

**CITY OF LABELLE  
REGULAR COMMISSION MEETING  
SEPTEMBER 8, 2022**

**CALL TO ORDER**

Mayor Wilkins called the regular September meeting of the City Commission to order at 5:30 p.m. Commissioner Vargas led the invocation which focused on remembering the events of September 11, 2001. Mayor Wilkins then led the pledge of allegiance. A roll call was taken. Members present were Commissioner Hugo Vargas, Commissioner Bobbie Spratt, Mayor Julie Wilkins, Commissioner Jackie Ratica, and Commissioner Daniel Akin.

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

**DOCKWA FOLLOW UP DISCUSSION**

Mayor Wilkins stated that the Dockwa discussion had been postponed in order to conduct further research.

**FOOD TRUCKS AT BARRON PARK**

Kelly Boone of the LaBelle Downtown Revitalization Corporation (LDRC), addressed the Commission to request extending the expired Special Exception that allowed mobile food trucks in Barron Park Monday through Wednesday, 11:00 a.m. to 8:00 p.m. She stated the fee would be twenty dollars, and would go to benefit the LDRC. Discussion was had on the prior special exception and its limitations.

Commissioner Vargas suggested adding Sundays to the allowed days of use. There was conversation on how the food trucks would affect the brick-and-mortar restaurants, where the trucks would be allowed to set up and the size of the trucks.

Commissioner Ratica suggested one Sunday a month be allowed, pending any other scheduled events at the park.

Discussion continued on how the trucks would affect local restaurants, as well as limiting the occurrence of the trucks to October through March.

Alexis Crespo, City of LaBelle Planner, noted that the Special Exception application process would need to be followed and adopted by resolution if approved in order to proceed.

**SWAMP CABBAGE EVENT AND ROAD CLOSURE REQUEST**

Heath Daniels and Shelly Lowe of the Swamp Cabbage Festival requested permission from the Commission to hold the annual festival the last weekend of February in 2023 at Barron Park. Brief discussion was had on local organizations volunteering to help.

There was discussion on an additional request that the parade check-in be at City Hall to prevent the congestion of participants while lining up.

***Commissioner Ratica motioned to approve the road closure request of the Swamp Cabbage Festival as well as the special event request and use of the City Hall for parade check-in.***

***Commissioner Vargas seconded the motion.***

***The motion carried 5-0.***

### FIREHOUSE COMMUNITY THEATER

Michael Shough President of the Firehouse Community Theater provided an overview of the organization and then listed some of the upcoming shows and dates. He also thanked the City for its involvement and help throughout the years.

### LABELLE MARTIAL ARTS ACADEMY LEASE FOR THE JAMES SINGLETON BUILDING

Mayor Wilkins noted that this item no longer needed to be discussed due to the Commission voting at a prior meeting that the Recreation Board would continue to be in charge of the renting of the facility. No one was present to discuss the item.

### SECOND BRIDGE GROUP PRESENTATION

Leonard Enriquez gave a presentation on the proposed “Second Bridge Project” to raise awareness for the residents to speak to FDOT on the subject at the FDOT meeting on October 26, 2022.

There was discussion on the option that a road would bypass the downtown district, as well as where the road would be located. Mayor Wilkins encouraged the public to fill out comment cards at the upcoming meeting with FDOT to voice their concerns.

Commissioner Ratica suggested the use of Helms Road as a bypass road.

Commissioner Vargas noted that the bridge project was part of a larger plan for the entire City to help with traffic flow. He also reminded everyone to have an open mind about the options.

Ian Proverbs, a resident of LaBelle for 30 years, addressed the Commission with a request that they be open to discussion for new solutions to manage the growth of the City.

Commissioner Spratt agreed that controlled growth was the desire of the Commission for the future of the City.

Mayor Wilkins noted that the Commission had the option to request that FDOT revisit the proposed plan to look for other possible solutions.

Sarah Catalla reminded the City commission that the project was about capacity and roadways. She also suggested informing the District 1 Secretary that there was opposition to the proposed segment. She noted that the development of the City would also affect how the roadways are designed.

Gary Stillwell then discussed feasible environmental studies, and the projected timeline of the project.

### INTERLOCAL AGREEMENT WITH COUNTY FOR THE REPAIR OF UNPAVED ROADS

Attorney Rooney stated that the County was awaiting direction from the Commission to draft an interlocal agreement for the maintenance of unpaved roads.

Gary Hull Superintendent of Public Works listed possible options to pair with the County in order to repair and maintain unpaved roads within the City. He noted the sharing of resources and staffing would benefit both parties involved, and save money. There was discussion on where the most work would need to be done. Mr. Hull asked for direction from the Commission to move forward with the interlocal.

Commissioner Akin noted that drainage was still going to be an issue and to be aware when repairing the roadways. Discussion continued on existing drainage and proposed new drainage solutions.

The Commission directed Mr. Hull to move forward with pairing with the County for the needed repairs.

#### LEGISLATIVE REQUESTS

Mayor Wilkins explained that the lists of requests needed to be updated and evaluated in order to inform the City's lobbyist of what to discuss while in Tallahassee.

Commissioner Akin noted that the requested amounts would need to be updated to reflect price inflation. Mayor Wilkins noted that a fire truck could be added to the list.

There was discussion on the listed request from prior years that was for Wharf improvements.

Commissioner Spratt expressed her desire to apply for the Florida Recreation Development Assistance Program (FRDAP) grants for the recreational facilities.

Gracie Morton, Finance Director for the City of LaBelle explained why the FRDAP grant was not applied for in the current fiscal year. There was then discussion on the FRDAP grant the deadlines, as well as how to pursue it in the future.

There was then conversation about prioritizing water lines and infrastructure within the legislative appropriations requests.

Commissioner Spratt expressed her desire to stay focused on providing funding for Forrey Park. There was discussion on a master plan for the park. There was then discussion on how the park was funded from the County and the City assessments and how the City's assessment contributed \$25 more per household than the County did. Then there was conversation on how in the past the money from the additional \$25 had been given to the Recreation Board for improvements to Forrey Park, but had not been given that year yet due to the Recreation Board not coming before the Commission to make the request, as in previous years.

Steven Lynn, Director for the Recreation Board, confirmed the focus of the Recreation Board was to complete the ball fields at Forrey Park prior to March. He then requested the additional funds from the Recreation Board.

There was then conversation on how the additional funds could be spent other than on Forrey Park.

Gracie Morton noted that the total of the money would be around \$43,000, and that the total of the money was not available to give to the Recreation Board due to it being used to fund renovations to the Captain Hendry House.

Discussion continued on the budget of the Recreation Board.

Kelly Boone addressed the Commission and noted that Barron Park was in dire need of electrical updates as well.

Mayor Wilkins recessed the meeting at 6:50 p.m. in order to celebrate Commissioner Akin's birthday by having birthday cake.

Mayor Wilkins reconvened the regular commission meeting at 7:02 p.m. and noted that if anyone was in attendance for the Local Planning Agency meeting, it had been continued until October.

**PUBLIC HEARINGS**

**PROPOSED ORDINANCE 2022-07 NOISE ABATEMENT**

Attorney Derek Rooney read the ordinance into the record. He noted that it would bring the City into compliance with what the County also had place to monitor noise.

There was discussion on the noise boundary line of the receiving property and where the measuring of the decibels would be performed.

Commissioner Vargas noted that the difference between day and night stipulations was only five decibels. Attorney Rooney noted that the new decibel levels were 10 decibels lower than the prior regulations.

*Commissioner Ratica made a motion to accept Ordinance 2022-07 for noise abatement,  
Commissioner Akin seconded the motion.*

Sgt. Hernandez from the Hendry County Sheriff's Office explained that the warnings and violations were performed on a case-by-case basis, but did follow the regulations.

*As there was no further discussion,  
The motion Carried 5-0.*

**COWBOY WAY & STATE ROAD 80 7-ELEVEN SIGN VARIANCE**

Alexis Crespo, representing the City of LaBelle staff presented her staff report, and recommended approval with the conditions set forth by the Commission at the previous meeting to the architectural vernacular of the building.

Jacob Mossholder with Creighton Companies presented renderings of the proposed project with the location of the signs on the property and the building. He explained that the need for the additional signage square footage was in order to show the additional businesses that were located within the building. He then provided elevations of the building showing the changes done at the request of the Commission. He noted that he used the Captain Hendry House as inspiration for the changes.

Commissioner Ratica asked if there would be recreation fuel. Mr. Mossholder stated that there would not be.

Commissioner Vargas noted that the entrance was narrow for an eighteen-wheeler. There was discussion on FDOT designed traffic flow in and out of the project. Mr. Mossholder noted that there would be an additional lane added to Cowboy Way.

There was discussion on the monument sign blocking the sight triangle. It was noted that the applicant still needed to go through the sign permitting process, and would comply with all regulations set forth.

Fire Chief Brent Stevens expressed his concern with the additional traffic on the road from Cowboy Way.

Kyle Owens noted that rec fuel would benefit the City of LaBelle.

*Commissioner Vargas made a motion to approve the 7-Elevn sign variance  
Commissioner Akin seconded the motion.  
The motion Carried 5-0.*

BRANDON JETT RIGHT OF WAY VACATION

Alexis Crespo presented the right of way vacation request for Brandon Jett. She provided a description of the location of the property. She noted that staff had no objections to the request. There was discussion on the current uses of the parcel of land.

*Commissioner Ratica made a motion to approve the right of way vacation request.  
Commissioner Spratt seconded the motion.  
The motion carried 5-0.*

490 CHRISTOPHER COURT SIGNIFICANT OAK TREE REMOVAL REQUEST

Gary Hull Superintendent of Public Works presented renderings of the applicants requested trees to be removed due to the desire to build a home on the property.

The applicant’s son James Williams noted that the property was very small and that the large trees would pose a threat to the future home and the construction.

There was discussion on options to save some of the trees, as well as the mitigation options.

Alexis Crespo referenced the other tree removal request on the agenda and noted that the applicants were residential single family home owners, and that the mitigation for the oak trees would be significant. She suggested reviewing the mitigation code for residential properties, and amending it to provide that replanting “tree for tree” be acceptable mitigation for residential lots.

There was conversation on the size of the lot not being able to accommodate the replanting of the necessary trees for mitigation.

Commissioner Spratt asked Steven Lynn, Interim Recreation Board Director if there was room at any of the parks for the mitigated trees to be planted. Mr. Lynn confirmed that there was room for additional trees to be planted at several of the parks.

Discussion continued on the size of the lot, and the options for mitigation.

Gary Hull suggested a review of the tree code in reference to residential standards for mitigation. Attorney Derek Rooney recommended that in order to comply with the code, at a minimum would be to require the replacement of trees, one for one and that the replacement trees be a minimum of ten feet tall with four inch spread and a four-inch caliper. There was then conversation on how and where to replant the required seven replacement trees.

*Commissioner Ratica made a motion to approve the significant oak tree removal with the consideration of the replacement of the seven live oak trees as mitigation to be purchased by the applicant and planted by the Recreation Board.  
Commissioner Vargas seconded the motion.  
The motion carried 5-0.*

270 S HICKORY SIGNIFICANT OAK TREE REMOVAL REQUEST

Alexis Crespo provided a brief description of the requested tree removal of five significant oak trees.

Lucia Hernandez described the location of the trees located on her property and requested the removal of the noted significant oak trees with the mitigated trees to be replanted on the property.

*Commissioner Akin motioned to approve the significant oak tree removal request with the tree for tree replanting of minimum ten feet tall, four-inch spread, four-inch caliper live oak trees on the property.*

*Commissioner Spratt seconded the motion.*

*The motion carried 5-0.*

Attorney Rooney recommended formalizing the process for single family residential lots to allow for tree for tree mitigation.

### **CONSENT AGENDA**

Commissioner Vargas questioned the \$25,000 payment made to the City of Clewiston. Commissioner Akin clarified that the payment was to go towards the Barron Library.

*Commissioner Akin made a motion to accept the consent agenda.*

*Commissioner Ratica seconded the motion.*

*The motion carried 5-0.*

### **BUSINESS BY COMMISSIONERS**

Commissioner Ratica gave a description of the presentation provided by Datafy at the Tourism Development Council meeting she attended prior to the Commission meeting. She explained that the application would track the attendance at events held, as well as where they were traveling from.

Kelly Boone noted that anyone under the age of sixteen would not be tracked.

Commissioner Akin addressed the speeding through town and suggested requesting from the FDOT that the speed limit be lowered. There was discussion on how to combat the speeding through town.

Commissioner Spratt expressed that she wanted to address the money that was given to the Recreation Board in prior years. There was then conversation on the funds, and whether they should be remitted to the Recreation Board for the current fiscal year even though it had not been requested.

Gracie Morton noted that the funds were not available to be given for the current year. Discussion was had on a revised interlocal agreement with the County to include that any requests for additional money by the Recreation Board be brought before the Commission.

There was discussion on how to provide additional funding for the Recreation Board from the City and the County.

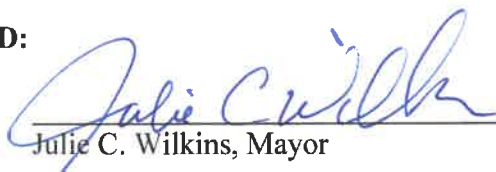
Commissioner Vargas noted that the family fun day was postponed again. He then discussed the arcades in the City and noted that some are paying out cash, and that he had been in contact with Code Enforcement about the arcades.

There was then discussion on the legality of the arcades handling cash, and somehow regulating the amount of the arcades within the City. Commissioner Vargas noted that he had visited a LaBelle Martial Arts class and was impressed with the program. He also noted that he attended his first Economic Development Council meeting.

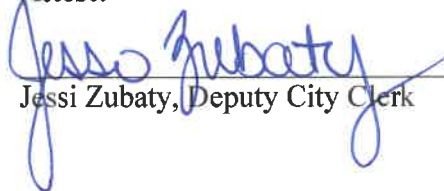
Mayor Wilkins made an announcement that there would be a September 11<sup>th</sup> Ceremony to be held at Veterans Park from 10:00 a.m. to 2:00 p.m. on Sunday September 11<sup>th</sup>.

*Commissioner Spratt motioned to adjourn.  
Commissioner Ratica seconded the motion.  
The meeting adjourned at 8:23*

**APPROVED:**

  
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Julie C. Wilkins, Mayor

**Attest:**

  
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Jessi Zubaty, Deputy City Clerk