

**CITY OF LABELLE
REGULAR COMMISSION MEETING
MAY 12, 2022**

CALL TO ORDER

Mayor Wilkins opened the regular May Commission Meeting at 6:00 p.m. Pastor David Gold led the opening prayer. Mayor Wilkins then led the Pledge of Allegiance.

OPEN DISCUSSION (NON-PUBLIC HEARING ITEMS)

FORMAL SWEARING IN OF CLERK-COMMISSIONER HUGO VARGAS

Pastor David Gold formally swore in Hugo Vargas as Clerk-Commissioner for the City of LaBelle.

A roll call was taken. Members present were Commissioner Hugo Vargas, Commissioner Bobbie Spratt, Mayor Julie Wilkins, Commissioner Jackie Ratica, and Commissioner Daniel Akin.

**INTERNATIONAL CHRISTIAN FELLOWSHIP ACADEMY-
RESOLUTION 2022-27 SPECIAL EXCEPTION, &
RESOLUTION 2022-28 RIGHT OF WAY VACATION REQUEST**

Mayor Wilkins called upon Alexis Crespo, City Planner. Ms. Crespo gave a description of the property and the request for an expansion for the existing special exception to include the subject property that was recently purchased by the school. She stated the applicant wanted to use the subject property, located directly adjacent to their currently owned property, for overflow parking and recreational purposes until such time as vertical construction was desired. She added that the applicant was seeking to vacate the Broward Avenue Right of Way that would bisect the properties. She stated that staff was recommending approval. She noted that there was an error in the staff report that was provided in the agenda packet. She asked that condition 7, prohibiting outdoor music and speaker systems, be stricken due to it being removed from the existing special exception conditions in 2020.

Commissioner Spratt asked about the setbacks of the playground. She asked the applicant, Sammy Co, if the property would be fenced. Mr. Co stated he would do whatever his insurance company would require of him to assure safety.

Reynaldo Trevino voiced his concern with the traffic through the neighborhood caused by the school. He also asked who would be responsible for paying the assessments when additional water and sewer would be needed to accommodate an expansion of the school. He also voiced concern for the depreciation of his property value due to the school being in a residential area.

Tracy Co, a principal of the school, was recognized to speak. She stated that she had never been approached about any traffic issues by Mr. Trevino.

Mayor Wilkins clarified that it was a public hearing, and that all of the neighbors were notified of that hearing as well as the multiple prior public hearings held about the subject properties.

Attorney Derek Rooney clarified that every residential area can allow for a school to be within the zone with due process. He also stated that a sewer expansion was being paid for by grants the City had received, so there would be no assessment, and that the traffic issues should be addressed by the Sheriff's Department.

Commissioner Spratt brought up the request of a resident to install speed bumps in the subject area. Mayor Wilkins deferred the discussion until later in the meeting.

Sammy Co, Pastor of International Christian Fellowship Academy, addressed the traffic concerns about the school.

Mr. Trevino added that the events held by the school produced noise pollution in the neighborhood.

Discussion was had on the vacation of the right of way.

Shary Weckwerth asked for clarification on the location of the proposed right of way vacation.

***Commissioner Akin motioned to approve Resolution 2022-27 with the removal of condition 7.
Commissioner Spratt seconded the motion. The motion carried 5-0.***

***Commissioner Spratt motioned to accept Resolution 2022-28 with the reservation of an easement for drainage.
Commissioner Vargas seconded the motion.
The motion carried 5-0.***

Mayor Wilkins recessed the regular commission meeting at 6:22 p.m. to open the Local Planning Agency Meeting.

Mayor Wilkins resumed the regular commission meeting at 6:57 p.m.

Shary Weckwerth, of the LaBelle Gallery and Cultural Center, addressed the Commission and invited them to visit the Gallery. She gave an overview of the Gallery and the operational hours. She asked for use of the “Summer Kitchen” portion of the Gallery in order to give art classes. She noted that they would like to apply for a grant in order to bring the Summer Kitchen into compliance with building code in order to hold the classes, and asked if the City would consider storing items that are currently located in that portion, in another space.

Janet Papinaw addressed the Commission with options for how to match grant funding.

There was discussion on the needed repairs to the building.

Mayor Wilkins suggested using storage sheds to house the items being stored in the Summer Kitchen portion of the Gallery. Further discussion was had on additional storage.

Nancy Hendrickson stated that they also wanted to have children’s classes as well.

Mayor Wilkins recessed the meeting at 7:08.

Mayor Wilkins resumed the meeting at 7:22.

PUBLIC HEARINGS

RESOLUTION 2022-33 RATIFYING COVID-19 RESOLUTIONS

Mayor Wilkins asked for direction from Attorney Derek Rooney in continuing to extend the local state of emergency due to COVID-19. Attorney Rooney directed that there would be minimum value in continuing with the extensions.

Commissioner Ratica made a motion to accept Resolution 2022-33, and discontinue the extending of the local state of emergency due to COVID-19.

***Commissioner Spratt seconded the motion.
After brief discussion, the motion carried 5-0.***

PROPOSED ORDINANCES 2022-02 & 2022-03 OLD GROVE CPA ADOPTION & PUD AMENDMENT

Attorney Derek Rooney read the proposed ordinances into the record. He then informed the applicant that Code Enforcement had notified the Commission that the horticultural recycling facility had already begun to stock pile horticultural debris.

Wesley Hansen, the applicant, stated that they were not using the incinerator, but they were intaking the horticulture debris to stock pile for when the incinerator was able to function.

Attorney Rooney stated that the existing piles did not meet the requirements of the proposed ordinance.

There was discussion on the size, and direction of the stock piles.

Attorney Rooney clarified for the applicant that the concerns were the commencement of stock piling prior to final approval, as well as the size of the piles. Discussion continued on the debris being brought in prior to final approval.

Mayor Wilkins expressed her concern about the piles catching fire.

There was discussion on when the incinerator box would arrive and the timeline of the project. Daniel Vasquez gave an explanation of how the process would work and the safety precautions taken.

Gary Hull, Superintendent of Public Works, asked Mr. Vasquez about the arrangement and location of the debris after being dumped on the property. Mr. Vasquez explained that a machine would move the debris out of the lane within 15 minutes of dumping. Mr. Vasquez also noted that shell was brought in to strengthen the lanes.

Attorney Rooney stated that the project needed to match the plans provided.

Commissioner Akin noted a discrepancy in the staff report.

Mayor Wilkins voiced that her concern was a code enforcement issue, and that the actual piles did not match the site plan.

Mayor Wilkins suggested to continue the hearing until information could be verified and reviewed. Discussion was had on continuing the hearing, as well as other options rather than a continuance.

There was discussion on other agricultural companies performing non permitted activities. James Paul stated that he had witnessed some of the mentioned activities adjacent to property he owned near the subject area.

Discussion continued on how to avoid continuing the hearing.

Alexis Crespo, City Planner confirmed that there was a typo on ordinance, and that they had committed to six units per acre on the commercial track, and that a revised ordinance was sent out to the Commission that afternoon.

Attorney Rooney recommended that Ms. Crespo present the staff report, then a vote be taken by the Commission, and if the Commission was comfortable, that the proposed ordinance could be approved, and be executed upon compliance confirmed by the Superintendent of Public Works, or the Code Enforcement Officer.

Commissioner Ratica asked about the allowed uses for the property. Ms. Crespo clarified that there were no industrial uses or intensive commercial uses.

Commissioner Spratt made a motion to approve the proposed ordinance, with the condition of code compliance being confirmed by City staff. She then withdrew her motion.

There was discussion on the amount of dump truck traffic in and out of the property.

Alexis Crespo gave a presentation that gave an overview of the comprehensive plan amendment and planned unit development requests for the subject property. She noted the changes made throughout the public hearing process.

Mayor Wilkins asked for clarification on the size of the debris piles. Ms. Crespo clarified the size of the pile should be 100 feet by 200 feet.

Discussion continued on the size of the piles, and the distance required between the piles.

Attorney Rooney recommended that a site plan be submitted that matches the written conditions, to the existing conditions.

*Commissioner Spratt motioned to approve Ordinance 2022-02, upon a revised site plan submitted mirroring the written conditions,
Commissioner Ratica seconded the motion.
After further discussion, the motion carried 3-2.*

*Commissioner Spratt motioned to approve Ordinance 2022-03, pending a site plan be submitted mirroring the written conditions.
Commissioner Akin seconded the motion.
The motion carried 3-2.*

PROPOSED ORDINANCE 2022-04 CITY VILLAGE PUD AMENDMENT

Attorney Rooney read the proposed ordinance into record.

Alexis Crespo gave a summary of the requests from the applicant. She stated that staff was recommending approval, subject to the 15 conditions provided. She noted that the prior request for future storage was removed.

After discussion on location of the hedge row.

*Commissioner Ratica motioned to accept the City Village PUD Amendment.
Commissioner Vargas seconded the motion.
The motion carried 5-0.*

PROPOSED ORDINANCE 2022-05 LAND DEVELOPMENT CODE (LDC) AMENDMENT

Attorney Rooney recommended that the proposed ordinance be continued until the following regular commission meeting to allow time for further review.

*Commissioner Ratica motioned to continue Ordinance 2022-05 until June 9, 2022.
Commissioner Spratt seconded the motion.
The motion carried 5-0.*

CONSENT AGENDA

*Commissioner Ratica motioned to accept the Consent Agenda.
Commissioner Akin seconded the motion.
The motion carried 5-0.*

NEW BUSINESS

PSAP AGREEMENT (Public Safety Answering Points)

Captain Reed of the Hendry County Sheriff's Office gave an overview of the proposed Interlocal Agreement regarding direct radio communication among 911 PSAP and first responders.

*Commissioner Akin motioned to authorize Mayor Wilkins to execute the PSAP Agreement,
Commissioner Spratt seconded the motion.
The motion carried 5-0.*

AWARDING OF RFP 2022-03 FOR COMMUNITY DEVELOPMENT BLOCK GRANTS(CDBG)

Attorney Rooney clarified that Guardian Community Resource was the sole responder to the request for proposals for CDBG grant administration services and CDBG project engineering services.

*Commissioner Ratica motioned to award RFP 2022-03 to the sole responder, Guardian Community Resource Management.
Commissioner Akin seconded the motion.
The motion carried 5-0.*

Matt Rentz addressed the Commission about speeding issues on Ft. Thompson Avenue. Captain Reed suggested doing a speed study.

Javier Rueda also addressed the Commission with requests to mitigate the speeding issues in the same area. Discussion was had on the speed study process, and other speed management practices.

WEST HENDRY UTILITY SERVICE DISTRICT INTERLOCAL AGREEMENT

Attorney Rooney gave a description of what the agreement entailed.

*Commissioner Spratt moved to accept the Utility Service District Interlocal Agreement.
Commissioner Akin seconded the motion.
The motion carried 5-0.*

OLD BUSINESS

LABELLE DOWNTOWN REVITALIZATION CORPORATION (LDRC) REIMBURSEMENT REQUEST- 2ND PAYMENT

There was discussion on where the funds would come from to make the payment.

*Commissioner Ratica motioned to make the payment to the LaBelle Downtown Revitalization Corporation.
Commissioner Vargas seconded the motion.
After discussion on the budgeting of funds, the motion carried 5-0.*

PROCLAMATIONS, & PRESENTATIONS

CITY OF LABELLE STEETS & MAINTENANCE DEPARTMENT ACKNOWLEDGMENT

Attorney Rooney read a letter submitted by Fire Chief Stevens that recognized the Streets and Maintenance Department for a job well done.

BUSINESS BY COMMISSIONERS

Commissioner Ratica noted that she found the training she attended very interesting.

Commissioner Akin discussed the upcoming joint workshop with the County to the Recreation Board. There was discussion on what the possible topics would be at that workshop.

Dan Shoaf, owner of Sal Cal Pizza addressed the Commission about a sudden influx in his water bill. He then gave a description of plumbing and piping issues he experienced. He explained that he had a water leak and that the leaked water did not go into the City's sewer system, so he believed he should receive a credit to his account from the sewer portion of the water bill that was charged.

Gary Hull noted that he had recommended for Mr. Shoaf to address the Commission with his request for appropriate adjustments to his bill when Mr. Shoaf had approached him about.

Attorney Rooney recommended that the finance department review the sewer usage to verify the information, and upon confirmation, credit his account for the appropriate amount.

*Commissioner Ratica motioned to have the staff confirm the sewer usage and issue a credit the account the appropriate amount. She then amended her motion to include postponing the payment currently due until the credit could be issued.
Commissioner Akin seconded the motion.
The motion carried 5-0.*

BUSINESS BY COMMISSIONERS CONTINUED

Commissioner Akin continued his additional business by commissioners by revisiting the discussion about the upcoming workshop with the County about the Recreation Board.

Commissioner Spratt had no business to report.

Commissioner Vargas described a complaint he received from a resident referencing the maintenance of Veteran's Park.

There was discussion of the Recreation Board taking over maintenance of Veteran's Park, and Barron Park. There was additional conversation about the upcoming joint workshop with the County.

Commissioner Spratt made a motion to adjourn the meeting. Commissioner Vargas seconded the motion.

The meeting was adjourned at approximately 9:04 p.m.

APPROVED:


Julie C. Wilkins, Mayor-Commissioner

Attest:


Jessi Zubaty, Deputy City Clerk