

**CITY OF LABELLE
REGULAR COMMISSION MEETING
APRIL 11, 2024**

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE

Vice-Mayor Akins called the regular commission meeting to order at 5:50 p.m. Commissioner Hugo Vargas spoke the invocation. Commissioner Bobbie Spratt led the pledge of allegiance. A roll call was taken. Members present were Commissioner Hugo Vargas, Commissioner Bobbie Spratt, Commissioner Jackie Ratica, and Commissioner Daniel Akin. Mayor Julie C. Wilkins was absent.

1. PUBLIC HEARING ITEMS FOR CONSIDERATION

Attorney Rooney swore in six members of the public who wished to speak on the quasi-judicial items.

a. **RED ROOSTER VARIANCE REQUEST RESOLUTION 2024-06**

Josephine Medina presented the request for the variance which involved a 5-foot setback from South Main Street rather than the required 20-foot setback for an accessory roof structure and noted that staff recommended approval with additional conditions for landscaping to enhance traffic calming and public safety. There were also concerns raised regarding the structure's safety and its impact on visual clarity in the area.

The applicant Juan Manuel Placencia told the Commission he would do what was necessary to be compliant.

Commissioner Spratt made a motion to approve the variance with the staff recommendations and the additional caveat that a permit be obtained, and additional fees be paid.

Commissioner Akin seconded the motion.

The motion passed 3-1.

Commissioner Vargas was not in favor.

b. **BEDOLLA RENTALS RNU REZONE- PROPOSED ORDINANCE 2023-27**

Attorney Rooney read Ordinance 2023-27 title into the record.

The discussion revolved around a proposed conventional rezone for a property designated from Multifamily Residential to Residential Neighborhood Urban (RNU). Alexis Crespo, City Planner, summarized the staff report highlighting inconsistencies between zoning allowances and future land use maps. She noted that during a recent community workshop, the neighborhood expressed wishes to maintain single-family residential characteristics. She stated that staff felt the zoning designation was inconsistent with the comprehensive plan; thus staff advised against higher density housing in the area. The motion to deny the zoning change was made, considering the community's preference and the lack of support for increased density.

Commissioner Spratt motioned to deny the zoning change.

Seconded by Commissioner Ratica.

The motion carried unanimously.

c. **RACETRAC ANNEX, CPA, PUD REZONE- PROPOSED ORDINANCE 2024-01, 2024-02, 2024-03**

Attorney Rooney read each ordinance's title into the record.

Commissioner Akin recused himself from voting on the item.

Josephine Medina, on behalf of the City planning staff, led the discussion that covered the annexation of a property for commercial use and its impact on zoning and land use designations. The focus was on a RaceTrac development with details about the structure, aesthetics changes, and added design elements like awnings and a new pitched roof for the patio. Ms. Medina noted that staff recommended approval with twenty-eight conditions. She noted that the daycare use had been removed. After a presentation of architectural changes and a material board display with color swatches, by Mercedes Gregorio, John Voit, and Neal Montgomery, the commission moved ahead with individual votes for the three ordinances.

Commissioner Vargas motioned to approve Ordinance 2024-01.

Commissioner Spratt seconded the motion.

There was no public comment.

The motion carried 3-0, with Commissioner Akin abstaining.

Commissioner Spratt motioned to accept Ordinance 2024-02.

Commissioner Vargas seconded the motion.

There was no public comment.

The motion carried 3-0, with Commissioner Akin abstaining.

Commissioner Ratica motion to approve Ordinance 2024-03 PUD Rezone with the staff recommendations.

Seconded by Commissioner Vargas.

There was no public comment.

The motion carried 3-0, with Commissioner Akin abstaining.

2. NON-PUBLIC HEARING ITEMS FOR CONSIDERATION

a. KUTTY TREE REMOVAL REQUEST

Ms. Medina presented a request for the removal of seven significant oak trees out of thirty-two located on the property to facilitate a planned 40-unit duplex development. She reviewed the site plan and earmarked tree replacement by replanting 120 inches of live oak trees, following the landscaping plans outlined in the Land Development Code (LDC).

Agustine Perez with HL Bennet and Associates was present to speak on behalf of the applicant. There was no public comment.

Commissioner Vargas motioned to approve the proposed tree removal permit, subject to replanting of 120 inches of live oaks trees on-site, meeting the minimum size specifications of the Land Development Code.

Commissioner Spratt seconded the motion.

The motion passed 4-0.

b. LABELLE DOWNTOWN REVITALIZATION CORPORATION ALCOHOL REQUESTS FOR EVENTS

Kelly Boone representing the LaBelle Downtown Revitalization Corporation, requested permission for alcohol sales at two upcoming events: Forge Under the Oaks, and Smoke Under the Oaks. The events necessitated safety considerations, with fire personnel being required on stand-by at the events as Fire Chief Brent Stevens stated. There was then discussion on the costs of having the fire department present at the events.

Commissioner Spratt asked to table the matter until more information could be provided.

Commissioner Vargas seconded the motion.

After further discussion on the fees for the fire department presence, Commissioner Spratt withdrew her motion.

Commissioner Spratt motioned to approve the two events with the use of alcohol.

Commissioner Ratica seconded the motion.

The motion passed 4-0.

c. LOAN TO PURCHASE 2024 TOP MOUNT PUMPER TRUCK

Gracie Morton, Finance Director for the City of LaBelle and the Commission discussed the necessity of replacing the fire department's pumper truck that recently failed an essential test. They reviewed multiple loan quotes, ultimately opting for the lowest interest rate offer that had a conditional term attached. Fire Chief Stevens spoke to the Commission about the need for the truck.

Commissioner Spratt motioned to purchase the pumper fire truck with the staff-recommended financing from First Bank, with the desire to pay the loan off as soon as possible.

Commissioner Vargas seconded the motion.

The motion passed 4-0.

d. BACKHOE REPLACEMENT

Superintendent of Public Works, Mitchell Wills, discussed the need for a new backhoe due to the deterioration of the current one. A reassessment of current financial resources indicated the necessity for this equipment, crucial for City maintenance tasks.

Commissioner Spratt motioned to approve the purchase of the backhoe costing \$130,000.

Commissioner Vargas seconded the motion.

The motion carried 4-0.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

Steven Lynn, Director of the Hendry-LaBelle Recreation Department addressed the Commission to discuss the growing and aggressive homeless population, the need for action, and the safety concerns. Hendry County Sheriff's Deputy Todd updated the Commission on the actions the Sheriff's Department was taking to resolve the issue.

Kim Anderson, of Hendry-LaBelle Recreation, also spoke to the Commission about the response time of the Deputies when called for a trespass call.

4. CONSENT AGENDA

Commissioner Vargas requested that Item A: Release of funds to Barron Library be pulled from the consent agenda for discussion.

Commissioner Spratt motioned to approve the remainder of the Consent Agenda.

Seconded by Commissioner Vargas.

The motion passed 4-0.

Commissioner Vargas continued voicing his concerns with the operations of Barron Library. He and Danny Nelson, the representative from the Library, discussed additional training opportunities for the library staff and a representative from the Commission having an honorary position on the Library

Board. Commissioner Vargas recommended releasing the annual contribution of funds to the library, and only releasing the requested additional funds, once confirmation of the training was available. After further discussion the

*Commissioner Vargas motioned to release all funds requested.
Seconded Commissioner Spratt.
The motion passed 4-0.*

Gracie Morton, Finance Director addressed the Commission to request permission to have ARPA funds transferred to the utility operating account.

*Commissioner Ratica motioned to allow the transfer of funds.
Commissioner Spratt seconded the motion.
The motion passed 4-0.*

Attorney Rooney told the Commission of a utility easement needed for the Old Florida RV development that would go through the Wheeler planned development properties. He recommended that the Commission extend the Wheeler planned development for an additional ten years in exchange for the easement. He noted that when development was initiated, the Commission would still have approval rights.

*Commissioner Spratt motioned to approve the draft proposal presented with the final to come back before the board for approval.
Commissioner Ratica seconded the motion.
The motion passed 4-0.*

5. SUPERINTENDENT UPDATE

Superintendent Wills brought forward issues that required attention, particularly the perennial problem surrounding the fencing in certain areas of the City, and the urgent need to address this. Attorney Rooney recommended general amnesty for all existing fence code violation cases, effective as of April 11 with the payment of a fine.

*Commissioner Spratt motioned to approve the amnesty.
Commissioner Vargas seconded the motion.
After further discussion. The motion passed 4-0.*

CITY-RELATED BUSINESS BY COMMISSIONERS

Commissioner Ratica opened a discussion about the City's hiring process and possible pay raises, emphasizing the need for Commission involvement.

Commissioner Spratt recommended a freeze on all raises and senior management position replacements until further evaluations could take place. Attorney Rooney recommended that a motion be made to freeze all senior management positions and all raises.

*Commissioner Spratt motioned to freeze all the replacement senior positions and pay increases until further review could be made with any pending raises left to the discretion of the Vice-Mayor.
Commissioner Vargas seconded the motion.
The motion passed 4-0.*

Gracie Morton, cu offered to work remotely for an additional two months after her official date on May 2 with her salary and insurance remaining in effect during that time.

***Commissioner Spratt motioned to accept Mrs. Morton’s proposal.
Commissioner Vargas seconded the motion.
The motion passed 4-0.***

Superintendent Wills informed the Commission of the need for approval of a change order to remove curbing from a section of road.

***Commissioner Spratt motioned to approve the change order.
Commissioner Ratica seconded the motion.
The motion passed 4-0.***

Commissioner Vargas raised concerns on various issues not initially listed on the agenda, such as cybersecurity preparedness, and ongoing issues like homeless populations affecting city parks and staff safety.

Jessi Zubaty, Deputy City Clerk emphasized the need to hire experienced and qualified replacements for positions.

***Commissioner Spratt motioned to adjourn the meeting.
Commissioner Vargas seconded the motion.
The meeting was adjourned at 8:17 p.m.***

APPROVED:

Julie C. Wilkins, Mayor

Attest:

Tijauna Warner, BAS, MMC
Deputy City Clerk