

**CITY OF LABELLE  
REGULAR COMMISSION MEETING**

Mayor Lyons opened the regular August Commission Meeting at 6:30 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 for Commissioner Tommy Smith.

**PROCLAMATIONS, PRESENTATIONS & PUBLIC COMMENT ON AGENDA ITEMS**

Karl Lorenz made a presentation on the proposed improvements to the Selma Daniels school. He noted he would do the work free of charge but asked the Commissioner to waive the building permit fees. He noted the historical and cultural value. A start date of November 2021 was suggested. There was discussion on maintenance. A member of the public commented on the City maintaining the facility. There was discussion on the roof and Mr. Lorenz indicated that would not be included in the scope of work. There was lengthy discussion on the maintenance issue. There was consensus from the public that the project is needed.

*Commissioner Wilkins made a motion to allow Parrotheadz Contracting to proceed with the improvements, and have the City waive the permit fees. The motion was seconded by Commissioner Spratt. There was discussion. The motion carried 4-0.*

Commissioner Wilkins asked Gary Hull to add the School to the City's maintenance schedule.

**CONSENT AGENDA**

Mayor Lyons asked for a motion on the consent agenda.

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

**PUBLIC HEARINGS**

Resolution 2021-50 relating to a special exception for Life Ministries of LaBelle. Alexis Crespo, representing Staff noted the intent to add a modular building on the south side of the property. She noted the church does not have school or daycare services and this approval was conditioned to prohibit these uses. Commissioner Wilkins asked the Applicant, Pastor Jorge Rodriguez, to consider some landscaping along the road (SR 80). The Applicant noted additional landscaping installed within the last year that will grow and mature over time.

*Commissioner Spratt made a motion to approve Resolution 2021-50. Commissioner Wilkins seconded the motion. Derek Rooney, City Attorney asked for public comment and there was none. The motion carried 4-0.*

Resolution 2021-51 relating to a special exception for International Christian Ministries of LaBelle. Alexis Crespo explained the petition to add one (1) single-family home to the special exception boundary. Derek Rooney noted this is an expansion of the existing special exception approval. There was extensive discussion on the use of the single-family home, how children could safely cross Clark Street if the house was used for school. The Applicant noted they require flexibility to use the house for the classrooms, office or other church purposes. The Commission asked for larger site plans that were more legible. There was extensive discussion on neighborhood compatibility, growth of the school, and child safety. Derek Rooney noted

schools are permitted in the zoning district by right. Fire Chief Micah Mungillo noted the life and safety requirements if the house is used for a school. A member of the public asked the timeframe for Phase 2 development and also asked that a playground not be located on the single-family property being added. Staff explained Phase 2 development requires a public hearing and neighbors within 500 feet will be notified in writing of any future hearings. The Applicant noted they have been a good neighbor in the community for many years. Commissioner Spratt reiterated her concern that the house be used for classroom space.

***Commissioner Wilkins made a motion to approve Resolution 2021-51. There was further discussion. Commissioner Akin seconded the motion. The motion carried 4-0.***

Resolution 2021-49 ratifying Resolutions 2021-44, 2021-45, 2021-46, 2021-47 and 2021-48 regarding the Local State of Emergency for COVID-19.

***Commissioner Wilkins made a motion to approve Resolution 2021-49. Commissioner Spratt seconded the motion. The motion carried 4-0.***

### **OLD BUSINESS**

The Mayor noted the CARES Act Extension requires action. Ron Zimmerly presented the amendment to the interlocal agreement to distribute the funding. He noted the amendment extends the deadline until January 2022.

***Commissioner Wilkins made a motion to approve the amendment to the interlocal agreement presented by Staff. Commissioner Akin seconded the motion. The motion carried 4-0.***

### **NEW BUSINESS**

Gary Hull presented the final plat for the Sandy Oaks subdivision, subject to review of the bond by the City Attorney.

***Commissioner Wilkins made a motion to approve the Sandy Oaks plat subject to City Attorney review. Commissioner Akin seconded the motion. The motion carried 4-0.***

Ron Zimmerly presented the 2022 Legislative package. Ron noted the SCOP and CDBG grants that have been listed in the past. Commissioner Spratt asked if the request was enough to ask for, and there was discussion on the amounts requested.

***Commissioner Akin made a motion to accept the legislative packet as presented by Staff. Commissioner Spratt seconded the motion. The motion carried 4-0.***

Mr. Zimmerly presented the meter replacement program item, noting it was postponed due to COVID. He noted the costs to replace all the meters. He asked for a consensus to go to the cellular endpoint, noting no cost to the City, but a cost to the resident of \$6.63 per month that would be added to their water bill. He noted the efficiency in gaining new water meters. He noted Woodard & Curran are in support of the cellular replacement. There was discussion and it was noted this is still conceptual and there is no need for a motion. He noted this would eventually require a public hearing. The Commission indicated their consensus to move forward as Staff recommends.

## STAFF REPORTS

Chief Mungillo gave an update on the Fire Department, providing a 6-month summary of activity. He also noted calls were increasing as we head into season. The Commission thanked the Chief for his good work. There was discussion on the budget and staffing.

Captain Mike Stevens presented his monthly report, noting no violent crimes for the month. Commissioner Wilkins and Mayor Lyons both noted that the Sheriff's office needs to monitor speeders and cut through traffic in neighborhoods.

Laura Constantino gave an update on various project updates. She noted work updates for septic to sewer conversion and the monitoring well projects. She also noted coordination with the developer of the Old Florida RV project on the waterline extension. She also noted progress with the Helms Road waterline extension project in coordinating the scope and sub-consultants. Commissioner Wilkins asked Staff to notify residents getting sewer that their property would be connected.

Derek Rooney gave an update that the Variance Board approved the Hallihan pole barn variance. He noted the Commission could appeal the decision through the court systems, noting cost and issues with overturning the approval. He noted the Commission could take variance approval authority from the Board and delegate to the Commission. He also noted the LDC could be updated to provide a process to appeal Variance Board decisions to the Commission. Following discussion there was consensus to update the LDC to change the variance review procedures, authority and criteria. There was lengthy discussion on the next steps. The Commission provided the City Attorney with direction to update the LDC to address the various issues. Code Enforcement Officer Allen Pickles asked for a letter from the City Attorney noting the Commission would not appeal the Variance Board decision.

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

City Planner, Alexis Crespo, had nothing to report.

Ron Zimmerly asked for approval to award the lowest bidder, Clyde Johnson, for the Captain Hendry House roofing repairs. Ron asked the Commission to ratify the contract, which is \$91,000 less than the engineer's cost estimate. He noted only two (2) bids were received.

***Commissioner Spratt made a motion to proceed with awarding the contract as recommended by Staff. Commissioner Wilkins seconded the motion. The motion carried 4-0.***

Ron asked the Commission to authorize the Mayor or designee to execute the agreement for the American Recovery Act Fund Act funding upon approval by the City Attorney.

***Commissioner Wilkins made a motion to approve the Mayor or designee to sign the agreement contingent upon legal counsel review. Commissioner Spratt seconded the motion. The motion carried 4-0.***

Ron gave an update on part-time employees that need to be paid FRS and noted the potential penalty. He discussed coordination that had occurred to vet solutions, adding that the City's insurance covers the FRS owed with no deductible.

He noted the City has insurance to cover the full amount of this cost without a deductible. He also noted that

a total of 8 employees would be moving over to work for Woodard & Curran. He recommended paying out 50% of the sick leave time and 100% of vacation time accrued. He noted the amount is approximately \$71,000. There was extensive discussion on fairness to employees and concern about the accrual of vacation and sick time without a “cap”.

*Commissioner Wilkins made a motion to accept Staff’s recommendation to pay employees transferring to employment by Woodard & Curran 50% of sick leave time and 100% of vacation time accrued. Commissioner Spratt seconded the motion. The motion carried 4-0.*

*Commissioner Wilkins amended her motion to review to make sure there was no “double dipping” of payment of benefits. Commissioner Spratt seconded the motion. The motion carried 4-0.*

Mayor Lyons asked Allen Pickles when he would get the structure knocked down by the Beck Apartment job. Commissioner Spratt asked about the plan for a new Code Enforcement Officer. Ron Zimmerly noted the position was advertised and there are 3 applicants. There was discussion on the hiring process and expediting it.

The Building Department Report was provided to the Commission and no presentation was given. Mayor Lyons asked Denise Walker to address the Commission. She asked for the Commission to consider paving Hickory Street to provide access to the lots south of SR 80. She noted the property owner has paid a lot of money in taxes to the City. There was discussion. It was explained that FDOT closed the curb cut to Hickory Street.

**BUSINESS BY COMMISSIONERS**

Commissioner Spratt – Nothing to report.

Daniel Akin – Nothing to report.

Commissioner Wilkins – Thanked the Commissioners, Staff and public for allowing her to serve as Commissioner and noted that she hopes to be back after the election.

Mayor Lyons – Nothing to report.

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

**APPROVED:**



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David A. Lyons, Mayor-Commissioner

**Attest:**



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Alexis Crespo, AICP, Deputy City Clerk