

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, NAPLES, FLORIDA, ON WEDNESDAY, OCTOBER 1, 1980 AT 9:04 A.M.

Present: R. B. Anderson
Mayor

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

Absent: Harry Rothchild
Councilman

Also present: Edward C. Smith, Assistant to the City Manager
David W. Rynders, City Attorney
Roger Barry, Community Development Director
George T. Smith, Assistant Fire Chief
William Savidge, Public Works Director
Mark Wiltsie, Purchasing Agent
Shirley Mann, Engineering Secretary

Reverend Floyd Long
Charles Andrews
Sam Aronoff
Jack Love, Jr.
Julius Lesser
Edward Kant
Jerry Zehr
Fred Banfield
Lyle Richardson
Miles Scofield
Richard Morris
Casey Miller
William Shearston

News Media: Ed Warner, TV-9
Brian Blanchard, Miami Herald
James Moses, Naples Daily News
Madeline Child, WEVU-TV
Paul Stanford, TV-9
Allen Bartlett, Fort Myers News Press

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:04 a.m.; whereupon Reverend Floyd Long of the Church of Christ 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 Workshop Meeting of September 16, 1980, and the Regular Meeting of September 17, 1980; whereupon Mr. Wood, noting that minor corrections had been made to the minutes of the Regular Meeting of September 17, 1980, moved to approve both sets of minutes, as corrected, seconded by Mr. Schroeder and carried by consensus.

Mayor Anderson noted that City Attorney Rynders would have to leave the meeting just before 10:00 a.m.; and, at the request of the City Attorney, the Mayor asked Council's indulgence in taking up Agenda Items 7-a, 7-b, and 7-c prior to his leaving. It was the consensus of Council to do this.

AGENDA ITEM 7. First reading of ordinances.

AGENDA ITEM 7-a. An ordinance amending Section 25-3.1(b) of the Code of Ordinances of the City of Naples, relating to taxicab rates; and providing an effective date. Purpose: To provide for a reasonable fee to be charged for loading and unloading certain wheelchairs. Requested by City Attorney.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading. Inasmuch as Council had been informed that Fred Banfield, a citizen directly involved in the discussion of this matter, would arrive at approximately 9:30 a.m., it was the consensus of Council to hold this discussion in abeyance until Mr. Banfield arrived.

AGENDA ITEM 7-b. An ordinance amending Chapter 5 of the Code of Ordinances of the City of Naples, relating to public auctions within the City of Naples, requiring a license or permit therefor; providing exceptions thereto; providing regulations governing the conduct of such auctions; amending section 12-47 of the Code of Ordinances to provide a revised schedule of occupational license fees for auctioneers; and providing an effective date. Purpose: To provide different regulations and fees for permanent auctions and occasional auctions. Requested by the City Attorney.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. He pointed out that the ordinances in the City's Code at present were designed to discourage the itinerant auctioneer from coming to town for a one-shot auction and leaving. He further added that this new amendment was to make provision for a permanently established business but wouldn't change the conditions for licensing one-time auctions. Mr. Holland moved approval on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

AGENDA ITEM 7-c. An ordinance relating to a special anchorage area for boats within the City of Naples, Florida; providing for rules and regulations; providing for the designation of a harbor master; and providing an effective date. Purpose: To provide local control and administration of that area established as a special anchorage area. Requested by City Attorney.

City Attorney Rynders read the above referenced ordinance by title for consideration by Council on First Reading. He pointed out that once this was passed, the Coast Guard would approve it and acknowledge the legality of and would assist the City in enforcing it. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

RETURN TO AGENDA ITEM 7-a

Noting the arrival of Fred Banfield, Mayor Anderson directed Council's return to Agenda Item 7-a. Mr. Banfield, citizen, outlined the background of his problem with the taxicab company relative to charges for transporting him and his battery-operated wheelchair. He averred that he had been charged a flat rate that was in excess of the meter charge plus a charge for the wheelchair. City Attorney Rynders noted that Mr. Banfield's business with the taxicab company was a little different than usual. Assistant to the City Manager Smith pointed out that under the existing ordinance the cab company was allowed to charge for waiting time which could be the reason for the higher charge. Noting that there was no representative from the cab company present, Mayor Anderson expressed a desire for more information on this matter. Mr. Thornton moved that any action be deferred until the next Regular Council meeting, seconded by Mr. Holland and carried by consensus.

Let the record show that City Attorney Rynders left the Council meeting at 9:49 a.m.

RETURN TO REGULAR AGENDA

AGENDA ITEM 4. PUBLIC HEARING to consider request for City Council to permit authorization involving maintenance-type dredging work on boat slips 14 and 15, located adjacent to Lots 40 and 41, Oyster Bay, Unit 3, east of 1140 Little Neck Court within an unnamed manmade canal. Owner: Bradley and Zelma Hirst (boat slip #15) and Walter P. Boos Company (boat slip #14).

Assistant to the City Manager Smith read the below titled resolution by title for consideration by Council.

A RESOLUTION AUTHORIZING MAINTENANCE-TYPE DREDGING WORK WITHIN AN UNNAMED MANMADE CANAL, EAST OF 1140 LITTLE NECK COURT, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson opened the Public Hearing at 9:50 a.m. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:51 a.m.; whereupon Mr. Twerdahl moved adoption of Resolution 3631, seconded by Mr. Holland and carried on roll call vote, 6-0.

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AGENDA ITEM 5. PUBLIC HEARING to consider request for proposed existing boat slip dredging activities on property located at 960 17th Avenue South, Owner: George Kramer.

Assistant to the City Manager Smith read the below captioned resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING DREDGING ACTIVITIES AT AN EXISTING BOAT SLIP LOCATED AT 960 17TH AVENUE SOUTH, NAPLES, SUBJECT TO THE CONDITIONS PROVIDED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson opened the Public Hearing at 9:52 a.m.; whereupon Miles Scofield, representing the owner, spoke in support of the original request asking for a permit to dredge 70 cubic yards rather than the 35 cubic yards allowed by the proposed resolution. He noted there were no objections from the DNR or the Army Corps of Engineers to the original request. Architect Richard Morris also spoke in support of the original request. Assistant to the City Manager Smith noted that City Engineer McCord had made his recommendation of the 35 cubic yards in keeping with his interpretation of City Ordinance 3446. It was the consensus of Council that the area in question was more than likely biologically dead and the added dredging would not harm it. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:05 a.m.; whereupon Mr. Holland moved adoption of Resolution 3632 as amended to permit dredging 70 cubic yards, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

Let the record show that Mayor Anderson recessed the meeting at 10:07 a.m. and reconvened it at 10:16 a.m. with the same members of Council present.

AGENDA ITEM 6. PUBLIC HEARING and second reading of ordinances,

AGENDA ITEM 6-a. An ordinance amending Section 13 of Appendix A - Zoning of the Code of Ordinances of the City of Naples, pertaining to fees for zoning petitions; and providing an effective date. Purpose: To provide increased fees for processing zoning petitions and to add to said section fees for administrative appeal petitions and petitions to amend the comprehensive plan.

Mayor Anderson opened the Public Hearing at 10:17 a.m.; whereupon Assistant to the City Manager Smith 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 10:18 a.m.; whereupon Mr. Thornton moved adoption of Ordinance 3633 on Second Reading, seconded by Mr. Wood and carried on roll call vote, 6-0.

AGENDA ITEM 6-b. An ordinance amending Section 20-32 of the Code of Ordinances of the City of Naples, relating to subdivision plat fees; and providing an effective date. Purpose: to provide an increase in the fees for processing and approving subdivision plats.

Mayor Anderson opened the Public Hearing at 10:19 a.m.; whereupon Assistant to the City Manager Smith 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 10:20 a.m. Mr. Holland asked Roger Barry, Community Development Director, how many areas in the City could be affected by this amendment to which Mr. Barry responded that there may be about twelve and possibly circumstances could create some others. Mr. Twerdahl moved adoption of Ordinance 3634 on Second Reading, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 8. Acceptance of water and sewer facilities at Park Shore Unit 5. Requested by Engineering Department.

Assistant to the City Manager Smith read the below captioned resolution by title for Council's consideration.

A RESOLUTION ACCEPTING A UTILITY EASEMENT AND BILL OF SALE FROM RAYMOND L. LUTGERT ET AL, COPIES OF WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson noted the one year bond to cover any difficulties that may show up in the design and/or construction of these facilities and that a television inspection of them would be done prior to the year's end at no cost to the City. Mr. Thornton asked who The National Trust Company was and why the Certificate of Deposit was only for six months. Mayor Anderson stated that he would check these questions with the City Attorney. Mr. Holland moved adoption of Resolution 3635 pending satisfactory explanations from the City Attorney on the questions raised, seconded by Mr. Wood and carried on roll call vote, 6-0.

AGENDA ITEM 9. Acceptance of right-of-way easement for construction of Golden Gate Parkway Extension. Requested by City Manager.

Assistant to the City Manager Smith read the below referenced resolution by title for consideration by Council.

A RESOLUTION ACCEPTING AN EASEMENT FOR ROAD RIGHT-OF-WAY PURPOSES FROM TRUSTEES UNDER WILL OF JULIUS FLEISCHMANN, DECEASED; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson noted that this would be used for the right-of-way for Coastland Boulevard and that it would cost the City nothing. He further added that negotiations had been completed with Sears for the rest of the right-of-way at a nominal fee and that transaction would come before Council soon. Mr. Thornton moved adoption of Resolution 3636, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 10. Authorization to execute quit claim deed to Collier County for construction of Golden Gate Parkway Extension. Requested by City Manager,

Assistant to the City Manager Smith read the below titled resolution by title for consideration by Council.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUIT-CLAIM DEED TO COLLIER COUNTY FOR PROPERTY TO BE USED FOR CONSTRUCTION OF THE GOLDEN GATE PARKWAY EXTENSION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Anderson noted that this was to transfer the right-of-way acquired in Agenda Item 9 to the County for construction of Golden Gate Parkway Extension. Mr. Holland moved adoption of Resolution 3637, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 11. Authorization to execute change order on 20" water transmission main on Airport Road. Requested by City Manager.

Assistant to the City Manager Smith read the below captioned resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING EXECUTION OF A CHANGE ORDER RELATIVE TO THE CONTRACT BETWEEN THE CITY OF NAPLES AND STEVENS & LAYTON, INC. FOR CONSTRUCTION OF A 20" TRANSMISSION MAIN ALONG AIRPORT ROAD; AND PROVIDING AN EFFECTIVE DATE.

In answer to a question from Mayor Anderson, William Savidge, Public Works Director, responded that this was a routine procedure on a contract of this amount before a final payment and that it was within the budget. Mr. Thornton moved adoption of Resolution 3638 seconded by Mr. Wood and carried on roll call vote, 6-0.

AGENDA ITEM 12. Purchasing:

AGENDA ITEM 12-a. Bid award - water meters - Public Works (annual bid)

Assistant to the City Manager Smith read the below referenced resolution by title for consideration by Council.

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

Council confirmed with Mark Wiltsie, Purchasing Agent, that these meters were to be obtained as they were required. Mr. Wood moved adoption of Resolution 3639, seconded by Mr. Holland and carried on roll call vote, 6-0.

AGENDA ITEM 12-b. Bid award - fertilizer (annual bid)

Assistant to the City Manager Smith read the below titled resolution by title for Council's consideration.

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

Mark Wiltsie, Purchasing Agent, responded to Council's comment on the few bids received noting that the vendors did not want to give firm prices for a year's time. Mr. Schroeder noted that the higher prices were due to the fact that the fertilizers were oriented to petroleum prices. Mr. Holland moved adoption of Resolution 3640, seconded by Mr. Wood and carried on roll call vote, 6-0.

AGENDA ITEM 12-c. Bid award - concrete curb and gutter work - Engineering

Assistant to the City Manager Smith read the below captioned resolution by title for consideration by Council.

A RESOLUTION AWARDING BIDS FOR CONCRETE CURB AND GUTTER WORK AT MOORINGLINE DRIVE AND CRAYTON ROAD; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3641, seconded by Mr. Wood and carried on roll call vote, 6-0.

Mayor Anderson noted receipt of a letter from Harold Yegge in reference to his resignation from the Planning Advisory Board of which he was serving as Chairman (Attachment #1). Mayor Anderson stated his opinion that Mr. Yegge had done a fine job and would be missed.

Mayor Anderson read a proclamation concerning Fire Prevention Week (Attachment #2) and presented it to Assistant Fire Chief George T. Smith.

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Mr. Twerdahl asked that someone authoritative, possibly from the EPA, address Council at an up-coming Workshop Meeting concerning the pollution of water supplies by toxic waste dumps and precautions to be taken. Mayor Anderson asked Assistant to the City Manager Smith to bring this request to the attention of the City Manager upon his return.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 10:45 a.m.

R. B. Anderson

R. B. Anderson, Mayor

Janet Gason

Janet Gason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council were approved on 10-15-80

HAROLD F. YEGGE

REAL ESTATE ANALYST
REAL ESTATE CONSULTANT

666 BINNACLE DR., NAPLES, FLORIDA 33940
TELEPHONE 813 - 262-2477

September 23, 1980

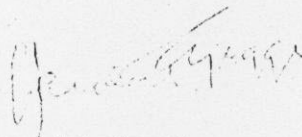
Mayor Roland F. Anderson
City Hall
Naples, Florida 33940

Dear Mayor:

Since being appointed to the City of Naples Planning Advisory Board and having the pleasure of serving as its Chairman, my wife Eleanor has broken both hips and developed ill health. As a result thereof, we shall move from Naples into a retirement home.

Regretfully, I hereby tender my resignation as a member of the Naples Planning Advisory Board to become effective on October 16, 1980.

Cordially,



Harold F. Yegge

HFY:bk

RECEIVED SEP 25 1980

XC: Council
Ingr
Clerk
Planning Dir.



City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS, experience has shown that effective community fire prevention programs can save thousands of lives each year and millions of dollars in property values; and

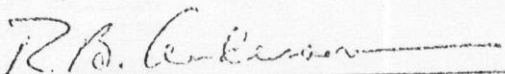
WHEREAS, fire losses during the past year emphasize the need for increased care, responsibility, and community action on the part of the citizens of Naples.

NOW, THEREFORE, I, R. B. ANDERSON, by virtue of the authority vested in me as Mayor of the City of Naples, Florida, do hereby proclaim October 5-11, 1980, as

FIRE PREVENTION WEEK

in the City of Naples, and urge our citizens to promote programs for the prevention and control of fires.

IN WITNESS WHEREOF, I have hereunto set my hand this
 _____ day of September, 1980.


 R. B. Anderson - Mayor