

**CITY OF LABELLE
REGULAR COMMISSION MEETING**

Mayor Lyons called the meeting to order at approximately 6:15 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 except Commissioner Daniel Akin.

PROCLAMATIONS, PRESENTATIONS & PUBLIC COMMENT ON AGENDA ITEMS

Mayor Lyons introduced the Purple Heart City Proclamation and asked Myra Johnson to address the Commission. Ms. Johnson read the proclamation into the record. The Mayor and Commissioners thanked veterans in attendance for their service. Photographs were taken with the Commission.

Mayor Lyons asked Kelly Boone to present to the Commission on the proposed Downtown Color Palette. Ms. Boone presented the proposal to have a color palette for buildings in the Downtown Business District. There was discussion on if a permit process would be needed. There was discussion by the Commission on not wanting to require a permit for painting. There was discussion on if the palette provided enough flexibility and general agreement that there was a large selection for property owners to consider. Commissioner Smith expressed concern with regulating building colors. Commissioner Wilkins noted the intent is to avoid obnoxious colors.

A member of the public noted murals would not fit into the color palette. It was clarified that murals would not have to comply with the color palette.

A member of the public noted the public and business owners should be notified. Another member of the public asked if historic buildings had regulations already regarding paint colors. It was clarified the historic structures rules do not protect against painting. Mayor Lyon noted that this item would have to go through Local Planning Agency review and public hearings before the Commission, and this is just to provide direction to Staff. It was clarified the proposal only applies to the Downtown Business District. The Commission directed Kelly to speak with business owners to gauge support for the request. The Commission directed Staff to prepare the LDC amendment for an upcoming Local Planning Agency.

Mayor Lyons opened the presentation on the Girl Scout mural request in Barron Park. Nicole Hellard noted the Girl Scout troop decided they wanted to do a mural project in Barron Park on the side of the bathroom structure. The proposed image of a crane was shown. It was noted that the mural would include an oak tree to represent the City Under the Oaks. She asked for permission to paint the mural at no cost to the City, other than pressure washing the building. She noted local artist Carlos Innocente would outline the drawing the girls would paint it. Commissioner Wilkins asked if there would be any text on the sign to acknowledge the Girl Scout and artist. Ms. Hellard noted that would be ideal. It was clarified the mural will cover the entire side of the building. Commissioner Wilkins asked about the cost to the Girl Scouts. It was estimated at a few hundred dollars. There was discussion on the restroom building being taken down/removed eventually as part of the Barron Park Master Plan.

Commissioner Wilkins made a motion to allow the mural to be painted on the building, pay for the cost of paint, and pressure washing the building. Commissioner Smith seconded the motion. The motion carried 3-0.

CONSENT AGENDA

Mayor Lyons asked for a motion on the consent agenda.

Commissioner Smith made a motion to approve the consent agenda. Commissioner Wilkins seconded the motion. The motion carried 3-0.

PUBLIC HEARINGS

Mayor Lyons introduced the request for significant oak tree removal of two (2) oak trees with on-site mitigation for a single-family property located at 635 E. Oklahoma Avenue. Alexis Crespo provided a brief presentation on the request. There was discussion on the request and Mr. Dennis Johnson, the Applicant briefly addressed the Commission.

Commissioner Wilkins motion to approve the removal of the oak tree subject to mitigation/re-planting of two (2) live oaks on the subject property. Commissioner Smith seconded the motion. The motion carried 3-0.

Mayor Lyons introduced the request for significant oak tree removal of four (4) oak trees with on-site mitigation for the Oakbrook Nursing Home property. Gary Hull presented the Applicants request to remove 2 healthy oak trees, and 2 unhealthy oak trees. There was discussion on shading on the property provided by the trees. There was discussion on the need for parking.

Commissioner Smith motion to approve removal of 4 oak trees subject to mitigation/re-planting of four (4) oaks trees on the subject property. Commissioner Wilkins seconded the motion. The motion carried 5-0.

Mayor Lyons introduced the public hearing and second reading on proposed Ordinance 2020-16, relating to a Land Development Code Amendment to update the Planned Unit Development (PUD) regulations. Derek Rooney read the title into the record. The Commission waived the staff presentation. There was no public comment.

Commissioner Wilkins motion to approve Ordinance 2020-16. Commissioner Smith seconded the motion. The motion carried 3-0.

Mayor Lyons introduced the public hearing and second reading on Ordinance 2020-17, relating to a Land Development Code Amendment to amend the definition of family. Derek Rooney read the title into the record. The Commission waived the staff presentation. There was no public comment.

Commissioner Wilkins motion to approve Ordinance 2020-17. Commissioner Smith seconded the motion. The motion carried 3-0.

Mayor Lyons introduced the public hearing on Resolution 2021-03 vacating a portion of Shady Oaks Avenue.

Commissioner Smith made a motion to approve Resolution 2021-03. Commissioner Wilkins seconded the motion. The motion carried 3-0.

Mayor Lyons introduced the public hearing on Resolution 2021-02 ratifying Resolutions 2020-74, 2020-75, 2020-76, and 2021-01 regarding the Local State of Emergency for COVID-19.

Commissioner Wilkins motion to approve Resolution 2021-02. Commissioner Wilkins seconded the motion. The motion carried 5-0.

OLD BUSINESS

Mayor Lyons asked Ron Zimmerly to discuss Resolution 2021-04 adopting the 2020 revised Hendry County Local Mitigation Strategy. Mr. Zimmerly explained the resolution and noted the corrections that he had requested had been made by the County.

Commissioner Wilkins made a motion to approve Resolution 2021-04 adopting the 2020 revised Hendry County Local Mitigation Strategy. Commissioner Smith seconded the motion. The motion carried 3-0.

Mayor Lyons asked Ron Zimmerly to discuss an Interlocal Agreement relating to Cares Act funding. Derek Rooney explained the amendments to the interlocal agreement noting the funding would occur directly through local grant funding. Mr. Zimmerly noted this was a simpler approach to getting the funding dispersed to the City, noting it eliminates the federal review of our expenses and streamlines the process for the City.

Commissioner Smith made a motion to approve the interlocal agreement on COVID 19 funding. Commissioner Wilkins seconded the motion. The motion carried 3-0.

NEW BUSINESS

Mayor Lyons noted he is working on the 2020-2021 Staff Appointment/Re-appointments and he will bring it back at a future meeting.

Mayor Lyons asked Gary Hull to present the Shady Oak Coach Homes Plat. He noted the plat has 21 duplex lots and is located north of Lincoln Avenue. He explained the project and roadway network. There was discussion on needing to confirm the infrastructure installed in the project meets current standards and is operational. There was extensive discussion on the name of internal roadways. It was decided the street name should stay Geneva.

Commissioner Smith made a motion to approve the preliminary and final plat for the Shady Oak subdivision, subject to confirming the infrastructure is built to standard and subject to the Mayor's signature. Commissioner Wilkins seconded the motion. The motion carried 3-0.

Ron Zimmerly explained the Interlocal Agreement relating to Hendry County First Responder Agencies regarding direct radio communication among 911 PSAPS and first responders. There was discussion on the item.

Commissioner Wilkins made a motion to approve the interlocal agreement relating to first responders. Commissioner Smith seconded the motion. The motion carried 3-0.

Ron Zimmerly presented the RFQ for an auditor, noting the current auditor is retiring and a new firm needs to be selected to provide this service. He also noted that the Commission needs to appoint a Selection Committee. Mr. Zimmerly recommended that Commissioner Akin represent the Commission on the

selection committee. He also noted David Miller, the current auditor, had volunteered to be on the selection committee. He noted a third person from staff would be needed. He explained the role of the selection committee in accordance with Florida Statutes, including selection and negotiation with the selected firm. Mayor Lyons asked if a motion was needed. Mr. Zimmerly noted he just needed direction and consensus to move forward. Commissioner Wilkins asked how long the City would advertise the RFQ. He responded 30 days is the typical advertisement timeframe. Commissioner Wilkins asked if it is appropriate for staff to select the third committee member. Mayor Lyons appointed Julie Wilkins to the committee.

Mayor Lyons opened discussion on farmworker housing code enforcement strategy. Alexis Crespo explained the City has developed a violation/notification strategy to address farmworker housing in single-family zoning districts in response to concerns from the Sunset Park and Ford Park communities.

Wanda Reina with Hendry County Code Enforcement explained Hendry County's process for documenting migrant housing in single-family districts. She noted monitoring of commercial vehicles, busses entering and exiting the property, noise complaints, and other indicators. She also explained the notification process upon receiving notice of farmworker housing from the Health Department. She explained the documentation and monitoring process. She noted all violators have come into compliance upon notification and none have to be taken to the special magistrate. There was lengthy discussion about the issues and how to locate farmworker housing in zoning districts where not permitted. Fire Chief Josh Rimes spoke about Fire Department concerns relating to farmworker housing and potential fire hazards.

A member of the public asked what the difference is to the City between construction workers staying in the LaBelle Motel and migrant farm workers.

Derek Rooney explained the legal issues and layers of regulation concerning farmworker housing.

A member of the public noted she will continue to operate farmworker housing that are well run and properly permitted.

There was further discussion and the Mayor thanked attendees for the discussion, particularly Ms. Reina for sharing her knowledge. He noted the City would continue to work on this issue.

A member of the public addressed the designated rooms at the LaBelle Motel for migrant housing.

STAFF REPORTS

Chief Josh Rimes provided his report noting a significant increase in calls in the past month, but noted the holidays had lower calls than usual. He noted the Holiday Awards provided to his Staff including 5- and 20-year services awards. He noted the Firefighter of the Year is Caleb Polehill as voted on by his peers. He noted fire truck repairs and costs, and the need to replace some of the smaller rescue and brush trucks. He noted he was leaving the Department this year and he would like a workshop with the Commission to discuss what the City would like to see in their next Fire Chief. The Mayor confirmed a workshop would be scheduled.

Lt. Ben Rowe with the Hendry County Sheriff's Office had to leave the meeting but left the Commission with his monthly update.

Laura Constantino with Four Waters Engineering provided the engineering staff report. She noted progress on the Area A and J projects, particularly to get the Oakwood Terrace mixed use project connected to

utilities. She noted the FDEP permit was issued and the bidding would occur in the next month. She noted Area B is a new FDEP funded project north of SR 80 that will feed into Area A. It was clarified the project extends to the City's eastern city limits on the north side of SR 80. Lastly, she noted progress on the groundwater monitoring plan including monitoring well 6. She noted waiting for quotes from well drillers. Commissioner Wilkins asked if Area A extends to Bennett's office on Yeomans Avenue. There was an explanation of the extent of the sewer improvements.

Derek Rooney noted he has nothing new to report. He was awaiting final details from the applicant of the RV project to set the utilities workshop.

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

City Planner, Alexis Crespo, asked if the Commission would like to register as Tree City USA. It was noted the registration had lapsed. There was consensus to register.

Ron Zimmerly provided an update on the emergency generator hardening grant. He noted that was not funded so the City should proceed with the \$90,000 DEM funding grant but this would not cover all 5 lift stations but there is the opportunity to purchase slightly used generators at a significant cost savings. The grant does not preclude use of a used generator but the City should make sure the used generator has a 3 year warranty or service agreement. There was discussion by the Commission and Ron noted he would ask the Mayor to sign the agreement to submit tomorrow.

Commissioner Wilkins made a motion to authorize the Mayor to execute the \$90,000 DEM grant. Commissioner Smith seconded the motion. The motion carried 3-0.

Ron noted the City had submitted 3 planning grants for stormwater, wastewater and potable water master plans, and none were awarded. He also noted he is waiting to hear about sewer improvement project grants. He noted the CDBG project is completed but he is having difficulty getting reimbursed on the 2nd request for funds submitted on August 8, 2020. He noted repeat questions on the reimbursement. There was discussion on having our Representative contact the CDBG to assist in getting payment.

Allen Pickles noted the barricades at the end of Ford Avenue are installed and the residents are happy. He also noted his Department ordered a tripod to help with manhole servicing. He asked about status of duplexes on Lincoln Avenue and it was confirmed the drainage issue would be remedied.

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.

Julie Wilkins – Commissioner Wilkins noted citizen complaints for sidewalks on Bridge Street and life and safety issues associated with lack of maintenance. She directed Staff to investigate and fix the issue. She also recommended the streetsweeper be used.

Mayor Lyons – Mayor Lyons noted he would appoint Bobbie Spratt to serve David Kelly's term as Commissioner. He asked for a motion. ***Commissioner Smith made a motion to approve the appointment. Commissioner Wilkins seconded the motion. Motion carried 3-0.***

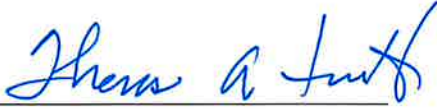
As there was no further business, the meeting was adjourned at approximately 9:00 p.m.

APPROVED:



David A. Lyons, Mayor-Commissioner

Attest:



Thomas A. Smith, Clerk-Commissioner