

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE PARK & RECREATION BUILDING, NAPLES, FLORIDA, WEDNESDAY, AUGUST 1, 1979, 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
Edward C. Smith, Assistant to the City Manager
Roger Barry, Community Development Director
Reid Silverboard, Planner
Barry Warshaw, Planner
Randy Davis, Parks & Recreation Director
Dolly Goldberg, Recreation Supervisor
Norris Ijams, Fire Chief
Mark Wiltsie, Purchasing Supervisor
Bradley Estes, Personnel Supervisor
John McCord, Engineering Director
William Savidge, Public Works Director
Franklin Jones, Finance Director

Reverend Walter Lauster
Josephine Wharton
Charles Andrews
Mary Field
Harry Rothchild
Sam Aronoff
Robert Lyle
Robert Russell
Edward Hillstrom
Mrs. Robert Pope
Egon Hill
Richard Grant
Stanely Hole
William Shearston
David Caruthers
Willie Anthony
Mark Heltgoff
Jack Wiley
Roger Newman
John Hobart
Mrs. A. J. Wellings
Peter Outhwaite
Judy Chirgwin
Jackie Mench

News Media: David Weakly, TV-9
 Gary Baranik, Naples Daily News
 Allen Bartlett, Fort Myers News Press
 Joe Starita, Miami Herald
 Frank Rinella, Naples Star
 Jerry Arnold, WRGI
 Paul Stanford, TV-9
 Tom Lowe, WBBH
 Bob Barber, TV-26

Other interested citizens and visitors

Mayor Anderson called the meeting to order at 9:04 a.m. and read a proclamation congratulating the Greater Naples Little League baseball team on their current success. Following this, 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 the Council's attention to the minutes of the Regular Meeting of July 18, 1979. Mr. Twerdahl noted that in the discussion of Agenda Item 10, he had made the suggestion that the property owners at Coastland supply the funds for Coastland Boulevard because of the benefit to them and he wanted this statement in the record. Mr. Wood moved approval of the minutes as amended, seconded by Mr. Twerdahl and carried by consensus of Council.

AGENDA ITEM 4. Community Development Department/Naples Planning Advisory Board:

AGENDA ITEM 4a. PUBLIC HEARING and recommendation of Naples Planning Advisory Board to approve Petition No. 79-S4; Special Exception, request for 5' 4" masonry wall in the required front yard. Petitioners: Dr. & Mrs. Clinton Warren.

Mayor Anderson opened the Public Hearing at 9:10 a.m. and noted that the Planning Advisory Board had recommended approval of this petition. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:11 a.m.; whereupon City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF A 5'4" HIGH MASONRY WALL IN THE REQUIRED FRONT YARD LOCATED AT THE NORTHWEST CORNER OF 2ND AVENUE SOUTH AND 2ND STREET SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved to adopt Resolution 3298 accepting the Planning Advisory Board's recommendation to approve Special Exception Petition 79-S4, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 4-b. PUBLIC HEARING and recommendation of Naples Planning Advisory Board to deny Petition No. 79-S5; Request for Special Exception to erect a 7ft. high fence in the required front yard. Petitioner: Judith S. Chirgwin.

Mayor Anderson opened the Public Hearing at 9:13 a.m.; whereupon the petitioner, Judith Chirgwin, addressed Council in support of her petition. She asked the Council's consideration of approval of a modified petition, allowing a 6 foot fence. Jackie Mench, Mrs. A. J. Wellings and Peter Outhwaite spoke

in favor of the petition. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:16 a.m. In answer to Council's questions, Roger Barry, Community Development Director, noted that a 5 foot fence was usually allowed under Special Exceptions of this nature. After further discussion, Mr. Thornton moved that Council accept the recommendation of the Planning Advisory Board to deny this petition with the suggestion that a different application be presented to the Planning Advisory Board and that the fee be waived, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 4-c. Recommendation of Naples Planning Advisory Board to deny Variance Petition No. 79-V8; A request to permit a 21-car carport in the required side yard. Applicant: La Villa Riviera of Naples, Inc.

On the advice of the City Attorney, Mayor Anderson opened a Public Hearing at 9:36 a.m.; there being no one to speak for or against, the Mayor closed the Public Hearing at 9:37 a.m. Mr. McGrath moved to accept the Planning Advisory Board's recommendation to deny Variance Petition No. 79-V8, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 4-d. Recommendation of Naples Planning Advisory Board to deny Petition No. 79-V9; Request to build a 6 ft. high fence in the side and rear setback areas where the maximum permitted fence height is 5 ft. Petitioner: John Hedrich.

On the advice of the City Attorney, Mayor Anderson opened a Public Hearing at 9:38 a.m.; there being no one to speak for or against, the Mayor closed the Public Hearing at 9:39 a.m. Mr. Thornton moved to accept the Planning Advisory Board's recommendation to deny Petition No. 79-V9, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 4-e. Recommendation of Naples Planning Advisory Board to approve policy with reference to Comprehensive Plan Amendments.

Mayor Anderson noted a memorandum to the Council from Clayton Bigg, Chairman of the Planning Advisory Board regarding the Board's approval of the Staff recommendation that the Comprehensive Plan be reviewed on an annual basis. Various Council members felt that without a history of how this would affect certain petitions, this would be too long a period of time to foreclose any action. Mr. McGrath moved to wait for six months for first review at which time Council could decide on the review periods, seconded by Mr. Schroeder. Harry Rothchild suggested beginning with reviews quarterly and then increasing the time span between reviews based on the Plan's history. Motion carried on roll call vote, 7-0.

AGENDA ITEM 5. PUBLIC HEARING: Consideration of City of Naples Coastal Construction Setback Line Variance; South 25 ft. of Lot 1, North 185 ft. of Lot 2, both of Block S, Moorings Unit 8 (vacant lot to south of 3399 Gulfshore Blvd. No.); Dennis Lynch, Trustee; Hole, Montes & Assoc., Engineer.

Mayor Anderson opened the Public Hearing at 10:00 a.m.; whereupon City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION GRANTING A VARIANCE FROM THE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT CONSTRUCTION OF A CONDOMINIUM RESIDENCE AND INSTALLATION OF A RIP RAP REINFORCED SEAWALL ON THE SOUTH 25 FEET OF LOT 1 AND THE NORTH 185 FEET OF LOT 2, BLOCK S, MOORINGS UNIT #8, SUBJECT TO THE CONDITION ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE,

Stanley Hole, engineer for this project, presented himself to Council to answer questions about this petition. After a discussion of the effect on the beach of this additional sea wall, Mr. Thornton moved to deny this petition, seconded by Mr. Schroeder. Mr. Hole asked for a specific objection to which Mr. Schroeder responded that he did not think any condominium residence should be built in violation to any one of the setback lines. John McCord, City Engineering Director, noted the state requirements pertaining to cases like this one and City Manager Patterson noted that the proposed building will be set back further landward than the ones on either side of it. Motion carried on roll call vote, 5-2 with Councilman Holland and Mayor Anderson voting no. In answer to Mayor Anderson's question about the impact of the vote on the project, Mr. Hole noted that every state requirement had been met and that he would have to convey Council's specific objection to his client before they decided what to do.

AGENDA ITEM 6. PUBLIC HEARING: Second reading of ordinances.

AGENDA ITEM 6-a. An ordinance amending Ordinance No. 3197, relating to the City of Naples Firemen's Pension and Retirement System, by amending Section 2(C), Section 10 (A) and Section 12 (A) thereof to provide for the payment of 5½% interest on accrued contributions. PURPOSE: To increase the interest rate on accrued contributions from 5% to 5½%

Mayor Anderson opened the Public Hearing at 10:16 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 10:17 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3299 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 6-b. An ordinance amending Section 19-34 of the Code of Ordinances of the City of Naples, Florida, by increasing the fees charged for the issuance of permits for excavation of any public street, sidewalk or other public property dedicated to public use; and providing an effective date. PURPOSE: To provide for an increase in fees for excavation permits.

Mayor Anderson opened the Public Hearing at 10:18 a.m.; whereupon City Attorney Rynders read the above captioned 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 10:19 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3300 on Second Reading, seconded by Mr. McGrath and carried on roll call vote, 6-1 with Mr. Holland voting no.

AGENDA ITEM 6-c. An ordinance creating Section 16-29 of the Code of Ordinances of the City of Naples, Florida pertaining to fees to be charged for the use of City recreational facilities; and providing an effective date. PURPOSE: To provide for fees to be charged for the use of the City's facilities and to provide the City Manager with authority to increase or decrease the fees whenever the cost of providing the facilities increases or decreases.

Mayor Anderson opened the Public Hearing at 10:20 a.m.; whereupon City Attorney Rynders read the above reference 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 10:21 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3201 on Second Reading, seconded by Mr. Twerdahl and carried on roll vote, 6-1 with Mr. Holland voting no.

AGENDA ITEM 6-d. An ordinance amending Section 26-16 pertaining to water connection service charges; providing an effective date. PURPOSE: To consolidate the provisions of Section 26-16 and to provide a new schedule of water connection service charges.

Mayor Anderson opened the Public Hearing at 10:22 a.m.; whereupon City Attorney Rynders read the above titled 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 10:23 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3302 on Second Reading, seconded by Mr. Wood and carried on roll call vote, 6-1 with Mr. Holland voting no.

AGENDA ITEM 6-e. An ordinance amending Section 26-17(a) pertaining to water meter tapping charges; providing an effective date. PURPOSE: Provide a new schedule of water meter tapping charges.

Mayor Anderson opened the Public Hearing at 10:24 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for consideration by Council on Second Reading. Mr. Holland asked for an explanation of the charges and Mr. Savidge, Public Works Director, explained that the labor was the reason for the differences. There being no one else to speak for or against the Mayor closed the Public Hearing at 10:25 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3303 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 6-f. An ordinance amending Section 11-3.1(b)(3) pertaining to sewer connection charges; providing an effective date. PURPOSE: To provide a new schedule of sewer connection service charges.

Mayor Anderson opened the Public Hearing at 10:26 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 10:27 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3304 on Second Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 7. A resolution authorizing the Mayor and City Clerk to execute Addendum No. 2 to agreement of October 16, 1977, between the City of Naples, Collier County and the County Water/Sewer District, a copy of which is attached hereto and incorporated herein; and providing an effective date.

City Attorney Rynders read the above titled resolution by title for consideration by Council. After a discussion of the projected water supply and the schedule for the County's take-over of their part of the water treatment, Mr. Holland moved to adopt Resolution 3305, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 8. A resolution accepting drainage easements from Francisco V. Alvarez et ux and Donald Keith Hogue et ux; and providing an effective date.

City Attorney Rynders read the above captioned resolution by title for Council's consideration. Mr. Wood moved adoption of Resolution 3306, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

Inasmuch as there was no one in the audience present to speak on Agenda Item 9 and Council was ahead of the Agenda, it was the consensus of Council to proceed to Agenda Item 10-a at this time.

Let the record show that Mr. McGrath left the Council Chambers at 10:38 a.m.

AGENDA ITEM 10. Purchasing:AGENDA ITEM 10-a. Rejecting bids and authorizing negotiation on reflecting pool, City Hall.

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

A RESOLUTION REJECTING THE BID RECEIVED FOR CONSTRUCTION OF A REFLECTIVE POOL FOR THE CITY HALL COMPLEX ENTRANCE AREA AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH A LOCAL POOL CONTRACTOR FOR THIS PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3307, seconded by Mr. Schroeder and carried on roll call vote, 6-0 with Mr. McGrath being absent.

AGENDA ITEM 10-b. Bid Award - Sound reinforcement system, City Council Chambers.

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

A RESOLUTION AWARING BID FOR A SOUND REINFORCEMENT SYSTEM FOR THE CITY COUNCIL CHAMBERS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Mike Heltgoff of Scientific Sound System addressed Council in opposition to awarding the bid to Pro-Tronics, Inc. because of inconsistencies in the way they bid. He cited the fact that they did not meet the specifications and they had a cash bond rather than a performance bond.

Let the record show that Mr. McGrath returned to Council Chambers at 10:45 a.m.

Discussion continued about the quality of the components being bid. David Carruthers representing the architect Stewart-Richmond, stated that they had specified the best equipment and that Scientific had bid the best equipment, but that what Pro-Tronics had bid was suitable. Jack Wiley of Pro-Tronics stated that he felt what he bid was equal to what was specified. Mr. Schroeder moved that Council accept the alternate bid of Scientific Sound System, seconded by Mr. Holland. Motion failed on roll call vote, 3-4 with Mr. McGrath, Mr. Thornton, Mr. Twerdahl and Mr. Wood voting no. Mr. Thornton moved to reject all bids and re-bid, seconded by Mr. Twerdahl and carried on roll call vote, 5-2 with Councilman Schroeder and Mayor Anderson voting no.

Mayor Anderson noted the presence of Willie Anthony at this time and it was the consensus of Council to return to Agenda Item 9.

RETURN TO AGENDA ITEM 9. Consideration of request for a Housing Authority. Requested by Willie Anthony, President, Black Betterment Committee.

Willie Anthony addressed Council, asking them on the behalf of the Black Betterment Committee to take action on their petition for a housing authority. It was the consensus of Council not to take any action on this at this time and to continue working with the plan that incorporates the National Partnerships for Housing.

AGENDA ITEM 10-c. Bid Awards - Submersible sewage pumps.

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

A RESOLUTION AWARDING BID FOR THE FURNISHING OF FOUR (4) DRY PIT SEWAGE PUMPS AND TWO (2) SUBMERSIBLE SEWAGE PUMPS; AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AND EFFECTIVE DATE.

Mr. Roger Newman of Environmental Marketing Group addressed Council in opposition to awarding the bid to the same company time after time, stressing the money saving attributes of his company's pump. Mr. Savidge commented that the City chooses a pump because of its compatibility with the various locations where pumps are used. It was the consensus of Council that more information was needed; whereupon Mr. Twerdahl moved that action on this item be postponee until the next regular Council meeting, seconded by Mr. McGrath and carried on roll call vote, 6-1 with Mr. Wood voting no.

AGENDA ITEM 10-d. Bid Award - Safety shoes (annual)

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

A RESOLUTION AWARDING BID FOR THE FURNISHING OF THE CITY'S ANNUAL REQUIREMENTS FOR SAFETY SHOES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3308, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 10-e. Bid Awards - Equipment rental (annual)

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

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

Mr. Twerdahl moved adoption of Resolution 3309, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 10-f. Consideration of bid - fire station renovation.

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

A RESOLUTION AWARDING BID FOR RENOVATION OF THE FORMER POLICE DEPARTMENT INTO OFFICE SPACE FOR THE FIRE DEPARTMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS FROM THE CAPITAL IMPROVEMENT PROGRAM CONTINGENCY FUND TO COVER THAT PORTION OF THE COST OF SAID PROJECT EXCEEDING THE AMOUNT BUDGETED; AND PROVIDING AN EFFECTIVE DATE.

City Manager Patterson noted his memorandum to Council dated July 27, 1979 (Attachment #1) outlining the source of the funds and the low bidder, including a bid tabulation. John Hobart presented himself to Council to answer questions concerning the renovation. Mayor Anderson asked City Manager Patterson about day-to-day supervision to which the City Manager replied that it would be done in-house by the City's inspectors.

Let the record show that Mayor Anderson left the Council Chambers at 11:58 a.m.

Mr. Thornton moved adoption of Resolution 3310, seconded by Mr. Schroeder and carried on roll call vote, 5-1 with Councilman Holland voting no and Mayor Anderson being absent.

CORRESPONDENCE & COMMUNICATIONS

Willie Anthony asked if there would be any further action on the petition for the housing authority and City Attorney Rynders noted that it was still tabled and could be brought into action if needed. Mr. Anthony noted that the black community wanted to help with whatever program the City decided on. Vice-Mayor McGrath noted that there was every confidence that Progress Village could be in operation.

There being no further business to come before this Regular Meeting of the Naples City Council, Vice-Mayor McGrath adjourned the meeting at 12:14 p.m.

R. B. Anderson

R. B. Anderson, Mayor

Janet Cason
Janet Cason
City Clerk

Ellen P. Marshall
Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council were approved on 08-15-79

AGENDA ITEM #10-f
8/1/79



City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER GEORGE M. PATTERSON

SUBJECT: RENOVATIONS FOR FIRE DEPARTMENT OFFICES, BID NO. 79-57

DATE: JULY 27, 1979

On July 27, 1979, bids were received for furnishing of all materials and labor to renovate existing old Police Department into office space for the Fire Department. This project was approved in the 1978-79 Fiscal Budget under Capital Improvements. Of the twenty (20) contractors notified of the Public Invitation to Bid, two (2) bids were received on the project. Notices for acceptance of bids were also posted in various Plan Rooms in Southern Florida. The following is the low bid received on the project:

CONTRACTOR: GULFSIDE BUILDING CORPORATION
 2033 Pine Ridge Road
 Naples, Florida 33942

BID AMOUNT: \$76,040.00

COMPLETION TIME: 120 Calendar Days

John Hobart, P.A., our architect on the project has recommended we accept the bid submitted by Gulfside Building Corporation. I concur with Mr. Hobart's recommendation.

I therefore recommend authorization to execute a contract with the above contractor to complete the project.

\$48,000.00 is budgeted in the 1978-79 Capital Improvement Program. The remaining \$28,040.00 will be provided from the C.I.P. Contingency.

Attached is a Bid Tabulation for your review.

Respectfully submitted,

George M Patterson

George M. Patterson,
City Manager

Attachment:

PREPARED BY M.W. Wiltsie

CITY OF NAPLES
BID TABULATION

FIRE DEPARTMENT RENOVATION

BID NO. 79-57
OPENING DATE: 7-20-79

BIDDER Total Bid Completion Time Bid Bond

Gulfside Building Corporation 2033 Pine Ridge Road Naples, Florida 33942	\$76,040.00	120 Days	Yes		
Venetian Bay Constructors, Inc. 960 Fifth Ave., N. Naples, Florida 33940	\$90,700.00	180 Days	Yes		

ATTACHMENT #1 - page 3

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ATTACHMENT #1 - page 4
JOHN HOBART
ARCHITECT

287

365 fifth avenue south
naples, florida 33940
813-262-6784

26 July 1979

Mr. Mark Wiltsie
Purchasing Supervisor
CITY OF NAPLES
735 Eighth Street South
Naples, Florida 33940

proj: Fire Department Office Renovation
Naples, Florida
comm: 79212

Dear Mr. Wiltsie:

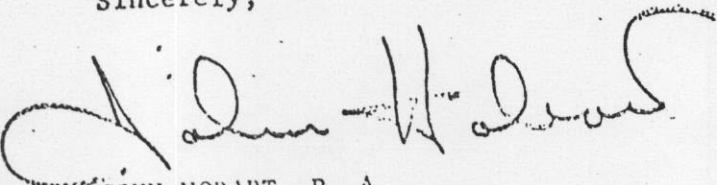
I have reviewed the bids as submitted by Venetian Bay Constructors, Inc. and Gulfside Building Corp. Both submissions are in order, and qualify for acceptance.

I recommend that the construction contract be awarded to the low bidder, Gulfside Building Corp. for a total amount of Seventy Six Thousand Forty (\$76,040.00) Dollars.

The Sub-contractor list as submitted by the low bidder is acceptable, as is the completion time of 120 calendar days.

In our discussions with the representative of Gulfside, they advise us that a complete and thorough inspection was made of the area to be renovated, and they fully understand the scope of the project and the restrictions under which the work will be conducted.

Sincerely,



JOHN HOBART, P. A.
Architect

JH:jmh