

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,
NAPLES, FLORIDA, ON WEDNESDAY, OCTOBER 7, 1981, AT 9:04 A.M.

Present: R. B. Anderson
Mayor

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

Also present:

Franklin Jones, Acting City Manager	M. W. Schryver
David W. Rynders, City Attorney	Fr. Thomas Goggin
John McCord, City Engineer	Lloyd Sarty
Mark Wiltsie, Assistant to the City Manager	John Nagel
Stewart Unangst, Purchasing Agent	Robert Russell
	William Barton
	Frederick Fox
Charles Andrews	Mr. & Mrs. Richard Grant
Ken Mastrodomenico	Jerry Lockran
Phillip Sowersby	Jean Stephens
Herb Smith	Sam Aronoff
Ocey Richardson	Neno Spagna
Bill Schwanke	Ed Ranney
Sr. Concilita, O.S.F.	R. J. Hafsten
Sr. Mary McColgan	Ron Hogue
Ed Kant	

News Media:

Ned Warner, TV-9	Lynn Levine, TV-9
James Moses, Naples Daily News	Scott Harrison, Naples Star
Dory Owen, Miami Herald	Dave Bristow, TV-9
Steve Kaskovich, News Press	Tom Lowe, WEVU-TV

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:04 a.m.; whereupon Councilman Kenneth Wood 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 September 16, 1981, the Special Meeting of September 16, 1981 and the Special Meeting of September 30, 1981. Mr. Schroeder noted the omission of the fact that at the Special Meeting of September 16, 1981, Mrs. Seeley of the Women's Republican Club of Naples presented each Councilman present with a shiny red apple after reading letter of commendation. Mr. Holland moved approval of the minutes of the Special Meeting of September 16, 1981 as amended and the minutes of the Regular Meeting of September 16, 1981 and the Special Meeting of September 30, 1981 as presented, seconded by Mr. Rothchild and carried by consensus of the Council.

Mr. Wood requested Council's indulgence in taking up Agenda Item 12 at this time, and Mayor Anderson ascertained Council's consensus to do so.

AGENDA ITEM 12. Action regarding appointment of City Manager. Requested by Councilman Wood.

Mr. Wood moved to remove this Item from the Agenda, seconded by Mr. Holland and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

RETURN TO REGULAR AGENDA

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

AGENDA ITEM 4-a. First reading of an Ordinance and Naples Planning Advisory Board recommendation to approve: Rezone Petition No. 81-R7 and Naples Planning Advisory Board recommendation to approve: Special Exception Petition No. 81-S12
Petitioner: Archbishop of Miami Location: An area bounded by 8th Avenue South, 9th Avenue South, 3rd Street South, and 4th Street South. Request for a Change of Zone from "R1-7.5" Single-family Residential and "R3-12", Multi-family Residential, to "PS", Public Service; and Special Exception approval for St. Ann's Church, School, related facilities, and an 18-space on-site parking lot.

An Ordinance rezoning the St. Ann School property located on 8th Ave. South, between 7th Street South, 4th Street South and 9th Avenue South, and the St. Ann Church property located on 9th Ave. South and 10th Avenue South, 4th Street South, and 3rd Street South, more particularly described herein, from "R1-7.5", Single Family Residential and "R3-12", Multi-family Residential to "PS", Public Service; directing that the Zoning Atlas be revised accordingly; and providing an effective date. Purpose: To re-establish the Church, School and related facilities as conforming uses in an appropriate zoning district pursuant to the request of the owner of said property.

City Attorney Rynders read the above titled ordinance by title for Council's consideration on First Reading; whereupon Neno Spagna presented himself to answer questions by Council. There being no questions about the ordinance, Mr. Rothchild moved approval of this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

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

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO ALLOW THE EXISTING ST. ANN SCHOOL, CHURCH AND RELATED FACILITIES ON 8TH AVENUE SOUTH AND 9TH AVENUE SOUTH TO BECOME PERMITTED USES IN THE "PS", PUBLIC SERVICE ZONING DISTRICT AND TO PERMIT THE CONSTRUCTION OF AN 18-SPACE ON-SITE PARKING LOT ON THE SCHOOL PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

A lengthy discussion followed regarding the City's requirement of a sidewalk along the full length of the north property line of the school site. Neno Spagna, Sister Concilita, O.S.F., and Father Thomas Goggin spoke against the installation of this sidewalk for safety reasons because they did not want the children crossing the entrance and exit to the parking lot. City Engineer John McCord repeated his opinion that the sidewalk would not be a danger to the children and noted the ordinance requirement for a sidewalk in a Public Service zoning district. Mr. Schroeder, Mr. Thornton and Mayor Anderson felt the

sidewalk would be more beneficial. Mr. Thornton moved to approve the resolution as presented, seconded by Mr. Schroeder. Mr. Rothchild moved to amend the motion to provide that final judgment on the need for the sidewalk be deferred for a two year period of time, seconded by Mr. Twerdahl and motion to amend carried on roll call vote, 5-2; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, no; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, no. Amended motion adopting Resolution 3856 as amended carried on roll call vote, 5-2; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, no; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, no.

AGENDA ITEM 4-b. Recommendation of the Naples Planning Advisory Board to approve: Special Exception Petition No. 81-S11 Petitioner: William R. Timken, Jr. Location: 59 9th Avenue South. Request to permit a 5 foot high cypress wood fence in a portion of a required front yard where fences are normally limited to 3 feet in height.

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

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF A FIVE (5') FOOT HIGH CYPRESS WOOD FENCE IN A PORTION OF THE REQUIRED FRONT YARD AT 59 9TH AVENUE SOUTH, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Bill Schwanke of George Kraft Construction presented himself, representing the owner William Timken, to answer any questions. Mr. Twerdahl moved to adopt Resolution 3857, seconded by Mr. Holland. Mr. Schroeder spoke against the time consumed by the repeated requests for Special Exceptions regarding fence heights and asked the City Attorney to prepare an ordinance deleting the height limitation from the ordinance. City Attorney Rynders noted that it would be a Change in Text ordinance and would have to be reviewed by the Planning Advisory Board. Motion carried on roll call vote, 6-1; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, no; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 4-c. Recommendation of the Naples Planning Advisory Board to approve: Variance Petition No. 81-V14; and First reading of an Ordinance and Naples Planning Advisory Board recommendation to approve: Rezone Petition No. 81-R8 Petitioner: City of Naples Location: 1010 Fifth Avenue North (Fun Time Nursery site) Request for a Change of Zone from "C3", Heavy Business, to "C2", General Commercial, and related Variance request to facilitate the Change of Zone.

An Ordinance rezoning City owned property located at 1010 5th Avenue North, being lots 1 and 2, Block B, River Park Unit 2, and the north 10 feet of the west 160 feet of a vacated 20 foot wide alley in Block 25, Tier 11, Plan of Naples, from "C3", Heavy Business to "C2", General Commercial, directing that the Zoning Atlas be revised accordingly; and providing an effective date. Purpose: To upgrade the zoning designation to a more restrictive classification which would be more compatible with the adjacent George Washington Carver Apartment Complex.

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

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 12A OF APPENDIX "A" - ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT CONSIDERATION OF A CHANGE IN ZONING CLASSIFICATION OF A PARCEL OF LAND OWNED BY THE CITY, LOCATED AT 1010 5TH AVENUE NORTH, CONTAINING LESS THAN THE MINIMUM AREA AND STREET FRONTAGE REQUIREMENTS OF SAID SECTION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3858, seconded by Mr. Twerdahl and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading, whereupon Mr. Twerdahl moved approval of this ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 5. PUBLIC HEARING and second reading of Ordinance, (Continued from regular meeting of August 19, 1981) An Ordinance relating to public parks and beaches in the City of Naples, amending Section 16-20(1)(b) of The Code of Ordinances relating to swimming and the operation of boats in the vicinity of the City fishing pier; adding a new Section 16-32 relating to the operation of motorboats in the Gulf of Mexico along the shoreline; deleting Section 16-19(1)(y) pertaining to the operation of concessions and soliciting in parks, and transferring and expanding the provisions thereof to a new section 16-33; and providing an effective date. Purpose: To prohibit the operation of noncommercial motorboats within 100 yards of the shoreline areas described herein and within 100 yards of the City pier; and to prohibit the operation of concessions, peddling, soliciting and advertising on any beach or in any public park within the City.

Mayor Anderson opened the Public Hearing at 9:59 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for consideration by Council on Second Reading. Mr. Schroeder moved to continue the Public Hearing until the second meeting in January, seconded by Mr. Twerdahl. A lengthy discussion followed about breaking the ordinance down into separate ordinances, dealing with boats and swimmers and the other with the operation of concessions, soliciting and peddling. R. J. Hafsten, citizen, spoke in support of passing the ordinance because of his feeling that power boats should be kept away from the shoreline. Jerry Lockner spoke in support of allowing the JayCees to continue to make their collections on the beach for the Fourth of July fireworks. Mayor Anderson noted the discussion held at the Workshop Meeting, October 6, 1981, and pointed out that it was the consensus of Council to wait and see how the newly adopted ordinances worked in alleviating the beach problems and that he would just as soon remove this Item from the Agenda entirely. Motion carried on roll call vote, 5-2; Mr. Holland, yes; Mr. Rothchild, no; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, no.

Mr. Wood suggested moving to Agenda Item 8 inasmuch as several representatives of various taxicab companies had been waiting for this discussion. Mayor Anderson determined that it was the consensus of Council to do so.

AGENDA ITEM 8. Request for consideration of taxicab rate increase. Requested by Yellow Cab Company, Inc.

Mayor Anderson noted that there was no action for the Council to take today. City Attorney Rynders added that if, as a result of the discussion today, action was necessary, he would prepare the proper ordinance. Mr. Holland brought up a suggestion made by Mr. Schroeder at the last discussion of rate increases to remove all restrictions on rates only, but to retain regulation of licensing, safety inspections, etc. Attorney Ron Hogue, representing the Yellow Cab Company, spoke in support of their request to meter both on time and distance, which request had not received staff agreement as noted

in Acting City Manager Jones' memo dated September 24, 1981 (Attachment #1). Ocey Richardson, owner of Yellow Cab Company also spoke in support of metering both time and distance. Ken Mastrodomenico, owner of Economy Cab Company, spoke in support of rate increases and rate regulation. It was the consensus of Council that the City Attorney draft one ordinance with increased rates and another deregulating rates and that these be circulated among the civic and property owners' associations and the taxicab companies for further input and comment.

RETURN TO REGULAR AGENDA

AGENDA ITEM 6. Appointment of members to fill vacancies on City of Naples Board of Appeals and Contractors Examining Board. Pursuant to Candidate interviews at October 6, 1981 workshop session.

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

A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF APPEALS TO FILL THE UNEXPIRED TERM OF CLYDE C. ROTH; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved to appoint L. Potter Smith and to adopt Resolution 3859, seconded by Mr. Twerdahl. Mr. Rothchild brought up the discussion yesterday of appointing alternate members to some boards. Motion carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

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

A RESOLUTION APPOINTING MEMBERS TO THE CONTRACTORS' EXAMINING BOARD; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3860 reappointing the members named and adding Thomas Abbott to fill the one vacancy, seconded by Mr. Holland and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes. Mr. Holland added his opinion that alternate members might be helpful with some of the boards. City Attorney Rynders suggested that Council direct Acting City Manager Jones to write to each board and ask their opinion on having alternate members.

AGENDA ITEM 7. Action on beach policies and regulations, (Pursuant to Council discussion at October 6, 1981 workshop session.)

See discussion under Agenda Item 5.

AGENDA ITEM 9. Excavation permit application by Joel Metz, Contractor, for construction of a lake in Park Shore.

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

A RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO CONSTRUCT A MAN-MADE LAKE AT THE PARK SHORE RESORT CLUB, LOCATED AT THE CORNER OF U.S. 41 AND NEAPOLITAN WAY, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Attorney M. W. Schryver, representing the Park Shore Resort Club, presented himself to answer any questions. City Attorney Rynders reviewed Engineering Memo #81-83 (Attachment #2) with Mr. Schryver, condition by condition. The City Attorney noted that the language in Item (d) would have to be modified to reflect the city's right to disconnect the lake from the city's drainage system if the lake's water quality deteriorated to a certain point. Bill Barton, engineer on the project, addressed Council to answer questions about the depth of the lake and the control of the water quality. The City Attorney also noted that in Item (e) there should be a letter from Park Shore Resort Club holding the City harmless if the lake flooded so the agreement could run with the land after the resolution was recorded. Mr. Schryver noted agreement with these conditions. Mr. Twerdahl moved adoption of the resolution as amended, seconded by Mr. Schroeder. He also noted the condition in Item (c) requiring a 20 feet easement and pointed out that a 10' easement along the western boundary of the subject property was next to a 10' platted easement on the abutting property and that should fulfill the requirement. The discussion was suspended while Mr. Barton, Mr. Schryver and the City Attorney left the Chambers to contact the owner of the contiguous property to the north to see if they would accept a 10' easement for this purpose and if they would restore whatever was damaged should it be become necessary to utilize this easement after development of the Park Shore Resort Club was completed.

AGENDA ITEM 10. Action regarding Naples sewer treatment facility, (Pursuant to Council discussion at October 6, 1981 workshop session.) Requested by Councilman Rothchild

It was the consensus of Council that on the basis of the discussion at the Workshop held October 6, 1981, there was no action required of the Council today.

AGENDA ITEM 11. Resolution regarding Goodlette Road access points. Requested by Collier County

Acting City Manager Jones read the below titled resolution by title for Council's consideration.

A RESOLUTION CONSENTING TO THE ADOPTION OF A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, PROVIDING THAT ACCESS WITH GOODLETTE ROAD/FRANK BOULEVARD, C.R. 851, ALONG ITS WESTERLY RIGHT-OF-WAY LINE FROM THE FORMER 16TH AVENUE NORTH TO IMMOKALEE ROAD, C.R. 846, BE LIMITED TO EXISTING AND FUTURE PUBLIC STREETS, WITH CERTAIN EXCEPTIONS ENUMERATED THEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3861, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 13. Purchasing:

AGENDA ITEM 13-a. Fertilizer - annual bid award

Acting City Manager Jones read the below captioned resolution by title for Council's consideration.

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

Mr. Wood moved adoption of Resolution 3862, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 13-b. Water Meters - annual bid award

Acting City Manager Jones read the below referenced resolution by title for consideration by Council.

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

Mr. Wood inquired about the junk water meters that were piled up at the water plant. Acting City Manager Jones said that he would find out about them and Mark Wiltsie, Assistant to the City Manager, noted that parts of these old meters were used to repair newer ones. Mr. Wood moved adoption of Resolution 3863, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 13-c. Ductile Cast Iron Pipe - bid award

Acting City Manager Jones read the below titled resolution by title for consideration by Council.

A RESOLUTION AWARDED BID FOR CEMENT-LINED CAST IRON DUCTILE PIPE; AUTHORIZING THE ACTING CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved adoption of Resolution 3864, seconded by Mr. Rothchild and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

AGENDA ITEM 13-d. Fire Hydrants - bid award

Acting City Manager Jones read the below captioned resolution by title for Council's consideration.

A RESOLUTION AWARDED THE BID FOR TWENTY (20) FIRE HYDRANTS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFORE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood noted that several plaques in the Royal Harbor area identifying fire hydrant locations had been stolen or were missing. The Acting City Manager stated that he would check into it. Mr. Wood moved adoption of Resolution 3865, seconded by Mr. Schroeder and carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

CORRESPONDENCE AND COMMUNICATIONS

Mr. Wood read an editorial that had been broadcast on Cablevision and WNOG (Attachment #3). After discussion, Mayor Anderson stated he would write to Senator Hawkins and Representative Bafalis regarding the refugee problem in Florida.

Mayor Anderson noted receipt of a letter from Senator Hawkins noting that her representative, Mr. Roberts, would be at City Hall on October 8, 1981 from 9:00 a.m. to noon. He also noted that he had received word from Senator Chiles' office that the bill concerning deregulation of cablevision had been withdrawn.

RETURN TO AGENDA ITEM 9.

Mr. Barton stated that he had contacted the firm that represents Mr. Lutgert, owner of the property adjacent on the north to the Park Shore Resort Club and spoke to Dick Baker, an officer of the company. Mr. Barton felt he could state that they would accept the 10' easement on the western boundary of the Park Shore Property adjacent to the 10' platted easement on the abutting property. He asked that Item (c) be modified to reflect this 10 foot easement rather than the 20 foot easement referred to presently. This amendment was acceptable to Mr. Twerdahl, who made the motion, and the seconder, Mr. Schroeder. Motion adopting Resolution 3866 as amended was carried on roll call vote, 7-0; Mr. Holland, yes; Mr. Rothchild, yes; Mr. Schroeder, yes; Mr. Thornton, yes; Mr. Twerdahl, yes; Mr. Wood, yes; Mayor Anderson, yes.

Mayor Anderson appointed Mr. Schroeder and Mr. Twerdahl to a committee to review the applications for City Manager as they were received. Mr. Schroeder noted that they would meet at 11:00 a.m. in the Law Offices of City Hall on Monday, October 12, 1981 to begin this review. City Attorney Rynders suggested that the media be notified by telephone or memo. Mr. Schroeder directed the Clerk's office to contact the media by memo. Mr. Rothchild suggested that one or both of the members of this committee should be Councilmen whose terms would not be over this coming election.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 12:49 p.m.

Janet Cason
Janet Cason
City Clerk

R. B. Anderson
R. B. Anderson, Mayor

Ellen P. Marshall
Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council were approved on 10/21/81



City of Naples

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: FRANKLIN C. JONES, ACTING CITY MANAGER
 SUBJECT: TAXICAB REQUEST FOR RATE INCREASE
 DATE: SEPTEMBER 24, 1981

On January 16, 1980, Ordinance 3430, (see attached) was passed and provided for an increase in the Schedule of Rates for taxicabs that operate in the City of Naples. On June 18, 1981, Ronald C. Hogue, Attorney representing the Yellow Cab Company of Naples, Inc., requested an increase in the taxicab rates. The following schedule shows the existing rates, those requested by Yellow Cab Company, our recommendation for rate increases, and percentage increase. Action on this request has been delayed because of conflicts with Mr. Hogue's schedule and the need to obtain information on which to base a recommendation.

TAXI RATE SCHEDULE

ITEM	EXISTING RATES (Ordinance 3430)	REQUESTED RATES BY TAXI FIRM	CITY'S RECOMMENDED RATE INCREASES	% INCREASE OVER EXISTING
1. First 1/10 mile	\$.75	\$1.25	\$1.25	66%
2. Each 1/10 mile thereafter	\$.10	\$.10	\$.10	-0-
3. Waiting time when requested by passenger after initial pickup	\$10.00/Hour	\$12.00/Hour	\$12.00/Hour	20%
4. And/or \$12.00/Hour*	N/A	\$12.00/Hour	-0-	N/A

*Item #4 is designed to compensate the taxicab for time spent while vehicle is motionless (e.g., stopped in traffic or at a stop light).

As in the past, the staff does not agree on the request to meter both on time and distance. Our basis for this is that the taxicabs have successfully operated in the past without the metering of time and we feel, with periodic increases in distance rates, the taxi companies can continue to operate satisfactorily. We do, however, agree with the requested distance rate increases. With consideration toward increased fuel, maintenance, and insurance costs, this request for rate increases is not unreasonable.

The following is an example of a three mile run with a 15 minute waiting time requested by passenger:

Existing: \$6.15

Proposed: \$7.15

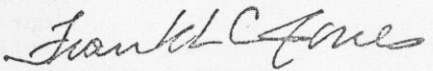
Increase: 16.2%

Based on the preceeding, we recommend the following rate increases:

1. First 1/10 mile - \$1.25
2. Each 1/10 mile thereafter - \$.10
3. Waiting time when requested by passenger after initial pick up - \$12.00
4. All other rates per Ordinance 3430 shall remain as is.

With your approval an ordinance will be prepared for the October 21, 1981 Council Agenda.

Respectfully submitted,



Franklin C. Jones,
Acting City Manager

FCJ/jm

Attachments:



City of Naples

--- MEMO ---

Engineering Memo #81-83

TO: Frank Jones, Acting City Manager
FROM: John McCord, City Engineer *JMC*
DATE: October 1, 1981
REFER: Park Shore Club Proposed Man-Made Lake
Permitting Under Section 7-28, Code of Naples
Owner: M. W. Schryver, Trustee
Agent: William Barton, P.E.
Robert Lockhart
SUBJ: Request for City Council Agenda Item

The developers of this facility desire to construct a fresh water lake as an integral part of their project storm water management and landscape architecture scheme. To this end please find attached for your review various plans and documents concerning details of the proposed project. It should be noted that the project as proposed requires the direct connection of the lake to the publically owned and maintained lake and storm system of Park Shore Unit 3.

Based on our review of the plans and documents submitted, it is recommended that our City Council grant approval for the construction of the lake by issuance of a permit under Section 7-28 of the Code with the following conditions/stipulations:

- a) That the Plans be signed and sealed by the responsible engineer in charge registered in Florida;
- b) That a professional civil engineer registered in Florida certify to the City at the project's completion that same has been constructed in accordance with the plans on which this permit is based;
- c) That a free and easy access drainage easement of at least 20 feet in width be granted to the City through the Park Shore Club property in order that properties bordering same to the north may not be denied access to the public system located at the south-west corner of the site (no guarantee of future use to be implied by this proviso);
- d) That a maintenance bond be provided to the City in a form acceptable to our Attorney in order that future maintenance of the proposed lake will be accomplished to promote water quality. In the event water quality in the lake is not maintained, the City will have right of ingress/egress to property for this purpose and bond will be surrendered upon proper notification(s);

Frank Jones
 October 1, 1981
 Page Two

- e) That a hold harmless guarantee be provided in a form acceptable to our Attorney for the purpose of relieving the City of liability for any occurrence of failure and subsequent flooding of this property which will be served by the publically owned/maintained storm pipe/lake system of Park Shore Unit 3;
- f) That the waterfall/pump systems detail plans for the promotion of water quality in the lake shall be reviewed by the City Engineer prior to construction;
- g) That the City shall have the authority to limit the use of any/all fertilizers on lakeside slopes in the event water quality of the lake is jeopardized by excessive algae blooms and the like;
- h) That at near completion of the project City forces will be instructed on the proper installation of additional flash boards at the outfall control structure located within the project site and be provided with same and have the authority/right of ingress/egress to the outfall to remove or install boards as it deems appropriate for the maintenance of off site water quality/quantity;
- i) That the lake will not be used for any site irrigation purposes;
- j) That no direct discharges of swimming pool waters will take place into the lake;
- k) That all other required state and local permits be obtained.

In conclusion it should be restated that the above conditions are necessitated by the desire of the developers to directly utilize the public storm sewer systems. Such direct use by private property owners is not, in the opinion of the writer, a situation to be encouraged, only controlled.

JRM:sdm

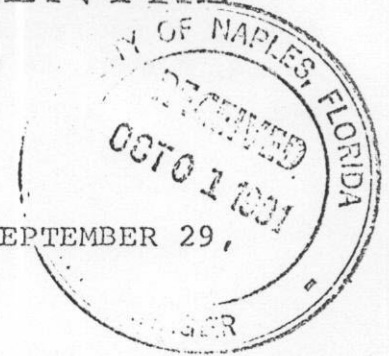
Attachments: Sheet 2 of Plans
 Xerox of Lake Cross Section
 Copy of Barton Certification of 9/21/81
 So. Fla. Water Management Dist. Permit Form w/Area Map
 Letter by Wilson, Miller, Barton, Soll & Peek
 Rynders Memo of 8/17/81

xc: W. F. Savidge
 M. W. Schryver
 Joel Metts
 William Barton, P.E.
 So. Fla. Water Management Dist., West Palm Beach
 Collier County Water Management Board

PALMER COMMUNICATIONS CENTRE

cablevision nine - wnog

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EDITORIAL DELIVERED ON SEPTEMBER 28, 1981 AND SEPTEMBER 29, 1981 ON WNOG AND CABLEVISION NINE.

LAST WEEK, GOVERNOR BOB GRAHAM WENT ON STATEWIDE TELEVISION ASKING FOR HELP FROM FLORIDA RESIDENTS IN DEALING WITH THE FEDERAL GOVERNMENT'S REFUGEE POLICY. THE GOVERNOR HAS ASKED THAT EVERYONE LIVING IN THE STATE SEND A LETTER TO PRESIDENT REAGAN, URGING HIM NOT TO ALLOW ANY MORE REFUGEES IN THE STATE UNLESS THEY HAVE SPONSORS. THE GOVERNOR ALSO WANTS FLORIDIANS TO DEMAND IN THE LETTERS TO THE PRESIDENT THAT FLORIDA BE REIMBURSED FOR ALL COSTS INCURRED BY THE STATE FROM THE REFUGEE INFLUX. HE CITED 80 MILLION DOLLARS THAT THE STATE HAS PAID IN REFUGEE EXPENSES SINCE JANUARY OF 1980...AND ANOTHER 32 MILLION THE STATE COULD LOSE IF THE REAGAN ADMINISTRATION CHANGES THE RULES GOVERNING REFUGEE ELIGIBILITY FOR FEDERAL FINANCIAL AID. WE WOULD LIKE TO ADD OUR SUPPORT TO THE GOVERNOR'S CALL FOR LETTERS TO THE PRESIDENT. WE FEEL THE REFUGEE PROBLEM WAS CREATED BY FEDERAL POLICY, AND FLORIDA HAS SUFFERED FINANCIALLY BECAUSE OF ITS LOCATION. THE FEDERAL GOVERNMENT SHOULD BEAR MOST OF THE COSTS FROM THE REFUGEES. IF EVERYONE SENDS A LETTER TO THE PRESIDENT, HE MIGHT JUST GET THE MESSAGE.