

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN JOINT PUBLIC HEARING WITH THE NAPLES PLANNING ADVISORY BOARD HELD IN THE PARKS & RECREATION BUILDING, NAPLES, FLORIDA, WEDNESDAY, FEBRUARY 7, 1979, AT 9:05 A.M.

Present: R. B. Anderson
Mayor

James F. McGrath (left 1:40 p.m.)
Wade H. Schroeder
Randolph I. Thornton
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Absent: C. C. Holland
Councilman

Planning Advisory Board: Clayton Bigg, Chairman
Lawson Adams
Donald Boyes
Eugene Pratt

Absent: Roger Billings

Also Present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Bradley Estes, Assistant to the City Manager
Roger Barry, Community Development Director
Franklin Jones, Finance Director
Randy Davis, Parks & Recreation Director
William Savidge, Public Works Director
Gary Young, Police Chief
Norris Ijams, Fire Chief
John McCord, City Engineer
Mark Wiltsie, Purchasing Supr.
Reid Silverboard, Planner

Father Thomas Goggin
Charles Andrews
George Langford
Mario La Mendola
Harry Rothchild
William Vines
David Boothby
Jack Stanley
Robert Russell
Gilbert Blanquart
Ben Alexander
Hal Yegge
Sam Aronoff
Lloyd Sarty
Robert Tiffany
Scott Foster
Mr. & Mrs. Grant
Ronald Wood
Harry E. O. Heinemann
Philip Francouer
Lodge McKee

Carlo Paterno
Jack Wadsworth
John Briggs
George R. Cook
Stewart Lutgert
Robert Moss
Ted Smallwood
Sergio E. G-Montes
Fred Vidzes
Mrs. Perry Andrews

News Media: John Robinson, TV-9
Allen Bartlett, Fort Myers News Press
Susanne McGee, Naples Star
Phil Lewis, Naples Daily News
Tom Lowe, WBBH-TV
Mark Johnson, WBBH-TV

Other interested citizens and visitors.

Mayor Anderson called the meeting to order; whereupon Father Thomas Goggin of the St. Ann's Catholic Church gave the Invocation followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. Approval of Minutes.

Mayor Anderson called the Council's attention to the minutes of the Regular Meeting of January 17, 1979; whereupon Mr. McGrath moved that the minutes be approved as presented, seconded by Mr. Thornton and carried by consensus.

Mr. Bigg organized the Planning Advisory Board and noted all members present except Mr. Roger Billings.

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

AGENDA ITEM 4-a. Nonconformity Petition #78-N4, expansion of nonconforming use; expansion of rectory office. Petitioner: St. Ann Catholic Church, 439 Ninth Avenue South.

Mayor Anderson opened the Public Hearing at 9:08 a.m.; whereupon Mr. Mario LaMendola, representing the petitioner, presented himself to answer any questions the Board or Council may have. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:09 a.m. Mr. Adams moved that the Planning Advisory Board recommend approval of Nonconformity Petition #78-N4, seconded by Mr. Boyes and carried unanimously. Mr. Thornton moved to accept the recommendation to approve Nonconformity Petition #78-N4 as submitted by the Planning Advisory Board, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

AGENDA ITEM 4-b. Alley Vacation #78-A5, request to vacate a portion of the east-west alley between 9th Street South and 10th Street South, and 5th Avenue South and 6th Avenue South. Petitioner: 936 Fifth, Inc., DBA St. George and the Dragon.

Mayor Anderson opened the Public Hearing at 9:10 a.m.; whereupon George Langford, representing the petitioner, addressed Council in support of this petition. Mr. Roger Barry, Community Development Director, and Gary Young, Police Chief spoke in support of the Planning Advisory Board's position. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:32 a.m. Chairman Bigg made a statement in support of the Planning Advisory Board's recommendations. Mr. Adams moved that the Planning Advisory Board recommend denial of Alley Vacation #78-A5, seconded by Mr. Pratt and unanimously carried. Mr. Twerdahl moved that Council accept the recommendation to deny Alley Vacation #78-A5 as made by the Planning Advisory Board, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 4-c. Change in Text Petition #78-T2 to permit two signs on major department stores located in shopping centers. Petitioner: Maas Brothers, Coastland Mall, Naples.

Mayor Anderson opened the Public Hearing at 9:36 a.m.; whereupon Mr. William Vines, representing the petitioner, appeared to speak in support of this petition. Attorney Jack Stanley and Store Manager David Boothby also spoke in support of the petition. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:14 a.m. Mr. Adams moved to recommend denial of Change in Text Petition #78-T2, seconded by Mr. Boyes and carried unanimously. Chairman Bigg made a statement in support of the Planning Advisory Board's position. Mr. Thornton moved to accept the Planning Advisory Board's recommendation to deny Change in Text Petition #78-T2, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

Mayor Anderson excused the Planning Advisory Board at 10:20 a.m.

AGENDA ITEM 5. Recommendation by Community Appearance Advisory Board Task Force. Requested by City Council.

Council reviewed a memorandum dated January 31, 1979 to City Manager Patterson from Roger Barry, Community Development Director, noting that the consensus of the Community Appearance Board Task Force that a Community Appearance Board not be established in the City. Mr. Thornton moved to accept the recommendation not to establish a Community Appearance Board, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

AGENDA ITEM 6. Rogers, Silva, Robbins, Moon & Company, C.P.A., present the annual audit for the City of Naples for the fiscal year beginning October 1, 1977, through September 30, 1978.

Mr. Ronald Wood of Rogers, Silva, Robbins, Moon & Company discussed the audit report with Council members, noting the sound financial position of the City at this time. He did note, however, that the water revenue income was without the application of depreciation expense. Mayor Anderson confirmed with City Manager Patterson that the City was in the process of including depreciation. Reference was made to the letter from Rogers, Silva, Robbins, Moon & Company with suggestion for implementation (Attachment #1).

Mayor Anderson noted the people present to discuss Agenda Item 8. Mr. Thornton moved that Council take up Agenda Item 8 at this time, seconded by Mr. McGrath and carried by consensus of Council.

AGENDA ITEM 8. Discussion of after-dark parking, vandalism, littering and noise at beach-end streets. Requested by Naples Civic Association, Lloyd A. Sarty, President.

Mr. Lloyd Sarty made a statement concerning the Naples Civic Association's position on this problem, supporting the legislation proposed by Council and suggesting some added items. He requested that Council hear from the property owners present. Mr. Philip Francouer, Mr. Lodge McKee, Mr. Gilbert Blanquart, Mr. Carlo Paterno, Mr. Jack Wadsworth, Dr. John Briggs, Mr. Clayton Bigg, Mr. George R. Cook, Mr. Stewart Lutgert, Mr. Scott Foster, and Mrs. Perry Andrews addressed Council citing incidents of vandalism, littering and aggravated nuisance. Various suggestions such as closing the beach ends at dusk, extending the no-parking ban for R.V.'s and banning all alcohol on the beach were made with regard to a proposed ordinance that Council is considering to rectify this situation. Police Chief Gary Young noted a reduction in complaints since assigning the new para-police officers to patrol the beach. City staff plans to circulate the proposed ordinance to the civic and property owners associations throughout the City for further input prior to being brought before Council.

RETURN TO REGULAR ORDER OF THE AGENDA WITH ITEM #7

AGENDA ITEM 7. PUBLIC HEARING: Second reading of ordinance.

An Ordinance amending the Code of Ordinances of the City of Naples, Florida, by repealing therefrom Appendix "A" - Zoning, in its entirety, and substituting the within ordinance therefor, providing comprehensive zoning regulations for the City of Naples; providing for the administration and enforcement thereof; and providing an effective date.

Mayor Anderson opened the Public Hearing at 11:30 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. Community Development Director Roger Barry reviewed his memorandum to City Manager Patterson dated February 1, 1979 (Attachment #2) and the letter from the Chamber of Commerce directed to the Mayor and City Council dated January 31, 1979 (Attachment #3). Discussion ensued on the subject of allowing marquee signs to be permitted and the Chamber's request not to pass the ordinance with the section prohibiting some existing signs. Mr. Robert Moss, representing the Chamber of Commerce, addressed Council to ask that this section be deleted until a survey of existing signs can be conducted to determine the impact of the ordinance as written. Mr. Schroeder moved to put "marquee" back into the ordinance, seconded by Mr. McGrath and carried on roll call vote, 5-1 with Mr. Wood voting no. Mr. Harry Rothchild commented on the last-minute nature of the Chamber of Commerce's opposition to the amortization table for existing signs that this ordinance will prohibit. There being no one else to speak for or against, the Mayor closed the Public Hearing at 12:15 p.m. Mr. Barry noted one other suggested change regarding drive-up windows for restaurants. Mr. Schroeder moved that "(not to include restaurants)" be deleted from Special Exceptions under the Highway Commercial section of the proposed ordinance, seconded by Mr. McGrath. Mayor Anderson re-opened the Public Hearing at 12:19 p.m. for discussion of this matter. There being no one to speak for or against, the Mayor closed the Public Hearing at 12:20 p.m. Motion carried on roll call vote, 6-0. Mr. Schroeder moved that the amortization section be kept in the ordinance as proposed, seconded by Mr. Twerdahl and carried on roll call vote, 5-1 with Mayor Anderson voting no. Mr. Schroeder moved approval of Ordinance 3178 as amended on Second Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

Let the record show that Mayor Anderson recessed the meeting at 12:25 p.m and reconvened the meeting at 12:35 p.m. with the same members of Council present.

Mayor Anderson noted that there were a number of people present who wished to address Agenda Item 9-c. Mr. McGrath moved that Council take up Agenda Item 9-c at this time, seconded by Mr. Schroeder and carried by consensus of Council.

AGENDA ITEM 9-c. An ordinance repealing Ordinance No. 2914 which established a pension and retirement system for firemen of the City of Naples, and substituting the within ordinance therefor, establishing a pension and retirement system for firemen of the City of Naples, to be known as the "City of Naples Firemen's Retirement Trust Fund", providing definitions for the words and phrases used herein; creating a Board of Trustees for the operation of said pension and retirement system, setting forth the powers and duties of said Board; providing for the maintenance of said Fund; providing for the keeping of records, accounts, disbursements, deposits, contributions and actions of said Board of Trustees; providing for normal retirement, early retirement and optional forms of retirement; providing death benefits, disability benefits and providing for benefits or refund of contributions in event of separation from municipal service; repealing all ordinances or parts thereof in conflict; providing a savings clause and an effective date. Purpose: To provide various changes in the firemen's pension and retirement system. Requested by Board of Trustees, Naples Firemen's Retirement Trust Fund.

City Attorney Rynders read the above titled ordinance by title for Council's consideration on First Reading. Mr. Harry E. O. Heineman, civilian member of the Board of Trustees of the Naples Firemen's Retirement Trust Fund, presented himself to Council to answer their questions. Mr. Thornton raised a question about the wording in Paragraph C. of Section 7. regarding supplemental income. Mr. Jones, Finance Director, and Attorney Rynders concurred that the Board's intent was to limit the receipt of supplemental income by a retired employee after the age of 62. Mr. Gilbert Blanquart spoke in support of the limitation.

Let the record show that Mr. Wood left Council chambers at 1:10 p.m.

Mayor Anderson directed the City Attorney to add a definition of supplemental income to Paragraph C. in Section 7. and to clearly state that this supplemental income being paid a retired employee would cease at age 62. Mr. Thornton moved to approve this ordinance on First Reading with the amendment as noted to Paragraph C., Section 7., seconded by Mr. Schroeder and carried on roll call vote, 5-0 with Mr. Wood being absent.

RETURN TO REGULAR ORDER OF THE AGENDA WITH ITEM #9-a,
AGENDA ITEM 9. First Reading of ordinances.

AGENDA ITEM 9-a. An ordinance amending Ordinance No. 2382 of the City of Naples, Florida, so as to change the redemption provisions and maturities of the redemption provisions and maturities of the Utility Service Taxes Revenue Certificates, Series 1975; and providing an effective date. Purpose: To amend maturities for bonds authorized but not sold to date. Requested by Fiscal Agent.

City Attorney Rynders read the above titled ordinance by title for Council's consideration on First Reading. Attorney Rynders then reviewed his memorandum to Council dated February 2, 1979 explaining the need to make this technical change. Mr. Twerdahl moved to approve this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 5-0 with Mr. Wood being absent.

Let the record show that Mr. Wood returned to Council chambers at 1:16 p.m.

AGENDA ITEM 9-b. An ordinance amending Section 18-33 of the Code of Ordinances of the City of Naples, relating to the City's retirement system, providing for mandatory separation from employment at the age of seventy years, or prior thereto if the employee has served in a management position of the City for two years prior to retirement, providing that such employees are entitled to immediate specified retirement benefits; providing exceptions thereto; providing for a one-year extension of employment under certain conditions enumerated herein; and providing an effective date. Purpose: To amend the City's retirement ordinance to conform to the provisions of the Federal Age Discrimination in Employment Act. Requested by City Manager.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading. Mr. Gilbert Blanquart questioned the need for the workding in paragraph (a) of Section 1. Attorney Rynders agreed with Mr. Blanquart and suggested the deletion of "(provided he is entitled to immediate specified retirement benefits)". Mr. Blanquart also questioned similar wording in paragraph (c) and Mr. Rynders explained the need for this to remain as written. Mr. Harry Rothchild stated that he did not feel the questions raised to a similar ordinance had been explained. Mr. McGrath also questioned this. City Manager Patterson noted that the main objection had been a question of how this would affect the pension plans of the City and he referred to the opinion of Ron Smith of Gabriel, Roeder & Smith, actuarial firm, that there would be little or no effect on the pension plans. Mr. Twerdahl moved approval of this ordinance on First Reading with the amendment as recommended by the City Attorney to paragraph (a) of Section 1., seconded by Mr. Schroeder and carried on roll call vote, 5-1 with Mr. McGrath voting no.

AGENDA ITEM 10. Discussion of desirability of lowering maximum grade elevations now established for Naples Landing. Requested by John E. Keller, The Charter Club of Naples Bay.

Mr. Sergio E. G-Montes of Stanley Hole & Associates addressed Council and stated that he had reviewed the changes in the elevations at Naples Landing as recommended by Mr. John Keller and had no engineering objections. He also noted the Mr. Keller has agreed to absorb all the costs involved. In answer to Mr. McGrath's question, Mr. Montes agreed that a copy of the change should be sent to the state office that approved the original concept. Mayor Anderson ascertained from City Attorney Rynders that a change order would be necessary and any additional cost to the contractor caused by the delay should also be absorbed by Mr. Keller. Mr. Randy Davis, Parks & Recreation Director, noted that he did not disagree with Mr. Montes' findings. Mr. Schroeder noted that any fill provided the Charter Club from the Naples Bay site should also be included as costs of materials to be paid for by the Charter Club. Mr. Keller indicated that all these costs were agreeable with him.

Let the record show that Mr. McGrath left the Council chamber at 1:40 p.m.

Mr. McCord noted that any delay in approval would result in more cost by delaying the contractor. Mr. Schroeder moved that City Council approve the project in principle providing that Mr. Keller accept all the cost in connection with it and that the City Manager, City Attorney, City Engineer and Mr. Montes approve and that since the City was delivering a certain amount of fill, Mr. Keller agree to pay for that at market value, seconded by Mr. Twerdahl and carried on roll call vote, 5-0.

AGENDA ITEM 11. Acceptance of drainage easements for alley reconstruction. Requested by Engineering Department.

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

A RESOLUTION ACCEPTING DRAINAGE EASEMENTS FOR ALLEY RECONSTRUCTION PROJECT BETWEEN 8TH AVENUE AND 10TH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved that Council adopt Resolution 3179, seconded by Mr. Schroeder and carried on roll call vote, 5-0.

AGENDA ITEM 12. Designation of bank depository to consolidate City banking activities. Requested by Finance Director.

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

A RESOLUTION DESIGNATING THE BARNETT BANK OF NAPLES AS THE CITY'S DEPOSITORY AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN ACCORDANCE WITH THE PROPOSAL SUBMITTED BY SAID BANK, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN.

Mr. Schroeder moved adoption of Resolution 3180, seconded by Mr. Wood and carried on roll call vote, 5-0.

AGENDA ITEM 13. A resolution requesting the Big Cypress Basin Board to continue the study and undertake a program of recharge wells in the Coastal Ridge Aquifer. Requested by Public Works Director.

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

A RESOLUTION REQUESTING THE BIG CYPRESS BASIN BOARD TO CONTINUE THE STUDY AND UNDERTAKE A RECHARGE WELL PROGRAM IN THE COASTAL RIDGE AQUIFER.

Mayor Anderson noted the presence of Mr. Fred Vidzes of the Big Cypress Basin Board who requested that if the resolution were adopted, that the City have Mr. William Savidge, Public Works Director and the City's consultant make a presentation at the next meeting of the Basin Board. Mr. Thornton moved adoption of Resolution 3181, seconded by Mr. Schroeder and carried on roll call vote,

AGENDA ITEM 14. Request for waiver of bidding with reference to replacement of 6" water main, Airport Road. Requested by Public Works Director.

City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH STEVENS AND LAYTON, INC., FOR CONSTRUCTION OF THE SEGMENT OF 6-INCH WATER TRANSMISSION MAIN FROM FRANCES AVENUE SOUTH, APPROXIMATELY 2700 FEET, WAIVING THE REQUIREMENT FOR COMPETITIVE BIDS THEREON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved for adoption of Resolution 3182, seconded by Mr. Schroeder and carried on roll call vote, 5-0.

AGENDA ITEM 15. Purchasing:

AGENDA ITEM 15-a. Consideration of contract award - water treatment plant expansion. Requested by Consulting Engineer.

City Attorney Rynders read the below titled resolution by title inserting bid awarded to Widell Associates, Inc., Fort Lauderdale, Florida, in the amount of \$4,187,000 for consideration by Council.

A RESOLUTION AWARDDING BID FOR EXPANSION OF THE WATER TREATMENT PLANT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson and members of the Council asked Ted Smallwood, Consulting Engineer, about Widell Associates and he responded affirmatively about their work and reliability. Finance Director Franklin Jones confirmed that he had received a good financial report on them. Mayor Anderson ascertained from Mr. Smallwood that this expansion would supply the necessary quantity of water for the 180 Water Management District. Mr. Thornton moved adoption of Resolution 3183, seconded by Mr. Twerdahl and carried on roll call vote, 5-0.

AGENDA ITEM 15-b. Bid Award - lot mowing (annual).

City Attorney Rynders read the below referenced resolution by title inserting bid awarded to Pro Turf & Ground Management Affiliated, Naples, Florida, in the total amount of \$56,221.20, for consideration by Council.

A RESOLUTION AWARDDING BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR LOT MOWING SERVICES; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

City Manager Patterson answered Council members' questions about how this program will function and it is expected that the City will collect sufficient funds from the property owners to sustain the program. Mr. Thornton moved adoption of Resolution 3184, seconded by Mr. Schroeder and carried on roll call vote, 5-0.

AGENDA ITEM 15-c. Bid award - tractor/front end loader - Sewer Collection Division.

City Attorney Rynders read the below captioned resolution by title for Council's consideration inserting bid awarded to Coastline Equipment Co., Inc., Fort Myers, Florida, in the total amount of \$11,646.00.

A RESOLUTION AWARDDING BID FOR ONE TRACTOR/FRONT END LOADER FOR THE SEWER COLLECTION DIVISION OF THE PUBLIC WORKS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFORE; AND PROVIDING AN EFFECTIVE DATE.

In answer to Mayor Anderson's question, City Manager Patterson stated that the Case tractor was a 1978 model and the John Deere was a 1979 model and there was a \$682.00 cost difference including the two alternates. Mr. Thornton moved to adopt Resolution 3185, seconded by Mr. Twerdahl and carried on roll call vote, 4-1, with Mr. Wood voting no.

AGENDA ITEM 15-d. Request for waiver of competitive bidding with reference to copiers for Public Works and Police Departments.

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF TWO COPIERS TO BE USED BY THE POLICE DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT, WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING THEREON, AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson noted City Manager Patterson's memo to Council dated January 15, 1979, (Attachment #4). Mr. Thornton moved adoption of Resolution 3186, seconded by Mr. Schroeder and carried on roll call vote, 5-0.

Mayor Anderson noted a resolution that was to be added to the Agenda on an Emergency basis. Mr. Thornton moved to place the item on the Agenda on an Emergency basis, seconded by Mr. Schroeder and carried on consensus of Council.

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

A RESOLUTION REQUESTING THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATIONS TO RE-EVALUATE ITS WASTE LOAD ALLOCATION BASED UPON CURRENT DATA PROVIDED BY THE COLLIER COUNTY CONSERVANCY; PROVIDING AN EFFECTIVE DATE.

Mayor Anderson noted that this was necessary because DER has said that the most cost-effective method was discharge into the Bay. This request may have an effect on their position. A change in their position might have a favorable bearing on funding for the sewage treatment expansion and approval of the 201 District. Mr. Twerdahl moved adoption of Resolution 3187, seconded by Mr. Thornton and carried on roll call vote, 5-0.

City Manager Patterson noted the fact that Florida state law has mandated uniform signs throughout the state by 1980 and he had an application for a Highway Safety Commission grant that would almost cover the 564 signs that have to be changed in Naples to meet these requirements. Consensus of Council was to direct him to complete this form and make application for this grant.

In response to a previous inquiry from Mr. Schroeder, City Manager Patterson reported that in the 16-month period since October, 1977, there had been a total of 27 accidents at Coastland Mall on U. S. 41. In a 20-month period prior to that there had been a total of 13. City Engineer John McCord noted that D.O.T. proposed to do something in that area to prevent crossing from Naples Shopping Center into Coastland Mall when they do other work in April of this year.

Mr. Twerdahl noted his opinion that there should not be a stop sign on the Gulf Shore Boulevard traffic at Gulf Shore Boulevard and Fifth Avenue South.

Mayor Anderson noted that he had correspondence concerning Coastland Boulevard from the County Commission that Council was familiar with but that there had been no action yet. He also noted that because of an ordinance providing certain dedications for right-of-way that was passed today, the City Manager was in a better position to negotiate. It was the consensus of Council for the City Manager to begin negotiations to obtain the necessary right-of-way.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 2:25 p.m.

Janet Davis Cason

Janet Davis Cason
City Clerk

R. B. Anderson

R. B. Anderson, Mayor

Ellen P. Marshall

Ellen P. Marshall
Deputy City Clerk

These minutes of the Naples City Council were approved on 2-21-79

ROGERS, SILVA, ROBBINS, MOON & CO.
PROFESSIONAL ASSOCIATION
CERTIFIED PUBLIC ACCOUNTANTS
4099 TAMiami TRAIL, NORTH
NAPLES, FLORIDA 33940

WALTER R. ROGERS, C.P.A.
KENNETH J. SILVA, C.P.A.
LAWRENCE A. ROBBINS, C.P.A.
JACK R. MOON, C.P.A.
RONALD A. WOOD, C.P.A.
JOHN R. HILL, C.P.A.

MEMBERS
AMERICAN INSTITUTE OF CERTIFIED
PUBLIC ACCOUNTANTS
FLORIDA INSTITUTE OF CERTIFIED
PUBLIC ACCOUNTANTS

OFFICES:
NAPLES 262-1040
MARCO ISLAND 394-7502

December 12, 1978

Honorable Mayor and Members
of the City Council
City of Naples
Naples, Florida

We have examined the financial statements of the City of Naples for the year ended September 30, 1978 and have issued our report thereon dated December 12, 1978. In compliance with the rules of the Auditor General, Chapter 10-500, a report is required to be issued to the City Council on the findings of the Auditor made during the course of his examination of a municipality.

We now submit for your consideration our comments and recommendation relating to the examination of the September 30, 1978 financial statements of the City of Naples. Although certain of the following comments have been mentioned in previous letters, no significant changes have been affected in these areas and we feel that continued attention should be directed to these areas.

1. The City does not maintain a detailed real property ledger. The total cost of annual acquisitions, classified by years has been maintained on work sheets. These work sheets are both cumbersome and inflexible. We recommend that real property ledgers be instituted. Once the detailed fixed asset ledger has been set up, the time required to maintain it would not appreciably add to the workload.

2. Personal property ledgers have been established with additions and dispositions recorded currently. However the ledgers should be further refined whereas detailed listings are provided of the current additions and dispositions, amounts paid or charged off and the date of the transaction. A reconciliation could then be made with current years expenditures.

3. Depreciation should be calculated and recorded on the assets controlled by the enterprise funds. The purpose of recording depreciation in enterprise funds is to allocate the cost of depreciation in measuring governmental services, evaluate the efficiency of funds, and to recognize use and obsolescence of fixed assets over their useful lives.

4. The water, sewer and garbage service accounts have not been reconciled on a monthly basis since April 1978. Although there were no charges or receipts that we could not account for we believe a more effective control could be maintained by a monthly reconciliation of the book and data processing totals.

Honorable Mayor and Members
of the City Council
City of Naples
December 12, 1978
Page 2

5. All interfund transfers and the resulting receivables and payables should be reconciled on a monthly basis. We noted a general lack of reconciliation during the past year. Although the City was able to reconcile all interfund accounts at September 30, 1978 more effective control could be maintained by a monthly reconciliation.

6. During the course of our inventory observation at the maintenance shop and the public works yard we noted a general lack of supervision of many of the City employees. The maintenance shop inventory also included various obsolete items. No adjustment has been made for these items as they are not material to the financial statements taken as a whole. However in the future we recommend obsolete items should be sold for salvage value and or segregated from the regular inventory.

We noted that our recommendations from the previous year relating to purchase orders, monthly bank reconciliations, approval of journal entries, and billing and control procedures for water meter deposits and water and sewer billings have been implemented.

The foregoing conditions were considered in determining the nature, timing and extent of audit tests, to be applied in our examination of the financial statements and this report of such conditions does not modify our report dated December 12, 1978, on such financial statements.

The suggestions and recommendations in this report represent further refinements in the accounting system which will enhance the control of the City's resources and aid in better management decisions. We would like to express our thanks to all the City employees for their cooperation and assistance during our examination.

Respectfully submitted,

Rogers Silva, Robbins Moon & Co.

Rogers, Silva, Robbins, Moon & Co., P.A.



City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

AGENDA ITEM 7

ATTACHMENT #2 - page 1

*Please use
the ordinance from
last time.
TW*

PLANNING DEPARTMENT

MEMORANDUM

TO: George M. Patterson, City Manager

FROM: Roger J. Barry, Community Development Director

SUBJECT: Sign Provisions of the Proposed Zoning Ordinance Revision

DATE: February 1, 1979

As you know, the second reading and public hearing relative to the proposed Zoning Ordinance revisions will be held by the Council on Wednesday, February 7th, 1979.

I have two additional recommendations I'd like the Council to consider on the 7th:

Marquee Signs

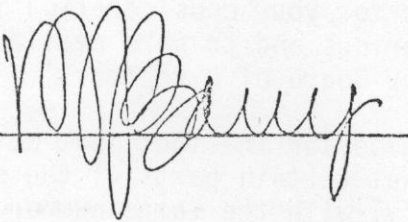
The proposed revisions presently eliminate marquee signs as permitted signs in the City; the existing ordinance permits them. Since first suggesting that marquee signs be eliminated, we have studied the matter in more detail and would now like to recommend that marquee signs continue to be permitted. Marquee signs are not the aesthetic problem that roof mounted and certain free standing signs are and, more importantly, there are many more of them than we first realized, and their removal would be a problem and possibly an unnecessary hardship for the business community.

Chamber of Commerce Request (See attached.)

I met with the Executive Board of the Chamber on Monday, January 29th, and we discussed the proposed sign ordinance revisions in detail, and the only unanswered question and area of disagreement has to do with the elimination of all nonconforming signs. The Chamber would like to

understand the economic impact of requiring the removal of all non-conforming signs; how many signs and businesses are actually affected; and what is the magnitude of the changes that will be required? The Chamber has agreed to work with the staff and to actually secure the necessary inventory data if the City postpones the adoption of the section of the Sign Ordinance dealing with the amortization of nonconforming signs. The assistance of the Chamber would be of great benefit to the staff, and we support the request.

A complete inventory of all of the signs in the City could take anywhere from 3 to 6 months but, if the Council approves the Chamber request, we will prepare a status report for the Council's review in 3 months.



RJB:DD
Att.

January 31, 1979

Mayor and City Council
CITY OF NAPLES
735 8th Street South
Naples, Florida 33940

Gentlemen:

The Naples Chamber of Commerce would like to thank you for your consideration in permitting us to review ordinances prior to Public Hearings and to make available the staff of the City to discuss the ordinance with our Board of Directors.

We have reviewed the revised Sign Ordinance and apologize for the fact that we were not previously aware of the magnitude of the impact that certain parts of the sign ordinance had on the business community. Unfortunately, with the large number of ordinances that are passed in the City and in the County, it becomes a practical impossibility to maintain currency with relation to the impact of the ordinances on the business community.

We feel that the majority of the modifications in the sign ordinance are consistent with our common goal of a community that has as its economic base an appearance and environment that is pleasing both to newcomers and to old-timers. Certain of the restrictions on sign clutter, we feel, are in the best interest of the entire community.

We are concerned, however, with one element in the proposed modification of the sign ordinance, and that has to do with the removal of non-conforming signs as called for in paragraph (22) (L). It has come to our attention that the City has not made a survey to determine the exact economic impact caused by such a provision. The City is unaware of the number of signs that will be non-conforming, the cost of their removal -- both in terms of the lost dollars in signage and in the lost business caused by the removal of the signage. It appears to us that such an ordinance enacted without an understanding of the economic impact is inconsistent with the attitudes that are becoming more prevalent around the country today, those attitudes being (1) less government involvement in the regulation of business; (2) concern on the part of government for enacting regulations that make business less efficient and thereby adding to the inflationary spiral that our country finds itself in.

Mayor and City Council
CITY OF NAPLES

ATTACHMENT #3 - page 2
January 31, 1979
Re: Sign Ordinance

113

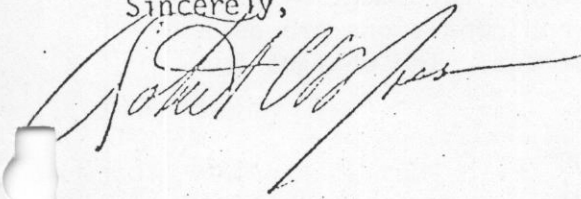
(page two)

As a consequence, we respectfully request that the staff, in conjunction with the Chamber of Commerce, conduct a survey that will adequately determine the economic impact on the businessmen of the Naples area, regarding the removal provision of the sign ordinance.

The Chamber is also addressing a similar letter to the County relative to this provision in the County Sign Ordinance. That ordinance was enacted in such a fashion that the business community (we feel) was unaware of the total impact of the removal provisions in the County Ordinance.

We thank you for your consideration and look forward to talking with you in the near future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert W. Jones", with a long horizontal flourish extending to the right.



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: GEORGE M. PATTERSON, CITY MANAGER
 SUBJECT: PURCHASE OF COPIERS AT POLICE AND PUBLIC WORKS DEPARTMENTS
 DATE: JANUARY 15, 1979

In January of 1977, a Savin 770 Copier was delivered to the Police and Public Works Departments under a lease/purchase agreement with Accent Business Products. All prices, terms, and conditions are as per Florida State contract which is still in effect. The charges for these two (2) copiers are as follows:

Monthly usage charge	\$120.00
Cost per copy	.01

Both of these copiers are presently running 9,000 copies per month which calculates the total monthly expenditure at approximately \$210.00

These contracts are on an annual basis and therefore will become due for renewal this month. We have three options to renew the agreements. These are as follows:

- (1) Continue to rent the equipment under the lease/purchase plan.
- (2) Purchase equipment on an installment plan.
- (3) Purchase equipment outright.

I do not feel the first option is to our advantage as a percentage of the rent on the lease/purchase plan is credited toward a purchase option of which we have reached a maximum. Therefore, this percentage would be paid needlessly. The third option is not favorable as the Police and Public Works Departmental budgets for duplicating charges are not sufficient to cover such an expenditure.

The following is what the second option involves:

- Purchase Price (With adding document feed feature):	\$5,000.00
- Interest over 3 year period:	\$682.60
- Total to be financed over 36-month period:	\$5,682.60
- Monthly payment:	\$157.85
- Total yearly expenditure:	\$1,894.20
- Total yearly service:	\$400.00

The total yearly expenditure for both departments not including supplies, would be \$2,294.20. Under our present lease/purchase plan, the total yearly expenditure would be \$2,520.00. We would not only be saving approximately \$225.80 per year, but we are adding a feature to these units that makes them more efficient to operate. Another very important advantage is that at the end of the three (3) year period, we will obtain an asset.

I have checked with different manufacturers of copiers, but have found none that can compete with prices of the Savin in this volume range and classification. The following are those copiers I have investigated:

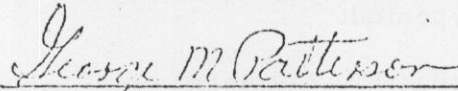
<u>Manufacturer</u>	<u>Model</u>	<u>Monthly Charges</u>
(1) I.B.M.	Copier II	\$360.51
(2) Xerox	3107	\$297.20
(3) I.B.M.	Series II	\$269.66

I would recommend at this point that the option of purchase under an installment plan is to our best advantage. To enter into such an agreement would require waiving competitive bidding due to the uniqueness of the situation. I feel confident that we would not be violating any Charter provisions.

January 15, 1979

I therefore respectfully request authorization to enter into an agreement with Accent Business Products for the purchase of this equipment.

Respectfully submitted,



George W. Patterson,
City Manager

GMP/ke1