted she approves of Staff investigating the costs and benefits to the City in further detail. Josh Evans explained that FGUA is very cumbersome to deal with, and the City is an ideal partner. Following discussion, the Commission directed Staff to work with the developer to investigate water line extension to the site.

Mayor Lyons invited Mary Barnes to speak on her request for speed bumps on Citrus Street. Mary Barnes addressed the Commission and noted the speeding issues on Citrus Street. She asked for speed bumps to slow traffic and noted that they would help with the beautification that the City wants to achieve in the Pinewood subdivision. Gary Hull, Superintendent of Public Works, recommended three (3) prefabricated speed bumps be installed. There was discussion on FDOT standards and safety with the installation of traffic calming devices. Following discussion, the Commission directed Staff to install the speed bumps on Citrus Street.

Mayor Lyons asked Karla Kaufman and Shellie Lowe of the Swamp Cabbage Festival Committee to address the Commission. They asked for road closures for the festival the same as previous years. Commissioner Wilkins noted the FDOT requires minutes approving the road closures. Sherri Easterly asked the businesses to be notified of the closures. Gary noted Alexis assisted in getting the FDOT permit last year. There was also a separate request for Swamp Stomp 5K.

Commissioner Wilkins made a motion to approve the road closures for both the festival and the Caloosa Humane Society 5K. Commissioner Akin seconded the motion. The motion carried 5-0.

CONSENT AGENDA

Mayor Lyons asked for a motion on the consent agenda. Alexis Crespo, Deputy City Clerk, noted an error on page two, where Shellie Johnson was referred to as a Commissioner. She noted she had corrected the error in the final version of the minutes.

Commissioner Wilkin a motion to approve the consent agenda with the correction noted by the Deputy Clerk. Commissioner Akin seconded the motion. The motion carried 5-0.

PUBLIC HEARINGS

Mayor Lyons opened the public hearing and second reading on proposed Ordinance 2020-14, to amend the Disabled Veterans of America Planned Unit Development to modify adopted conditions in Ordinance 2019-24 relating to parking and fencing. Derek Rooney read the ordinance title into the record.

The Applicant noted their intent to install a dumpster. There was discussion on screening standards and that the dumpster would be outside of the PUD on the flea market property.

Commissioner Wilkins made a motion to approve Ordinance 2020-14. Commissioner Akin seconded the motion. The motion carried 5-0.

Mayor Lyons opened the public hearing and second reading on proposed Ordinance 2020-15, relating to a Land Development Code Amendment for mobile home replacement in the R-1 and R-3 zoning districts for the Pinewood and Englewood subdivisions, and in the RNU zoning district for the Ford and Sunset Park subdivisions. Derek Rooney read the ordinance title into the record.

Mary Barnes asked for clarification on the intent of the ordinance. Alexis Crespo explained this would allow replacement of existing mobile homes, or the placement of a new mobile home on a vacant lot in the referenced subdivisions. It was noted this is just an option to landowners. There was discussion.

Commissioner Wilkins made a motion to approve Ordinance 2020-15. Commissioner Akin seconded the motion. The motion carried 5-0.

Mayor Lyons opened the public hearing on proposed Resolution 2020-59, Sewer Rate Increase. Nora Ned asked the purpose of the increase. Ron noted the increase in costs over the years. It was noted no increases have occurred for sewer rates for many years. Commissioner Wilkins noted the intent to make small increases over time and not hit people with significant increases all at once. Derek Rooney noted recent rate studies in other Florida cities resulted in increases of 140%. There was discussion. Nora Ned noted the strong odor coming from the wastewater treatment to her home. Commissioner Akin asked the appropriate time to conduct the rate study. Derek Rooney noted he would like to schedule a special meeting to discuss the sewer plant, and the rate study could be placed on that agenda.

Commissioner Akin made a motion to approved Resolution 2020-59. Commissioner Wilkins seconded the motion. The motion carried 5-0.

Mayor Lyons introduced the Gator Fest Special Event/Temporary Use Permit item. Holly Hansen with Hansen Alligators addressed the Commission, noting the festival would include an alligator cook-off, vendors, and food trucks at Barron Park. She noted Gator Fest would be from 10 a.m. to 5 p.m. on January 16, 2021. Commissioner Wilkins noted concern with the timing in relation to the Downtown LaBelle events

in January and the Swamp Cabbage Festival. She also noted concern with the for-profit nature of the business and that it would take away from not-for-profit businesses.

Commissioner Smith asked if these events took place in other cities. Ms. Hansen noted she had not heard of other similar events. There was discussion on licensing for alligator vending and meat processing. There was discussion on appropriate timing. There was consensus that the permit could be issued administratively if scheduled outside of the January – March as not to compete with local not for profit events. Fire Chief Rimes noted he thinks the City should have events in Barron Park every weekend during season to support the local economy. There was extended discussion on bringing local events to LaBelle during season to keep the money in the City with local vendors. There was lengthy discussion on the merits of bringing more entertainment and activities to downtown.

Commissioner Wilkins made a motion to approve the temporary use permit for Gator Fest, but noted the date is not guaranteed in future years. Commissioner Smith seconded the motion. Chief Rimes noted the applicant needs to coordinate for fire safety before the event. The motion carried 5-0.

Mayor Lyons opened the public hearing on Resolution 2020-66 regarding a special exception for healthcare facilities in the I-1A zoning district for property at 825 E. Cowboy Way. Alexis Crespo provided a brief presentation on the request, noting there are no conditions, the use is highly demanded, and it meets all special exception criteria. The Applicant addressed the Commission on the need for local medical care. Commissioner Wilkins asked Staff to update the LDC to allow for healthcare facilities in the industrial zoning districts.

Commissioner Wilkins made a motion to approved Resolution 2020-59. Commissioner Akin seconded the motion. The motion carried 5-0.

Mayor Lyons introduced Resolution 2020-65 ratifying Resolutions 2020-60, 2020-61, 2020-62, 2020-63 and 2020-64 regarding the Local State of Emergency relating to COVID-19.

Commissioner Wilkins made a motion to approve Resolution 2020-65. Commissioner Kelley seconded the motion. The motion carried 4-1 with Commissioner Akin dissenting.

Ron Zimmerly asked the Commission to ratify the local state of emergency for Tropical Storm Eta, Resolution 2020-67.

Commissioner Akin made the motion. Commissioner Kelley seconded the motion. Motion carried 5-0.

Mayor Lyons introduced the request for Significant Oak Tree Removal of 11 oak trees with mitigation for the site located at 277 E. Hickpochee Avenue. There was discussion on the project location. Commissioner Wilkins asked the item to be deferred until the applicant can provide a complete package with information on the trees proposed for removal.

Commissioner Wilkins made a motion to continue the item to December 10, 2020. Commissioner Akin seconded the motion. The motion carried 5-0.

Member of the public, John Clark, asked for clarification on the request and location. There was further discussion.

NEW BUSINESS

Ron Zimmerly introduced the 2020-2021 Legislative Packet to the Commission. He noted the meeting is scheduled for December 11th in Clewiston. He provided an overview of key items including sewer conversions, SCOP projects, and hardening projects.

Commissioner Akin made a motion to accept the package as presented and authorize Staff to make changes as needed prior to the deadline. Commissioner Kelley seconded the motion. Motion carried 5-0. Mayor Lyons noted Ron does an excellent job on the package every year. There was discussion on the hardening grant by the public.

Mayor Lyons introduced the 2020-2021 Staff Appointment/Reappointment. He asked for another month to work through the assignments and deferred to the December meeting.

Mayor Lyons opened the floor to public comment. Jesse Borges with the 435 S. Bridge Street automotive service station provided an update to the Commission and noted he had not opened the business yet as he is working on repairs. Mayor Lyons noted he had seen more vehicles there, and Mr. Borges said he had moved them. Commissioner Wilkins noted the special exception does not allow for outdoor storage. There was extensive discussion on the changes Mr. Borges needed to make for compliance with his special exception.

Commissioner Akin made a motion to put the item on the December agenda to move forward with revoking the special exception approval if the code enforcement issues are not resolved. Commissioner Wilkins seconded the motion. The motion carried 5-0.

STAFF REPORTS

Chief Josh Rimes provided his report noting a total of 66 calls in the past month. He also discussed the recent tropical storm.

Ron Zimmerly provided the Four Waters Engineering report. He noted Gary has confirmed all punch list items have been completed, and they are coordinating with Corbett on project close out for the CDBG grant project. On Area A, it was noted that Part 1 should be ready for bid after Thanksgiving, pending electrical design. Construction is anticipated to begin in mid-January. Part 2 (remainder of the gravity) is at 90% completion. On Area J, it was noted the City has received the survey and have begun laying out the gravity system and pump stations.

Derek Rooney asked the Commission to consider moving the date of elections to odd years, and also consider extending terms to four (4) years. Commissioner Wilkins suggested doing an election in three (3) years instead of lengthening terms. There was extensive discussion on how to modify elections to save money and encourage voter turnout. Upon discussion, there was no direction to make further changes to the City Charter relating to elections.

Mr. Rooney also noted discussions with Hendry County to create a county-wide EMS Municipal Service Benefit Unit (MSBU). He asked for direction from the Commission to move forward. Commissioner Wilkins noted her support. Commissioner Akin also noted his support. There was consensus for Mr. Rooney to bring back an ordinance at the December meeting. Lastly, he asked to schedule a special meeting to discuss utilities, particularly the sewer. There was direction to move forward with scheduling the special workshop on utilities.

Commissioner Wilkins asked Mr. Rooney to discuss the mowing program in Cape Coral. She noted this is a very equitable way to handle the overgrown lot issue. There was extensive discussion on how to implement the program and budgetary limitations. Derek noted he would complete additional research and bring the item back to the Commission at a future meeting.

Gary Hull noted flooding issues due to the tropical storm.

City Planner Alexis Crespo had nothing to report.

Ron Zimmerly provided an update on the CARES Act and a new agreement that would be forthcoming. He asked Derek if authorization to execute the new agreement would be needed from the Commission. Ron noted various HVAC upgrades needed on City facilities. He asked for a motion to prepare a Request for Bid (RFB) for these projects.

Wilkins motion to prepare a RFB for the HVAC upgrades, and authorize the Mayor to execute updated CARES Act agreements. Kelley seconded the motion. The motion carried 5-0.

Allen Pickles provided a code enforcement update.

The Building Official's Report and Hendry County Sheriff's Office Reports were provided to the Commission and no presentation was given.

BUSINESS BY COMMISSIONERS

David Kelley – Nothing to report.

Julie Wilkins – Commissioner Wilkins complimented Staff on the Harper fence resolution. She asked about the road closure discussed at the previous meeting to prevent cut through traffic. She also noted Staff should not trim all oaks to 14.5 feet per the discussion at the last meeting.

Daniel Akin – Nothing to report.

Mayor Lyons – Nothing to report.

Tommy Smith – Commissioner Smith advised Staff that all the replanted/mitigation trees planted on the 8th Street property died following the illegal oak tree removal. Mr. Pickles noted he was in contact with the property owner.

As there was no further business, the meeting was adjourned at approximately 8:42 p.m.

APPROVED:



David A. Lyons, Mayor-Commissioner

Attest:



Thomas A. Smith, Clerk-Commissioner