

MINUTES OF THE REGULAR MEETING OF NAPLES CITY COUNCIL HELD IN JOINT PUBLIC HEARING
WITH THE NAPLES PLANNING ADVISORY BOARD IN THE PARKS & RECREATION BUILDING, NAPLES,
FLORIDA, WEDNESDAY, JULY 5, 1978, AT 9:00 A.M.

Present: R. B. Anderson
Mayor

James F. McGrath
Wade H. Schroeder
Edward A. Twerdahl
Councilmen

Absent: C. C. Holland
Randolph I. Thornton
Kenneth A. Wood
Councilmen

Planning Advisory

Board: Clayton Bigg, Chairman
Lawson Adams
Roger Billings
Donald Boyes
Eugene Pratt

Also Present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Bradley Estes, Assistant to the City Manager
Anders Sandquist, Building & Zoning Official
John McCord, City Engineer
Randy Davis, Director of Parks & Recreation
Norris Ijams, Fire Chief
Franklin Jones, Finance Director
William Savidge, Director of Public Works
Mark Wiltsie, Purchasing
Leann McElroy, Planner II
Janet Davis Cason, City Clerk

Harry Rothchild
Mr. & Mrs. Grant
Samuel Aronoff
Thomas Peek
J. Sandy Scatena
William Tracy
William Shearston
Robert Russell
Lloyd Sarty
David Markéy
William Kelly
Henry Vandiver
Mr. & Mrs. Jack Watmore
Sergio E. G.-Montes
Mark Butson
Michael Stephens
Dr. Ziton
Mrs. John DeBaun
John E. Taylor
Frederick W. Goebel

News Media: David Swartzlander, Naples Daily News
 Allen Bartlett, Ft. Myers News Press
 Kent Weissinger, WRGI
 Lloyd Dove, WINK-TV
 Ray McNally, TV-9
 Bella English, Miami Herald
 Tom Martino, WBBH-TV
 John Runde, WEVU-TV
 John Robinson, TV-9

Other interested citizens and visitors.

Mayor Anderson called the meeting to order; whereupon Reverend Russell Mase of the First Presbyterian Church gave the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. Approval of Minutes.

Mayor Anderson called Council's attention to the minutes of the Regular Meeting of June 21, 1978. Motion was made by Mr. Schroeder to accept these minutes with the correction on page 2, changing \$8,240.00 to \$8,250.00, seconded by Mr. McGrath and carried by consensus of Council present.

AGENDA ITEM 4. JOINT PUBLIC HEARING: City Council and Naples Planning Advisory Board.

AGENDA ITEM 4-a. Rezone Petition No. 78-R2, request to rezone "HC" property to "R3-12" Multi-Family Residential; located on the northeast corner of Binnacle and Riviera Drives; petitioner, Leonard J. Osterink.

City Attorney Rynders noted that this Public Hearing had been published in the June 20, 1978 issue of the Naples Daily News; whereupon the Mayor opened the Public Hearing at 9:05 a.m. Mr. Thomas Peek of Wilson, Miller, Barton, Soll & Peek, Inc., representing the petitioner made a presentation on this matter. Mayor Anderson inquired why it was zoned Highway Commercial to which Leann McElroy responded that she believed a shopping center had been intended for that area, but it was in smaller parcels now and was no longer feasible. Mr. Bigg added that the Candeub Fleissig Master Plan had recommended that zoning and that Mr. Annas, the City Planner at that time, had developed a wide spectrum on the Trail as Highway Commercial. Mr. Harry Rothchild spoke in opposition to this petition. Mr. Frederick W. Goebel, 796 Riviera Drive, objected to this change of zoning because of the nearness of his residence. Mr. J. Sandy Scatena spoke citing a letter from the Grand Prix Apartments, a condominium of eight units, objecting to this petition (Attachment #1) which he requested to be made a part of the record. He also showed aerial photos, maps, etc. of the area to support his objections. He referred to several ordinances, Council minutes and newspaper articles. Mr. Donald Boyes questioned Mr. Scatena regarding any preference he may have for an alternative to the zoning change to which Mr. Scatena made no definite response. Mr. William Kelly of 770 Riviera Drive spoke against the proposed zoning change, concurring with the presentation by Mr. Scatena. Mr. Henry Vandiver of the Portside Club stated that he had been authorized by the 24 units there to speak in opposition to this change. Mr. Boyes suggested that Mrs. McElroy read into the record what may be built under the present zoning which she did. Mr. Peek again addressed Council, rebutting some of the arguments put forth against the proposed change by earlier speakers regarding traffic generated and water and sewer usage. Mr. Pratt moved that the Planning Advisory Board recommend approval of Rezone Petition No. 78-R2, seconded by Mr. Billings and carried on unanimous voice vote. Mayor Anderson closed the Public Hearing at 10:20 a.m. Council discussed the points brought forth in the Public Hearing. Mr. Schroeder moved to accept the recommendation of the Planning Advisory Board to approve Rezone Petition No. 78-R2, seconded by Mr. McGrath and carried on roll call vote, 3-1, with Mr. Twerdahl voting no.

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AGENDA ITEM 4-b. Special Exception Petition No. 78-S8, permission to erect a 5-foot fence in required front yard; petitioner, Jack and Ann Watmore, 613 - 11th Avenue South (northeast corner of Sixth Street South and 11th Avenue South).

City Attorney Rynders noted the date of publication of this Public Hearing as June 20, 1978 in the Naples Daily News; whereupon Mayor Anderson opened the Public Hearing at 10:35 a.m. Mr. Watmore spoke in support of his petition. Mr. Billings moved that the Planning Advisory Board recommend approval of Special Exception Petition No. 78-S8, seconded by Mr. Adams and carried on unanimous voice vote. Mayor Anderson closed the Public Hearing at 10:38 a.m. There being no discussion, Mr. Twerdahl moved to accept the recommendation of the Planning Advisory Board to approve Special Exception Petition No. 78-S8, seconded by Mr. McGrath and carried on roll call vote, 4-0.

AGENDA ITEM 4-c. Change in Text Petition No. 78-T1; to add "Amusement Parlors having coin operated amusement games" as a Special Exception use in Community Shopping Centers; petitioners, Schryver, Hagaman, Goodlette & Aaron.

Mayor Anderson opened the Public Hearing at 10:42 a.m.; whereupon City Attorney Rynders noted that this notice of Public Hearing was published in the Naples Daily News on June 23, 1978. Mr. Bigg noted that a petition for a special exception under this ordinance could not be considered unless this ordinance was re-written as per this Change in Text Petition. Mr. Billings moved to recommend approval of Change in Text Petition No. 78-T1, seconded by Mr. Adams and carried unanimously. Mr. Twerdahl moved to accept the recommendation of the Planning Advisory Board to approve the Change in Text Petition No. 78-T1, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

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The Planning Advisory Board was excused at 10:51 a.m. and Council recessed at this time until 10:58 a.m.

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AGENDA ITEM 5. Recommendation from the Planning Advisory Board regarding Variance Petition No. 78-V5, appeal from Section 5.3 (F) (1) of the Zoning Ordinance to reduce the Required Front Yard from 30 feet to 10 feet to construct a swimming pool; petitioner, Garret F. X. Beyrent, 3280 Gordon Drive.

Council discussed the need to review the procedures regarding Public Hearings on items such as this. There being no further discussion on Variance Petition No. 78-V5, Mr. Twerdahl moved to accept the recommendation of the Planning Advisory Board to deny Petition No. 78-V5, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 6. Review of preliminary plans - Naples Landing. Request by City Manager.

Mr. Sergio E. G.-Montes made a presentation of the preliminary plans as proposed by Stanley W. Hole & Associates, Inc. He distributed a hand-out on Preliminary Construction Cost Estimates (Attachment #2). Mr. William Tracy explained the type of materials to be used in the bathrooms and type of roof. Mr. Twerdahl moved to approve these preliminary plans as presented, seconded by Mr. McGrath and carried on voice vote, 4-0.

AGENDA ITEM 7. PUBLIC HEARING: Second Readings of ordinances.

AGENDA ITEM 7-a. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 16-27 thereto, providing for a fee to be charged for the use of City recreational facilities during such times as said facilities are normally closed to the public, when such use requires the services of a custodian or results in additional utility costs to the City; providing exceptions thereto; and providing an effective date. Purpose: To provide a fee to be charged for the use of recreational facilities during non-operating hours to defray the costs to the City of providing such facilities.

Mayor Anderson opened the Public Hearing at 11:25 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for consideration by Council on Second Reading. There being no one present to speak for or against, the Mayor closed the Public Hearing at 11:26 a.m. Mr. Twerdahl moved adoption of Ordinance 3018 on Second Reading, seconded by Mr. McGrath. Mr. Schroeder suggested deleting the word "actual". Mr. Twerdahl moved adoption of Ordinance 3018 on Second Reading as amended, seconded by Mr. McGrath and carried on roll call vote, 4-0.

AGENDA ITEM 7-b. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by amending Subsection (b) of Section 11-3.3, relating to rates and charges for sewer service, to provide for adjustment in the rate for business and institutional service by the City Manager in accordance with the criteria set forth herein; and providing an effective date. Purpose: To permit adjustments in the rate for business and institutional sewer service by the City Manager in accordance with criteria set forth herein, in lieu of requiring Council approval thereof.

Mayor Anderson opened the Public Hearing at 11:27 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:28 a.m. Mr. Twerdahl moved adoption of Ordinance 3019 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 7-c. An ordinance granting a Special Exception to construct a five foot high fence in required front yard at 465 Broad Avenue South, Naples, Florida, more particularly described herein, subject to the condition that landscaping be installed as provided herein; and providing an effective date. Purpose: To allow construction of a fence in required front yard, the same being permitted by Special Exception only.

Mayor Anderson opened the Public Hearing at 11:29 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for Council's consideration on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:30 a.m. Mr. Twerdahl moved adoption of Ordinance 3020 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 7-d. An ordinance amending Section 23-3 of the Code of Ordinances of the City of Naples, Florida, relating to vehicles prohibited on the beach, providing that no automobile, truck or vehicle of any kind, including, but not limited to, mopeds and bicycles, shall be used on the beaches in the City of Naples; providing exceptions thereto; and providing an effective date. Purpose: To prohibit the use of any automobile, truck or vehicle of any kind, including, but not limited to, mopeds and bicycles, on the beaches of the City, excepting therefrom trucks or equipment used for the purpose of cleaning beaches, upon approval of the City Manager.

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Mayor Anderson opened the Public Hearing at 11:31 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for consideration by Council on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:32 a.m. Mr. Twerdahl moved for adoption of Ordinance 3021 on Second Reading, seconded by Mr. McGrath and carried on roll call vote, 4-0.

AGENDA ITEM 7-e. An ordinance amending the Charter of City of Naples, Florida, by adding a new Section 15.15 to Article 15, entitled "Miscellaneous Provisions", providing that any reference in the Charter to a five-sevenths vote of the City Council shall be construed to require the affirmative vote of five members of the City Council, unless provided therein to the contrary; and providing an effective date. Purpose: To clarify the number of votes required under the provisions of the Charter, wherein reference is made to a five-sevenths vote of City Council.

Mayor Anderson opened the Public Hearing at 11:33 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for consideration by Council on Second Reading. There being no one present to speak for or against, the Mayor closed the Public Hearing at 11:34 a.m. Mr. Twerdahl moved adoption of Ordinance 3022 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 7-f. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by amending Chapter 69-1326, Special Acts of Florida, relating to the City of Naples Airport Authority, the same having been adopted as a part of the Code of Ordinances of the City of Naples, Florida, by amending the third paragraph of Section 3 to provide for the appointment of the commissioners of said Authority by an affirmative vote of four members of Council; by amending the fifth paragraph of Section 3, providing for the removal of the commissioners by an affirmative vote of five members of the Council, after hearing, for inefficiency or neglect of duty or misconduct in office; and providing an effective date. Purpose: To provide for the appointment and removal of Airport Authority commissioners by City Council in lieu of appointment and removal thereof by the Mayor, with the approval of Council, as presently contained therein. (Continued from Regular Meeting of June 21, 1978.)

Mayor Anderson opened the Public Hearing at 11:35 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for consideration of Council on Second Reading. City Manager Patterson noted that he wanted this on the agenda at the second meeting of this month. Mr. Twerdahl moved to defer discussion on this to next regular meeting, July 19, 1978, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 7-g. An ordinance amending Section 8-17 of the Code of Ordinances of the City of Naples, Florida, relating to storage tanks for flammable substances; providing a procedure for the application and issuance of permits for installation of tanks for storage of flammable substances; providing a maximum capacity of 32,000 gallons at any one location; and providing an effective date. Purpose: To provide regulations for the installation of storage tanks for flammable substances and to increase the maximum capacity for such storage from 20,000 gallons to 32,000 gallons at any one location.

Mayor Anderson opened the Public Hearing at 11:37 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for Council's consideration on Second Reading. The City Attorney suggested the use of the word "liquids" rather than "substances" throughout the ordinance. There being no one to speak for or against, the Mayor closed the Public Hearing at 11:39 a.m. Mr. McGrath moved for the adoption of Ordinance 3023 as amended using the word "liquids" rather than "substances", seconded by Mr. Schroeder, and carried on roll call vote, 4-0.

AGENDA ITEM 8. First Readings of ordinances.

AGENDA ITEM 8-a. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new section to Chapter 9, relating to fire protection, providing regulations for the delivery and unloading of liquified petroleum gas from tank cars; and providing an effective date. Purpose: To prevent fires and explosions resulting from improper delivery and unloading of liquified petroleum gas from tank cars. Requested by Fire Chief.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. Mr. Mark Butson, manager of Tropigas, addressed Council noting that Tropigas could not unload two tank cars into their storage tanks because of the size of the tank within the 48 hour period allotted in the ordinance. Mr. Twerdahl moved to defer discussion until there can be further review of this ordinance by the City Manager, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

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At the request of Michael Stephens of Coastal Engineering & Construction Company, Mr. McGrath moved that Council take up Agenda Item 9 at this time, seconded by Mr. Schroeder and carried on voice vote, 4-0.

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AGENDA ITEM 9. PUBLIC HEARING: To consider an application for a permit to construct two residential timber docks and to allow maintenance dredging of 116 cubic yards of sand and shell bay bottom, at 1300 Curlew Avenue, Naples, Florida, more particularly described as Lot 19, Golden Shores, Plat Book 3, Page 25, Public Records of Collier County, Florida.

Mayor Anderson opened the Public Hearing at 11:55 a.m.; whereupon City Attorney Rynders read the below titled resolution in its entirety for consideration by Council.

A RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT FOR CONSTRUCTION OF TWO RESIDENTIAL TIMBER DOCKS AND FOR MAINTENANCE DREDGING OF 116 CUBIC YARDS OF SAND AND SHELL BAY BOTTOM, AT 1300 CURLEW AVENUE, NAPLES, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO THE APPROVAL OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND, THE BEACHES AND SHORES DIVISION OF THE FLORIDA BOARD OF CONSERVATION, IF APPLICABLE, AND THE U.S. ARMY CORPS OF ENGINEERS: AND PROVIDING AN EFFECTIVE DATE.

Mr. Michael Stephens made the presentation for his clients, Mr. & Mrs. John DeBaun including an excerpt from the Department of Environmental Regulation correspondence dated April 17, 1978 (Attachment #3) and a reference to a drawing of the proposed facilities (Attachment #4) which had been included in the packet of information on this Agenda Item. Mr. Rynders referred to a memo from Jerry Sehler to City Engineer John McCord that was distributed at this meeting (Attachment #5). Dr. Zitton, an adjacent neighbor of the DeBaun's, spoke emphasizing his feelings that the record show that this project be only approved as a private facility. Mayor Anderson quoted excerpts from a letter to Mr. Provenzano, Department of Environmental Regulations, from Mr. DeBaun, dated March 16, 1978 (Attachment #6) noting that this facility was to be for private use. Mayor Anderson closed the Public Hearing at 12:05 p.m. Mr. Schroeder moved approval of Resolution 3024, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

RETURN TO AGENDA ITEM 8-b.

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AGENDA ITEM 8-b. An ordinance amending the Code of Ordinances of the City of Naples, Florida, be repealing therefrom Section 1A-7, relating to fees for preparation and duplication of public documents, and substituting a new Section 1A-7 therefor, providing for the City Manager to establish a schedule of fees which shall be charged by the City for copies of public documents and for the preparation of verbatim transcripts of City Council and board meetings, based upon the actual cost to the City for providing such service; providing exemptions therefrom; and providing an effective date. Purpose: To enable the City Manager to establish fees to be charged for copies of public documents and to revise the same based on actual costs to the City. Requested by City Manager.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading. It was the consensus of Council to delete the word "actual" from the title and body of this proposed ordinance. City Manager Patterson noted the wording of the ordinance which would allow for the fluctuation of the charges according to costs without having to bring it before Council each time there was a change. He also noted that this ordinance would not affect the present practice of making these documents available for perusal at no charge. Mr. Twerdahl moved approval of this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 8-c. An ordinance amending the Charter of the City of Naples, Florida, by repealing therefrom Section 15.3, relating to personal financial interests of City officers and employees, and substituting a new Section 15.3 therefor, providing that no public officer or employee of the City shall have any conflicting employment or contractual relationship which would impede the full and faithful discharge of his public duties; and providing an effective date. Purpose: To revise certain provisions of the Charter which are in conflict or are inconsistent with the provisions of Chapter 112, Florida Statutes. Requested by City Attorney.

City Attorney Rynders read the above captioned ordinance by title for consideration by Council on First Reading. The City Attorney explained that this ordinance considered conflicting relationships with companies doing business with the City rather than time conflicts of employees and outside activities. Mr. Schroeder moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

AGENDA ITEM 8-d. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 1A-9 thereto, providing for the disposal of surplus City-owned tangible personal property by the City Manager in accordance with the procedure set forth herein; and providing an effective date. Purpose: To allow the City Manager to dispose of City-owned tangible personal property which is obsolete, or the continued use of which is uneconomical or inefficient, or which serves no useful function. Requested by City Manager.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. Mr. McGrath moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

AGENDA ITEM 8-e. An ordinance amending Article III of Chapter 18 of the Code of Ordinances, relating to the City's retirement system, by amending Subsection (b) of Section 8-31, providing conditions under which credited service may be restored after withdrawal of accumulated contributions from the fund; and by amending Subsection (a) of Section 18-33, providing for mandatory separation from employment at the age of sixty-five years unless the employees benefits will not have vested on the date of retirement or unless granted an extension as provided in Section 18-33 (b); and providing an effective date. Purpose: To remove the two year limitation for restoration of credited service after reemployment with the City and to add a provision that an employee may not be mandatorily retired at age sixty-five unless his benefits have vested on the date of retirement. Requested by City Attorney.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading. Mr. Schroeder suggested an amendment that would define "regular" interest and the City Attorney stated that he would review this and make the appropriate change. Mr. McGrath moved approval of this ordinance with proposed amendment on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

AGENDA ITEM 8-f. An ordinance amending Chapter 8 of the Code of Ordinances of the City of Naples, Florida, by amending Section 8-3 thereof, relating to amendments to the Standard Building Code, by adding a new Paragraph (c) to Section 105.2 of the Standard Building Code, 1976 edition, requiring a time schedule prior to the issuance of a building permit for construction which will exceed eighteen months; further, by amending Section 8.5 thereof, providing a time limitation on building permits; and providing an effective date. (Action deferred from Regular Meeting of June 7, 1978.)

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading; whereupon City Manager Patterson reported that they had not yet determined if the sale of the Towers had been recorded as yet. Mr. Schroeder moved that this action be deferred until the July 19, 1978 meeting, seconded by Mr. McGrath and carried on roll call vote, 4-0.

AGENDA ITEM 10. A resolution accepting those certain indentures from the City of Naples Airport Authority, dated February 20, 1978, and January 5, 1978, conveying to the City of Naples sewer lines installed within the property described therein copies of which are attached hereto and made a part of this resolution. Requested by Engineering Department.

City Attorney Rynders read the above titled resolution in its entirety for consideration by Council. Mr. Schroeder moved adoption of Resolution 3025, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

AGENDA ITEM 11. A resolution appointing an auditor to perform an audit for the City of Naples for the fiscal year ending September 30, 1978. Requested by City Manager.

City Attorney Rynders read the above titled resolution by title for consideration by Council. City Manager Patterson commented on previous discussion on whether or not to retain the same firm that did the audit in 1977 or to change. He read a letter from Holcher, Taylor & Metheny (Attachment #7). At Mr. Twerdahl's request, the City Manager read into the record his memo to Council dated June 30, 1978 (Attachment #8). Mr. John Taylor addressed Council outlining the background of the firm of Holcher, Taylor & Metheny. In answer to the Mayor's question, Mr. Patterson reported that the cost of the audit last year was \$12,500. A discussion was held on ways to control the cost of the audit and various approaches were discussed. Mr. Twerdahl ascertained that the company that does the audit does usually read the minutes of meetings held

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during the year being audited. Mr. Taylor added that an audit engagement normally consists of two parts, an audit report and the preparation of a management letter and he spoke in favor of the practice of alternating auditors every three years. Mr. McGrath moved to approve Resolution 3026 naming Rogers, Silva, Robbins, Moon & Co. to do the audit for 1978, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 12. Authorization for the City Manager to execute a change order in the amount of \$275,432.95 in connection with construction of the 36 inch raw water main serving the new East Golden Gate Well Field. Requested by Consulting Engineer.

City Attorney Rynders read the below titled resolution in its entirety for Council's consideration.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER RELATING TO CONSTRUCTION OF A 36 INCH RAW WATER MAIN SERVING THE EAST GOLDEN GATE WELL FIELD; AND PROVIDING AN EFFECTIVE DATE.

Mr. David Markey of Black, Crow & Eidsness outlined the background information supporting the suggested change order, as noted in a letter from him to City Manager Patterson dated June 30, 1978 (Attachment #9). Mr. McGrath moved approval of Resolution 3027, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 13. Bid awards - Annual Bids.

AGENDA ITEM 13-a. Water meters

City Attorney Rynders read the below captioned resolution by title and majority of contents for Council's consideration.

A RESOLUTION AWARDED BIDS FOR THE CITY'S ANNUAL REQUIREMENTS FOR WATER METERS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Council questioned the fact that Badger Company did not meet the specifications. Mr. William Savidge, Director of Public Works, responded that the meter that Badger made that met the specifications would not have been the low bid. Mr. Schroeder moved adoption of Resolution 3028, seconded by Mr. McGrath and carried on roll call vote, 4-0.

AGENDA ITEM 13-b. Concrete meter boxes

City Attorney Rynders read the below captioned resolution in its entirety for Council's consideration.

A RESOLUTION AWARDED BID FOR FURNISHING THE CITY'S ANNUAL REQUIREMENTS OF CONCRETE METER BOXES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. McGrath moved for the adoption of Resolution 3029, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 13-c. Fertilizer

City Attorney read the below titled resolution by title and majority of content for Council's consideration.

A RESOLUTION AWARDED BIDS FOR THE CITY'S ANNUAL REQUIREMENTS OF FERTILIZER AND AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved adoption of Resolution 3030, seconded by Mr. Twerdahl and carried on roll call vote, 4-0.

AGENDA ITEM 13-d. Equipment rental

City Attorney Rynders read the below titled resolution in its entirety for consideration by Council.

A RESOLUTION AWARDING BIDS FOR THE CITY'S ANNUAL REQUIREMENTS OF EQUIPMENT RENTAL SERVICES; AND AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved to adopt Resolution 3031, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

AGENDA ITEM 13-e. Drainage material

City Attorney Rynders read the below titled resolution by title and majority of content for consideration by Council.

A RESOLUTION AWARDING BIDS FOR THE CITY'S ANNUAL REQUIREMENTS OF DRAINAGE MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3032, seconded by Mr. Schroeder and carried on roll call vote, 4-0.

CORRESPONDENCE AND COMMUNICATIONS

Mr. Twerdahl noted the Airport Authority's agenda for a meeting on July 6, 1978, and Item No. 3, Discussion of proposed City of Naples ordinance. Mr. Schroeder stated that he planned on attending that meeting.

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It was noted that the candidates for the vacancy on the Airport Authority will be invited to attend the next workshop meeting to be interviewed.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 1:25 p.m.

Janet Davis Cason

Janet Davis Cason
City Clerk

R. B. Anderson

R. B. Anderson, Mayor

These minutes of the Naples City Council were approved 7-19-78

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June 20, 1978

THESE MATERIALS WERE RECEIVED
BY THE CITY OF NAPLES IN
REGARD TO AN APPLICATION FOR
CHANGE OF ZONE

Mr. Clayton E. Bigg, Chairman
Naples Planning Advisory Board
City Hall, Naples FL 33940

PETITION NO.
78-R2

re Joint public hearing scheduled for
July 5, 1978, at 9 A.M., regarding
requested change of zone from HC
to R3-12 - property at northeast
corner of Binnacle and Riviera Drives

Dear Mr. Bigg:

The board of directors of Grand Prix Apartments,
Inc., wishes to advise you that it is opposed to the above
requested change of zone, because to grant the change
would completely defeat the purpose of the ordinance that
created the HC zone for the property.

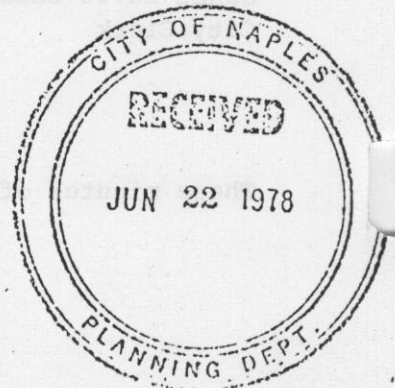
Very truly yours,

GRAND PRIX APARTMENTS, INC.

G. A. Meltzer
Gertrude A. Meltzer,
SECRETARY

820 Ketch Drive
Naples FL 33940

m



STANLEY W. HOLE AND ASSOC., INC.
CONSULTING ENGINEERS

81.27

July 3, 1978

NAPLES LANDINGPreliminary Construction Cost Estimate

1)	Utilities	\$ 8,000
2)	Clearing, Hauling and Grading	22,000
3)	Limerock and Surfacing	32,500
4)	Dredging	10,000
5)	Boat Docks	16,500
6)	Boat Ramps	15,000
7)	Drainage and Repairs	6,500
8)	Rip rap wall	27,500
9)	Lighting	8,000
10)	Restroom Building	14,000
11)	Picnic Sheds and Tables	5,500
12)	Landscaping and Irrigation	<u>16,000</u>
	Total	\$ 181,500

Notes:

- 1) Docks reduced to 2 - 50' x 10', one each side of boat ramps
- 2) Rip rap reduced to 1300 l.f.
- 3) Existing Boat ramp to remain
- 4) Existing wood wall to remain

ATTACHMENT #4

ATTACHMENT #3

SOUTH FLORIDA DISTRICT
 BRANCH OFFICE AND LABORATORY
 3201 GOLF COURSE BOULEVARD
 PUNTA GORDA, FLORIDA 33950

JOSEPH W. LANDERS, JR.
 SECRETARY

PHILIP R. EDWARDS
 DISTRICT MANAGER

RECEIVED APR 20 1978

April 17, 1978

Mr. Philip C. Morse, Jr.
 Boat Haven Naples, Incorporated
 1484 Fifth Avenue South
 Naples, FL 33940

Dear Mr. Morse:

Re: File NO. 11-39-1236-5E,
 John DeBaun, Collier
 County

Pursuant to Sections 253.123 and 403.087, Florida Statutes; Public Law 92-500; and Section 17-4.07, Florida Administrative Code, the Department of Environmental Regulation hereby gives notice of intent to issue a permit for the project described in the revised drawings sent to you on March 27, 1978. The Department intends to issue the permit as the project will not adversely impact navigation, water quality, nor marine resources.

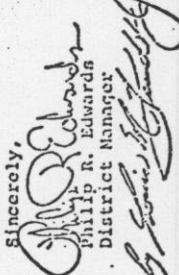
This Department shall issue the subject permit unless an appropriate petition is filed for a hearing pursuant to the provisions of Section 120.57, Florida Statutes. At such formal hearing all parties shall have an opportunity to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, to file exceptions to any order or hearing officer's recommended order, and to be represented by counsel.

Any petition for a hearing must comply with the requirements of Florida Administrative Code, Section 28-5.15 (copy attached) and be filed (postmarked) with the Secretary of the Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL 32301; with a copy to this office within fourteen (14) days from receipt of this letter. Petitions

continued

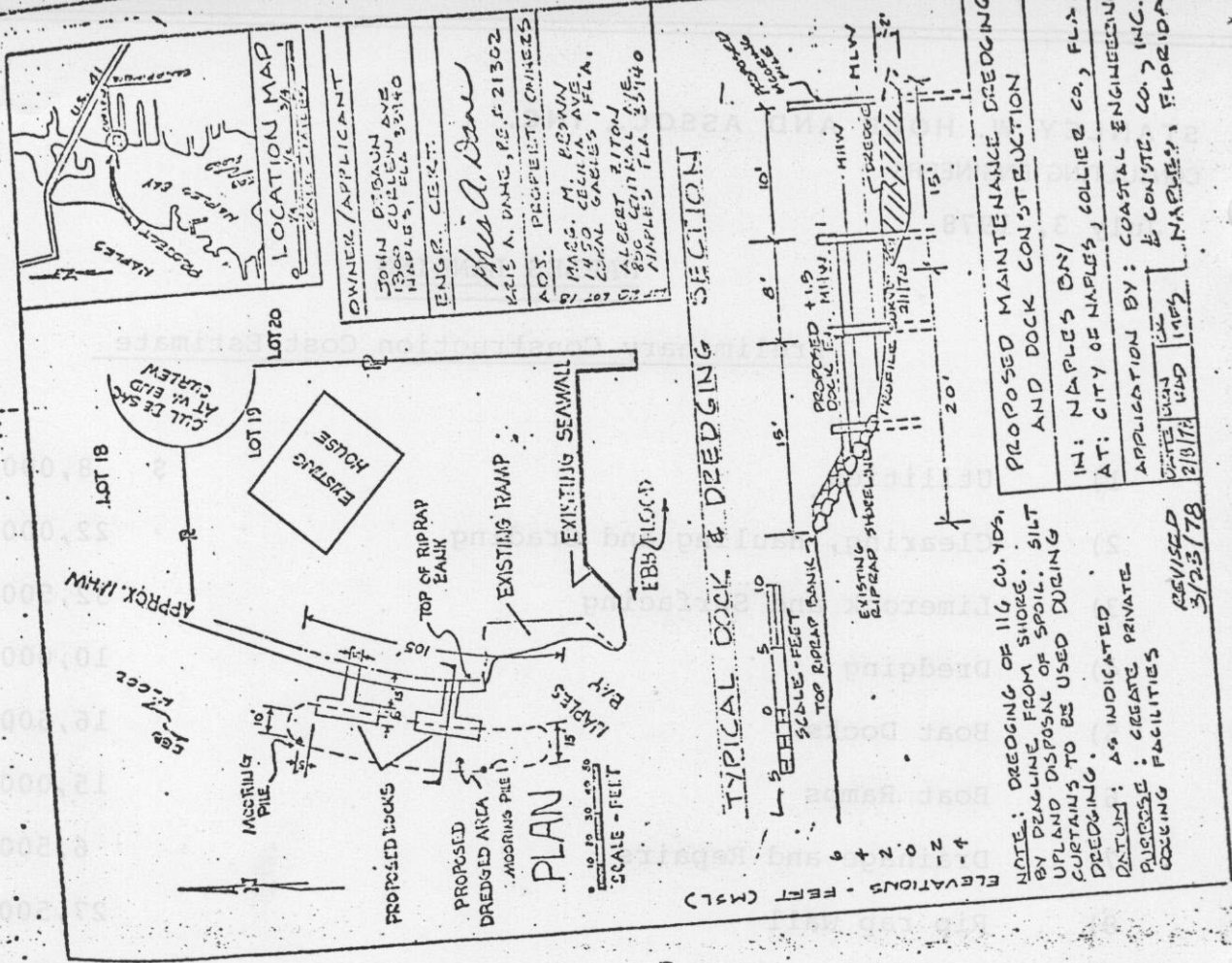
Mr. Philip C. Morse, Jr.
 Page Two
 April 17, 1978

which are not filed in accordance with the above provisions may be subject to dismissal.

Sincerely,

 Philip R. Edwards
 District Manager

PRE/THT/ot
 hment

cc: John W. DeBaun
 Coastal Engineering and Construction



OWNER/APPLICANT
 JOHN DEBAUN
 1303 CURLEW AVE
 NAPLES, FL 34109

ENGINEER
 Phil A. Deane
 KEIS A. DAVIS, P.E. - 21302
 A.D.I. PROPERTY ENGINEERS

2. MACE, M. REYNOLDS
 1450 GECHEM AVE
 NAPLES, FL 34109

3. ALBERT EITON
 850 GUNN HILL BLVD
 NAPLES, FL 34109

PROPOSED MAINTENANCE DREDGING AND DOCK CONSTRUCTION

IN: NAPLES BN/
 AT: CITY OF NAPLES, COLLIER CO., FLA.

APPLICATION BY: COASTAL ENGINEERING & CONSTR. CO., INC.
 DATE: JAN 1978
 REVISED 3/23/78

NOTE: DREDGING OF 116 C.Y.DS. BY DEAMLINE FROM SHORE. SILT UPLAND DISPOSAL OF SPOIL. SILT CURTAINS TO BE USED DURING DREDGING.

STATUS: AS INDICATED
 PURPOSE: CREATE PRIVATE DOCKING FACILITIES

file return

March 16, 1978

Mr. Thomas M. Provenzano
Dredge and Fill Supervisor
Department of Environmental Regulation
3201 Golf Course Blvd.
Punta Gorda, Florida 33950

RE: File No. 11-39-1236-5E (7149), Collier County

Dear Mr. Provenzano:

As indicated in the applications the sole purpose and proposed use of the requested docks is private. The specific use of the proposed docks is to provide tie up space for my twenty-foot motor boat and for a sailboat which I intend to purchase. These will be my personally owned boats.

No portion of the docks will be rented or leased. We intend to obtain no income from the proposed docks nor allow any commercial usage.

There will be no sewage generated. There will be no fishing facilities since it is to be a private dock, I believe it is within present zoning.

I do not need a submerged land lease since the docks are for private use.

The bottom in the vicinity of the seawall on the canal side consists of hard material prohibiting excavation and preventing its use as a boat slip.

I hope this satisfied the questions raised in your letter of February 24, 1978. Should you require any additional information, please let us know.

Sincerely,

John H. DeBaur

LETTER OF INTENT -

THIS IS A COPY OF THE LETTER SENT BY MR DEBAUR TO DEC.

Item #9



City of Naples

225 EIGHTH STREET, SOUTH, STATE OF FLORIDA 33940

TO: JOHN MC CORD
FROM: JERRY SEHLER
DATE: JULY 3, 1978
SUBJECT: DREDGING & DOCK PERMIT FOR MR. JOHN DE BAUN

In a conversation with Mr. Bernie Yokel of the Collier County Conservancy regarding the referenced permit, Mr. Yokel had no objection to the proposed project.

Jerry Sebler
Jerry Sebler
JS/nlr

AGENDA ITEM #11
7/5/78



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

OFFICE OF THE CITY MANAGER

M E M O

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER GEORGE M. PATTERSON

SUBJECT: APPOINTMENT OF AUDITOR

DATE: JUNE 30, 1978

Per Council's suggestion, I have checked with Frank Jones, our Finance Director, pertaining to his opinion regarding the same firm, Rogers, Silva, Robbins, Moon & Company, handling the City audit for the coming year.

Mr. Jones feels that the firm did a thorough job for the City in the past. In addition, he feels that, even if the City chose to alternate between auditors in the future, it would be advantageous for this next year to retain the same firm because both Mr. Jones and his assistant, Mr. Hanley, are new to the City and have never gone through one of its annual audits. Therefore, if a firm that is not familiar with the City accounting and records were to be retained for this next year and with Messrs. Jones' and Hanley's never having gone through an audit here, he felt it would be more time consuming and more difficult for all involved.

Respectfully submitted,

George M. Patterson
George M. Patterson
City Manager

GMP/tan

Agenda Item #11 Audit

HOLCHER, TAYLOR & METHENY
CERTIFIED PUBLIC ACCOUNTANTS

1425 COLONIAL BOULEVARD
FORT MYERS, FLORIDA 33901
(813) 936-2093

3003 TAMiami TRAIL, NORTH
NAPLES, FLORIDA 33960
(813) 863-9541



July 5, 1978

Mr. George Patterson
City Manager
735 8th Street, South
Naples, Florida 33940

Dear Mr. Patterson:

We would appreciate the opportunity to provide you with a detailed statement of qualifications and experience of our firm to serve as auditors of the City of Naples for the fiscal year ended September 30, 1978.

Our audit staff is comprised of professionals accustomed to working with governmental, institutional and commercial entities of various sizes and descriptions. Our audit plan will draw on their experience to serve you in the most efficient and beneficial manner.

Messrs. Max A. Holcher and John E. Taylor at 813-262-5243 will be pleased to discuss any aspect of this with you at your convenience.

Very truly yours,

Holcher, Taylor & Metheny
HOLCHER, TAYLOR & METHENY

AGENDA ITEM #12
7/5/78



BBC&E
CH2M HILL
engineers
planners
economists
scientists

June 30, 1978

NA30510.79

Mr. George Patterson
City of Naples
735 8th Street, South
Naples, FL 33940

RE: Raw Water Transmission Main - Change Order #1

Dear Mr. Patterson:

To clarify the points in my letter of June 28, 1978 of which you had questions, we offer the following:

The extension of the 36 inch line being considered would be essential in the 15 or so years quoted because of the hydraulic limitations of the smaller 30 inch line we had originally planned to be utilized for the last 3,000 foot leg. There is no economic question here, just a physical one. The advantage of doing it now is addressed by the following points:

The use of the new 36 inch, rather than the existing 30 inch over the next 15 years, while not being essential, will, by our analysis, save approximately \$150,000 in power costs for pumping.

Also, in accordance with current plans and recently defined service requirements, a new finished water transmission main will be required which will feed the Airport Road transmission mains. This line would tie into the new water plant pumping facilities. The size required would be at least 16 inch in the vicinity of Airport Road and 24 to 30 inches leaving the plant. In recent months concepts were finalized to convert the 24 inch Geitz Pit raw water main to a finished main between Goodlette Road and Airport Road. However, that would leave the finished water lines undersized between the water main all the way to the plant, the existing 30 inch raw water main running parallel to Goodlette and Fleischmann Boulevard can be converted to a finished water main. This would save the cost of installing 3,000 feet of new 24 inch main at an estimated cost of \$110,000.

Page 2
City of Naples
NA30510.79
June 30, 1978

Finally, consideration should also be given to the effects of time on the costs of utility installations. Current trends in construction costs indicate that needed installations should not be put off unless a significant savings can be shown. In the fine focus of hindsight, we can very positively say that we would have included this portion of the line in the original design had we known that the prices would be so low.

If you have additional questions, please contact me. I will try to have some diagrams of the lines involved to refer to at the meeting.

Please find enclosed one set of the final plan and profile design drawings for the Change Order for your reference.

Yours very truly,

CH2M Hill
David N. Markey
David N. Markey

slt
enclosure