

**CITY OF LABELLE  
REGULAR COMMISSION MEETING  
JULY 14, 2022**

**CALL TO ORDER**

Commissioner Akin, Vice Mayor, opened the July Commission meeting at 5:39 p.m. A roll call was taken. Commissioner Hugo Vargas, Commissioner Bobbie Spratt, Commissioner Daniel Akin, and Commissioner Jackie Ratica were present. Mayor Julie Wilkins was absent. Commissioner Vargas led the opening prayer. The Pledge of Allegiance was then said.

**OPEN DISCUSSION (NON-PUBLIC HEARING ITEMS)**

**KEITH FRIERSON**

Keith Frierson addressed the Commission with information about a property near 250 Riviera Vista Blvd. He gave a brief history of the property and explained that there had been an agreement many years prior between the City of LaBelle and his father, Ed Frierson. A property had been deeded to the City of LaBelle by the Frierson family in order to straighten out the roadway. In exchange, a City owned nearby property was then supposed to be deeded to Mr. Frierson. A survey done by H.L. Bennet proved that the property had not transferred to Mr. Frierson.

Mr. Gary Hull provided material that reflected the area in question.

City of LaBelle Attorney Derek Rooney gave a summary of the request for the quick claim deed and explained the need for clarification of the current deed holder in order to have a clear title to convey. There was discussion on how to approve the conveyance.

*Commissioner Ratica motioned to authorize the conveyance after confirmation of ownership by the City of LaBelle,  
Commissioner Spratt seconded the motion,  
The motion passed 4-0.*

**TRADING POST LIEN FORGIVENESS REQUEST**

Mr. Rooney gave an overview of the liens on the property. He noted that forgiveness request was in order to facilitate the selling of the property. He explained that there were utility liens, as well as code enforcement liens on the property, in addition to preexisting liens. He made a recommendation that any lien relief on the code enforcement liens should be predicated on a surety, to ensure the structure being demolished. There was discussion on the amount of the liens, and which, if any could be released.

Rock Aboujaoudé, a local engineer spoke on behalf of the property owners. He requested to waive the fees that were able to be waived at no cost to other tax payers.

Commissioner Spratt expressed that she did not feel that the liens should be forgiven. There was discussion on the process of the sale if no liens were forgiven. Commissioner Spratt asked what the best way to move forward was.

Attorney Rooney explained that the utility liens of approximately \$91,000 less \$800 for garbage pickup that could be waived, could not be forgiven. There was discussion on the utility liens. Attorney Rooney recommend that the release of any liens be predicated on an agreement between the City and property owner, so that the liens remain in place, or remain as a cloud on the title until such time as the City receives a surety, or letter of credit to provide demolition of the structure. He recommended that if any liens were desired to be released, that it should be the code enforcement liens.

Commissioner Vargas noted that the structure had been an eye sore for many years. There was discussion on the costs incurred by the City throughout the years in reference to the property.

Allen Pickles asked if forgiveness of the liens would facilitate the building being demolished, and if so, he recommended doing so.

Discussion continued on the amount of the liens that could be forgiven.

Matt Rentz expressed his personal opinion that the property owners should be required to prove that there was no profit being made on the property, since they were claiming to be in debt with the property. Discussion continued on how to ensure the demolition of the structure on the property.

***Commissioner Vargas made a motion to release any code enforcement liens, and to waive the garbage fees, with a surety or letter of credit to ensure the demolition of the structure within 90 days.***

***Commissioner Ratica seconded the motion.***

***Commissioner Spratt was not in favor of the motion.***

***The motion passed 3-1.***

#### **LABELLE BREWERY SPECIAL EVENT REQUEST-ROAD CLOSURE**

Daniel Perigrin addressed the Commission with his request to temporarily close the access road north of the LaBelle Brewery for a two-day event to ensure the safety of the patrons attending the event. Discussion was had on the approval of the public safety officials and the time frame of the event.

Keith Snow with LaBelle Brewing noted that the event would be from 12:00 p.m.-8:00 p.m. and 12:00 p.m.-6:00 p.m. on July 23 and July 24, 2022.

There was discussion on how patrons would access the restaurant if the road was closed, where parking would be located, how far the event would be from SR 80, and where the proposed water slide would be located.

Chief Stevens noted that the event would be inspected the morning of event to ensure compliance with safety measures.

***Commissioner Vargas motioned to approve the road closure for the event.***

***Commissioner Spratt seconded the motion.***

Commissioner Spratt asked Ms. Nikki Yeager if the music would be an issue for the adjacent neighborhood. Discussion continued on the schedule of the planned live music, and the location of the event.

***The motion passed 4-0.***

Sarah Catala, President of the LaBelle Downtown Revitalization Corporation (LDRC), passed out a brochure of the new walking tour for the Downtown District. She then gave a description of how the walking tour would work and how to access it from an application on a mobile phone. She explained that it provided historical facts about landmarks within the Downtown District. She expressed her appreciation for the support of City staff to the organization. She listed where brochures would be available.

Kelly Boone with the LDRC also gave an overview of where the brochures would be available to the public.

#### **PUBLIC HEARINGS**

##### **SECOND COMMUNITY BLOCK GRANT (CDBG) PUBLIC HEARING**

Corbett Alday of Guardian Community Resource Management gave a brief review of the first public hearing on the subject. He then gave a PowerPoint presentation on the benefits of the housing rehabilitation grant, and how the application and grant process would work.

There was discussion on what the environmental review process was. There was then a conversation about the leverage funds and Mr. Alday gave an explanation of how the "point system" worked. Discussion was had on the proposed budget for the housing rehabilitation grant.

Commissioner Vargas asked for clarification on what the threshold was for “moderate income”. Mr. Alday noted that the numbers were provided in the previous meetings agenda.

Commissioner Akin opened the floor to public comment. There was none.

***Commissioner Spratt made a motion to approve the resolution, authorizing signatures on the application to be submitted.***

***Commissioner Ratica seconded the motion.***

***The motion carried 4-0.***

FINAL HEARING OF LAND DEVELOPMENT CODE AMENDMENT-Proposed Ordinance 2022-08

Attorney Derek Rooney read the proposed ordinance into the record.

Alexis Crespo explained that the amendment was for creating review criteria for rezone, and special exception application. Attorney Rooney explained that the primary changes were for the upgrading of the criteria for rezoning, and the dissolution of the Variance Board to allow for the Commission to make decisions on variances.

***Commissioner Spratt made a motion to approve Ordinance 2022-08.***

***There was brief discussion on the Variance Board.***

***Commissioner Ratica seconded the motion.***

***The motion passed 4-0.***

FINAL READING OF LIBERTY VILLAGE PUD-Proposed Ordinance 2022-06

Attorney Derek Rooney read the proposed ordinance into record.

Alexis Crespo explained that the ordinance was to rezone 280 acres in South LaBelle Village that is currently zoned agriculture to allow for 971 single family detached dwelling units, and an eighteen-hole golf course with clubhouse, as well as an added commercial element. She noted that to the east of the property was an approved PUD that is a multi-family residential project that allowed for four story buildings, so the project was compatible with the area. She provided a summary of the layout of the proposed project, and the revised conditions which included a minimum square footage for the dwellings, stipulations on the golf course, and the accessory building standards. She added that the adjacent property owner had requested enhanced buffers that would be built in a separate easement.

Matthew Johnson, Civil Engineer for JSK Consulting, representative for the applicant, gave a presentation that focused on the applicant’s desire to be good neighbors to the surrounding areas. He provided an overview of the project, including renderings of what the home sites would possibly look like. There was discussion on where the parking would be located for the sites, as well as the size of the homes.

Commissioner Spratt asked for clarification on where the proposed aquatic center would be located.

Mr. Matthews also provided renderings of the elevations and of the streetscape concept.

Rich Galvano, representing John and Julie Paul discussed the golf course stipulation that nine holes of the golf course and pro shop be built prior to the certificate of occupancy on the hundredth home site. He noted that they anticipated the homes selling faster than the construction of the golf course.

Mr. Galvano provided a history of his experience in construction, as well as his history with designing, and working at golf courses. He stated that the applicant wanted to donate three acres to the City of LaBelle with the condition that they would work in partnership with the developer to build a swimming and exercise facility. Conversation continued about the possibility of the partnership, and how it would be funded.

Alexis Crespo clarified that there was no mandate for the City to help fund the pool construction.

Mr. Galvano continued to give an overview of the planned community and the amenities. There was discussion on the timeline of the project, followed by how access would be provided to the project.

Public comment was opened, and Nikki Yeager asked for clarification on the construction standards of the modular homes. Rich Galvano explained that the homes were modular, but would be built to hurricane standards.

Neale Montgomery expressed her concern that the discussed amenities would not be completed, and also expressed her appreciation of the discussed condition for the golf course completion. There was discussion on the master concept plan and the desired vernacular for the homes. More discussion was had on the golf course. Mr. Galvano mentioned that the goal was to have the eighteen-hole golf course completed within the range of 300-400 homes being built.

Kyle Owens asked how the development would help the City of LaBelle. Mr. Galvano noted that the golf course, and club house would be available to the public.

Commissioner Spratt explained that the tax base would also change with the additional purchasing of homes.

Gary Hull Superintendent of Public Works, noted that currently there was no water and sewer capacity available for the project. Alexis Crespo clarified that in South LaBelle Village it is a requirement to connect to sewer and water.

Gary Hull also stated that the septic to sewer conversion project the City was undergoing may further reduce available capacity to the project. There was discussion on the availability of infrastructure for the project.

***Commissioner Spratt made a motion to approve the Liberty Village PUD, proposed Ordinance 2022-06 with the amendments of the conditions stated in the staff report, as well as the changing of condition 24 to require that following the completion of the hundredth dwelling unit, the remaining nine holes of the golf course would need to be completed by the 400<sup>th</sup> dwelling unit completion.  
Commissioner Ratica seconded the motion.  
Motion passed 4-0.***

The meeting was recessed at 7:40.  
Commissioner Akin reopened the meeting at 7:47

**93 S HALL STREET SPECIAL EXCEPTION**

Alexis Crespo explained that the request was to allow on premise accessory alcohol sales due to it being in the B2 zoning district. She then gave an overview of the requirements for the special exception. Eric Madis and Denise Carlascio provided a brief history of the restaurant, and gave a description of their goals for the business. They then made a request that permission be extended to include the patio, and to extend the permitted hours for the sales of alcohol.

There was discussion on how to monitor the outdoor alcohol usage on the premises.

***Commissioner Ratica made a motion to approve the special exception with the extension of the hours to allow alcohol sales until 2:00 a.m., and allow for alcohol consumption and sales on the outdoor patio and the back area of the property.  
Commissioner Spratt seconded the motion.  
The motion passed 4-0.***

**7-ELEVEN COWBOY WAY SPECIAL EXCEPTION/OAK TREE REMOVAL**

Alexis Crespo presented a request to allow for a gas station use at SR 80 and Cowboy Way, as well as the approval to remove 29 significant oak trees. She provided an overview of the property location and its current and future land use zoning. She also provided the proposed layout of the gas station. She noted that the proposed conditions included enhanced buffering and gave examples of the composition of the buffer.

Leonard Enriquez asked about the mitigation of the significant oak trees.

Ms. Crespo presented a rendering of the current trees on the property, and the significant oak trees that were included in the request for removal. She explained that the mitigation plan included a combination of the replanting of live oak

specimens, with a minimum height of ten feet on site, as well as paying the City a fee in lieu of, at \$150 per inch, which would go into the tree fund to replant future trees in park areas within the City. She pointed out that the trees included in the buffers were in addition to the oak tree mitigation requirement.

Al Quatrone, President of Quatrone Engineering provided an overview of the gas station layout. He also provided a summary of the tree locations, renderings of the landscape plan, and elevations of the buildings.

Commissioner Ratica asked if there were any other options for the appearance of the building.

Lauren Evans with Creighton Construction and Development discussed the vernacular of the building with the Commissioners.

Kelly Boone asked if any of the 7-Elevens would have rec fuel for the boaters in the area. Mrs. Evans stated that she would look into having that incorporated. Discussion continued on the appearance and location of the gas station. There was then conversation about the food options that would be available.

Leonard Enriquez asked if options were available to choose from for the appearance and layout of the stores. Mrs. Evans stated that the design was flexible.

Ms. Crespo closed with a suggestion to amend the conditions to add that they would Old Florida architecture. Commissioner Ratica noted that LaBelle had a growing population.

*Commissioner Vargas motioned to approve the special exception with the condition it be constructed with an Old Florida architectural style.  
Commissioner Ratica seconded the motion.  
Commissioner Spratt was not in favor of the motion.  
The motion passed 3-0.*

FIRST READING OF PROPOSED ORDINANCE 2022-12 TO REPEAL ORDINANCE 98-6 IN ORDER TO ALLOW FOR ELECTRONIC FUNDS

Derek Rooney read the ordinance into record. There was no discussion. Commissioner Akin moved onto the next agenda item.

FIRST READING OF PROPOSED ORDINANCE 2022-07 NOISE ABATEMENT

Attorney Rooney read the ordinance into record. He noted that the proposed ordinance matched the Hendry County noise ordinance, and that it was done so in order to make enforcing the ordinance easier for law enforcement. There was no further discussion.

CONSENT AGENDA

*Commissioner Spratt made a motion to accept the consent agenda.  
Commissioner Ratica seconded the motion.  
The motion passed 4-0.*

NEW BUSINESS

THE COALITION AGAINST BIGGER TRUCKS LETTER REQUESTS (CABT)

Commissioner Akin explained that the request was for letters of support to restrict the increase of large trucks on the roadways.

Jessi Zubaty noted that Mayor Wilkins had met with the representative from CABT. As Mayor Wilkins was not present to go into further detail on the matter, Commissioner Akin moved forward on the agenda.

NEW BUSINESS

CITY FACILITY RENTAL FEES /LEASE AGREEMENTS UPDATE

Attorney Rooney explained that he had prepared a resolution adopting the new rates to rent City facilities. He gave an explanation of the purpose for the increases.

*Commissioner Ratica motioned to accept the resolution.  
Commissioner Spratt seconded the motion.  
The motion passed 4-0.*

GENERAL CORRESPONDENCE

BARRON LIBRARY LETTER OF APPRECIATION

There was no discussion on the item.

BUSINESS BY COMMISSIONERS

Commissioner Ratica had none.

Commissioner Akin entertained a motion to appoint Commissioner Vargas to be the City representative on the Economic Development Committee (EDC), replacing Mayor Julie Wilkins.

*Commissioner Spratt motioned to approve Commissioner Vargas as the City representative on the EDC.  
Commissioner Akin seconded the motion.  
The motion passed 4-0.*

Commissioner Akin also explained that Hendry County staff was requesting to have alcohol at their Christmas party which was being held at the Captain Hendry House.

*Commissioner Spratt motioned to approve the request.  
Commissioner Spratt then amended her motion to approve the request, with the condition of the building being issued a certificate of occupancy prior to the party.  
Commissioner Ratica seconded the motion.  
The motion passed 4-0.*

Attorney Derek Rooney explained that the County Jail was going through significant rehab, and during such rehab inadequate water pressure for the fire suppression system on the third floor was discovered. There was discussion on possible solutions and funding options. He clarified that approval was needed in order to accelerate the water model planned for the City's Master Water Plan in order to help the County come to a decision on a solution.

*Commissioner Spratt motion to accelerate the modeling.  
Commissioner Vargas seconded the motion.  
The motion passed 4-0.*

Commissioner Spratt moved onto her commissioner business. She explained her concern for the safety at unlighted parks open after the sun has set in the City of LaBelle. There was discussion on the interlocal agreement with the County and the Recreation Board.

*Commissioner Spratt made a motion that unlighted parks within the City close at sunset.  
Commissioner Ratica seconded the motion.  
The motion passed 4-0.*

There was discussion on the signage at the parks and notifying residents of the change in park closing times.

Commissioner Vargas discussed a project he had been working on with the Recreation Board at the Hendry-LaBelle Regional Sports Complex. He explained that they were planning a "Family Fun Day" to introduce community to the

playground at the park. He expressed that he would like for it to become an annual event. The event is planned for Saturday, August 6, 2022.

Commissioner Spratt expressed her concern that the that new baseball fields may become damaged during the event.

***Commissioner Spratt motioned to adjourn the meeting.  
Commissioner Ratica seconded the motion.  
The motion carried 5-0.***

The meeting was adjourned at approximately 8:45 p.m.

**APPROVED:**



**COMMISSIONER DANIEL AKIN, VICE MAYOR**

**ATTEST:**



**JESSI ZUBATY, DEPUTY CITY CLERK**