

MINUTES OF THE REGULAR MEETING OF NAPLES CITY COUNCIL HELD IN THE PARKS & RECREATION BUILDING, NAPLES, FLORIDA, WEDNESDAY, AUGUST 16, 1978, AT 9:00 A.M.

Present: R. B. Anderson
Mayor

C. C. Holland
James F. McGrath
Wade H. Schroeder
Randolph I. Thornton
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Also Present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Bradley Estes, Assistant to the City Manager
Janet Davis Cason, City Clerk
William Savidge, Director of Public Works
Norris Ijams, Fire Chief
Mark Wiltsie, Purchasing Supervisor
Matt Patton, Fire Marshall
LeAnn McElroy

Rev. Walter Lauster
Charles Andrews
Samual Aronoff
Harry Rothchild
Mr. & Mrs. Grant
Mark Butson
Anthony Audirino, Jr.
Dave Markey

News Media: John Robinson, TV-9
David Swartzlander, Naples Daily News
Ray McNally, TV-9

Mayor Anderson called the meeting to order; whereupon Reverend Walter Lauster of the Church of God 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 August 2, 1978. Mr. Thornton moved approval of the minutes as presented, seconded by Mr. McGrath and carried on voice vote, 7-0.

AGENDA ITEM 4. PUBLIC HEARING: To consider filing an application for a community development block grant with the U. S. Department of Housing and Urban Development. The views and proposals of citizens with regard to the determination of priorities and community development and housing needs will be solicited.

Mayor Anderson opened the Public Hearing at 9:13 a.m. and pointed out that this was the first of two Public Hearings required in connection with the grant from HUD for \$240,000. City Manager Patterson stated that the Public Hearings were to allow citizens the opportunity of input as it pertained to the final application. Mayor Anderson quoted excerpts from the letter from HUD dated August 3, 1978, adding that the application must track exactly with the pre-application. In answer to a question from Mr. Harry Rothchild, Mayor Anderson read from HUD's letter, "You may not substitute activities not on the pre-application as these activities played the major role in your competitive ranking and the issuance of this letter of invitation." Mr. Twerdahl also read from the letter, "The Housing Assistance Plan is a significant portion of your application." There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:15 a.m.

AGENDA ITEM 5. A resolution requesting the Department of Community Affairs to include application of the City of Naples among those requesting financial assistance from the Local Government Comprehensive Planning Act Assistance Fund Program for 1978-79; and providing an effective date. Requested by Planning Director.

City Attorney Rynders read the above titled resolution in its entirety for Council's consideration. Mr. Schroeder moved approval of Resolution 3057, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 6. A resolution vacating and abandoning that certain east-west alley in Block 15, Tier 12, Naples Seaboard Replat, abutting Lots 1 through 13 thereof and part of the southwest one-fourth of Section 3, Township 50 South, Range 25 East, City of Naples, reserving therein an easement for utility purposes; and providing an effective date. Pursuant to Joint Public Hearing August 2, 1978.

City Attorney Rynders read the above titled resolution in its entirety for consideration by Council. Mr. Holland moved approval of Resolution 3058, seconded by Mr. McGrath and carried on roll call vote, 7-0. Mr. Thornton commended Mayor Anderson on the new approach to alley vacations, whereby the City realizes some benefit when vacating something of value.

AGENDA ITEM 7. PUBLIC HEARING: Second Reading of Ordinance.

An ordinance amending Ordinance No. 247 of the City of Naples, which established the location of Gordon Drive between the south line of Gulf View Estates plat and terminus in Beach Estates No. 2 plat, by excluding Lot 23, Block 5, Ocean View Addition to Naples, Collier County, Florida, from the provisions thereof and rescinding any action taken thereunder with respect to said Lot 23; and providing an effective date. Purpose: To cure any defect in the title to Lot 23, Block 5, Ocean View Addition to Naples, Collier County, Florida, resulting from the adoption of Ordinance No. 247.

Mayor Anderson opened the Public Hearing at 9:27 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 9:30 a.m. Mr. Thornton moved adoption of Ordinance 3059, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 8. First Reading of ordinances.

AGENDA ITEM 8-a. An ordinance granting a Special Exception to construct an eight foot high garden wall in the required front yard at 325 Gulf Shore Boulevard, Naples, Florida, more particularly described herein; and providing an effective date. Pursuant to Joint Public Hearing August 2, 1978.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-1, with Mr. Schroeder voting in the negative noting that he believed this was allowing a non-conforming use without proper landscaping.

AGENDA ITEM 8-b. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 9-13 to Chapter 9, relating to fire protection, providing regulations for the delivery and transferring of liquid petroleum gas from tank cars; renumbering the existing Section 9-13; and providing an effective date. Purpose: To prevent fires and explosions resulting from improper delivery and transferring of liquefied petroleum gas from tank cars. Requested by Fire Chief.

City Manager Patterson noted he had received a call from a representative of Tropigas who was arriving on a 9:45 a.m. plane to address Council and they had asked that this be deferred until they arrived. Motion was made by Mr. Twerdahl to take this item up when the representatives arrived, seconded by Mr. Wood and approved by consensus of Council.

Mayor Anderson noted that they also had a resolution regarding this matter and he would like to have that added to the agenda. Attorney Rynders explained that this matter should be disposed of as soon as possible. He noted it was within the authority of Council to consider this today and recommended that they do so. Motion was made by Mr. Thornton to add the resolution to the Agenda as an emergency matter, seconded by Mr. Holland and carried on roll call vote, 7-0.

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

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUITCLAIM DEED TO DAVIS LeGROW, CONVEYING ALL RIGHTS, TITLE AND INTEREST THE CITY OF NAPLES MAY HAVE IN AND TO LOT 23, BLOCK 5, OCEAN VIEW ADDITION TO NAPLES, RESERVING THEREIN AN EASEMENT FOR UTILITY PURPOSES, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Mr. Twerdahl to adopt Resolution 3060, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 9. Discussion/action on proceeding with purchase of Pulling property. Requested by City Manager.

City Manager Patterson noted the only action necessary for Council at this time was for Council to agree to proceed with the purchase as outlined in the agreement.

Motion made by Mr. Thornton to authorize the City Manager to proceed with the purchase, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 10. Request by Florida Power & Light Company for utility easements: City Hall Complex, Public Safety Building.

City Attorney Rynders read the below titled Resolution for Council's consideration.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE TWO EASEMENTS TO FLORIDA POWER AND LIGHT COMPANY FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF ELECTRIC UTILITY FACILITIES FOR THE PUBLIC SAFETY BUILDING ON GOODLETTE ROAD AND THE CITY HALL COMPLEX, COPIES OF WHICH ARE ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION: AND PROVIDING AN EFFECTIVE DATE.

Motion made by Mr. Twerdahl to approve Resolution 3062, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 11. Authorization for Mayor and City Clerk to sign a Joint Project Lighting Agreement with Florida Department of Transportation for improvements to lighting on U.S. 41 between Central Avenue and the Gordon River. Requested by City Engineer.

City Attorney Rynders read the below titled Resolution for Council's consideration.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT PROJECT AGREEMENT BETWEEN THE CITY OF NAPLES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATIVE TO THE RELOCATION AND/OR INSTALLATION OF HIGHWAY LIGHTING FACILITIES, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION: AND PROVIDING AN EFFECTIVE DATE.

City Manager Patterson explained to Council the savings involved by changing the type lighting now used.

Mr. Schroeder made a motion to approve Resolution 3063, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 12. Authorization to execute change orders with reference to City Hall project. Requested by City Manager.

AGENDA ITEM 13. Authorization of payment of additional architectural fees with reference to City Hall project. Requested by City Manager.

City Manager Patterson asked that both Items 12 & 13 be removed from the Agenda as he did not have all the information at this time. Motion was made by Mr. Thornton to remove these items, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 14. PURCHASING:

AGENDA ITEM 14-a. Consideration of offer of settlement from Dick Courteau's GMC Truck Company. Requested by City Attorney.

Mayor Anderson noted for Council that this company had received a bid for a truck and then not delivered and that the City Attorney had been asked to check into this.

City Attorney Rynders explained that their bid was a clerical error. He further noted that Mr. Courteau had offered to settle this matter for \$500.00. Mr. Rynders recommended that the Council accept this settlement.

Mr. Thornton moved to approve this settlement and return company's name to the bid list, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 14-b. Bid award - riding turf mowers.

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

A RESOLUTION AWARDING BID FOR THE FURNISHING OF TWO RIDING TURF MOWERS FOR THE PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

City Manager Patterson reviewed his memorandum to Council dated August 8, 1978 (Attachment #1). Mr. Holland moved approval of Resolution 3064, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 14-c. Authorization to repair Street Division grader.

Council considered the below titled resolution.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER FOR REPAIRS TO THE 1970 CATERPILLAR GRADER, NOT TO EXCEED THE AMOUNT OF \$4496.46 WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING THEREON; AND PROVIDING AN EFFECTIVE DATE.

Council reviewed the information in City Manager Patterson's memorandum of August 7, 1978 (Attachment #2). Mr. Thornton moved approval of Resolution 3065, seconded by Mr. McGrath, and carried on roll call vote, 7-0.

RETURN TO AGENDA ITEM 8-b.

Mark Butson, manager of the local Tropigas office, introduced Mr. Anthony Audirino, Jr., Operations Manager for Tropigas International Corporation.

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Council recessed from 10:05 a.m. to 10:10 a.m. during which time Norris Ijams, Fire Chief arrived to participate in discussion of Agenda Item 8-b.

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Mr. Audirino stated that Tropigas now has a new supplier and their product will be coming in by transport truck which will be unloaded in less than an hour rather than the larger railroad car quantities. They are also planning to relocate north of the City and will work with City officials on a staff level. Mr. Twerdahl moved to defer consideration of this Agenda Item, seconded by Mr. Holland and carried on roll call vote, 7-0.

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Mr. Thornton moved to add the below titled resolution to the agenda as an emergency measure, seconded by Mr. McGrath and carried on roll call vote, 7-0.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT AN APPLICATION TO THE COAST GUARD FOR A PERMIT TO INSTALL, MAINTAIN AND OPERATE A PIPELINE ACROSS A NAVIGABLE WATERWAY (GORDON RIVER) IN COLLIER COUNTY, FLORIDA, A COPY OF WHICH APPLICATION IS ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Rynders read the above titled resolution in its entirety. Mr. Twerdahl moved adoption of Resolution 3066, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

City Attorney Rynders and David Markey of CH2M Hill stated that they were requesting Council's approval to reject the bids on the East Golden Gate well field pumps and equipment and on the collection main for raw water transmission so they could re-advertise and receive new bids so they would not interrupt the schedule for the construction of this project. Mr. Schroeder moved to add this item to the agenda, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

It was Attorney Rynders' opinion that no resolution was necessary for Council to reject these bids and authorize re-advertising. David Markey explained the three projects on which bids were received on August 15, 1978. He felt that the bid for the instrumentation system was satisfactory; but the bids for the pumping equipment and well housing and the bid for the collection main were excessive in his opinion and he requested rejection of these bids and authority to re-advertise for new bids to be received prior to the next Regular Council meeting. Mr. McGrath moved to reject these two bids, seconded by Mr. Schroeder and carried on roll call vote, 7-0. Mr. Markey also requested that the award of the bid for the instrumentation system be placed on the agenda of the next regular Council meeting.

CORRESPONDENCE & COMMUNICATIONS

Mayor Anderson noted receipt of a letter of resignation from the Airport Authority submitted by Mr. George Henderson (Attachment # 3) Mr. Schroeder moved to accept this resignation as of this date, seconded by Mr. Twerdahl and carried on roll call vote, 6-1, with Mr. Holland voting no.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 10:55 a.m.

Janet Davis Cason

R. B. Anderson
R. B. Anderson, Mayor

Janet Davis Cason
City Clerk

These minutes of the Naples City Council approved on 9-6-78

BBC637



City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA, 33940

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: GEORGE M. PATTERSON, CITY MANAGER
 SUBJECT: TWO (2) RIDING TURF MOWERS, BID NO. 78-21
 DATE: AUGUST 8, 1978

On June 29, 1978, bids were received for two (2) riding turf mowers for the Parks and Recreation Department. These mowers will be used for lawn maintenance at Fleischmann Park. Of the twenty (20) dealers notified of the Public Invitation to Bid, five (5) bids were received on the items. This equipment will be replacements for two (2) Jacobsen turf kings mowers. Both of these mowers were purchased in 1973.

The following is the low bid submitted for the items:

Dealer: Homestead Mower Center, Inc.
 114 So. Krome Avenue
 Homestead, FL 33030
 Bid Price: \$3,136.00*
 Delivery: 30 Calendar Days

*Bidder has informed us that he has made an error on his Proposal and bid an each price instead of total price, as was requested. A letter to this effect is forthcoming from the vendor.

The Locke mowers, bid by Homestead Mower Center, Inc., do meet the specifications that were requested; even though Locke mowers are not prominent in this area, service and parts are available locally.

In comparison with previous purchases on such an item, we paid \$2,500. in 1973 for a similar piece of equipment.

Our recommendation is as follows:

Dealer: Homestead Mower Center, Inc.
 114 So. Krome Avenue
 Homestead, FL 33030
 Amount: \$6,272.00*

*This is the corrected amount that we would pay if Council wishes to allow the above mentioned dealer to amend his Bid Proposal.

HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 AUGUST 8, 1978
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We are not recommending to accept any of the alternate bids allowing for trade-ins, as we feel the allowances offered are considerably less than their current value.

Funds are available in account number 5-122-095 for this expenditure.

Attached is a Bid Tabulation for your review.

Respectfully submitted:

George M. Patterson
 George M. Patterson
 City Manager

Attachment

BIDDER	BASE BID	LESS DISCOUNT	NET BID	MANUFACTURER	MODEL NO.	DELIVERY
DeBra Enterprises, Inc. 6025 Hwy. 301 N. Tampa, FL	\$8,510.00	-----	\$8,510.00	Jacobsen	84	7 Day
Ann Equip., Inc. 2675 Meadow Lane Ft. Myers, FL 33901	\$8,990.00	\$814.00	\$8,176.00	Toro	03337	30 Day
DeBra Tractor & Implement Co., Inc. 2857 Hanson St. Ft. Myers, FL 33901	\$8,510.00	\$525.00	\$7,985.00	Jacobsen	84	10 Day
Sarlo Power Mowers, Inc. P.O. Box 1169 Ft. Myers, FL 33902	\$8,600.00	-----	\$8,600.00	Jacobsen	84	30 Day
Homestead Mower Center, Inc. 114 So. Krome Ave. Homestead, FL 33030	\$3,200.00	\$ 64.00	\$3,136.00	Locke	45	30 Day

ALTERNATE BID

CITY OF NAPLES
 BID TABULATION
 TWO (2) RIDING TURF MOWERS

BIDDER	TOTAL BID	LESS DISCOUNT	LESS TRADE	NET BID	MANUFACTURER AND MODEL NO.	DELIVERY
DeBra Enterprises, Inc. 6025 Hwy. 301 N. Tampa, FL	\$8,510.00	-----	\$425.00	\$8,085.00	Jacobsen 84	7 Days
Ann Equip. Inc. 2675 Meadow Lane Ft. Myers, FL 33901	\$8,990.00	-----	\$1,522.00	\$7,468.00	Toro 03337	30 Days
DeBra Tractor & Implement Co., Inc. 2857 Hanson St. Ft. Myers, FL 33901	\$8,510.00	\$525.00	\$ 800.00	\$7,185.00	Jacobsen 84	10 Days
Sarlo Power Mowers, Inc. P.O. Box 1169 Ft. Myers, FL 33902	\$8,600.00	-----	\$ 500.00	\$8,100.00	Jacobsen 84	30 Days



City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: GEORGE M. PATTERSON, CITY MANAGER

SUBJECT: REQUEST FOR AUTHORIZATION TO REPAIR GRADER FOR STREET DIVISION

DATE: AUGUST 7, 1978

On July 13, 1978, our 1970 Caterpillar Grader, used by the Street Division of the Public Works Department, was sent to Kelly Tractor Co., in Ft. Myers, for an estimate of repairs.

After examining the equipment, Kelly Tractor submitted an estimate of \$4,496.47 for the repairs outlined to them. The estimate for the different repairs and parts required is attached.

Kelly Tractor Co. is the closest authorized Caterpillar service and parts dealer. There are, however, other authorized Caterpillar dealers in Florida who can provide the parts and service required for the necessary repairs. We have checked with these other dealers, and have determined that all parts prices are the same regardless of which Caterpillar dealer is selected. In addition, we have checked with the Caterpillar headquarters in Pioria, Illinois, who have informed us that all Caterpillar dealers are required to sell their parts at the same prices.

The following is the breakdown of parts and labor for this repair:

Parts -	\$2,916.47
*Labor -	\$1,580.00
Total -	\$4,496.47

*Labor is based on \$20.00 per hour. Other Caterpillar dealers have quoted labor prices at \$21.00 and \$22.00.

In view of these circumstances, I would like to request authorization to issue a purchase order to Kelly Tractor Co. with a not-to-exceed amount of \$4,496.47.

Funds are available in account number 5-145-025 for this repair.

Respectfully submitted:

George M. Patterson



City of Naples

AIRPORT AUTHORITY

POST OFFICE BOX 572 • NAPLES, FLORIDA 33939

14 August 1978.

The Honorable Roland B. Anderson
Mayor, City of Naples,
Naples, Florida.

Dear Mayor Anderson:

It is with a great deal of regret that I request that you and the City Council accept my resignation as Commissioner, Naples Airport Authority.

It has become apparent to me that the City Council and the Voters League, in concert, have considered the singular role of an aviation-oriented person on a working board of an airport authority to be superfluous in present day management of an airport, and, being aware of this uncomfortable undercurrent, I must therefore request that I be relieved of my post on the Authority in an effort to accelerate better working relations between the City Council and the Naples Airport Authority.

I have enjoyed serving on the Authority since my first appointment in December, 1973 (save for the three-month period when my reappointment was purposely held in limbo), and I would like to think that I had contributed some small measure of real assistance in the development of our outstanding "general aviation" airport.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "George W. Henderson", written in a cursive style.

George W. Henderson
Commissioner

BBC687