



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
APPROVAL OF MINUTES - Regular Meeting, June 2, 1982			1
ANNOUNCEMENTS - MAYOR BILLICK Commended City Manager and department heads-hurricane warning			1
<u>RESOLUTIONS</u>			
-To Grant Special Exception Petition No. 82-S13-Cranley		4033	1
-To Grant Special Exception Petition No. 82-S18-Donahue		4034	2
-To Grant Variance Petition No. 82-V8-Downey		4035	2
-To Grant Variance Petition No. 82-V9-Davenport		4036	2
-To DENY Variance Petition No. 82-V10-Winn-Dixie		--	3
-To Accept deed for Railroad <u>right-of-way</u>		4037	3
-To Accept proposal - Hole, Montes for <u>beachend design</u>		4038	3
-To Accept proposal - James Hirst for <u>engineering services-Pier</u>		4039	4
-To Award construction contract for <u>Water System Dist.#3-- Coconut Creek</u>		4040	4
-To Authorize parking meters at Naples Landing		4041	4
-To Appoint R. L. Schmeckpeper to <u>Board of Appeals</u>		4045	6
-To Commend <u>William J. Ryan</u>		4046	6
-To Authorize removal of <u>parking meters</u> - 7th Street South		4047	7
-To Authorize City Manager to request bids-Hurricane shutters for City Hall		4048	7
<u>ORDINANCES</u>			
-Amend Section 2.4 of Charter-Mayor liaison with <u>City Attorney</u>	4042		5
-Amend Code Section 1A-121(A)(1) re <u>travel expense approval</u>	4043		5
-Amend Code Section 23-16(d) re payment of <u>parking fines</u>	4044		5
<u>DISCUSSION/ACTION</u>			
-Motion to rescind Resolution 3479 authorizing sale of two <u>commercial lots at Carver site</u>	--	--	6
<u>PURCHASING</u>			
-Award construction contract for <u>Water System Dist. #3 - Coconut Creek</u>		4040	4
-Automated <u>Fuel Dispensing System</u> - Public Works		4049	7
-Police and Fire <u>Uniforms</u>		4050	8
-Replacing roof at <u>Lowdermilk Park pavilion</u>		4051	8

City of Naples

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CITY COUNCIL MINUTES
Regular Meeting

Time 9:08 a.m.

Date June 16, 1982

The Mayor called the meeting to order and presided as chairman.		COUNCIL MEMBERS	MOTION	SECTION	VOTE	
ROLL CALL:	Present:				Y	N
	Stanley R. Billick Mayor					
	R. B. Anderson C. C. Holland Harry Rothchild Wade H. Schroeder Randolph I. Thornton Kenneth A. Wood Councilmen					
	<u>Also Present:</u> Franklin C. Jones, City Manager David W. Rynders, City Attorney John R. McCord, City Engineer Norris Ijams, Fire Chief Roger Barry, Community Development Director Mark W. Wiltsie, Assistant to the City Manager Stewart Unangst, Purchasing Agent					
	See Attachment #1 for supplemental attendance list.					
	<u>INVOCATION BY:</u> Father Thomas Goggin, St. Ann Catholic Church					
	<u>APPROVAL OF MINUTES:</u> <u>ITEM 3</u> <u>Motion:</u> The minutes of the Regular Meeting of June 2, 1982, APPROVED as submitted. After a brief dicussion, it was the consensus of Council to use the new format for minutes which had been circulated to Council members prior to this meeting.	Anderson Holland Rothchild Schroeder Thornton Wood Billick	X			C O N S E N S U S
	<u>ANNOUNCEMENTS - MAYOR BILLICK</u> <u>ITEM 4</u> Mayor Billick commended City Manager Jones and all department heads for their efficient preparedness during the hurricane warning on June 3, 1982. ***					
	<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD</u> <u>ITEM 5</u> <u>---RESOLUTION 4033</u> <u>ITEM 5-a.</u> A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF A 5 1/2 FOOT HIGH FENCE IN A FRONT YARD SETBACK AREA AT 1 TENTH STREET SOUTH, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO THE CONDITION HEREIN SET FORTH; AND PROVIDING AN EFFECTIVE DATE.	Anderson Holland Rothchild Schroeder Thornton Wood Billick	X		X X X X X X	X
	Title read by City Attorney Rynders <u>MOTION:</u> To accept the recommendation of the PAB to approve Special Exception Petition No. 82-S13 and <u>ADOPT</u> resolution as presented.					

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		
			Y E S	N O	
<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (CONT.)</u>					
					<u>ITEM 5</u>
					<u>ITEM 5-b.</u>
					Anderson
			X	X	Holland
				X	Rothchild
				X	Schroeder
		X		X	Thornton
				X	Wood
				X	Billick
					(7-0)
					Title read by City Attorney Rynders.
					In response to a question from Mr. Schroeder, Robert Forsythe, architect for the petitioner, noted that because there was a question as to whether this was a wall or a fence, his firm had absorbed the cost of the petition for clarification.
					<u>MOTION:</u> To accept the recommendation of the PAB to approve Special Exception Petition No. 82-S18 and <u>ADOPT</u> resolution as presented.

					<u>ITEM 5-c.</u>
					Anderson
		X		X	Holland
			X	X	Rothchild
				X	Schroeder
				X	Thornton
				X	Wood
				X	Billick
					(6-1)
					Title read by City Attorney Rynders.
					<u>MOTION:</u> To accept the recommendation of the PAB to approve Variance Petition No. 82-V8 and <u>ADOPT</u> resolution as presented.

					<u>ITEM 5-d.</u>
					Anderson
		X		X	Holland
			X	X	Rothchild
				X	Schroeder
				X	Thornton
				X	Wood
				X	Billick
					(6-1)
					Title read by City Attorney Rynders.
					Mr. Rothchild suggested that the Planning Advisory Board give some consideration to changing the ordinance to make allowances in the case of two front yards, thereby eliminating need for a Variance.
					<u>MOTION:</u> To accept the recommendation of the PAB to approve Variance Petition No. 82-V9 and <u>ADOPT</u> resolution as presented.

CITY OF NAPLES, FLORIDA

City Council Minutes

Date June 16, 1982

	COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE	
				Y E S	N O
<p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (CONT.)</u></p>					
<p style="text-align: right;"><u>ITEM 5</u></p>					
<p>---RESOLUTION _____ <u>ITEM 5-e.</u></p>					
<p>A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6.36 (G) (2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT THE INSTALLATION OF A SECOND SIGN AT THE WINN-DIXIE STORE IN THE GRAND CENTRAL STATION SHOPPING PLAZA; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>(7-0)</p>					
<p>Title read by City Attorney Rynders.</p>					
<p>Roger Barry, Community Development Director, confirmed that no one representing the petitioner was present.</p>					
<p><u>MOTION:</u> To accept the recommendation of the PAB to <u>DENY</u> Variance Petition No. 82-V10</p>					
<p>*** *** ***</p>					
<p>Mayor Billick noted that it was too early to take up Item 6 because of the advertised Public Hearings. It was the consensus of Council to take up Item 9.</p>					
<p>*** *** ***</p>					
<p>---RESOLUTION 4037 <u>ITEM 9</u></p>					
<p>A RESOLUTION ACCEPTING A DEED FROM FORT MYERS SOUTHERN RAILROAD COMPANY TO THE CITY OF NAPLES CONVEYING AN ABANDON RAILROAD RIGHT-OF-WAY BETWEEN THE NORTH LINE OF EIGHTH AVENUE NORTH AND THE SOUTH LINE OF FOURTEENTH AVENUE; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>(7-0)</p>					
<p>Title read by City Attorney Rynders.</p>					
<p><u>MOTION:</u> To <u>ADOPT</u> resolution as presented.</p>					
<p>*** *** ***</p>					
<p>---RESOLUTION 4038 <u>ITEM 10</u></p>					
<p>A RESOLUTION ACCEPTING THE PROPOSAL OF HOLE, MONTES & ASSOCIATES, INC. TO PROVIDE DESIGN ENGINEERING SERVICES RELATING TO BEACHEND PARKING IMPROVEMENTS AT THIRD AVENUE SOUTH AND FOURTH AVENUE NORTH; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>(7-0)</p>					
<p>Title read by City Attorney Rynders.</p>					
<p>In response to a question from Mr. Rothchild, City Manager Jones noted that the City referred to a rotation list of engineers for items that did require the City to follow the Consultant Selection process.</p>					
<p><u>MOTION:</u> To <u>ADOPT</u> resolution as presented.</p>					
<p>*** *** ***</p>					

CITY OF NAPLES, FLORIDA

City Council Minutes

Date June 16, 1982

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	COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE	
				Y E S	N O
<u>PURCHASING (CONT.)</u>					
<u>---RESOLUTION 4050</u>					
A RESOLUTION AWARDING THE BID FOR FURNISHING UNIFORMS TO THE POLICE AND FIRE DEPARTMENTS FOR A TWO-YEAR PERIOD; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
<u>MOTION:</u> To <u>ADOPT</u> resolution as presented.					

<u>---RESOLUTION 4051</u>					
A RESOLUTION AWARDING THE BID FOR REPLACING THE ROOF OF THE LOWDERMILK PARK PAVILION; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
In response to questions from Council, Stewart Unangst, Purchasing Agent, noted he had received satisfactory reports on the low bidder.					
<u>MOTION:</u> To <u>ADOPT</u> resolution as presented.					

<u>CORRESPONDENCE & COMMUNICATIONS</u>					
Mr. Thornton noted the need to appoint a civilian member to the Firemen's and Police Pension Board to replace Harry E. Heinemann.					

<u>ADJOURN</u> - 11:53 a.m.					
<i>Janet Cason</i> Janet Cason City Clerk					
<i>Ellen P. Marshall</i> Ellen P. Marshall Deputy City Clerk					
These minutes of the Naples City Council approved on <u>07-07-82</u>					
	Anderson			X	
	Holland		X	X	
	Rothchild			X	
	Schroeder			X	
	Thornton	X		X	
	Wood			X	
	Billick			X	
	(7-0)				
	Anderson			X	
	Holland		X	X	
	Rothchild			X	
	Schroeder			X	
	Thornton	X		X	
	Wood			X	
	Billick			X	
	(7-0)				

Stanley R. Billick
Stanley R. Billick, Mayor

Janet Cason
Janet Cason
City Clerk

Ellen P. Marshall
Ellen P. Marshall
Deputy City Clerk

These minutes of the Naples City Council approved on 07-07-82

CCF120

06
ATTACHMENT #1

Also Present: Father Thomas Goggin
Mr. & Mrs. Craig Kiser
Richard Hechler
Edward Hannam
Herb Cambridge
Robert Forsythe
Jack Love
Charles Andrews
Alan Foster
Lyle Richardson
David Davenport
Mary Cameron
Mr. Ziegler
Sam Aronoff
Jim McRae
George Cecil

William Shearston
Lloyd Sarty
Robert Russell
Otus Albright
Gilbert Weil
Pastor Howard Hugus
Bernardo Gracia
Richard Grant
Richard Hahn
Mr. & Mrs. William J. Ryan
Edward McCarthy
Philip Sowersby
Chuck Moehlke
Jack Miller
Ray McGhee
Egon Hill

News Media: James Moses, Naples Daily News
Denys Husty, News Press
Jeff Leen, Miami Herald

Scott Stewart, TV-9
Lynn Levine, TV-9
Ned Warner, TV-9

Other interested citizens and visitors.

AGENDA ITEM #11
6/16/82



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: DESIGN ENGINEERING SERVICES FOR PROPOSED
MUNICIPAL FISHING PIER MAINTENANCE PROGRAM
DATE: JUNE 9, 1982

BACKGROUND: In late October the Engineering Department completed an inspection of the Municipal Fishing Pier and issued a report which was forwarded to interested departments. This project was accomplished in-house under the capital improvement program.

In general the Pier is structurally sound with the exception of some needed remedial maintenance. The survey recommended that of primary importance was work involving undermined piling, sway bracing and connection hardware. The findings also indicate the need for replacement of 18 timber piles, although this work is secondary in importance.

Based on these recommendations we began negotiations with several local design consultants. In addition to design, of course, is the preparation by the consultant of technical bid documents on the project. The professional services required do not fall under the Consultants' Competitive Negotiation Act because the aggregate construction cost at this time is below \$100,000.

Agreement for the work was reached with James Hirst & Associates of Naples and this firm's proposal is shown as Attachment A. This is on a normal cost plus fixed fee basis with a "not to exceed" total price. It should be noted that the cost estimate for this work is within the report's projections. Sufficient funds remain in the previously approved capital improvement budget for this inspection/design phase of the project.

Hirst & associates recently completed the design engineering services for the parking lot at the water treatment plant and handled the work in a most acceptable and timely manner.

RECOMMENDATION: I recommend that the City Council authorize the issuance of a purchase order for the needed design services to the firm of James Hirst & Associates, not to exceed \$6,287.45. A resolution is attached which would accomplish this.

Respectfully submitted,

Franklin C. Jones
Franklin C. Jones
City Manager

Prepared By: *JMc 6/9*

John R. McCord, P.E., City Engineer
Engineering Memo #82-58

CCF120

556 14th Street N.
Naples, FL 33942
June 9, 1982

EDITOR
Naples Daily News
1075 Central Avenue
Naples, Florida 33942

Dear Sir:

Naples' George Washington Carver apartment complex on Tenth Street between Third and Fifth Avenues North is a demonstration of how an enlightened city can expand and improve the quality of life for its residents. It concerns many of us that unless there is an alteration of existing plans we may be diminishing some of the benefits of the Carver complex to its residents and the citizens of Naples.

It appears that the City of Naples intends to move the Fun Time Nursery from its present location at the North West corner of the Carver complex. To move the Nursery from its present location may change the character of the Nursery in some fundamental way. It may also change the use of that corner in ways that may not be compatible with a block otherwise devoted to residential use.

We hope that the Fun Time Nursery may continue to be used by all of our City's working parents who require an affordable day care center to take responsibility for their children during the work week. A relocated Nursery may not provide as suitable an environment as the Fun Time facility.

Unless an earlier decision of the Naples City Council is reevaluated, the City will proceed to move the Nursery in order that the lot on which it stands be sold and in turn devoted to some as yet unknown business purpose in the future. It is unclear to many why our Councilmen feel the sale of this land is necessary and desirable. An earlier Council action authorized such a sale. Since that time, our Council has changed. We have a new Mayor. Perhaps most important, we have a completed and an occupied Carver complex.

continued...

EDITOR, Naples Daily News
page two
June 9, 1982

These changed circumstances lead us to ask that our present City Council rethink the decision to move the Fun Time Nursery and sell the land on which it now stands. When this publicly owned land is sold, it will have disappeared as a site that may be used for the benefit of our residents. Locating a business on the site seems incompatible with a new, attractive apartment complex. We are unaware of any such use being permitted by current zoning elsewhere in Naples. A business parking lot located next to an apartment building which is home to many young children would appear unwise.

Perhaps we need to know more of what kind of business use is intended for this land. We hope that there is more purpose to the sale of this lot than to supplement the City's income. A public review of the relocation of the Fun Time Nursery and the City's sale of the land on which it now resides will permit concerned parents, the residents of the Carver complex and other citizens who are concerned with upgrading and beautifying our City to understand why it is necessary to alter the use of a part of this residential block.

We hope that our Mayor and our Councilmen will undertake a public review of this matter. If the Nursery is ultimately moved and the land sold, our community will have a clear understanding of why it was sold, what new use will be permitted on the land vacated by the Nursery and something of how the City intends to dedicate the revenues it receives from the sale of the land.

The Carver complex is proof of how everyone benefits from a well conceived, well executed program. We are asking that nothing be done to diminish those benefits.

Sincerely yours,

Herbert Cambridge

Herbert Cambridge

HC/ph