



City of Naples

City Council Minutes

Regular Meeting July 21, 1982

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

<u>-SUBJECT-</u>	Ord. No.	Res. No.	Page
APPROVAL OF MINUTES - Regular Meeting, July 7, 1982			1
ANNOUNCEMENT - MAYOR BILLICK Mr. Schroeder donated \$10.00 - \$1/year for 10 years P.A.L. Fleischmann Park			1
<u>RESOLUTIONS</u>			
-To Grant Special Exception Pet. 82-S20-Dancing & Staged Entertainment, Elephant Walk, Gerlanilee, Inc.		4060	1 & 2
-Clarification of procedures for Consultant Selection Committees under Competitive Consultants Negotiations Act		4062	4
-Appoint Consultant Selection Committee-Wastewater Treatment Plant Expansion - REMOVE FROM AGENDA		--	5 & 6
-Approve Consultant Selection Committee's ranking of firms for City Dock project & Authorize City Manager to negotiate Phase 1 of 2-phase contract		4063	6
-Accept deed from Henry B. Watkins for property-River Park East		4064	7
-Appoint Committee to recommend audit firms-City Manager, Mr. Wood, Mr. Rothchild		4065	7
<u>ORDINANCES - FIRST READING</u>			
-Change of Text to permit passenger car rentals at service stations	Approved		2
-Increase occupational license fees	"		3
-Parking Meter operation - Naples Landing	"		3 & 4
<u>ORDINANCES - SECOND READING</u>			
-Authorize City Manager to advertise for bids for Public Works vehicles for B2-B3 budget	4061		2 & 3
<u>DISCUSSION</u>			
-Planning Advisory Board review of Comprehensive Plan and Capital Improvement Program			2
<u>PURCHASING</u>			
-Award annual bid for Uniform Rentals		4066	7
<u>CORRESPONDENCE & COMMUNICATIONS</u>			
-Discussion of bill from Ross, Hardies, O'Keefe, Babcock & Parsons, Time-share law firm			8

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---RESOLUTION 4060 (Cont.)</p> <p>review. Mr. Anderson stated that this vote was on the resolution and Council could take whatever action they felt necessary after the review period.</p> <p>MOTION: To <u>ADOPT</u> the resolution as submitted.</p> <p>***</p> <p>---ORDINANCE</p> <p>AN ORDINANCE AMENDING APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES BY ADDING A NEW ITEM (14) TO PARAGRAPH 10 (C) OF SECTION 6, "SUPPLEMENTARY DISTRICT REGULATIONS"; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PERMIT CAR RENTALS AS A PERMITTED SERVICE AT GASOLINE SERVICE STATIONS BY SPECIAL EXCEPTION.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Schroeder suggested the use of the words "passenger car" rather than "automobile". Scott Hedrick, representing the Chevron station making the original petition, spoke in support of this ordinance. Mr. Anderson noted that each petitioner would have to come in separately for this permission after the ordinance was passed.</p> <p>MOTION: To <u>APPROVE</u> the ordinance on First Reading as amended to reflect passenger car rentals instead of automobile rentals.</p> <p>***</p> <p>---PLANNING ADVISORY BOARD REVIEW OF COMPREHENSIVE PLAN AND CAPITAL IMPROVEMENT PROGRAM</p> <p>Reid Silverboard, Chief Planner, reviewed the information in memo dated July 12, 1982(Attachment #3) prepared by Roger Barry, Community Development Director. Mr. Schroeder noted that there was an item in the Capital Improvement Program to relocate the Creech Road right-of-way and it was the consensus of Council to ask Mr. Silverboard to pursue this.</p> <p>***</p> <p>---ORDINANCE 4061</p> <p>AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ADVERTISE AND ACCEPT BIDS FOR PUBLIC WORKS VEHICLES AND EQUIPMENT; PROVIDING FOR PAYMENT THEREFOR TO BE MADE FROM THE BUDGET FOR THE FISCAL YEAR 1982-83, PURSUANT TO SECTION 8.14 OF THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR PUBLIC WORKS VEHICLES AND EQUIPMENT PRIOR TO ADOPTION OF THE 1982-83 BUDGET.</p>	<p>ITEM 5-a (Cont.)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>***</p> <p>ITEM 5-b</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>***</p> <p>ITEM 5-c</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>***</p> <p>ITEM 6</p>	<p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p>	<p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p>	<p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p> <p>Anderson X</p> <p>Holland X</p> <p>Rothchild X</p> <p>Schroeder X</p> <p>Thornton X</p> <p>Wood X</p> <p>Billick X</p> <p>(7-0)</p>	

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---ORDINANCE 4061 (Cont.) ITEM 6 (Cont.)</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened 9:25 a.m. Closed 9:26 a.m. No one present to speak for or against.</p> <p><u>MOTION:</u> To <u>ADOPT</u> Ordinance as presented.</p>					
Anderson	X		X		
Holland			X		
Rothchild		X	X		
Schroeder			X		
Thornton			X		
Wood			X		
Billick			X		
(7-0)					
<p>*** *** ***</p> <p><u>FIRST READING OF ORDINANCES</u> <u>ITEM 7</u></p> <p>---ORDINANCE _____ <u>ITEM 7-a</u></p> <p>AN ORDINANCE RELATING TO OCCUPATIONAL LICENSE FEES; AMENDING SECTION 12-47, ENTITLED "SCHEDULE OF LICENSE TAXES", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.</p> <p>PURPOSE: TO INCREASE THE OCCUPATIONAL LICENSE FEES FOR CERTAIN BUSINESSES, OCCUPATIONS AND PROFESSIONS PURSUANT TO SECTION 205.043, F.S.</p> <p>Title read by City Attorney Rynders.</p> <p>Council discussed the enforcement of occupation licenses and competency cards and the requirement of displaying identification numbers on commercial vehicles. City Manager Jones responded that he could present a report to Council on the enforcement of these ordinance requirements. Mr. Holland suggested that building and zoning employees could assist in this enforcement. Mr. Anderson and Mr. Schroeder concurred with the need to increase the enforcement. Mr. Rothchild questioned the increase in the fees for (106) and (123) to which the City Manager responded that they both should be \$70.00. In response to a question from Mr. Rothchild regarding the fee for Auctions and Auctioneers, City Manager Jones noted that that fee had recently been increased and could not be increase according to the guidelines being used at this time. He again reviewed the state legislation governing these increases. Mr. Schroeder and Mr. Holland both noted that they were licensed under the occupational licenses of the City and would file the proper Conflict of Interest forms. (Attachments #4 & #5). Mr. Holland asked if the Police Department could assist in the enforcement of occupational licenses and vehicle identification on weekends.</p> <p><u>MOTION:</u> To APPROVE the ordinance on First Reading with the corrected fees for (106) and (123).</p>					
Anderson	X		X		
Holland			X	X	
Rothchild		X	X		
Schroeder			X		
Thornton			X		
Wood			X		
Billick			X		
(6-1)					
<p>*** *** ***</p> <p>---ORDINANCE _____ <u>ITEM 7-b</u></p> <p>AN ORDINANCE RELATING TO PARKING METERS; AMENDING SECTION 23-14, ENTITLED "HOURS OF OPERATION", AND SECTION 23-15, ENTITLED "METER RATES", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.</p> <p>PURPOSE: TO ESTABLISH THE HOURS OF OPERATION AND METER RATES FOR PARKING METERS AT NAPLES LANDING.</p>					

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---ORDINANCE (Cont.) ITEM 7-b (Cont.)</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Wood again expressed his dissatisfaction with placing meters at Naples Landing. Mr. Holland questioned the figures used to estimate the revenue from the meters inasmuch as Bayview Park facilities had not been available due to the park being closed for improvements. City Manager Jones responded that the figures had been based on the parking lot being fully utilized 52 days a year. James Dennis Murphy, citizen, expressed his concern that the monies deposited in the meters might not be properly accounted for. Richard Hechler, citizen, spoke against the meters and suggested a gate for use of the boat ramps. Edward Hannam and Ed McMahon, citizens, spoke in support of collecting fees for the use of the Landing.</p> <p><u>MOTION:</u> To reject on First Reading.</p>					
Anderson					X
Holland		X	X		
Rothchild			X		
Schroeder				X	
Thornton				X	
Wood	X		X		
Billick (3-4)					X
FAILED					
<p><u>MOTION:</u> To APPROVE on First Reading.</p>					
Anderson		X	X		
Holland			X		
Rothchild				X	
Schroeder	X		X		
Thornton			X		
Wood					X
Billick (5-2)			X		
<p>***</p> <p>---RESOLUTION 4062 ITEM 8</p> <p>A RESOLUTION RELATING TO THE SELECTION OF ARCHITECTS AND ENGINEERS; ADOPTING A PROCEDURE FOR SECURING PROFESSIONAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Rothchild expressed his opinion that the resolution did not specifically allow for Council to interview the firms recommended by the selection committee prior to voting on the ranking. Mr. Schroeder suggested adding the words "may interview" to Step 4 in the resolution.</p> <p><u>MOTION:</u> To ADOPT the resolution as amended to add "interview" to Step 4.</p>					
Anderson	X		X		
Holland			X		
Rothchild			X		
Schroeder				X	
Thornton		X	X		
Wood			X		
Billick (6-1)			X		
<p>***</p>					

CITY OF NAPLES, FLORIDA

City Council Minutes

Date July 21, 1982

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---RESOLUTION ITEM 9</p> <p>A RESOLUTION APPOINTING A CONSULTANT SELECTION COMMITTEE FOR THE PURPOSES HEREINAFTER SET FORTH, RELATING TO DESIGN WORK FOR THE WASTEWATER TREATMENT PLANT EXPANSION; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Rothchild suggested that the committee consist of Bill Savidge, Public Works Director, John McCord, City Engineer, two citizens and one member of the City Council. A lengthy discussion followed about the composition of the committee. Mr. Rothchild moved an amendment naming three staff members, three citizens and one councilman. Motion died for lack of a second. Mr. Thornton noted his objection to having a councilman on the committee at all.</p> <p><u>MOTION:</u> To adopt the resolution as written.</p>					
Anderson				X	
Holland					X
Rothchild					X
Schroeder	X		X		
Thornton		X	X		
Wood					X
Billick (3-4)					X
<p>FAILED</p>					
<p>Mr. Holland moved to postpone any action until the next meeting at which time two citizens could be chosen for the committee. Mr. Schroeder suggested adding one councilman and one citizen; whereupon Mr. Holland moved to amend the resolution adding Councilman Rothchild and Citizen Richard Hechler. Motion died for lack of a second. Mr. Hechler addressed Council suggesting that a councilman definitely be on the committee. In response to a question from Mr. Hechler, Mr. Rothchild stated that he did not wish to second a motion that appointed himself. Mr. Holland again stated his desire to know who the citizen appointees would be before voting on the resolution.</p> <p><u>MOTION:</u> To ADOPT the resolution as amended to add two qualified citizens to be selected after a review of resumes of qualified interested citizens.</p>					
Anderson	X		X		
Holland					X
Rothchild		X			X
Schroeder			X		
Thornton			X		
Wood			X		
Billick (4-3)					X
<p>Mr. Holland questioned the resolution having blank spaces for the citizens' names. City Attorney Rynders noted that the citizens could be named at the next meeting; however, the committee could take no action until they were.</p> <p><u>MOTION:</u> To RESCIND the action just taken passing this resolution.</p>					
Anderson					X
Holland		X	X		
Rothchild	X		X		
Schroeder			X		X
Thornton					X
Wood			X		
Billick (4-3)			X		

	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---RESOLUTION (Cont.) ITEM 9 (Cont.)</p> <p>After further discussion about the disposition of this Agenda Item, Mr. Rothchild moved to table it. After it was pointed out that the resolution would come back in the same form, Mr. Rothchild withdrew his motion.</p> <p><u>MOTION:</u> To REMOVE Agenda Item 9 from the Agenda.</p> <p>***</p> <p>Recess: 11:00 a.m. Reconvene: 11:14 a.m.</p> <p>***</p> <p>---RESOLUTION 4063 ITEM 10</p> <p>A RESOLUTION SELECTING THE FIRMS IN ORDER OF PREFERENCE AS BEING THE MOST QUALIFIED TO PERFORM DESIGN ENGINEERING AND ARCHITECTURAL/ENGINEERING SERVICES RELATIVE TO CONSTRUCTION OF A MUNICIPAL DOCK FACILITY; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Council discussed the higher than expected cost estimates that had been brought up during the interviews with the three engineering firms yesterday at the Workshop Meeting. Mr. Rothchild and Mr. Schroeder both stated that they did not want the City to become financially responsible for this project. Bill Barton of Wilson, Miller, Barton, Soll & Peek, Inc. addressed Council and suggested carrying on negotiations in two phases. Phase I would be for preliminary designs and firmer cost estimates and Phase II would be optional, pending action by Council on Phase I. Some Councilmen were interested in the premise of leasing the facility to private enterprise and that the City not be in the dock business at all, rather than spending any money on the old dock. Anita Utter, citizen, spoke in support of new dock facilities and added slips. James Dennis Murphy, citizen, suggested surveying private marinas to see if anyone was interested in taking over this enterprise. Mr. Rothchild asked if there were anyone interested, that they indicate their interest to the City. Mr. Hechler, citizen, suggested that City Manager Jones use two of his experienced negotiators that are on his staff. Glenn Mackay, citizen, made some comparisons in costs for dockage and other supplies, indicating that the City Dock could charge more than it does. Ronald Bell, citizen, spoke in support of more slips and deepers ones. Mr. Holland amended his motion to take in the concept of a two-phase contract. Mr. Holland confirmed with the City Manager that the Dock had been self-supporting in the past.</p> <p>***Mr. Rothchild left Council table-12:01 p.m.***</p> <p><u>MOTION:</u> To ADOPT the resolution as amended to authorize the City Manager to negotiate on Phase I of a two-phase contract to obtain preliminary designs and a firmer estimated cost.</p> <p>***Mr. Rothchild returned to Council table-12:03 p.m.***</p> <p>***</p>	<p>Anderson</p> <p>Holland</p> <p>Rothchild</p> <p>Schroeder</p> <p>Thornton</p> <p>Wood</p> <p>Billick</p> <p>(7-0)</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>
<p>Anderson</p> <p>Holland</p> <p>Rothchild</p> <p>Schroeder</p> <p>Thornton</p> <p>Wood</p> <p>Billick</p> <p>(6-0)</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

---RESOLUTION 4064 ITEM 11

A RESOLUTION ACCEPTING A CORRECTIVE DEED FROM HENRY B. WATKINS, JR., ET AL FOR PROPERTY LOCATED IN RIVER PARK EAST; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT resolution as presented.

Anderson		X	X		
Holland			X		
Rothchild			X		
Schroeder			X		
Thornton			X		
Wood	X		X		
Billick			X		
(7-0)					

*** *** ***

---RESOLUTION 4065 ITEM 12

A RESOLUTION APPOINTING A SELECTION COMMITTEE FOR THE PURPOSES HEREINAFTER SET FORTH, RELATING TO THE SELECTION OF A CERTIFIED PUBLIC ACCOUNTANT TO PERFORM AN AUDIT OF THE CITY'S FINANCIAL TRANSACTIONS FOR THE FISCAL YEAR 1981-82; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Council had a discussion on reasons for conducting interviews from firms interested in doing the City audit. Mr. Hechler, citizen, noted his feeling that some requirements on one bond issue had not been fulfilled; to which Mr. Schroeder replied that he had checked into that and the requirement had been met.

MOTION: To ADOPT the resolution appointing City Manager Jones, Mr. Rothchild and Mr. Wood to the committee.

Anderson				X	
Holland	X		X		
Rothchild			X		
Schroeder				X	
Thornton			X		
Wood			X		
Billick	X		X		
(5-2)					

*** *** ***

---PURCHASING ITEM 13

---RESOLUTION 4066 ITEM 13-a

A RESOLUTION AUTHORIZING EXTENSION OF THE EXISTING CONTRACT WITH AMERICAN UNIFORM RENTAL SERVICE FOR AN ADDITIONAL TWO YEAR PERIOD FOR PROVIDING RENTAL UNIFORMS FOR CITY EMPLOYEES DESIGNATED TO WEAR UNIFORMS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

Anderson		X	X		
Holland	X		X		
Rothchild			X		
Schroeder			X		
Thornton			X		
Wood			X		
Billick			X		
(7-0)					

*** *** ***

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

CORRESPONDENCE & COMMUNICATIONS

Mr. Rothchild questioned the itemized billing received from Ross, Hardies, O'Keefe, Babcock & Parsons regarding the services of Mr. Bosselman on the time-sharing problem as noted in a memo from City Attorney Rynders dated July 9, 1982. It was the opinion of a majority of Council that the fees were not to be questioned at this time. (A copy of the memo is on file in the meeting packet in the City Clerk's office.)

ADJOURN - 12:23 p.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen P. Marshall
Ellen P. Marshall
Deputy City Clerk

These minutes of the Naples City Council approved 08-04-82

Supplemental Attendance List

Reverend John T. Arms
Charles Andrews
Mr. & Mrs. William Brandt
Mary Springrose
Walter Olson
Sabra Cecil
Laura Crowley
Al Ziegler
Edward Hannam
Scott Hedrick
Sam Aronoff
Bob Buschman
Chuck Moehlke

Gene Pittenger
William Shearston
Robert Russell
Richard Hechler
Gilbert Weil
Glenn Mackay
William Barton
Jim Hill
James Dennis Murphy
Anita Utter
Jim McGrath
Ronald Bell

Other interested citizens and visitors.

News Media:

Tuck Thompson, Naples Daily News
Scott Stewart, TV-9
Lynn Levine, TV-9
Jerry Pugh, TV-9

Jeff Leen, Miami Herald
Tish Gray, Naples Star
Steve Kaskovich, News Press



City of Naples

MEMO

TO: Honorable Mayor and Members of City Council
FROM: City Manager Franklin C. Jones
SUBJECT: PAB Review of Comprehensive Plan and Capital Improvement Program
DATE: July 12, 1982

BACKGROUND:

The PAB reviews the Comprehensive Plan and the proposed Capital Improvement Program each year.
Comprehensive Plan Discussion and Recommendation
This year the Board reviewed and discussed the Plan at their meetings of June 3 and July 1. In addition to a status review of the various programs and projects related to the Plan, the staff presented a recently-completed Historical Preservation Report and a "visual survey" of portions of the City, with suggestions for various beautification-related improvements.

The Board requested that the staff review the suggested beautification improvements with the Naples Beautification Council and to seek their recommendation.

The Beautification Council (see attached letter) endorsed the idea of a street tree-planting program on Route 41, which in turn was accepted by the PAB subject to a staff review of DOT requirements.

We have reviewed DOT's street tree-planting criteria and believe we can work within the guidelines and still improve the appearance of Route 41 from 5th Avenue South to 12th Avenue North.

The PAB recommends that the City Council approve and fund a street tree-planting program on Route 41 from 5th Avenue South to 12th Avenue North in the 1982-83 C.I.P.

Capital Improvement Program Discussion and Recommendation

The PAB discussed the proposed CIP at their July 1st meeting, and specifically recommended the rebuilding of the City Dock be included as a 1982-83 project; and that the proposed improvement include a general upgrading of the appearance of the Grayton Cove area, from 8th Street to the entrance of the dock itself. The Board also expressed the opinion that the new dock should be an attractive facility in keeping with the "Naples" image

Respectfully submitted, Franklin C. Jones City Manager

Prepared by: [Signature] Mayor J. Barry, Community Development Director



City of Naples

MEMO

TO: Honorable Mayor and Members of City Council
FROM: City Manager Franklin C. Jones
SUBJECT: The Elephant Walk Restaurant, Special Exception Request to permit "Dancing and/or Staged Entertainment" at 2840 North Tamiami Trail, Petition No. 82-S20
DATE: July 1, 1982

BACKGROUND:

The former "GABLES" Restaurant building is currently being re-modeled and will reopen as The Elephant Walk restaurant. The owners wish to have dancing, but indicate that they will not have live music or entertainment. They will use recorded music.

RECOMMENDATION:

The PAB held a public hearing on the request at their meeting of July 1, 1982, and recommended approval, subject to the following conditions:

- 1. The approval shall be for a 12-month probationary period; the petition shall be reviewed again at the end of that time, and if there are no significant problems, the petition may be granted for an indefinite period of time.
2. The Special Exception shall be valid for this petitioner only, shall not run with the land, any new owner or restaurant operation shall be required to reapply and obtain City Council approval if dancing and/or staged entertainment is desired.

Respectfully submitted, Franklin C. Jones City Manager

Prepared by: [Signature] Mayor J. Barry, Community Development Director

FORM 4 MEMORANDUM OF VOTING CONFLICT

LAST NAME - FIRST NAME - MIDDLE NAME SCHROEDER, Wade Hampton	AGENCY is unit of: <input type="checkbox"/> STATE <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> MUNICIPALITY <input type="checkbox"/> OTHER	DATE ON WHICH VOTE OCCURRED 07/21/82
MAILING ADDRESS 710 Starboard Dr Naples 33940 Collier		NAME OF PERSON RECORDING MINUTES Ellen P. Marshall
NAME OF AGENCY City of Naples		TITLE OF PERSON RECORDING MINUTES Deputy City Clerk

MEMORANDUM OF CONFLICT OF INTEREST IN A VOTING SITUATION [Required by Florida Statutes §112.3143 (1979)]

If you have voted in your official capacity upon any measure in which you had a personal, private, or professional interest which inures to your special private gain or the special private gain of any principal by whom you are retained, please disclose the nature of your interest below.

1. Description of the matter upon which you voted in your official capacity:

First reading of ordinance amending Code of Ordinances to increase occupational license fees

2. Description of the personal, private, or professional interest you have in the above matter which inures to your special private gain or the special private gain of any principal by whom you are retained:

I am licensed under the City occupational licenses.

3. Person or principal to whom the special gain described above will inure:

a. Yourself b. Principal by whom you are retained: _____ (NAME)

SIGNATURE

Wade Hampton Schroeder

DATE ON WHICH FORM 4 WAS FILED WITH THE PERSON RESPONSIBLE FOR RECORDING MINUTES OF THE MEETING AT WHICH THE VOTE OCCURRED:

7.26.82

FILING INSTRUCTIONS

This memorandum must be filed within fifteen (15) days following the meeting during which the voting conflict occurred with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the meeting minutes. This form need not be filed merely to indicate the absence of a voting conflict. Florida law permits but does not require you to abstain from voting when a conflict interest arises; if you vote, however, the conflict must be disclosed pursuant to the requirements described above.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1979), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.

FORM 4 MEMORANDUM OF VOTING CONFLICT

LAST NAME — FIRST NAME — MIDDLE NAME HOLLAND, Cyrus C.			AGENCY is unit of: <input type="checkbox"/> STATE <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> MUNICIPALITY <input type="checkbox"/> OTHER	DATE ON WHICH VOTE OCCURRED 07/21/82
MAILING ADDRESS 1054 6th Lane N				NAME OF PERSON RECORDING MINUTES Ellen P. Marshall
CITY Naples	ZIP 33940	COUNTY Collier		TITLE OF PERSON RECORDING MINUTES Deputy City Clerk
NAME OF AGENCY City of Naples				SPECIFY

MEMORANDUM OF CONFLICT OF INTEREST IN A VOTING SITUATION [Required by Florida Statutes §112.3143 (1979)]

If you have voted in your official capacity upon any measure in which you had a personal, private, or professional interest which inures to your special private gain or the special private gain of any principal by whom you are retained, please disclose the nature of your interest below.

1. Description of the matter upon which you voted in your official capacity:

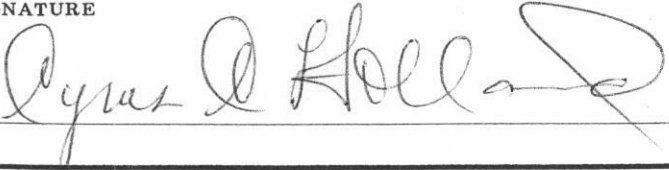
First reading of ordinance amending Code of Ordinances to increase occupational license fees

2. Description of the personal, private, or professional interest you have in the above matter which inures to your special private gain or the special private gain of any principal by whom you are retained:

I am licensed under the City occupational licenses.

3. Person or principal to whom the special gain described above will inure:

a. Yourself b. Principal by whom you are retained: _____ (NAME)

SIGNATURE 	DATE ON WHICH FORM 4 WAS FILED WITH THE PERSON RESPONSIBLE FOR RECORDING MINUTES OF THE MEETING AT WHICH THE VOTE OCCURRED: 7-26-82
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FILING INSTRUCTIONS

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