

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,
NAPLES, FLORIDA, ON WEDNESDAY, APRIL 2, 1980, AT 9:02 A.M.

Present: R. B. Anderson
Mayor

Harry Rothchild
Wade H. Schroeder
Randolph I. Thornton
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Absent: C. C. Holland
Councilman

Also present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Cliff Gordon, Building & Zoning Supervisor
Roger Barry, Community Development Director
Barry Wershaw, Planner I
William Savidge, Public Works Director
John McCord, City Engineer
Edward C. Smith, Assistant to the City Manager
Nat Hooper, Senior Engineering Technician
Franklin Jones, Finance Director

Reverend Irvin Northcutt
Clayton Bigg
Charles Andrews
Sam Aronoff
Harold Yegge
John Nagel
Charles Holley
Pat Papineau
Mr. & Mrs. Grant
Nedra Rooney
William Barton
Bruce Green
Ted Smallwood
Connor Chambers
Peter Fagan
William Shearston

News Media: Ed Warner, TV-9
David Henry, Miami Herald
Peter Michaelson, Naples Star
Gary Baranik, Naples Daily News
Allen Bartlett, Fort Myers News Press
Richard O'Reilly, WRGI
Paul Stanford, TV-9
Robert Barber, WEVU-TV

Other interested citizens and visitors

AGENDA ITEM 5. PUBLIC HEARING. Second reading of ordinances.

AGENDA ITEM 5-a. An ordinance rezoning Lot 1, Unit 1; Lot 1, Block K, Unit 2, less the north 4 feet thereof; Parcel 1 of Block K, Coquina Sands (Lowdermilk Park), located on the west side of Gulf Shore Boulevard, from "R3T-18", Multi-family Residential, to "PS", Public Service; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan.

Mayor Anderson opened the Public Hearing at 9:48 a.m.; whereupon City Attorney Rynders read the above referenced 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 9:49 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3495 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 5-b. An ordinance rezoning Lots 1 through 18, Golden Shores, from "R3T-12", Multi-family Residential (transient lodging permitted), to "R3-12", Multi-family Residential (no transient lodging permitted); directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan.

Mayor Anderson opened the Public Hearing at 9:50 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 9:51 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3496 on Second Reading, seconded by Mr. Rothchild and carried on roll call vote, 6-0.

AGENDA ITEM 5-c. An ordinance rezoning Lots 103 through 105, Golden Shores, from "C2-A", Waterfront Commercial, to "R3-12", Multi-family Residential; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan.

Mayor Anderson opened the Public Hearing at 9:52 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 9:53 a.m.; whereupon Mr. Schroeder noted two typographical errors, the omission of the letters "f" and "M" in the first Whereas clause. Mr. Thornton moved adoption of Ordinance 3497 as corrected on Second Reading, seconded by Mr. Rothchild and carried on roll call vote, 6-0.

AGENDA ITEM 5-d. An ordinance rezoning the south one-half of Block 10, Tier 10, plus submerged land abutting thereto and extending to boat channel; and all of Block 9, Tier 10, and fractional and south one-half of vacated Eleventh Avenue South, from "C2-A", Waterfront Commercial, to "PS", Public Service; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan to provide a public recreational use area (Naples Landing).

Mayor Anderson opened the Public Hearing at 9:54 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 9:55 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3498 on Second Reading, seconded by Mr. Thornton and carried on roll call vote, 6-0.

AGENDA ITEM 5-e. An ordinance rezoning Lots 13 through 20, Unit 1, Oyster Bay, Lots 13 through 21, Unit 2, Oyster Bay; Lots 27 through 44, Unit 3, Oyster Bay; and Lots 13 through 21, Unit 5, Oyster Bay from "R3T-12", Multi-family Residential (transient lodging permitted), to "R3-12", Multi-family (no transient lodging permitted); directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property in conformance with the City's Comprehensive Plan.

Mayor Anderson opened the Public Hearing at 9:56 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 9:57 a.m.; whereupon Mr. Schroeder moved adoption of Ordinance 3499 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 9:58 a.m. and reconvened it at 10:06 a.m. with the same members of Council present.

AGENDA ITEM 7. Permit application authorizing 500,000 gallons per day sewer plant expansion. Requested by Consulting Engineer.

AGENDA ITEM 9. Resolution authorizing City Manager to execute application for temporary operating permit for wastewater treatment plant. Requested by Consulting Engineer.

City Attorney Rynders noted that one resolution had been prepared for Agenda Items 7 and 9 because the staff believed they constituted one item. They had been put on the Agenda as separate items in error. He also noted that the reference to the City Manager in Agenda Item 9 was in error. He then read the below titled resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SIGN APPLICATIONS TO THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATIONS FOR A TEMPORARY OPERATING PERMIT FOR EXISTING SEWAGE TREATMENT FACILITIES AND FOR A CONSTRUCTION PERMIT FOR IMPROVING AND UPGRADING THE CITY'S OLD SEWAGE TREATMENT PLANT; AND PROVIDING AN EFFECTIVE DATE.

Ted Smallwood, Consulting Engineer, explained the administrative need to file for this permit. He outlined the progress made towards achieving a 6 mgd flow by storing some effluent in the lines to prevent surges at peak times and by using a chemical additive, ferrous sulfate, for better settling conditions, producing better sludge densities thereby getting more flow through the plant. Upgrading and improving the old plant would provide a capacity for another 500,000 gallons per day. Further discussion covered maximum capacities for both sewer and water and how possible density changes in the county may affect them. Mayor Anderson indicated that City Manager Patterson should study the effect of any future density changes in the County and their impact on the capacity of the City to continue to furnish water. Mr. Twerdahl moved to adopt Resolution 3500, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 8. Resolution restricting further main line extensions for the sewer system. Requested by Consulting Engineer.

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

A RESOLUTION DECLARING A MORATORIUM ON FUTURE MAIN EXTENSIONS TO THE CITY OF NAPLES SEWER SYSTEM; PROVIDING EXCEPTIONS THERETO; AND PROVIDING AN EFFECTIVE DATE.

City Manager Patterson noted that this would not prohibit "on line hook-ups"; only new extensions. Ted Smallwood, Consulting Engineer, felt that this would take care of those areas already with service or approved for service. It was noted that this had been discussed with the Department of Environmental Regulations and they were expecting this action. Mr. Twerdahl moved adoption of Resolution 3501, seconded by Mr. Schroeder and carried on roll call vote, 6-0. Mr. Thornton felt that the City Manager should notify the County of this action and Mayor Anderson concurred; Mr. Schroeder suggested that a copy of the Resolution be sent to the County.

AGENDA ITEM 10. Resolution authorizing the Mayor and City Clerk to execute an amendment to the agreement between the City of Naples, Collier County and the County Water-Sewer District, dated October 16, 1977; and providing an effective date. Requested by City Manager.

City Attorney Rynders read the above referenced resolution by title for consideration by Council. Mr. Schroeder noted that the Board of County Commissioners had approved these changes at the meeting April 1, 1980. Mr. Twerdahl moved adoption of Resolution 3502, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 11. Authorization for Mayor and City Clerk to execute subordinations to utility easements - Golden Gate Parkway/Goodlette Road. Requested by Engineering Department.

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

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE INSTRUMENTS SUBORDINATING CERTAIN ENCUMBRANCES TO THE PROPERTY RIGHTS OF THE COUNTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A PORTION OF COUNTY ROAD 886; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved adoption of Resolution 3503, seconded by Mr. Twerdahl. Mayor Anderson noted that this would be used for the "S" curve on Coastland Boulevard. Motion carried on roll call vote, 6-0.

AGENDA ITEM 12. Resolution requesting quarterly payment by Department of Natural Resources for Beach Management Study. Requested by Finance Director.

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

A RESOLUTION REQUESTING REIMBURSEMENT OF EXPENDITURES INCURRED BY THE CITY RELATING TO THE CITY'S BEACH MANAGEMENT STUDY FOR THE QUARTER ENDING MARCH 31, 1980, PURSUANT TO THE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3504, seconded by Mr. Rothchild and carried on roll call vote, 6-0.

AGENDA ITEM 13. Resolution reappointing Ronald Napier to Naples Mini-PERC (Public Employees Relations Commission). Requested by City Manager.

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

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF RONALD L. NAPIER TO THE CITY OF NAPLES PUBLIC EMPLOYEES RELATIONS COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3505, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 14. Resolution rescinding Resolution No. 2721 which established an Employee Compensation and Benefits Committee; and providing an effective date. Requested by City Manager

City Attorney Rynders read the above referenced resolution by title for Council's consideration. Mr. Rothchild moved adoption of Resolution 3506, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

AGENDA ITEM 15. Purchasing:

AGENDA ITEM 15-a. Bid Award - ferrous sulfate for Wastewater Treatment Plant.

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

A RESOLUTION AWARDDING BID FOR THE CITY'S ANNUAL REQUIREMENTS OF FERROUS SULFATE; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Ted Smallwood explained his recommendation based on the fact that this was the sole supplier locally and City Manager Patterson pointed out that this was the only supplier who carried this item in liquid form, which was less expensive and eliminated the mixing process. Mr. Twerdahl moved adoption of Resolution 3507, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 15-b. Bid Award - utility grader for Engineering Department

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

A RESOLUTION AWARDDING BID FOR A UTILITY GRADER AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3508, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

City Manager Patterson called to Council's attention a memo dated April 2, 1980 (Attachment #1) and noted the emergency nature of having this agreement signed at this meeting. Mr. Schroeder moved to add this item to the agenda on an emergency basis, seconded by Mr. Twerdahl and carried on roll call vote, 6-0. Mr. Thornton moved to authorize the Mayor and City Clerk to execute the "Interlocal agreement creating a combination Region IX Entitlement Jurisdiction" as approved by Resolution 3467, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

Mayor Anderson noted the information provided by City Manager Patterson regarding the symptoms of lethal yellowing and asked that the media representatives take a copy of this information and have it publicized.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 11:00 a.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 04-16-80



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: EDWARD C. SMITH, ASSISTANT TO THE CITY MANAGER

SUBJECT: LAW ENFORCEMENT ASSISTANCE ADMINISTRATION GRANT
MONIES: AUTHORIZATION TO ENTER INTO AN
"INTERLOCAL AGREEMENT CREATING A COMBINATION
REGION IX ENTITLEMENT JURISDICTION"

DATE: APRIL 2, 1980

On February 20, 1980, City Council passed a resolution authorizing entering into an agreement with the Southwest Florida Regional Planning Council so that Naples could participate with other local government units in an "Entitlement" District. The agreement is enclosed with this memorandum and the Southwest Florida Regional Planning Council asks that we execute it and return immediately in order to meet federal deadlines. They apologize for the short notice.

Edward C. Smith
Assistant to the City Manager

ECS:nm

Enclosure