

CITY OF LABELLE



AGENDA

Regular Commission Meeting

Thursday, January 09, 2025, 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

Agenda

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Roll Call**
4. **Presentations**
 - A. Law Enforcement Appreciation Day Proclamation
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 December Check Register**
 - B. **Approval of Staff Reports:**
 - Building Department- Mark Lynch
 - Planning and Zoning- Alexis Crespo
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. Temporary Use & Special Event Application Swamp Cabbage Festival
 - B. 725 West Hickpochee Avenue Tree Removal Permit
7. **Public Hearings and/or Ordinances**
8. **Public Comment on Non-Agenda Items**

(Limited to 3 minutes per person)

 - A. Insurance Claim - John Glen Hallihan
9. **City Related Business by Commissioners**
10. **Adjournment**

Upcoming Meetings:

February 13, 2025 City Commission Workshop & Meeting

*Be advised that the Commission may take action on items not listed on the agenda.

City of Labelle Office Closures:

January 20, 2025 Martin Luther King Day

Meeting Records Request

Any person requesting the appeal of a decision of the City Commission will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of LaBelle does not prepare or provide such verbatim record.

Notice of Commission Meetings and Agendas

The second Thursday of each month are regular meeting dates for the City Commission; special or workshop meetings may be called, whenever necessary. Commission Agendas are posted on the City's website on the Friday prior to each Commission meeting. A copy of the meeting audio and the complete agenda may be requested at tiawarner@citylabelle.com or 863-675-2872.

Americans with Disabilities Act

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with five (5) days advance notice of any meeting, by contacting Deputy City Clerk Tijauna Warner at LaBelle City Hall, 481 W. Hickpochee Avenue, LaBelle, Florida. Phone No. 863-675-2872. Hearing Assistance: If hearing impaired, contact Florida Relay at 800-955-8771 (TDD) or 800-955-8770 (Voice), for assistance. (Reference: Florida Statute 286.26)

Range of Checking Accts: First to Last Range of Check Dates: 12/01/24 to 12/31/24
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GEN FUND POOLED GENERAL FUND POOLED CASH					
1762	12/04/24	AAP ADVANCE AUTO PARTS	105.15		9307
1763	12/04/24	ABP ACCENT BUSINESS PRODUCTS	94.58		9307
1764	12/04/24	AFL AMERICAN FAMILY LIFE ASSR CO.	2,273.35		9307
1765	12/04/24	ALLSTATE AMERICAN HERITAGE LIFE INS CO	4,801.40		9307
1766	12/04/24	CLA COLONIAL LIFE & ACCIDENT INS.	134.21		9307
1767	12/04/24	CLINK CENTURYLINK	658.62		9307
1768	12/04/24	COMCAST COMCAST	203.19		9307
1769	12/04/24	FMPT FL MUNICIPAL PENSION TRUST FND	17,116.99		9307
1770	12/04/24	FPL FLORIDA POWER & LIGHT	14,256.99		9307
1771	12/04/24	GAFS GREAT AMERICA FINANCIAL SVCS	608.70		9307
1772	12/04/24	HCOCC HENDRY CO BOARD COUNTY COMM	652.50		9307
1773	12/04/24	HOMDEF HOMETEAM PEST DEFENSE INC	790.75		9307
1774	12/04/24	HUGVAR HUGO VARGAS	608.16		9307
1775	12/04/24	ISBC IPITOMY SMARTER BUSINESS COMMU	76.01		9307
1776	12/04/24	LAWRE005 LAWRENCE H. O'FERRELL	1,500.00		9307
1777	12/04/24	LEGALSH LEGAL SHIELD	73.75		9307
1778	12/04/24	LNATL GLOBE LIFE	38.55		9307
1779	12/04/24	NAFECO NAFECO	10,118.00		9307
1780	12/04/24	PBGFS PITNEY BOWES GLOBAL FINANCIAL	145.71		9307
1781	12/04/24	UNWAYLEE UNITED WAY OF LEE COUNTY	30.00		9307
1782	12/04/24	AMACS AMAZON CAPITAL SERVICES	544.12		9310 Direct Deposit
1783	12/04/24	CULL CULLIGAN WATER	218.25		9310 Direct Deposit
1784	12/04/24	LDRC LABELLE DOWNTOWN	1,741.00		9310 Direct Deposit
1785	12/04/24	ODP ODP BUSINESS SOLUTIONS, LLC	120.47		9310 Direct Deposit
1786	12/04/24	TIMST005 Tim's Towing & Recovery, Inc.	55.00		9310 Direct Deposit
1787	12/04/24	FRS FLORIDA RETIREMENT SYSTEM	28,189.25		9311
1788	12/04/24	FDOR FLORIDA DEPT OF REVENUE	1,176.57		9313
1761	12/06/24	SOFDU ST OF FL. DISBURSEMENT UNIT	166.92		9305
1790	12/12/24	BCSI BUILDERS CHOICE SUPPLY INC	121.15		9315
1791	12/12/24	BSA BRIDGE STREET AUTO PARTS, INC.	4.25		9315
1792	12/12/24	DOOPE005 DOOPER POOPERS PORTA POTTIES	790.00		9315
1793	12/12/24	HCOCC HENDRY CO BOARD COUNTY COMM	3,128.51		9315
1794	12/12/24	LCBOCC LEE COUNTY SOLID WASTE	63.82		9315
1795	12/12/24	LFORD LABELLE FORD	36.79		9315
1796	12/12/24	TIJUUA005 TIJUANA WARNER	123.41		9315
1797	12/12/24	VAH VISION ACE HARDWARE-LABELLE	1,323.26		9315
1798	12/12/24	WSC WINDMILL SPRINKLER CO., INC.	202.41		9315
1799	12/12/24	AAPE AACTION POWER EQUIPMENT LLC	235.93		9317 Direct Deposit
1800	12/12/24	AMACS AMAZON CAPITAL SERVICES	936.02		9317 Direct Deposit
1801	12/12/24	BSS BUSINESS SERVICES & SOLUTIONS	118.00		9317 Direct Deposit
1802	12/12/24	CQL CAPTAINS QUICK LUBE	80.00		9317 Direct Deposit
1803	12/12/24	DEXI DEX IMAGING LLC	118.25		9317 Direct Deposit
1804	12/12/24	ECIVI005 eCivis, Inc.	2,100.00		9317 Direct Deposit
1805	12/12/24	ESO ESO SOLUTIONS, INC.	2,290.65	01/02/25 VOID	9317 Direct Deposit (Reason: NSF)
1806	12/12/24	MJW MARY JO WILSON	95.00		9317 Direct Deposit
1807	12/12/24	PRM PUBLIC RISK MANAGEMENT	44,219.10		9317 Direct Deposit
1808	12/12/24	SSW SHARON SANDERS WHITE	110.00		9317 Direct Deposit
1809	12/12/24	TERMAI TERRA MAINTENANCE CO	626.00		9317 Direct Deposit

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GEN FUND POOLED	GENERAL FUND POOLED CASH	Continued			
1810	12/12/24	THEMA005 THE MAKER'S MOTIF INC.	4,225.90		9317 Direct Deposit
1789	12/13/24	SOFDU ST OF FL. DISBURSEMENT UNIT	166.92		9314
1811	12/13/24	AZ AUTO ZONE	269.61		9321
1812	12/13/24	FPL FLORIDA POWER & LIGHT	3,052.56		9321
1813	12/13/24	HOMDEF HOMETEAM PEST DEFENSE INC	1,003.75		9321
1814	12/13/24	AES AIM ENGINEERING & SURVEYING	1,992.79		9322 Direct Deposit
1816	12/18/24	1STRESP 1ST RESPONDER NEWSPAPER	85.00		9327
1817	12/18/24	AAP ADVANCE AUTO PARTS	130.66		9327
1818	12/18/24	AZ AUTO ZONE	272.65		9327
1819	12/18/24	BCSI BUILDERS CHOICE SUPPLY INC	278.00		9327
1820	12/18/24	CAC COX AIR CONDITIONING INC	25.00		9327
1821	12/18/24	CLINK2 CENTURYLINK	50.40		9327
1822	12/18/24	COMCAST COMCAST	219.90		9327
1823	12/18/24	FPL FLORIDA POWER & LIGHT	125.20		9327
1824	12/18/24	HUGVAR HUGO VARGAS	77.93	12/20/24 VOID	9327 (Reason: paid by visa)
1825	12/18/24	KIMBE005 KIMBERLY BARSELOU	17.31		9327
1826	12/18/24	KIRYA KIRYA AGUIRRE	85.00		9327
1827	12/18/24	LEANN005 LEANNE M S SPRAGUE	100.00		9327
1828	12/18/24	LHM LABELLE HERITAGE MUSEUM, INC.	6,500.00		9327
1829	12/18/24	MARYP005 MARY P URIARTE	250.00		9327
1830	12/18/24	MCS MONRO COMMERCIAL SOLUTIONS	1,182.60		9327
1831	12/18/24	PBGFS PITNEY BOWES GLOBAL FINANCIAL	221.76		9327
1832	12/18/24	VAH VISION ACE HARDWARE-LABELLE	794.69		9327
1833	12/18/24	WSC WINDMILL SPRINKLER CO., INC.	197.38		9327
1834	12/18/24	AFL AMERICAN FAMILY LIFE ASSR CO.	409.95		9328
1835	12/18/24	AMACS AMAZON CAPITAL SERVICES	438.88		9330 Direct Deposit
1836	12/18/24	CIVIC CIVICPLUS LLC	997.50		9330 Direct Deposit
1837	12/18/24	LILLI005 LILLIAN M DAVENPORT	690.64		9330 Direct Deposit
1838	12/18/24	PTLLC PROTECTED TRUST LLC	3,143.97		9330 Direct Deposit
1839	12/18/24	QUALITY QUALITY 1 AUTO CARE INC	533.00		9330 Direct Deposit
1840	12/18/24	RVE RVE, INC. D/B/A RVI	7,718.75		9330 Direct Deposit
1841	12/18/24	SFSLLC SUMMIT FIRE & SECURITY LLC	6,012.60		9330 Direct Deposit
1842	12/18/24	USAB USA BLUEBOOK	626.12		9330 Direct Deposit
1815	12/20/24	SOFDU ST OF FL. DISBURSEMENT UNIT	166.92		9324
1843	12/20/24	NATIO005 NATIONAL WILD TURKEY FEDERATIO	250.00		9280
1844	12/27/24	VISA VISA	13,177.15		9331
1878	12/27/24	BSA BRIDGE STREET AUTO PARTS, INC.	213.94		9341
1879	12/27/24	CLA COLONIAL LIFE & ACCIDENT INS.	134.21		9341
1845	12/30/24	AMARINES A.MARINES ROAD SERV & TIRE INC	240.00		9332
1846	12/30/24	APRIL005 APRIL SOTO	500.00		9332
1847	12/30/24	ATTM AT&T MOBILITY	523.28		9332
1848	12/30/24	CCENT CHRIST CENTRAL OF LABELLE	361.86		9332
1849	12/30/24	CENTLINK CENTURYLINK	732.72		9332
1850	12/30/24	FPL FLORIDA POWER & LIGHT	17,673.09		9332
1851	12/30/24	HO HOMERO OLIVAREZ, JR	150.00		9332
1852	12/30/24	HUGVAR HUGO VARGAS	77.93		9332
1853	12/30/24	IGLES010 Iglesia Christiana Restauracio	100.00		9332
1854	12/30/24	KME KENNY GLISSON	25.00		9332
1855	12/30/24	MEEB MARIA E ESPINOZA BECERRA	500.00		9332
1856	12/30/24	PBGFS PITNEY BOWES GLOBAL FINANCIAL	192.90		9332
1857	12/30/24	VAH VISION ACE HARDWARE-LABELLE	6.68		9332
1858	12/30/24	VISA VISA	4,568.17		9332

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GEN FUND POOLED	GENERAL FUND POOLED CASH	Continued			
1859	12/30/24	CDWLL005 CDW LLC	2,397.48		9334 Direct Deposit
1860	12/30/24	CQL CAPTAINS QUICK LUBE	185.95		9334 Direct Deposit
1861	12/30/24	JOSHR JOSHUA RIMES	2,600.00		9334 Direct Deposit
1862	12/30/24	ODP ODP BUSINESS SOLUTIONS, LLC	11.18		9334 Direct Deposit

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	73	1	144,645.14	77.93
Direct Deposit:	29	1	82,891.90	2,290.65
Total:	102	2	227,537.04	2,368.58

UTILITY DEPOSIT	Water Revenue Deposit			
2519	12/04/24	U-000161 MEDSPA & PRIMARY CARE LLC	73.06	9306
2520	12/04/24	U-000162 MATIAS MERIDA, HORACIO	90.67	9306
2521	12/04/24	U-000163 MENA, LINDA LUZ	7.33	9306
2522	12/13/24	U-000164 BARRIOS, SHERRY	42.33	9320
2523	12/13/24	U-000165 MATEYCHICK, MICHAEL ANDREW	13.45	9320
2524	12/13/24	U-000166 HECKER, WILLIAM	53.67	9320
2525	12/13/24	U-000167 KERR, MORRIS D	105.00	9320
2526	12/13/24	U-000168 CHROFIA LLC	98.33	9320
2527	12/13/24	U-000169 QUALITY ENTERPRISES USA INC	0.68	9320
2528	12/18/24	U-000170 JEREMIA MUDGE WELDING	115.96	9325
2529	12/30/24	U-000171 TRUST, MARY ELIZABETH GIDDENS	6.61	9336

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	11	0	607.09	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	11	0	607.09	0.00

UTILITY POOLED	UTILITY FUND POOLED CASH			
832	12/04/24	ABP ACCENT BUSINESS PRODUCTS	89.98	9308
833	12/04/24	CLINK CENTURYLINK	17.83	9308
834	12/04/24	FPL FLORIDA POWER & LIGHT	13,781.92	9308
835	12/04/24	HOMDEF HOMETEAM PEST DEFENSE INC	53.25	9308
836	12/04/24	ISBC IPITOMY SMARTER BUSINESS COMMU	19.00	9308
837	12/04/24	PBGFS PITNEY BOWES GLOBAL FINANCIAL	48.57	9308
838	12/04/24	CULL CULLIGAN WATER	10.75	9309 Direct Deposit
839	12/04/24	KBPI K&B PUMP & ELECTRICAL, LLC	14,307.69	9309 Direct Deposit
840	12/04/24	KGAUSE KATHARINA GAUSE	100.00	9309 Direct Deposit
841	12/04/24	WOODARD WOODARD & CURRAN INC	142,931.54	9309 Direct Deposit
842	12/04/24	FRS FLORIDA RETIREMENT SYSTEM	5,093.60	9312
843	12/12/24	BSA BRIDGE STREET AUTO PARTS, INC.	50.39	9316
844	12/12/24	VAH VISION ACE HARDWARE-LABELLE	264.14	9316
845	12/12/24	AMACS AMAZON CAPITAL SERVICES	105.96	9318 Direct Deposit
846	12/12/24	BMI BADGER METER INC.	834.66	9318 Direct Deposit
847	12/12/24	FWEI FOUR WATERS ENGINEERING, INC	2,675.00	9318 Direct Deposit
848	12/12/24	PRM PUBLIC RISK MANAGEMENT	8,284.73	9318 Direct Deposit
849	12/12/24	UTISOL UTILITY SOLUTIONS & AUTOMATION	259.70	9318 Direct Deposit
850	12/13/24	U-000166 HECKER, WILLIAM	87.62	9319
851	12/13/24	FPL FLORIDA POWER & LIGHT	8,240.90	9323
852	12/13/24	HOMDEF HOMETEAM PEST DEFENSE INC	53.25	9323
853	12/18/24	FPL FLORIDA POWER & LIGHT	544.89	9326
854	12/18/24	LUMEN LUMEN	624.17	9326

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
UTILITY POOLED	UTILITY FUND	POOLED CASH	Continued		
855	12/18/24	VAH VISION ACE HARDWARE-LABELLE	40.48		9326
856	12/18/24	KGAUSE KATHARINA GAUSE	100.00		9329 Direct Deposit
857	12/18/24	PTLLC PROTECTED TRUST LLC	472.75		9329 Direct Deposit
858	12/18/24	SFSLLC SUMMIT FIRE & SECURITY LLC	537.00		9329 Direct Deposit
859	12/30/24	ATTM AT&T MOBILITY	35.27		9333
860	12/30/24	CENTLINK CENTURYLINK	265.64		9333
861	12/30/24	FPL FLORIDA POWER & LIGHT	13,484.50		9333
862	12/30/24	LUMEN LUMEN	491.26		9333
863	12/30/24	PBGFS PITNEY BOWES GLOBAL FINANCIAL	19.34		9333
864	12/30/24	ODP ODP BUSINESS SOLUTIONS, LLC	214.38		9335 Direct Deposit
865	12/30/24	USAB USA BLUEBOOK	4,285.40		9335 Direct Deposit

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	20	0	43,306.00	0.00
Direct Deposit:	14	0	175,119.56	0.00
Total:	34	0	218,425.56	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	104	1	188,558.23	77.93
Direct Deposit:	43	1	258,011.46	2,290.65
Total:	147	2	446,569.69	2,368.58

Totals by Year-Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	4-001	2,637.48	0.00	0.00	2,637.48
WATER FUND	4-041	2,402.40	0.00	0.00	2,402.40
SEWER FUND	4-042	<u>2,142.70</u>	<u>0.00</u>	<u>0.00</u>	<u>2,142.70</u>
Year Total:		7,182.58	0.00	0.00	7,182.58
GENERAL FUND	5-001	203,176.68	0.00	21,722.88	224,899.56
WATER FUND	5-041	105,755.50	0.00	87.62	105,843.12
SEWER FUND	5-042	<u>108,037.34</u>	<u>0.00</u>	<u>0.00</u>	<u>108,037.34</u>
Year Total:		416,969.52	0.00	21,810.50	438,780.02
WATER FUND	X-041	42.08	0.00	0.00	42.08
SEWER FUND	X-042	211.66	0.00	0.00	211.66
SANITATION OPERATION FUND	X-043	<u>353.35</u>	<u>0.00</u>	<u>0.00</u>	<u>353.35</u>
Year Total:		607.09	0.00	0.00	607.09
Total of All Funds:		<u>424,759.19</u>	<u>0.00</u>	<u>21,810.50</u>	<u>446,569.69</u>

Totals by Fund Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
GENERAL FUND	001	205,814.16	0.00	21,722.88	227,537.04
WATER FUND	041	108,199.98	0.00	87.62	108,287.60
SEWER FUND	042	110,391.70	0.00	0.00	110,391.70
SANITATION OPERATION FUND	043	353.35	0.00	0.00	353.35
Total of All Funds:		<u>424,759.19</u>	<u>0.00</u>	<u>21,810.50</u>	<u>446,569.69</u>

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
GENERAL FUND	4-001	2,637.48	0.00	0.00	0.00	2,637.48
WATER FUND	4-041	2,402.40	0.00	0.00	0.00	2,402.40
SEWER FUND	4-042	<u>2,142.70</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,142.70</u>
Year Total:		7,182.58	0.00	0.00	0.00	7,182.58
GENERAL FUND	5-001	203,176.68	0.00	0.00	0.00	203,176.68
WATER FUND	5-041	105,755.50	0.00	0.00	0.00	105,755.50
SEWER FUND	5-042	<u>108,037.34</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>108,037.34</u>
Year Total:		416,969.52	0.00	0.00	0.00	416,969.52
WATER FUND	X-041	42.08	0.00	0.00	0.00	42.08
SEWER FUND	X-042	211.66	0.00	0.00	0.00	211.66
SANITATION OPERATION FUND	X-043	<u>353.35</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>353.35</u>
Year Total:		607.09	0.00	0.00	0.00	607.09
Total of All Funds:		<u><u>424,759.19</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>424,759.19</u></u>

Range: First to Last Issue Date Range: 12/01/24 to 12/31/24

**Indicates payment is in batch

NOTE: Too many Building Codes included in this report. The totals are correct, but please print to Excel to see the complete detail.

	Alteration Cost	New Volume	BP D2Y BUILDING MECHANICAL PLAN REVIEW	BP D2Z CONTRACTOR PL ROW PLANNING	TOTAL ELECTRICAL PL UA LT PLUMBING
Grand Totals:	2,908,027.23	0	PAID: 0.00 0.00 17,958.56 2,526.89 0.00	0.00 0.00 0.00 0.00	26,948.13 3,970.57 0.00 1,800.00
			PERMIT COUNT:	0 49 22 0	0 24 0 21

BP SURC2 - Bldg Code Admin & Inspect Brd		BP SURCH - FL Building Commission Surchar	
1. Number of permits issued at the minimum surcharge rate 5 x \$2	\$ 10.00	1. Number of permits issued at the minimum surcharge rate 9 x \$2	\$ 18.00
2. Permit fees collected at other than minimum surcharge	\$ 26,805.62	2. Permit fees collected at other than minimum surcharge	\$ 26,203.62
3. Surcharge amount due (1.5% of line 2 or line 2 x 1.5)	\$ 402.08	3. Surcharge amount due (1.0% of line 2 or line 2 x 0.010)	\$ 262.04
4. Total of Lines 1 & 3	\$ 412.08	4. Total of Lines 1 & 3	\$ 280.04
5. Less surcharge amount retained (10% of line 4 or line 4 x 0.10)	\$ 41.21	5. Less surcharge amount retained (10% of line 4 or line 4 x 0.10)	\$ 28.00
6. Surcharge amount due (line 4 less line 5)	\$ 370.87	6. Surcharge amount due (line 4 less line 5)	\$ 252.04

*NOTE: This report contains only PAID & WAIVED fees.



Hugo Vargas
Commissioner

Daniel W. Akin
Commissioner

Jackie Ratica
Commissioner

Bobbie Spratt
Commissioner

“The City Under The Oaks”

Julie C. Wilkins
Mayor

**JANUARY 2025
PLANNING DEPARTMENT REPORT**

Application Name	Application No.	Status	Ordinance/ Resolution No.
APPLICATIONS UNDER REVIEW			
Anchor Preschool	SE2024-03	Insufficiency Sent 12/16/2024	TBD
SR 80 Commercial Special Exception & Variance	SE2024-02 & VAR2024-05	Awaiting Resubmittal *Coming Back as PUD*	
Residences at Grande Oaks	ANX-CPA-PUD	Insufficiency Sent 12/2/2024	TBD
Accurate Drilling PUD Rezone	PUD2024-02	Awaiting Resubmittal	TBD
South LaBelle Village CPA	CPA2024-01	Commission Approved 12/12/2024	TBD
PRE-APPLICATION MEETINGS			
Plant World, Goodwill – 12/12/24			

II. City-Initiated Land Development Code Amendments

LDC Amendment/Subject Area	Status	Ordinance
Downtown Walking District Future Land Use Element Amendment	TBD	TBD
Comprehensive Plan Assessment for F.S. Updates	TBD - February 2025	TBD

III. Zoning Map Corrections/City-Initiated Rezoning

Comprehensive Plan & LDC Updates per 2021-2023 Legislative Changes

V. Permits and Site Construction Plans

Application Name	Application No.	Status
725 W Hickpochee Ave	Tree Removal	Pending Approval 1/9/2025 Agenda
45 Bryan Ave	Sign Permits	Approved 12/17/2024
525 S. Main Street	Royals Furniture	Approved 12/30/2024
737 S. Main Street	Fence Permit	Rejected 10/1/2024
Wal-Mart Expansion	Site Construction Plan	Rejected 12/1/2024
Family Health Centers	Site Construction Plan	Rejected 12/12/2024
Race Trac	Site Construction Plan/Plat	Rejected 10/14/2024



**City of LaBelle Board of Commissioners
Agenda Request**

To: Honorable Mayor and City Commission
Prepared By: Tijauna Warner, MMC, Deputy City Clerk
Date of Meeting: January 9, 2025
Date Submitted: December 16, 2024
Title of Agenda Item: Temporary Use & Special Event Application #1341
Agenda Location: Non-Public Hearing Items for Consideration

Report in brief: The Swamp Cabbage Festival is a cherished annual event that hold significant historical and cultural importance for the City of LaBelle. These events not only celebrate our local heritage but also showcase our vibrant businesses and warmly invite visitors from near and far to experience all that LaBelle has to offer. As part of the planning process, each event requires road closures and approval for beer sales, both of which are outlined in their Temporary Use & Special Event Applications. We look forward to celebrating these exciting events with the community and welcoming all who wish to join us!

Staff Comments: N/A

Fiscal Impact: N/A

Recommended Actions: Executive Administration Department is recommending the City Commission consider approving this Temporary Use & Special Event Application #1341.

From: [Swamp Cabbage](#)
To: [Tia Warner](#)
Subject: Agenda
Date: Monday, December 16, 2024 3:00:18 PM

Tia,

Could you please put this with our application and put us on the agenda for January?

We are reapplying for our beer permission.

Thanks

Shellie

Subject: Request for Reconsideration of Beer Permit for Swamp Cabbage Festival

Dear City Commissioners,

We are writing to reapply for our beer permit for the upcoming Swamp Cabbage Festival and to clarify any misunderstandings regarding last year's event.

During last year's festival, the LDRC board requested to sell liquor alongside beer. We informed them that they needed to go through the proper channels for approval, and we agreed to allow it as a trial.

After the festival, we discussed the matter with Mayor Julie Wilkins and expressed our decision not to include liquor sales at future events.

We believe beer sales alone are a better fit for the festival, and we are committed to sticking with this moving forward.

There is documentation confirming that LDRC obtained the necessary permissions for liquor sales last year. At no point did we operate outside of the established process or act without proper authorization.

We respectfully request to be placed on the agenda for the January meeting to discuss this matter further and to reconsider our beer permit.

The income generated from beer sales is essential for covering festival security costs and other increased expenses this year.

Thank you for your time and understanding. We look forward to addressing any concerns and working together to ensure the success of the Swamp Cabbage Festival.

Sincerely,
Shellie Hunter

Swamp Cabbage Festival
February 22 & 23, 2025

PO Box 2081
LaBelle, FL 33975
863-675-2995

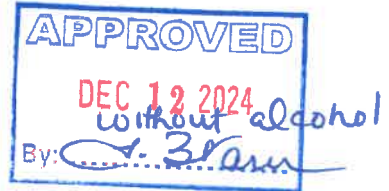
swampcabbagefestival.org@gmail.com
<http://labelleswampcabbagefestival.org>



2025



AST# SWAMP005
App# 1341



TEMPORARY USE & SPECIAL EVENT APPLICATION

CITY OF LABELLE, FLORIDA

APPLICATION NUMBER: TU20 ____ - ____ (Assigned by City)
DATE RECEIVED: 11-19-2024

1. SPECIFIC LOCATION OF SUBJECT PROPERTY AFFECTED BY THIS APPLICATION:

Tax Parcel I. D. #: 2-29-43-01-010-0003-001.0
Site Address: 100 Park Ave Barron Park
City: LaBelle State: FL Zip Code: 33935

2. APPLICANT: Swamp Cabbage festival
(Person or entity conducting the use or event)

Mailing Address: 2081 PO Box
City: LaBelle State: FL Zip Code: 33975
Work Phone Number: 863 675 2995 Home Phone Number: N/A
Fax number: _____ Email: Swampcabbagefestival.org@gmail.com

3. PROPERTY OWNER: City of LaBelle

Mailing Address: PO Box 458
City: LaBelle State: FL Zip Code: 33975
Work Phone Number: 863-675-2872 Home Phone Number: N/A
Email: Acrespo@citylabelle.com

NOTE: The application must include all pertinent information (Name, address, phone numbers, etc.) for all owners of land affected by this application. If the space provided above is not sufficient to list all of the

owners then, the additional information must be provided on a separate sheet(s). If property is owned by the City of LaBelle, please list that as owner.

4. **APPLICANT'S REQUEST (Proposed Temporary Use/Event Information.):**

Annual Swamp Cabbage Festival (59th)

Will any roads need to be closed down for the event? Yes

Will there be alcohol served at the event? By whom? Yes - LDRC

Please note, use of alcohol will need to be approved by the City Commission

How many people are expected to attend the event? 25,000 - 30,000

Event Date: February 21st - 23rd Requested Event Hours: 8am - 5pm

Friday Saturday Sunday

5. **THE FOLLOWING ITEMS ARE REQUIRED TO COMPLETE THE APPLICATION AND MUST BE ATTACHED: (please provide all needed information when submitting)**

6. **Completed Temporary Use Application Form (must include the following)**

 Affidavit of Ownership and Agent Authorization: The name of all parties having interest in the subject property and certification that the applicant is authorized to sign the application as owner or authorized agent.

 Area Location Map: The location of the subject property indicated on a Map or an aerial photograph. This map shall reference known major streets and geographic features with sufficient clarity as to be recognizable by the general public.

 Legible Site Plan: Drawing demonstrating right-of-way to be vacated on 8-1/2" x 11" paper with legible text showing all data pertinent to the proposed vacation, including **at least** the following:

- Date of drawing
- Scale
- North arrow
- Location of proposed uses
- Location of existing structures
- Location of access point(s) from adjacent roadways
- Location of Parking areas

 Letters of No Objection: Letters from the following agencies:

HCSO-Lt. Allen Hudson-ahudson@hendrysheriff.org/863-674-5606

Hendry County EMS-Amy Stafford-amy.stafford@hendryfla.net/863-675-5220

City of LaBelle Fire Dept.-Chief Brent Stevens-bstevens@citylabelle.com 863-675-1537

****Events with an expected attendance of 1,000+ people will require an Emergency Action Plan****

 Application Fee: Check made payable to "City of LaBelle" with fee per adopted Fee Schedule.

Fee Schedule available at citylabelle.com under the "Government" tab>"Forms and Applications">"Building Permit Fee Schedule"

APPLICANT SIGNATURE (Signed by person applying for permit)

Dawn Hunter
Applicant Name (Print)
(Shellie)

Dawn Hunter
Applicant Signature

This is stating that all information provided is true. To be signed by owner or authorized representative. Must be notarized.

AFFIDAVIT

I, _____ certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

_____ Date: _____
Signature of owner or authorized agent

Print or type name of person signing above

Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

Representative capacity of person signing Affidavit:
President or Vice President of Corporation, Managing
Member of L.L.C., General Partner, or Trustee

STATE OF _____
COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me on _____ (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC STAMP/SEAL:

Signature of Notary Public

Printed Name of Notary Public

This is to be signed by owner of the property, if applicable. This proves that that the owner has designated the authorized agent as representative of the property.

AGENT AUTHORIZATION

The undersigned to hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as _____
And legally described in Exhibit A attached hereto.

We hereby designate _____ as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as anew or amended authorization is delivered to the City.

Signature of owner Date: _____

Print or type name of person signing above

Name of owner/agent entity if a corporation, L.L.C., partnership, or trust

Representative capacity of person signing Affidavit:
President or Vice President of Corporation, Managing Member of L.L.C., General Partner, or Trustee

STATE OF _____
COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me on _____ (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC STAMP/SEAL:

Signature of Notary Public

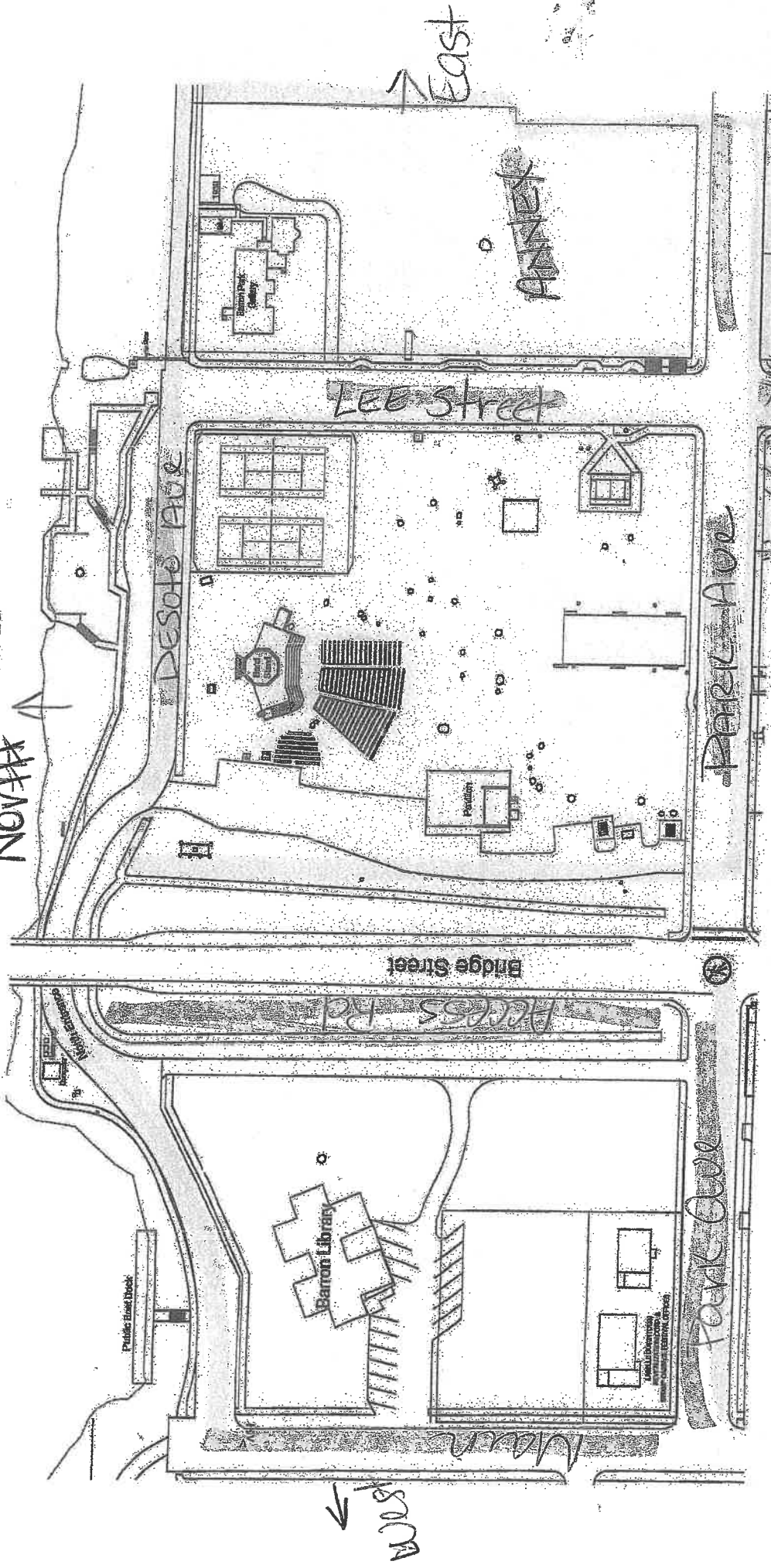
Printed Name of Notary Public

Highlighted Areas of Use

9/27/23, 10:27 AM

PARK LAYOUT Blank.jpg

Nov 11



East

South

Wagon

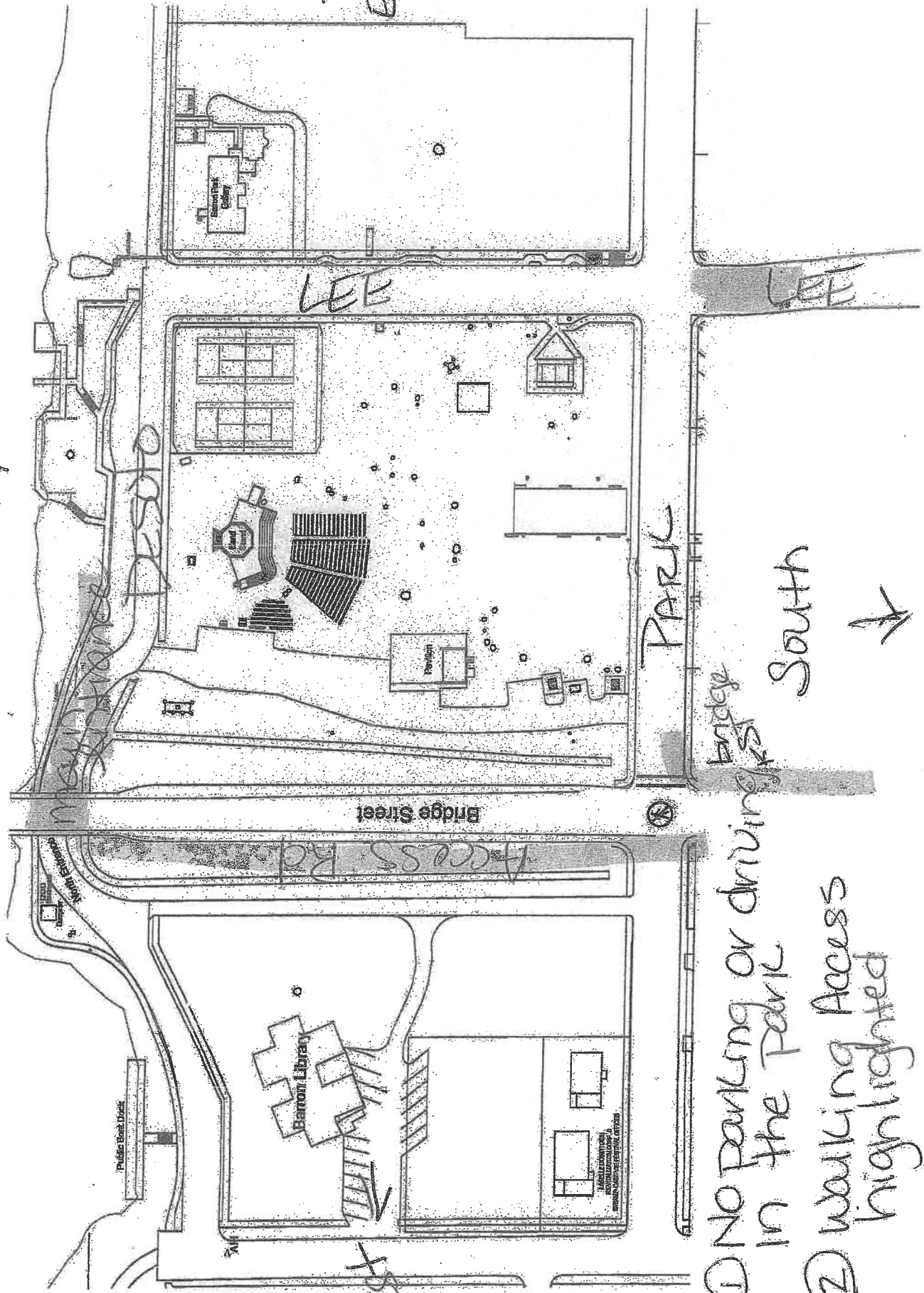
map 2

North



PARK LAYOUT blank.jpg

East



- ① No parking or driving in the Park
- ② walking Access highlighted

9/27/23, 10:27 AM

SPECIAL EVENT

EMERGENCY ACTION PLAN (EAP)

I. GENERAL

This is the Emergency Action plan for the Swamp Cabbage Festival held on the last full weekend in February each year. This year 2025 to be held February 21,22,& 23 The festival is held at Barron Park on Lee St and Desoto Ave.

The parade is staged along Main St., Bronco Ct. Frasier St., Park Ave., Oklahoma Ave., Hampton Ave. and Curry St. The parade route starts at the foot of the bridge on N SR 29 and continues South, across SR 80, towards Cowboy Way.

The Fishing Tournament is located along the Caloosahatchee River, beginning and ending at the LaBelle Boat Ramp.

II. PURPOSE PROCESS

- A. This emergency action plan predetermines actions to take before and during the "Swamp Cabbage Festival" (hereinafter referred to as the event) in response to an emergency or otherwise hazardous condition. These actions will be taken by organizers, management, personnel, and attendees. These actions represent those required prior to the event in preparation for those required during an emergency.
- B. Flexibility must be exercised when implementing this plan because of the wide variety of potential hazards that exist for this event. These hazards include, but are not limited to, Fire, Medical Emergencies, Severe Weather, or situations where Law Enforcement is required.

I. ASSUMPTIONS

The possibility of an occurrence of an emergency is present at this event. The types of emergencies possible are various and could require the response of Fire & Rescue, Emergency Medical Services, and Police.

II. BASIC PLAN

A. EAP Event Representative

1. The EAP event representative will be identified as the point of contact for all communications regarding the event.
 - a. PRIMARY CONTACT: **Shellie Hunter or Heath Daniels**
 - b. TELEPHONE NUMBER: 863-675-2995

B. Emergency Notification

1. In the event of an emergency, notification of the emergency will be through the use of 911. The caller should have the following information available to the 911 operator:
 - a. location of the emergency
 - b. nature of emergency
 - c. contact person with callback number.

C. Severe Weather

1. Weather Forecasts and current conditions will be monitored through National Weather Service 's Forecast Office web site at www.weather.gov
2. Before the event – if severe weather is predicted prior to the event, the EAP event representative will evaluate the conditions and determine if the event will remain scheduled. The EAP event representative or his/her designee will be identified as such and will be responsible to monitor the weather conditions before and during the event.
3. During the event – If severe weather occurs during the event, the EAP event representative or his/her designee will make notification to those attending the event that a hazardous weather condition exist and direct them to shelter
4. There are very limited provisions for sheltering participants in the events of severe weather.
5. This event will follow the 30-30 Rule for lightning. If lightning is observed and thunder is heard within 30 seconds, the event will be delayed until 30 minutes have passed since thunder was last heard.
 - a. **In the event of severe weather, the City of LaBelle or designee has the authority, above and beyond the EAP event representative, to delay and/or cancel an event**

D. Fire

1. A specific Hazard has been identified as an increased risk of fire at this event, or there is an increased risk of fire due to the cooking of food using propane, charcoal/wood and oil.
 - a. In certain high-risk cases, on-site Fire Department Personnel may be required. This judgment will be made by the Fire Chief.

- b. No stand-by is required as long as all cooking units have the appropriate cooking hood systems and these systems have been certified by a qualified extinguishment company.
2. All event and cooking staff will be instructed on the safe use of Portable Fire Extinguishers.
3. The use of open flame for grilling is permitted under the Fire Code when the following conditions are met:
 - a) Must have a valid fire extinguisher, 2A10BC or class K.
 - b) Each space is allowed 1 LP tank per cooking device and only one spare LP tank regardless of the number of cooking devices. All LP tanks are to be secured in an approved manner (tied, strapped, chained, etc.).
4. Should an incident occur that required the Fire Department, 911 will be utilized to request this resource. The caller should have the following information available to the 911 operator:
 - a. location of the emergency
 - b. nature of emergency
 - c. contact person with callback number.
5. **These items are to be inspected by the Fire Chief or designee prior to the start of the event.**

E. Medical Emergencies

1. As with any outdoor event, there is potential for injury to the participants. The types of injuries are various and include those that are heat related as well as traumatic injuries.
2. Should an incident occur that requires Emergency Medical Services, the on-site event representative will contact 911 to request an ambulance. The caller should have the following information available to the on-site EMS officer or 911:
 - a. location of the emergency
 - b. nature of emergency
 - c. contact person with callback number.

F. Law Enforcement

3. There will not be any on site law enforcement. Should an incident occur that requires Law Enforcement, the on-site EAP event representative will contact 911 to request this resource. The caller should have the following information available to the on-site RPD officer or 911:
 - a. location of the emergency
 - b. nature of emergency
 - c. contact person with callback number

G. Emergency Vehicle Access

1. Access for emergency Vehicle will be maintained at all times.

- a. There will be an access lane provided on both Lee St and Desoto Ave for emergency response.
 - b. Vendor trailers will be positioned so the one lane on the south end of Lee St is open and one lane on the west end of Desoto Ave is open.
 - c. Both of these lanes will be blocked off using movable barriers with a sign stating "No Parking – Fire Lane"
2. Fire lanes and fire hydrants will not be obstructed
 3. Participants and spectators will be directed to park in approved areas and not obstruct protective features, sidewalks, or public thoroughways.
 4. Parking for vendor and staff vehicles will be Barron Park, Lee St, Desoto Ave, Park Ave, and Barron Library.
 5. Parking for attendee vehicles will be Barron Park, Lee St, Desoto Ave, Park Ave, and Barron Library.
 6. **These access points are to be inspected by the Fire Chief or designee prior to the start of the event.**

V. Contact Information

Event Organizer	Shellie Hunter	863-675-2995
EAP Event Representative	SAA	SAA
General Emergency	Hendry County Sheriff's Department	911

VI. Event Area Map (attached next page)



LaBelle Fire Department

Brent R Stevens
Fire Chief

280 South Main Street LaBelle, Florida 33935
Station 863-675-1537
bstevens@citylabelle.com

November 18, 2024

To: City of LaBelle

From: Brent R Stevens, Fire Chief

Re: Swamp Cabbage Festival

To Whom It May Concern,

This letter is to inform you that the LaBelle Fire Department does not have any objections to the Swamp Cabbage Festival starting Friday, February 21st 2025 to Sunday, February 23rd 2025, using the location of South Main Street from the Barron Library North to Desoto Ave, the wharf area all the way to under the bridge on Desoto Ave, all of Park Ave East to Lee Street and all streets South of Park Ave to exclude Bridge Street but during the Swamp Cabbage Festival Parade for their annual event.

The LaBelle Fire Department understands that the event will have more than 1000 +/- people in attendance and the Swamp Cabbage Festival has provided an initial full emergency action plan with updates to follow.

Furthermore, A specific hazard has been identified as an increased risk of fire at this event, or there is an increased risk of fire due to the cooking of food using propane, charcoal/wood, and oil.

1.
 - a. In certain high-risk cases, on-site Fire Department Personnel may be required. This judgment will be made by the Fire Chief.
 - b. Stand-by and inspection are required.
 - Saturday February 22nd from 10 am to 5 pm (7 hours @ \$104 per hour) 2 firefighters
 - Sunday February 23rd from 9 am to 4 pm (7 hours @ \$104 per hour) 2 firefighters
 - Event inspection (\$100 per inspection)
 - Total: \$1,556.00
2. All event and cooking staff will be instructed on the safe use of Portable Fire Extinguishers.
3. The use of open flame for grilling is permitted under the Fire Code when the following conditions are met:
 - a. Must have a valid fire extinguisher, 2A:10BC and a class K if cooking with oils or grease is present.



LaBelle Fire Department

Brent R Stevens

Fire Chief

280 South Main Street LaBelle, Florida 33935

Station 863-675-1537

bstevens@citylabelle.com

- b. Each vendor is allowed 1 LP tank per cooking device and only one spare LP tank regardless of the number of cooking devices. All LP tanks are to be secured in an approved manner (tied, strapped, chained, etc.).
4. Should an incident occur that requires the Fire Department, 911 will be utilized to request this resource. The caller should have the following information available to the 911 operator:
- a. Name
 - b. Phone Number
 - c. Location of Emergency
 - d. Type of Emergency
 - e. How many patients involved in Emergency.
 - f. Access Availability to the Emergency

All items are to be inspected by the Fire Chief or designee prior to the start of the event.

If you have any further questions, please feel free to contact me.

Chief Brent R. Stevens
LaBelle Fire Department
Office 863-675-1537
bstevens@citylabelle.com



Sheriff



Hendry County

STEVE WHIDDEN, SHERIFF

Prepared for:
Swamp Cabbage Committee

Address:
8 Park Avenue
LaBelle, FL. 33935.

**Prepared by Lieutenant Allen Hudson
Hendry County Sheriff's Office**

This document is intended to serve as confirmation of the fact that the Hendry County Sheriff's Office has no objections to the upcoming Swamp Cabbage event.

Hendry County Sheriff's Office will respond to all calls for service as needed and check on the event throughout.

I did speak with Mrs. Shellie Lowe in reference to this event and assured her the Sheriff's Office will supply adequate Law enforcement services during all events. A detail contract between the Sheriff's Office and the committee will be finalized to have law enforcement presence on site.

The event starts on 02-22-2024 and ends on 02-23-2024. The location of the event is Barron Park 1559 Desoto Avenue in Labelle Florida 33935. I have been attending the meetings leading up to this event and will be supplied a copy of the site map in case of any emergencies.

You are welcome to call me at either number below if you have and questions and or concerns.

Thank you.

Lieutenant Allen Hudson
Road Patrol District Commander
ahudson@hendrysheriff.org
Office: 863-674-5606
Cell: 863-673-1984



Hendry County Public Safety

PO Box 1760

LaBelle, Florida 33975-1760

Phone (863) 674-5412

Fax (863) 612-0723

AMY STAFFORD
OPERATIONS CHIEF
AMY.STAFFORD@HENDRYFLA.NET

SHEILA SHELTRA
EMS COORDINATOR
SHEILA.SHELTRA@HENDRYFLA.NET

DR. J. TENNYSON, M.D
MEDICAL DIRECTOR

November 5, 2024

To Whom it May Concern,

I have been contacted by the Swamp Cabbage Committee in reference to Swamp Cabbage Festival February 22 & 23, 2025. Hendry County EMS has no objection to the Festival and will provide adequate coverage as needed for the festival. If you have any questions please feel free to contact me.

Sincerely,

Amy M. Stafford
Hendry County Public Safety
EMS/Fire Operations Chief



CITY OF LABELLE, FLORIDA
Staff Report
for
725 W. Hickpochee Avenue
Tree Removal Permit

TYPE OF CASE: Tree Removal Permit Requiring City Commission Approval

STAFF REVIEWER: Patty Kulak

DATE: January 9, 2025

APPLICANT: Life Ministries of LaBelle, Inc.

AGENT: Jorge D. Rodriguez

REQUEST: Removal of one (1) significant oak tree from the subject property located at 725 W. Hickpochee Avenue to preserve the building integrity and allow for expansion of the building, subject to on-site mitigation in accordance with LDC Section 4-80

LOCATION: 725 W. Hickpochee Avenue

PROPERTY SIZE: 1.74+/-acres

STAFF NARRATIVE:

The applicant proposes the removal of one oak tree, specifically a water oak, with a total diameter of 36" DBH (Diameter at Breast Height). The City has conditioned approval of this request upon the applicant replanting 36 inches of live oak trees on-site in accordance with the minimum specifications outlined in the Land Development Code.

The tree proposed for removal is located along the southern edge of the church sanctuary. The applicant has stated that its branches extend over the sanctuary roof, causing significant issues due to the accumulation of leaves and branches. This debris has led to roof deterioration and rust, necessitating previous roof replacements.

The tree is situated approximately four feet from the south end of the sanctuary. The applicant has expressed concerns about potential structural damage to the building's foundation caused by root growth. Furthermore, the tree's location conflicts with the church's plans to expand the facility to the south end of the sanctuary.

LDC provisions for the protection of significant oak trees allow for their removal, subject to the replanting requirements outlined in LDC Section 4-80.16.5, which state:

“The replacement Live Oak tree must be at minimum: ten (10) feet in height, contain a four (4) foot spread, and have four (4) inch caliper, DBH, at time of planting. All significant oak tree(s) approved for removal shall be replaced on a DBH inch for DBH inch basis.”

To mitigate the removal, the applicant has agreed to replanting replacement trees along the east and south property boundaries, consistent with the City of LaBelle’s requirements. The replacement trees will be a Live Oak per the LDC.

Staff finds the request consistent with the LDC, provided the applicant complies with the requirement to replant a total of 36 inches of live oak trees on-site, meeting the minimum specifications outlined in LDC Section 4-80.16.5.

SUGGESTED MOTION(S)

APPROVAL:

I make a motion to approve the proposed tree removal permit, subject to replanting of 36 inches of live oaks trees on-site, meeting the minimum size specifications of the Land Development Code.

DENIAL:

I make a motion to deny the proposed tree removal permit.

The request does not meet the intent of the Comprehensive Plan and Land Development Code.

- 1) Why?

EXHIBIT A SIGNIFICANT OAK TREE LOCATION



Date of Drawing: 12/2/2024
Scale: 1" = 72.5'
Existing tree: Water Oak;
diameter = 36 inches
Plan Preparer: Jorge Rodriguez

From: [Lisa Awbrey](#)
To: [Tia Warner](#)
Subject: FW: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024
Date: Tuesday, December 3, 2024 1:06:55 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Tia,

Here is a copy of the emails in case you want to include for the Commissioners review.

Thank you,

Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Monday, December 2, 2024 4:49 PM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024


Good afternoon Lisa,

Along with PRM, we are standing by the decision to deny liability as the City was not negligent in this matter. We are unable to issue payment for damages the claimant sustained from this incident at this time.

Thank you,

Grace Kitchner
P&C Adjuster
Claims Solutions
Davies North America



 (877) 326- 5326 x 4167

 grace.kitchner@us.davies-group.com

 <https://davies-group.com/northamerica>

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From: Grace Kitchner <grace.kitchner@us.davies-group.com>

Sent: Wednesday, November 27, 2024 11:31 AM

To: Lisa Awbrey <lisaawbrey@citylabelle.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

I have submitted your request to PRM for review.

Thank you,

Grace Kitchner

P&C Adjuster

Claims Solutions

Davies North America



 (877) 326- 5326 x 4167

 grace.kitchner@us.davies-group.com

 <https://davies-group.com/northamerica>

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From: Lisa Awbrey <lisaawbrey@citylabelle.com>

Sent: Tuesday, November 26, 2024 1:19 PM

To: Grace Kitchner <grace.kitchner@us.davies-group.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Grace,

Commissioner Akin has asked that the claim be reconsidered for payment.

Thank you,

Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Thursday, November 21, 2024 8:35 AM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Our denial letter has been forwarded to the claimant. See attached.

We will be closing our file at this time.

Thank you,

Grace Kitchner
P&C Adjuster
Claims Solutions
Davies North America



 (877) 326- 5326 x 4167

 grace.kitchner@us.davies-group.com

 <https://davies-group.com/northamerica>

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From: Lisa Awbrey <lisaawbrey@citylabelle.com>
Sent: Tuesday, November 19, 2024 8:38 AM
To: Grace Kitchner <grace.kitchner@us.davies-group.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,
Yes, ma'am.
Thank you,

Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Tuesday, November 19, 2024 8:33 AM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: FW: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

I am following up on my previous email regarding our liability determination of this claim.

Can you please advise if we can move forward with denial?

Thank you,

Grace Kitchner
P&C Adjuster
Claims Solutions
Davies North America



 (877) 326- 5326 x 4167
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From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Thursday, November 14, 2024 8:31 AM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

I have conferred with PRM regarding liability in this matter.

We are in agreement that since the City did not have any ordinance in place at the time of incident nor were any previous incidents reported, we are recommending a denial of liability in this matter.

Please advise.

Thank you,

Grace Kitchner
P&C Adjuster
Claims Solutions
Davies North America



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From: Lisa Awbrey <lisaawbrey@citylabelle.com>
Sent: Wednesday, November 13, 2024 9:15 AM
To: Grace Kitchner <grace.kitchner@us.davies-group.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,
No, we didn't have any prior incidents reported to the City regarding this tree.
Thank you,

Lisa Awbrey

Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Wednesday, November 13, 2024 7:54 AM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Thank you for the follow up information. The claimant is under the impression that Mr. Wills had confirmed that the City will have his repairs paid for, unfortunately.


Had any prior incidents at this location been reported to the City?

I am going to roundtable this claim with my PRM team and let you know the outcome of our liability assessment.

Thank you,

Grace Kitchner
P&C Adjuster
Claims Solutions
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From: Lisa Awbrey <lisaawbrey@citylabelle.com>
Sent: Tuesday, November 12, 2024 8:58 AM
To: Grace Kitchner <grace.kitchner@us.davies-group.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,

I spoke with Superintendent Mitchell Wills. He is the one that spoke with Mr. Hallihan. He said, he told him the tree was 11' but that the City didn't currently have an ordinance regarding height. DOT Standards are 14' which we have now adopted that height into an Ordinance at our last City Commission Meeting which was October 24, 2024. Mr. Wills said, he told Mr. Hallihan he wasn't sure if the City's insurance would cover it or not.

Regards,

Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>
Sent: Friday, November 1, 2024 3:50 PM
To: Lisa Awbrey <lisaawbrey@citylabelle.com>
Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

The claimant has stated that he has spoken to someone at City Hall who informed him that the tree clearance should be around 14ft, but at the time of the incident the clearance was about 11ft. This same person also told the claimant that the City would "take care" of him.

The claimant provided the repair estimate for the damages totaling \$1,814.23.

Can you provide any information regarding the tree clearance regulation and measurements? I know you had previously shared that the involved department is closed on Fridays.

Thank you for your help,

Grace Kitchner

P&C Adjuster
Claims Solutions
Davies North America



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From: Lisa Awbrey <lisaawbrey@citylabelle.com>

Sent: Friday, October 18, 2024 9:21 AM

To: Grace Kitchner <grace.kitchner@us.davies-group.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,

I will need to get back to you on Monday regarding the height of the tree branch. Our streets maintenance staff are off on Fridays. The tree is a City tree. We have hundreds of Oak Trees in the City of LaBelle. We are the City of the Oaks. We do have signage on the streets that say no trucks, but they don't say low hanging trees. I will get a measurement for you on Monday.

Regards,

Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>

Sent: Friday, October 18, 2024 9:15 AM

To: Lisa Awbrey <lisaawbrey@citylabelle.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Thank you for the photos.

Can we confirm that the tree is City owned and regularly maintained? Do we know what the clearance of the trees are supposed to be in that area and if the tree is abiding by that code?

Thank you,

Grace Kitchner

P&C Adjuster

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From: Lisa Awbrey <lisaawbrey@citylabelle.com>

Sent: Thursday, October 17, 2024 3:38 PM

To: Grace Kitchner <grace.kitchner@us.davies-group.com>

Subject: RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Grace,

This is the only picture that was provided to us. The tree was inspected by our Superintendent of Public Works, and he said he couldn't see any damage on the tree limb that indicated something had hit it. Also, he spoke with the lady that lives directly in front of the tree and she said she didn't see or hear anything.



Lisa Awbrey
Human Resources Director
City of LaBelle
P.O. Box 458
LaBelle, FL 33975
863-675-2872 Ext. 236



From: Grace Kitchner <grace.kitchner@us.davies-group.com>

Sent: Thursday, October 17, 2024 3:20 PM

To: Lisa Awbrey <lisaawbrey@citylabelle.com>

Subject: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

I hope you are safe and well after the last two Hurricanes!

I am currently in a mediation or I would have called to discuss this new claim involving a damaged camper from a low hanging branch. I do not see any supports uploaded to the file at this time. Could you please provide me with any supports or additional information you have for this matter?

Are we able to confirm if this tree involved is City owned and maintained? Have previous incidents been reported for this location? Do we know what the legal tree clearance should be on this road?

I appreciate your help and time with this!

Thank you,

Grace Kitchner

P&C Adjuster

Claims Solutions

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