

CITY OF LABELLE



MINUTES

Regular Commission Meeting

Thursday, October 24, 2024, at 5:30 PM

LaBelle Commission Chambers

481 West Hickpochee Ave

LaBelle, FL 33975

CITY COMMISSION:

Julie C. Wilkins., Mayor
Daniel Akin, Commissioner
Jackie Ratica, Commissioner
Bobbie Spratt, Commissioner
Hugo Vargas, Commissioner

ADMINISTRATION:

Tijauna Warner, BAS, MMC, Deputy City Clerk
Derek Rooney, Esq., City Attorney
Mitchell Wills, Superintendent PW

Minutes

1. Call to Order

The meeting was called to order by Mayor Wilkins at 5:30 PM.

2. Invocation and Pledge of Allegiance

Commissioner Vargas led the invocation, Commissioner Ratica led the Pledge of Allegiance.

3. Roll Call

PRESENT

Mayor Julie C. Wilkins
Commissioner Daniel Akin
Commissioner Jackie Ratica
Commissioner Bobbie Spratt
Commissioner Hugo Vargas
Derek Rooney, City Attorney

ABSENT

Tijauna Warner, Deputy City Clerk

A. Rate Increases 80% Sewer and 50% Water

Mayor Wilkins asked for consent to move Items 7F Rate Increase 80% Sewer and 50% Water up to the top of the agenda.

Public Hearing Opened on Rate Increases 80% Sewer and 50% Water at 5:46 p.m.

The following Thirty-one (31) citizens commented as not in favor of the rate increase:

Donna Hodges (*resident*), John Prosser (*resident*), Ramiro Rodriguez (*resident*), Jim Barnhart (*resident*), Adelina Contreras (*resident*), Linda Hogan (*resident*), Ricky Chairez (*resident*), Tracy Co (*resident*), Petra Esquirel (*resident*), Phillip Keyer (*resident*), Ray Garreau Sr. (*resident*), Rosa Marroquin (*resident*), Karen Hoover (*resident*), Becky Knok (*resident*), Bruce Dixon (*resident*), Susan Moore (*resident*), Brenda Strickland (*resident*), Patricia Martin (*resident*), John Wegner (*resident*), Noe Moreno (*resident*), James Weidman (*resident*), Delores Agnus (*resident*), Christina Davidson (*resident*), Jayson Dodson (*non-resident*), Patt Hoare (*resident*), Joe Leon (*resident*), Delia Miners (*resident*), Tina Dela Rosa (*resident*), Roel Herrera (*resident*), and Leonard Enriquez (*resident*).

Robert Cote (*resident*) submitted a comment card and withdrew comment.

Public Hearing Closed on Rate Increases 80% Sewer and 50% Water at 8:59 p.m.

Motion made by Commissioner Vargas to approve a rate increase of 50% Water and 50% Sewer.

Motion made by Commissioner Vargas to amend the motion to approve a rate Increase of 50% Water and 50% Sewer, no increase next year, study done 2nd year, CPI Indexing

3rd year and every year thereafter, Seconded by Commissioner Spratt. Mayor Wilkins called for the questions. A discussion ensued. Motion passed unanimously. Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

Five (5) Minutes Recess

4. Presentations

None.

5. Consent Agenda Items for Consideration

(Any commissioner or citizen may request to have an item removed from the consent agenda and placed on the regular agenda for further discussion.)

A. Approval of September Check Register

B. Approval of Minutes:

September 12, 2024 LPA Meeting Minutes

September 12, 2024 City Commission Meeting Minutes

September 13, 2024 Tentative Budget Hearing Meeting Minutes

September 27, 2024 City Commission Workshop Minutes

September 27, 2024 Final Budget Hearing Meeting Minutes

C. Approval of Staff Reports:

-HCSO- Lt. Hudson

-Fire Department- Chief Stevens

-Building Department- Mark Lynch

-Code Enforcement- Zane Mungillo

-Planning and Zoning- Alexis Crespo

-Finance- Lilly Davenport

-Public Works- Mitch Wills

-Woodard & Curran- Justin deMello

-Four Waters Engineering- Laura Constantino

D. RESOLUTION 2024-25 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA RATIFYING THE DECLARED STATE OF LOCAL EMERGENCY WHICH PROVIDED FOR EMERGENCY GOVERNMENTAL OPERATIONS RELATED TO HURRICANE HELENE; AND PROVIDING AN EFFECTIVE DATE.

E. RESOLUTION 2024-26 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, APPROVING SIGNATORIES FOR VARIOUS BANK ACCOUNTS OF THE CITY OF LABELLE AT FIRST BANK; FURTHER AUTHORIZING CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS WITH FIRST BANK; PROVIDING AN EFFECTIVE DATE.

- F. RESOLUTION 2024-27 A RESOLUTION OF THE CITY OF LABELLE, FLORIDA DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SURPLUS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.
- G. Engineering Proposal for Citrus Street Wastewater Treatment Plant Upgrades
- H. LaBelle Clean Water Facility Plan SAHFI Amendment Proposal
- I. LaBelle Drinking Water Facility Plan SAHFI Amendment Proposal
- J. LaBelle Clean Water Fiscal Solutions SAHFI Amendment Proposal
- K. LaBelle Drinking Water Fiscal Solutions SAHFI Amendment Proposal
- L. Forrey Park - Steven Lynn, Director of Parks & Recreation
- M. Tetra Tech Master Services Agreement RFQ 2024-02
- N. Woodard & Curran Master Services Agreement RFQ 2024-02
- O. WWTF Emergency Upgrades Recommendation of Award
- P. LaBelle Septic to Sewer Phases G-H-I
- Q. Hendry County School District and Community Signage
- R. LaBelle DW260390 SAHFI Drinking Water Agreement (*addition*)
- S. Consent for Mayor to Sign LaBelle SAHFI Clean Water Agreement (*addition*)
- T. DEP Agreement WG037 Change Order No. 2 (*addition*)

Motion made by Commissioner Spratt to approve Consent Agenda Items, Seconded by Commissioner Vargas. Mayor Wilkins called for the question. Motion passed unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

City Commission Meeting Recessed for seven (7) minutes

Roll Call:

Mayor Julie C. Wilkins
Commissioner Daniel Akin
Commissioner Jackie Ratica
Commissioner Bobbie Spratt
Commissioner Hugo Vargas

6. Non-Public Hearing Items for Consideration

(Limited to 15 minutes per item: 3-5 minutes optional presentation time with the remaining time for discussion by the Commission)

- A. 2025 Legislative Priorities

Motion made by Commissioner Akin to approve the 2025 Legislative Priorities, Seconded by Commissioner Spratt. Mayor Wilkins called for the question. A discussion ensued. Motion passed unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

B. Discussion Marijuana Ordinance

LaBelle City Commission gave consent for Derek Rooney to prepare a marijuana ordinance.

C. Discussion Tree Height Ordinance

Motion made by Commissioner Spratt to approve Mitch Wills recommendation of DOT Standard Tree Height 14'8". Seconded by Commissioner Akin. Mayor Wilkins called for the question. A discussion ensued. Motion passed (3-2).

Voting Yea: Commissioner Akin, Commissioner Ratica, Commissioner Spratt

Voting Nay: Mayor Wilkins, Commissioner Vargas

D. Compliance Update, Audit Update, & Financial Reporting - Lilly Davenport, Finance Director

Lilly Davenport explained that not all of the commissioners were aware that when we took the final vote on the budget, we did not secure an adequate number of "yes" votes to maintain the millage rate at 5.25. This issue became apparent when she completed the TRIM notices, which automatically defaulted to a rate of 5.1414. As a result, the city is technically in violation of state statute, and she anticipates receiving a letter from the state notifying us of this deficiency. Consequently, we will need to re-advertise and hold a new vote on the millage rate.

Additionally, Lilly disclosed during the final budget hearing, she realized that in preparing the original budget, she had based the ad valorem taxes on the adjusted property tax values rather than the gross tax values. She corrected this in the final budget, the advertisement still reflected the incorrect amount, which places us in technical violation of the statute. Although we have addressed the issue, we will still need to redo the advertisement.

7. Public Hearings and/or Ordinances

- A. ORDINANCE 2024 - 07 (*first reading*) AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA; AMENDING THE CITY OF LABELLE LAND DEVELOPMENT CODE, CHAPTER 4, ARTICLE IV, SECTON 4.71; AMENDING REGULATIONS RELATING TO THE DOWNTOWN BUSINESS DISTRICT; PROVIDING FOR RATIFICATION OF PRIOR ACTIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Derek Rooney read Ordinance 2024-07 into the record and gave a brief explanation.

Public Hearing Opened

Public Hearing Closed

LaBelle City Commission gave consent to move Ordinance 2024-07 to second reading.

- B. ORDINANCE 2024 - 08 (*second reading*) AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, ADOPTING AN OFFICIAL CITY SEAL; PROVIDING FOR CONFLICT; PROVIDING FOR AUTHORIZATION OF USE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

Derek Rooney read Ordinance 2024-08 into the record and gave a brief explanation.

Public Hearing Opened

Public Hearing Closed

Motion made by Commissioner Vargas to approve Ordinance 2024-08, Seconded by Commissioner Spratt. Mayor Wilkins called for the question. Motion passed

unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

- C. ORDINANCE 2024 - 09 (*second reading*) AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA; RELATING TO SCHOOL ZONE ENFORCEMENT WITHIN THE CITY OF LABELLE; AMENDING THE CITY OF LABELLE CODE, CHAPTER 12, CREATING A NEW ARTICLE IV, SCHOOL ZONES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Derek Rooney read Ordinance 2024-09 into the record and gave a brief explanation.

Public Hearing Opened

Steven Lynn (Rec Board) inquired if there's any way to stop parents from blocking staff in the parking lot.

Public Hearing Closed

Motion made by Commissioner Ratica to approve Ordinance 2024-09, Seconded by Commissioner Akin. Mayor Wilkins called for the question. A discussion ensued.

Motion passed unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

- D. ORDINANCE 2024-10 AN (*first reading*) ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2022-03 FOR THE OLD GROVE PLANNED UNIT DEVELOPMENT (AKA OAKBROOKE LAKE) LOCATED NORTH OF HELMS ROAD, SOUTH OF COWBOY WAY, AND ¾ MILES WEST OF STATE ROAD 29, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE CONDITIONS AND SCHEDULE OF USES; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Derek Rooney read Ordinance 2024-10 into the record and gave a brief explanation.

Public Hearing Opened

Public Hearing Closed

LaBelle City Commission gave consent to move Ordinance 2024-10 to second reading.

- E. ORDINANCE 2024-11 (*first reading*) AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 56+/-ACRE PROPERTY LOCATED IMMEDIATELY EAST OF DR. MARTIN LUTHER KING JR. BLVD. AND SOUTH OF STATE ROAD 80; AMENDING THE ZONING DISTRICT FROM AGRICULTURE (AG), SINGLE FAMILY-LOW DENSITY (R-1A), AND SINGLE-FAMILY MEDIUM DENSITY (R-1) TO THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Derek Rooney read Ordinance 2024-11 into the record and gave a brief explanation.

Public Hearing Opened

Public Hearing Closed

LaBelle City Commission gave consent to move Ordinance 2024-11 to second reading.

Motion made by Commissioner Spratt to approve rescinding approval of Consent Agenda Item 5Q and reconsidering, Seconded by Commissioner Vargas. Mayor Wilkins called for the question. Motion passed unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

Motion made by Commissioner Spratt to approve rejecting Hendry County School District and Community Signage, Seconded by Commissioner Vargas. Mayor Wilkins called for the question. A discussion ensued. Motion passed unanimously.

Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

8. Public Comment on Non-Agenda Items

(Limited to 3 minutes per person)

Steven Lynn inquired when will the Singleton Building be added to the agenda.

Mayor Wilkins advised that the matter is delayed pending clarification of the language due to all the amendments over the years.

9. City Related Business by Commissioners

A. Commissioner Akin

None.

B. Commissioner Ratica

None.

C. Commissioner Spratt

Commissioner Spratt inquired if there were funds to assist with the opening of the museum. A discussion ensued.

D. Commissioner Vargas - Single Family Zoning Permit

Commissioner Vargas informed the commission that he was invited to speak at the Department of Juvenile Justice in Lee County. He met with several troubled teenagers and successfully engaged them for about 45 minutes. He received a call from Alfredo Suarez, a retired veteran and martial arts studio owner, regarding parking issues. We were able to resolve the concerns he raised. He advised he had a successful Christmas meeting with staff, and we're excited about the direction we're headed in, particularly with our lighting initiatives. He met with Jessica Hood from the Health Department to gather information for the League of Cities' Policy and Legislative Committee, particularly concerning temporary workforce housing. Although this may not be a priority, he believes there's an opportunity to link this to the Live Local Act, which he will explore in the upcoming meeting. Lastly, he had a meeting with Jamie Paul from South LaBelle, who provided valuable insights on issues we need to address.

E. Mayor Wilkins

None.

10. Adjournment

Motion made by Commissioner Spratt to adjourn the meeting, Seconded by Commissioner Ratica. Mayor Wilkins called for the question. Motion passed unanimously.
Voting Yea: Mayor Wilkins, Commissioner Akin, Commissioner Ratica, Commissioner Spratt, Commissioner Vargas

There being no further business to discuss, Mayor Wilkins adjourned the meeting at 10:17 PM.

Julie C. Wilkins, Mayor

ATTEST: Tijauna Warner, BAS, MMC, City Clerk