

**CITY OF LABELLE
REGULAR COMMISSION MEETING**

Mayor Lyons called the meeting to order at approximately 6:05 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

Mayor Lyons asked Brenda Hoots, Hendry County Supervisor of Elections, to provide an update. Ms. Hoots clarified that the City election was moved to August and the terms were extended to 4 years per the recent charter amendment. She also noted that the next election moved the terms to odd years. She asked the Commission to extend the odd year election term in 2021 by one year, one time, so the election would be synchronized to fall on even years with the County elections. There was discussion by the Commission. There was agreement by the Commission to extend the term by one year as recommended by Ms. Hoots.

The Purple Heart City presentation was made by Myra Johnson. She noted she is a Navy Veteran and was honored to ask the City to join Hendry County as a Purple Heart City. She noted this would register the City and show support for local veterans. She noted she would return with a proclamation in January 2021. Commissioner Wilkins asked for two (2) flags to have one in City Hall and one at the Veterans Park. Myra explained she would register the City.

Commissioner Wilkins made a motion to designate LaBelle as a Purple Heart City. Commissioner Kelley seconded the motion. There was discussion. The motion carried 5-0.

CONSENT AGENDA

Mayor Lyons asked for a motion on the consent agenda.

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

PUBLIC HEARINGS

Mayor Lyons introduced the request for significant oak tree removal of 24 oak trees with on-site and off-site mitigation for the commercial project located at 277 E. Hickpochee Avenue. City Planner, Alexis Crespo, provided a brief overview of the request to remove 24 significant oak trees, noting the mitigation complies with the Land Development Code. Jenny Aguila on behalf of the Applicant explained the proposed commercial development and the need to remove the trees. There was further discussion on the need for additional information, including a site plan that provides water management and open space. It was noted that more trees may be able to be saved. Following extensive discussion, the Applicant noted they would engage an engineer to formalize the site plan and meet with Staff. The Commission noted approval to remove some trees would be acceptable if additional information is provided.

Mayor Lyons opened the public hearing and first reading on proposed Ordinance 2020-16, relating to a Land Development Code Amendment to update the Planned Unit Development (PUD) regulations. Alexis Crespo provided a brief overview of changes made based upon the Local Planning Agency recommendation. There

was discussion on Staff authority to authorize administrative changes. Following discussion, the consensus was to authorize the City Planner. The item was moved to second reading in January 2021. *No motion was made as this was a first reading.*

Mayor Lyons opened the public hearing and first reading on proposed Ordinance 2020-17, relating to a Land Development Code Amendment to amend the definition of family. The item was moved to second reading in January 2021. *No motion was made as this was a first reading.*

Mayor Lyons opened the public hearing to rescind Resolution 2020-52, regarding a special exception to allow for vehicles/equipment repair and service on B-2 zoned property located at 435 S. Bridge Street. There was discussion on the Applicant's lack of compliance with the special exception conditions, including storing vehicles in the rear of the site. There was discussion on the building owner's lack of compliance with conditions to improve the building to meet current codes. There was discussion by the Commission.

Commissioner Wilkins made a motion to rescind the resolution. Commissioner Akin seconded the motion. There was discussion. Derek Rooney asked Allen Pickles, Code Enforcement Official, to confirm if the site was in compliance with the special exception resolution conditions. He confirmed the site was not in compliance. Following further discussion, the motion carried 5-0.

Mayor Lyons opened the public hearing and first reading on proposed Ordinance 2020-18 to enter into a county-wide EMS Municipal Service Benefit Unit (MSBU). City Attorney, Derek Rooney, read the title into the record. He explained the purpose of the ordinance to establish an assessment for EMS services. It was clarified the County would be making the assessment. This ordinance would provide them permission to do so in the City. There was discussion. *No motion was made as this was a first reading.*

Resolution 2020-72 ratifying Resolutions 2020-68, 2020-69, 2020-70, and 2020-71 regarding the Local State of Emergency relating to COVID-19. There was discussion on the validity of the state of emergency.

Commissioner Wilkins made a motion approve Resolution 2020-72. Commissioner Kelley seconded the motion. The motion carried 4-1 with Commissioner Akin dissenting.

OLD BUSINESS

Mayor Lyons tabled committee appointments until the January meeting.

NEW BUSINESS

Derek Rooney introduced the replat of Belle Arbor to realign Shady Oaks Avenue. Shellie Johnson, Agent for the Applicant, provided an overview of the changes shown on the re-plat. There was discussion on the changes. Commissioner Wilkins asked how the public would be informed of the changes. There was discussion on timing. Following extensive discussion, Derek Rooney noted the City could run two (2) consecutive advertisements notifying the public that the road is being vacated. The item was tabled to the January 2021 meeting to allow for the noticing.

STAFF REPORTS

Chief Josh Rimes provided his report noting a total of 63 calls in the past month, an increase of 21 calls over last year. He noted the Department was doing well and increasing staffing.

Lt. Ben Rowe with the Hendry County Sheriff's Office provided their monthly update. There was discussion on illegal parking in the fire lanes at Wal-Mart.

Laura Constantino with Four Waters Engineering provided the engineering staff report. She noted the CDBG project was substantially complete. She noted progress on the Area A and J projects. Commissioner Wilkins asked about the wastewater treatment plant status. Derek Rooney provided discussion on funding and the special workshop relating to the wastewater plant. He asked to hold a special workshop on January 14th prior to the next Commission meeting.

Superintendent of Public Works, Gary Hull, had nothing to report.

City Planner, Alexis Crespo, had nothing to report.

Ron Zimmerly provided an update on funding of \$3.2 million for Area B sanitary sewer conversion. Ron then discussed a dispute with a resident regarding the waiver of a sewer fee assessment. Member of the public, John Clark, asked about the amount that was being requested to be waived. There was discussion on number of outstanding accounts. Derek Rooney recommended the City maintain the offer to waive the interest only as long as the City extends the offer to the neighbors.

Ron noted that the County asked the City to approve the 5-year local mitigation strategy. Ron noted he reviewed and provided feedback relating to errors. He noted the County is requesting a resolution to adopt it. Following discussion, it was noted the Commission will review during their January meeting once the corrections have been made. Ron provided a CARES Act update. He noted the time element burden was eliminated. Derek Rooney noted the City should follow their procurement code. He noted Clewiston has already been paid their COVID funding.

Allen Pickles provided a code enforcement update, noting the roof was fixed on the code enforcement building. He also noted the 8th Avenue oak tree violation was fully mitigated.

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

Tommy Smith – Nothing to report.

David Kelley – Commissioner Kelley explained he had to resign due to Florida retirement requirements. Mayor Lyons noted he would miss Commissioner Kelley upon his retirement from the Commission.

Julie Wilkins – Commissioner Wilkins thanked Staff for all their hard work on the holiday decorations and various events. She asked Staff to put electrical outlets at the base of the trees instead of running cords in front of City Hall. Freddy Perez acknowledged the request.

Daniel Akin – Nothing to report.

Mayor Lyons – Mayor Lyons thanked Staff for the Christmas decorations. He thanked David Kelley for his service.

As there was no further business, the meeting was adjourned at approximately 8:00 p.m.

APPROVED:



David A. Lyons, Mayor-Commissioner

Attest:



Thomas A. Smith, Clerk-Commissioner