

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, NAPLES, FLORIDA, ON WEDNESDAY, SEPTEMBER 3, 1980, AT 9:10 A.M.

Present: R. B. Anderson
Mayor

C. C. Holland
Harry Rothchild
Wade H. Schroeder
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Absent: Randolph I. Thornton
Councilman

Also present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Edward C. Smith, Assistant to the City Attorney
Franklin Jones, Finance Director
Mark Wiltsie, Purchasing Agent

Reverend Richard Mapes
Harold Yegge
William Ryan
Johnny Bartley
Robert Russell
Ruth Brashear
Sam Aronoff
Jack Maquire
Lyle Richardson

News Media: Ed Warner, TV-9
Brian Blanchard, Miami Herald
Allen Bartlett, Fort Myers News Press
James Moses, Naples Daily News
Rick O'Reilly, WRGI
Madeline Child, WEVU
Paul Stanford, TV-9
Tom Lowe, WBBH-TV

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:10 a.m.; whereupon Reverend Richard Mapes of the United Church of Naples delivered 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 20, 1980; whereupon Mr. Schroeder moved approval of the minutes as presented, seconded by Mr. Twerdahl and carried by consensus of Council members present.

AGENDA ITEM 4. PUBLIC HEARING and second reading of ordinance. An ordinance amending Ordinance 3388, pertaining to a CATV franchise, by adding Subsection (A)(7) to Section 16 providing that rates may be increased to provide the "Cable News Network"; and providing an effective date. Purpose: To allow Palmer Broadcasting Company to increase the rates for CATV service by the actual cost of the "Cable News Network".

Mayor Anderson opened the Public Hearing at 9:12 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for consideration by Council on Second Reading. Johnny Bradley, citizen, addressed Council in favor of the addition of the Cable News Network and also suggesting that Council investigate the possible further additions that could be made to the cablevision service. William Ryan, of Cablevision, commented that these additions were not as simple as presented by Mr. Bradley; however, they were under consideration and he would be glad to cooperate with Council in investigating the future possibilities. Ruth Brashear and Sam Aronoff, citizens, spoke in opposition to the manner in which the fee was being discussed. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:56 a.m.; whereupon Mr. Rothchild moved adoption of Ordinance 3612 on Second Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-0. Mr. Rothchild asked that the Mayor take action towards forming a committee to work with Cablevision in the investigation of the future services; however, Mayor Anderson referred the matter to City Manager Patterson to evaluate.

AGENDA ITEM 5. First reading of ordinance. An ordinance relating to the Police Officers' Pension and Retirement System, amending Section 18-105 of the Code of Ordinances of the City of Naples, entitled "Contributions; New Employees" to provide that any officer who elects to participate in any other pension plan shall not be entitled to receive any benefit under Chapter 185, Florida Statutes, for services rendered while a participant in such other pension plan; and providing an effective date. Purpose: To prevent officers who elect not to participate in the City's pension plan from receiving any benefits therefrom. Requested by Police Officers' Pension and Retirement Board.

City Attorney Rynders read the above captioned ordinance by title for consideration by Council on First Reading. The City Attorney responded to Mr. Rothchild's inquiry about the need for this by explaining that the Florida Municipal Police Officers' Retirement Trust Fund that reviewed the City's pension plan requested that this language be included. Also in response to a question from Mr. Rothchild, Franklin Jones, Finance Director, noted that the City's contributions to the Police Officers' Pension Fund were usually generated from a surcharge made by the state on casualty insurance. Mr. Holland moved approval of this ordinance on First Reading, seconded by Mr. Rothchild and carried on roll call vote, 6-0.

AGENDA ITEM 6. A resolution relating to mileage allowance for the use of privately-owned vehicles for official travel, providing an increase in the mileage allowance; rescinding Resolution No. 3413 relative thereto; and providing an effective date. Requested by City Manager.

City Attorney Rynders read the above referenced resolution by title for Council's consideration. Mayor Anderson pointed out that the City had been following the figure accepted by IRS which was now 20¢/mile. City Manager Patterson confirmed that the State was paying 19¢/mile. Lyle Richardson, citizen, noted that he believed the County had just raised their mileage allowance to 20¢/mile. Mr. Holland moved adoption of Resolution 3613, seconded by Mr. Rothchild and carried on roll call vote, 6-0.

AGENDA ITEM 7. A resolution readopting 1979-80 Budget, Requested Finance Director,

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

A RESOLUTION READOPTING THE BUDGET FOR THE FISCAL YEAR 1979-80, FOR THE PURPOSE OF EXPENDING MONEYS BASED ON SAID BUDGET UNTIL SUCH TIME AS THE CITY'S TENTATIVE BUDGET IS ADOPTED; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3614, seconded by Mr. Schroeder and carried on roll call vote, 6-0

AGENDA ITEM 8. Approval of Carver Site closing documents, Requested by City Attorney.

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

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONSENT TO THE MORTGAGE BETWEEN G. W. CARVER, LTD., MORTGAGOR, AND CARVER FINANCE, INCORPORATED, MORTGAGEE, RELATING TO THE GEORGE WASHINGTON CARVER PROJECT, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

The City Attorney pointed out the need for this action prior to the final closing which is scheduled for next week. He further stated his opinion that everything was in order for the closing and if HUD had any suggested changes, he would be able to take care of them. Mr. Twerdahl moved adoption of Resolution 3615, seconded by Mr. Schroeder. City Attorney Rynders also noted that the language in the mortgage and consent to mortgage was prepared by an attorney retained by Naples Federal Savings and Loan. In response to Mr. Rothchild's inquiry, the City Attorney noted that people from McDonald's Quarters who qualified for the rent subsidized housing would be given first preference. After further discussion, motion carried on roll call vote, 6-0.

AGENDA ITEM 9. Purchasing:

AGENDA ITEM 9-a. Drainage material - Annual bid.

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

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

Mr. Twerdahl moved adoption of Resolution 3616, seconded by Mr. Wood. Mr. Rothchild initiated discussion regarding one of the bids that seemed out of continuity with other bids made by the same supplier. Mayor Anderson explained that an excessively low bid must be re-affirmed, but a high bid does not require re-affirmation. Motion carried on roll call vote, 6-0.

CORRESPONDENCE AND COMMUNICATIONS

Jack Maquire of American Ambulance distributed to Council members copies of an audit by Peat, Marwick, Mitchell & Company and his comments regarding same, a copy of which is on file in this meeting packet in the City Clerk's office.

Mayor Anderson noted that candidates for the Airport Authority would be interviewed at the next Workshop Meeting and appointments made at the next Regular Meeting. Mr. Holla noted that he may not be able to be present at the meetings of September 16 and 17 and asked that the Mayor take that into consideration, as he would like to be present when these matters were addressed. Mr. Rothchild asked for a specific outline of the procedure to be used concerning the appointments.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 11:55 a.m.

R. B. Anderson

R. B. Anderson, Mayor

Janet Cason

Janet Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy City Clerk

These minutes of the Naples City Council were approved on 09-17-80