

**CITY OF LABELLE  
REGULAR COMMISSION MEETING**

Mayor Wilkins opened the regular November Commission Meeting at 6:00 p.m. A roll call was taken, and all Commissioners were present. Ron Zimmerly, Finance Director led the opening prayer followed by the Pledge of Allegiance.

Mayor Wilkins invited Dan Shoaf up to the podium for an agenda addition item about sewer issues at Sal Cal Pizza. He explained his issues he has had with a 2-inch sewer pipe. He asked for monetary assistance from the City for his bills totaling about \$4,000. Gary Hull explained that the sewer line in discussion was privately owned and not the City's responsibility. Attorney Derek Rooney made a recommendation to get copies of invoices for review by City staff. Commission discussed voting on reimbursement, and decided to have the staff review and come back with a recommendation at the next meeting.

Mayor Wilkins invited Matt Rentz up to the podium to discuss removal of a 42-inch oak tree on his property. Gary Hull confirmed that he had examined the tree and that the oak tree was sick and dying.

***Mayor Wilkins asked for a motion to approve the tree removal. Commissioner Ratica made a motion to approve removal of the tree. Commissioner Spratt seconded the motion. The motion carried 5-0***

John Rouse was invited to the podium to discuss infrastructure opportunities. He expressed concerns about the bridge needing repairs, and suggested the possibility of a train from LaBelle to Ft. Myers. Attorney Derek Rooney directed Mr. Rouse to contact the DOT, and Hendry County Board of Commissioners.

Mayor Wilkins asked for a motion on the consent agenda. There was no discussion.

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

Attorney Derek Rooney read Ordinance 2021-12, for the rezoning of property located at 82 W. Hickpochee from Downtown Business District General to Downtown Center for the purpose of a medical tattoo parlor. Mark Weston addressed the board and gave a description of his business. Mr. Rooney stated that the Downtown review committee had reviewed the request, and that he recommended to the staff to issue the permit by zoning in progress to expedite the process for Mr. Weston.

***Commissioner Spratt made a motion to pass the Ordinance 2021-12 to the second hearing in December. Commissioner Ratica seconded the motion. Following discussion, the motion carried 5-0.***

Holly Hansen addressed the board gave a brief overview of the Gator Fest event on January 29, 2021 in order to be issued a Temporary Use/Special Event Permit. She stated that it would be the same as last year's event. Commissioner Akin noted that there was a discrepancy on law enforcement presence and asked for that to be addressed and fixed. Discussion was had on the location of the beer sales, and the amount of food trucks at the event. Derek recommended submitting a revised map for approval from fire and sheriff. Mayor Wilkins asked for a motion.

***Commissioner Akin made a motion to approve for issuance of the permit contingent on the fixing of the map, approval by Fire and Police, and for the Emergency Action Plan to reflect the police presence. Commissioner Smith seconded the motion. Motions were amended so that the responses from the agencies would be received by Gary Hull Superintendent of Public Works. The motion carried 5-0.***

Mayor Wilkins took up Resolution 2021-76 ratifying Resolutions 2021-71, 2021-72, 2021-73, 2021-74 and 2021-75 regarding the Local State of Emergency for COVID-19.

Mayor Wilkins asked for a motion.

***Commissioner Akin made a motion to approve Resolution 2021-76. Commissioner Ratica seconded the motion. After brief discussion. The motion carried 5-0.***

Mayor Wilkins introduced the first reading of Ordinance 2021-13 Adopting Private Property Rights Element. Derek Rooney provided an overview of the Ordinance to the Commission. After a brief discussion, the Ordinance was moved to second reading.

Mayor Wilkins announced the review of the Proposal for Oak Tree Assessment. Greg Diserio addressed the Commission and noted he received the changes to the general contract that Attorney Derek Rooney requested. A discussion was had on the locations the proposal envelopes. Mayor Wilkins gave a brief assessment of the need for an arborist. Mayor Wilkins asked for a motion. More discussion was had on the scope of the proposal. Commissioner Ratica asked for clarification on the purpose of the proposal, and cost. Commissioner Spratt asked about the cost of the tree planting matrix. Mr. Diserio gave a summary of the tree matrix and the purpose.

***Commissioner Spratt moved to accept the proposal. Commissioner Akin seconded the motion. The motion carried 5-0.***

Discussion was had to provide possible dates to meet with Ford and Sunset Park residents. Mayor Wilkins discussed Monday and Tuesday nights were not available. Commissioner Spratt expressed she would like to have the meeting as soon as possible. After discussion by the Commission, it was decided to have the meeting December 2<sup>nd</sup>, at 5:00 p.m. at the James Singleton Building A scope of topics for discussion at the meeting was addressed by Mayor Wilkins. Discussion on Code enforcement issues was had. Mayor Wilkins introduced a request for a dumpster by a resident for the dismantling of a dilapidated mobile home to the Commission. The Commission discussed a dumpster being provided to the individual that has volunteered to dismantle the mobile home. Discussion was had by the board and Ron Zimmerly about the cost of the dumpster to the City. Gary Hull cautioned the Board to not discuss the subject any further. Mayor Wilkins stated she would inquire more into the subject and have more information for the Commission by the meeting on December 2.

Mayor Wilkins presented the Organizational Chart to the Commission for further review. Ron Zimmerly presented a previous organizational chart for review.

Mayor Wilkins presented changes to the Captain Hendry House electric panel location in order to restore the historical state of the building. Mayor Wilkins stated that she had already signed the change order for the change, but that she would like the Board's input. She then presented possible changes to the handicap ramp so that it resembles the rest of the building. Commissioner Spratt expressed concern about the budget for the Hendry House. Mayor Wilkins asked for the amount the City was over budget. Mr. Zimmerly stated

\$4,952.00. Commissioner Spratt asked where the extra money would come from. Zimmerly suggested to possibly take it from the Recreational budget. Mr. Rooney stated that historic structures were not exempt from being ADA compliant. Wilkins stated that the new ramp changes would be ADA compliant. Spratt suggested not moving the electric and changing the ramp. Discussion was had on previous changes made to the building. Derek Rooney recommended for the Engineer and Contractor to make a presentation to the Board of a comprehensive scope. Septic inspection was suggested for the property as well.

Mayor Wilkins presented the need for a Water and Sewer Master Plan to the Commission, and explained that one was needed in order to obtain more funding for future projects.

The need for new water meters was discussed. The different types of meters were discussed. Mr. Rooney explained the need for emergency procurement of the water meters due to availability.

Mr. Rooney's recommendation was to issue the RFP for the new water meters. Mayor Wilkins asked for the Board's recommendation. Mr. Rooney clarified that the Mayor was asking for authorization to use the ARPA funds to fund the Master Plan.

Discussion was had on what the ARPA funds have been proposed to be used for in the past. He also explained that the Master Plan could be used to apply for more funding. Mayor Wilkins asked the board for their approval to get bids for Master Plan.

***Commissioner Spratt made a motion to authorize the extensions on Zones A and J Akin seconded the motion. The motion carried 5-0***

Gary Hull asked for clarification on the decision about the water meters. It was stated that the RFPs would be issued.

Mayor Wilkins took up Resolution 2021-77 authorizing a loan from First Bank to the City for the purchasing of a 2020 Ford F-550 brush truck for the Fire Department.

Discussion was had about the need for a new Brush Fire Truck. Ron Zimmerly stated the financial aspects and the hesitancy of the County to help with the expense. Derek Rooney stated that it could qualify as an emergency procurement. The cost was discussed. Derek stated that a formal request would need to be made to the County in order for the County to consider assisting financially.

***Commissioner Akin made a motion to approve Resolution 2021-77. Commissioner Spratt seconded the motion. The motion carried 5-0***

Mayor Wilkins took up Resolution 2021-78 adopting a budget amendment of the final budget adopted on September 23, 2021.

Discussion was had on the payroll budget and why we are over budget. Mayor Wilkins expressed that she did not agree with the budget numbers submitted in the package by the Finance Director, Ron Zimmerly. It was stated by Mr. Zimmerly that with the created positions by the Mayor Wilkins, and the raises given to staff by the Mayor, that the City is over budget. Mayor Wilkins asked for a more detailed salary breakdown. Commissioner Spratt questioned why employees were getting raises when they had received a COLA recently. She also questioned why some employees did not receive a COLA. She also questioned salary of the IT/Fire Chief, and how his hours were being tracked between the two positions, and the compensation. She stated she was adamant about staying within the budget the Board had previously approved.

***Commissioner Spratt made a motion to fail Resolution 2021-78. Commissioner Smith seconded the motion. Following discussion, Resolution 2021-78 failed.***

There was discussion from Assistant Chief David White for the need for full time fire fighters. Commissioner Akin suggested a meeting with the County about funding for the full-time fire fighters. Mr. Rooney brought up the need for a plan in order to present it to the County. David White suggested the contingency money from the County could help fund the full-time fire fighters. White requested that if 2 full time fire fighters were not able to be budgeted, could 1 be budgeted. A special workshop was scheduled for December 9, 2021 at 4:30 to review the budget.

Mayor Wilkins called on Kelly Boone to inquire about the architect for Barron Park. Boone stated that a new contractor had not been chosen, but that the company was going to issue one soon and that the work on Barron Park will hopefully be finished on schedule.

Mayor Wilkins presented Ordinance 2021-14 consenting to Hendry County establishing a Municipal Services Benefit Unit. Mayor Wilkins inquired if a vote was needed to consent if it had not yet been adopted by the County. Attorney Derek Rooney read the ordinance to the Board. Ron Zimmerly, Finance Director, recommended to move it to second hearing to wait for the County to approve.

***Ordinance 2021-14 was moved to second hearing.***

Mayor Wilkins moved to Commissioner reports/discussion items.

Lt. Rowe was acknowledged, and thanked. Mayor Wilkins described a phone call she received from a resident about a homeless man at the Trading Post approaching patrons at Pelican Snoballs. Discussion was had about contacting the owner to clean up property to eliminate homeless population.

Commissioner Ratica expressed concern about the Building Official Mark Lynch and other employees taking leave without communicating it to others. Jessi Zubaty stated that the Building Official does arrange for inspections to be done in his absence. Derek Rooney stated that Directors should notify others of their absence. Commissioner Ratica then praised Shelly Varner for a job well done. Richard Gallegos, another City employee was also praised for his dedication.

Commissioner Smith had nothing to report.

Commissioner Spratt stated she was very adamant about staying in budget.

Commissioner Ratica mentioned a vendor selling hot dogs in the Crazy Papas parking lot, and asked for Code Enforcement to look into it.

Commissioner Akin expressed concern about the budget.


Mayor Wilkins also expressed praise for Shelly and Richard.

More budget discussion was had by the board and attorney.

***Commissioner Spratt made a motion to adjourn. Commissioner Ratica seconded the motion.***

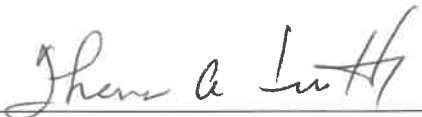
As there was no further business, the meeting was adjourned at approximately 8:50 p.m.

**APPROVED:**

  
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Julie C. Wilkins, Mayor

**Attest:**

November 18, 2021

A handwritten signature in cursive script, appearing to read "Thomas A. Smith". The signature is written in dark ink and is positioned above a horizontal line.

Thomas A. Smith, Clerk-Commissioner