



City of Naples

Regular Meeting Jan. 19, 1983

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
APPROVAL OF MINUTES - Regular Meeting 01/05/83			1
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - None			
-R. B. ANDERSON - He suggested that City join County on deliberations re competency cards			1
-CITY MANAGER JONES			
City Dock report - Wilson, Miller, Barton, Soll & Peek			1
Public Hearing by <u>Legislative Delegation</u>			1
81-82 <u>Audit</u> presentation in February			1
Horticultural <u>landfill</u> opening successful			
New <u>tennis</u> bookkeeping procedures			2
-HARRY ROTHCHILD - questioned legal fees for Aug. thru Nov. 1982 for <u>Ross, Hardies, O'Keefe, Babcock & Parsons</u>			
<u>RESOLUTIONS</u>			
-Approve <u>Coastal Construction Setback Variance</u> CCL 82-2, Posch		83-4188	2
-Approve <u>Nonconformity</u> Pet. 82-N6, Kenneth Main		83-4189	2
-Approve Spec. Ex. 82-S2, <u>Spoonbill Rest.-Dancing & Stgd. ent.</u> } Grand		83-4190	3
-Approve Spec. Ex. 82-S3, <u>Engine Engine #9-" " " "</u> } Cent.		83-4191	3
-Approve Spec. Ex. 82-S4, <u>Arcade</u> } Stn.		83-4192	3
-Approve Contract w/ <u>Camp, Dresser & McKee</u> , waste water treatment plant expansion and effluent disposal		83-4194	7
-Approve Request Collier County for <u>FBIP funds</u> - <u>Dock</u> reconstruction		83-4195	7
-Authorize <u>Steven Brown</u> , Personnel Director, <u>ICMA</u>		83-4196	8
<u>SECOND READING OF ORDINANCES</u>			
-REMOVED FROM AGENDA-Ord. to amend occ. lic. re <u>astrologers</u>	83-		4
-Readopt <u>State</u> statutes - <u>misdemeanors</u>	83-4193		5
<u>FIRST READING OF ORDINANCES</u>			
-Approve amendment re <u>change in nonconforming use</u>	83-		4
-Approve <u>Bond ordinance</u> -utility tax revenue (for CIP)	83-		5 & 6
-Approve Ordinance adopting 1982 ed. <u>Stand. Bldg. Code, Plumbing Code and Mechanical Code</u> and amending codes	83-		6
-Approve Ordinance to <u>reduce sewer service area</u>	83-		6
<u>DISCUSSION</u>			
-Approve use of <u>Consent Agenda</u> on trial basis			8
* -Correspondence & Communications			
-Pursue <u>opposition to new flood level elevations</u>			10
-Check <u>Tamiami Ford</u> letter with main Ford office			11
<u>PURCHASING</u>			
-Award bid - diesel powered generators		83-4197	8
-Award bid - Renovations - Fire Admin. Bldg.		83-4198	9
-Award bid - metal building - water plant		83-4199	9
-Award bid - Royal palm trees - 13th Av So		83-4200	9
-Award bid - Fire rescue vehicle		83-4201	9
-Award bid - 3 trucks		83-4202	10
-Waive bids - vibratory roller		83-4203	10

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:02 a.m.

Date January 19, 1983

Mayor Billick called the meeting to order and presided as Chairman.

ROLL CALL: Present: Stanley R. Billick
Mayor

R. B. Anderson
Lyle S. Richardson
Harry Rothchild
Wade H. Schroeder
Randolph I. Thornton
Kenneth A. Wood
Councilman

Also present:

Franklin C. Jones, City Manager	William Savidge, Public Works Director
David W. Rynders, City Attorney	Steve Brown, Personnel Director
Roger Barry, Community Development Director	Stewart Unangst, Purchasing Agent
Mark Wiltsie, Assistant to the City Manager	Wayne Martin, Fire Inspector
John McCord, City Engineer	Tom Smith, Assistant Fire Chief
Reid Silverboard, Chief Planner	Norris Ijams, Fire Chief
Randy Davis, Parks & Recreation Director	
Ellen P. Marshall, Deputy Clerk	

See Attachment #1 - Supplemental Attendance List

INVOCATION: Reverend J. Walter Cross, North Naples United Methodist Church

APPROVAL OF MINUTES

ITEM 3

---Minutes of the Regular Meeting of January 5, 1983

MOTION: To APPROVE the minutes as presented.

ANNOUNCEMENTS:

Mayor Billick - None

Mr. Anderson -

---noted that the County was going to review their procedures and policies regarding competency cards and Commissioner Pistor had indicated no objections to having some City people sit in on the deliberations. Mr. Anderson suggested the City do this, if the Council concurred.

City Manager Jones -

---noted receipt and distribution to Council of the report from Wilson, Miller, Barton, Soll & Peek on the preliminary design for the Dock. He suggested a workshop on the matter in February. Mr. Richardson and Mr. Rothchild were in favor of having this workshop meeting in the evening.

---noted receipt of a letter from Representative Mary Ellen Hawkins regarding a public hearing of the Legislative Delegation in case anyone had suggestions for local legislation.

---noted that the 81-82 audit was complete and was being printed differently this year. He expected to present it to Council in February.

---noted that the Saturday opening of the horticultural landfill had proven to be very successful and would continue.

---noted that the auditors had not finalized their studies as yet regarding a proposed tennis bookkeeping system.

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	
Anderson			X		
Richardson					
Rothchild					
Schroeder					
Thornton					
Wood					
Billick			X		

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><u>ANNOUNCEMENT (Cont)</u> <u>ITEM 4 (Cont)</u></p> <p>Mr. Rothchild -</p> <p>---noted a memorandum from City Attorney Rynders regarding the legal fees for Ross, Hardies, etc., from August through November, 1982. Mr. Rothchild made known his opinion that this was money wasted.</p> <p>*** *** ***</p> <p><u>PUBLIC HEARING to consider request for Coastal Construction Setback Line Variance, CCL 82-2</u> <u>ITEM 5</u></p> <p>---<u>RESOLUTION 83-4188</u></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT CONSTRUCTION OF A RIP RAP (ROCK) REVETMENT ADJACENT TO AN EXISTING SEAWALL AT 950 GULF SHORE BOULEVARD SOUTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 9:15 a.m. Closed - 9:21 a.m.</p> <p>Bruce Green, agent for the petitioner, addressed Council and answered questions pertaining to the petition. Mr. Anderson observed that this type of structure is desirable for adjacent properties and that several of the property owners in this area are doing the same thing.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p> <p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD</u> <u>ITEM 6</u></p> <p>---<u>RESOLUTION 83-4189</u> <u>ITEM 6-a</u></p> <p>A RESOLUTION AUTHORIZING EXPANSION OF A NONCONFORMITY TO PERMIT THE RECONSTRUCTION AND ENLARGEMENT OF A BOAT SHELTER AT 300 COVE LANE, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>In response to an inquiry from Mayor Billick, Roger Barry, Director of the Community Development Department, noted that the City did not have a letter from the petitioner agreeing to the stipulation in Section 1 of the resolution. Agent for the petitioner, Miles Scofield, noted petitioner's agreement with the stipulation. Mr. Anderson moved to amend his motion to make the resolution subject to the condition in Section 1; such motion accepted by the seconder, Mr. Richardson.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended.</p> <p>*** *** ***</p>					
Anderson Richardson Rothchild Schroeder Thornton Wood Billick (7-0)	X	X	X	X	
Anderson Richardson Rothchild Schroeder Thornton Wood Billick (7-0)	X	X	X	X	

COUNCIL MEMBERS

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

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 6 (Cont)

---RESOLUTION 83-4190

ITEM 6-b(82-S2)

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT DANCING AND STAGED ENTERTAINMENT IN THE SPOONBILL RESTAURANT IN SUITE NO. 611 OF THE GRAND CENTRAL STATION SHOPPING PLAZA, LOCATED AT THE NORTHWEST CORNER OF ROUTE 41 AND GOODLETTE ROAD, SUBJECT TO THE LIMITATION PROVIDED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*** *** ***

---RESOLUTION 83-4191

ITEM 6-b(82-S3)

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT DANCING AND STAGED ENTERTAINMENT IN ENGINE, ENGINE NO.9 RESTAURANT IN SUITE NO. 1200 OF THE GRAND CENTRAL STATION SHOPPING PLAZA, LOCATED AT THE NORTHWEST CORNER OF ROUTE 41 AND GOODLETTE ROAD, SUBJECT TO THE LIMITATION PROVIDED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*** *** ***

---RESOLUTION 83-4192

ITEM 6-b(82-S4)

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT A COIN-OPERATED AMUSEMENT PARLOR IN ARCADE CITY, SUITE #501 OF THE GRAND CENTRAL STATION SHOPPING PLAZA, LOCATED AT THE NORTHWEST CORNER OF ROUTE 41 AND GOODLETTE ROAD; AND PROVIDING AN EFFECTIVE DATE.

Anderson					X
Richardson		X		X	
Rothchild					X
Schroeder	X			X	
Thornton				X	
Wood				X	
Billick				X	
(6-1)					

Title read by City Attorney Rynders.

In response to a question from Mr. Rothchild, City Attorney Rynders explained the criteria necessary for Council to take action to rescind the special exception status for both this coin operated amusement and the one in Coastland Mall. Mr. Rothchild noted he had heard of problems with the arcade in Coastland Mall.

MOTION: To ADOPT the resolution as presented.

*** *** ***

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
ADVISORY BOARD (Cont)

ITEM 6 (Cont)

---ORDINANCE 83---

ITEM 6-c

AN ORDINANCE AMENDING SUBSECTION 45, ENTITLED "TIME-SHARE LODGING FACILITIES" OF SECTION 6, "SUPPLEMENTARY DISTRICT REGULATIONS", AND SUBSECTION "A", "DEFINITION OF NONCONFORMITY", OF SECTION 4, APPENDIX "A" - ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO DECLARE THAT WHERE A TRANSIENT LODGING USE IS A NONCONFORMING USE, A CHANGE IN SUCH USE TO A TIME SHARE USE IS A CHANGE IN USE AND TO PROVIDE THAT WHERE A PERMITTED USE BECOMES A SPECIAL EXCEPTION USE, ANY SUCH USE EXISTING AT THE TIME OF SUCH CHANGE BECOMES NONCONFORMING.

Title read by City Attorney Rynders.

City Attorney Rynders noted that Ed McMahon of the Old Naples Association had discussed a suggested amendment with him. He said that addition noted in Section 2 would read: "Where such an existing use has been a 'use permitted' in a zoning category and said use is subsequently changed to a 'special exception', the existing use is not thereafter a 'use permitted' but becomes a nonconforming use under this zoning ordinance until special exception approval is obtained for that property as provided for in Section 6(23) of the zoning ordinance." Mr. Rothchild indicated that he still had a problem interpreting the language.

MOTION: To APPROVE the ordinance as amended on First Reading.

PUBLIC HEARINGS and Second Reading of Ordinances

ITEM 7

---ORDINANCE 83---

ITEM 7-a

AN ORDINANCE AMENDING SECTION 12-47, "SCHEDULE OF LICENSE TAXES", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, BY AMENDING SUBSECTION (73), "FORTUNETELLER", AND BY ADDING A NEW SUBSECTION THERETO, ENTITLED "ASTROLOGER"; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REMOVE "ASTROLOGER" FROM THE "FORTUNETELLER" CLASSIFICATION OF THE OCCUPATIONAL LICENSE TAX SCHEDULE AND TO ESTABLISH A SEPARATE CLASSIFICATION, FEE AND REQUIREMENTS FOR AN ASTROLOGER.

Title read by City Attorney Rynders.

No Public Hearing.

Mayor Billick noted the receipt of a letter (Attachment #2) from Ninette Peterson who was the person who initiated the request for the change embodied in the ordinance; and he noted that she was withdrawing her request. Mr. Rothchild stated his feeling that this ordinance should be denied on second reading rather than removed from the agenda.

MOTION: To REMOVE this item from the Agenda.

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	
Anderson	X		X		
Richardson			X		
Rothchild				X	
Schroeder		X	X		
Thornton			X		
Wood			X		
Billick (6-1)			X		
Anderson			X		
Richardson		X	X		
Rothchild			X		
Schroeder	X		X		
Thornton			X		
Wood			X		
Billick (7-0)			X		

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 83- (Cont) ITEM 8-a (Cont)</p> <p>Mr. Rothchild noted his objections to this ordinance at this time and referred to City Manager Jones' memo of September 15, 1982 (Attachment #5) which Mr. Rothchild felt was the end of the discussion of compressing the street program. City Manager Jones noted that the contract awarded at the last Council meeting for outside engineering services for one project, which would be used in the staff's determination of deciding the practicality of advancing the program. City Attorney Rynders added that approximately 120 days lead time was necessary prior to making a final decision to actually selling bonds. City Manager Jones also noted that there will be a similar ordinance to sell bonds for the wastewater treatment plant expansion. Mayor Billick again noted the suggested change in the reference to Schedule A.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as amended on First Reading.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson		X		X	
Rothchild					X
Schroeder	X			X	
Thornton				X	
Wood				X	
Billick (6-1)				X	
<p>---ORDINANCE 83- ITEM 8-b</p> <p>AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, RELATING TO THE BUILDING CODE, ELECTRICAL CODE, PLUMBING CODE AND MECHANICAL CODE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT THE 1982 EDITIONS OF THE STANDARD BUILDING CODE, PLUMBING CODE AND MECHANICAL CODE AND TO AMEND AND CLARIFY CERTAIN PROVISIONS OF CHAPTER 8 RELATING TO THE BUILDING CODE, ELECTRICAL CODE, PLUMBING CODE AND MECHANICAL CODE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Anderson confirmed with City Manager Jones that there was nothing unusual in the ordinance.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson				X	
Rothchild				X	
Schroeder		X		X	
Thornton	X			X	
Wood				X	
Billick (7-0)				X	
<p>---ORDINANCE 83- ITEM 8-c</p> <p>AN ORDINANCE AMENDING ORDINANCE NO. 2699 AND ORDINANCE NO. 2775 RELATING TO THE CONSTRUCTION AND EXTENSION OF THE CITY'S SEWER SYSTEM INTO CERTAIN UNINCORPORATED AREAS OF COLLIER COUNTY, REDEFINING THE BOUNDARIES OF SAID SEWER SERVICE AREA; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REMOVE CERTAIN UNINCORPORATED AREAS OF COLLIER COUNTY FROM THE CITY'S SEWER SERVICE AREA.</p> <p>Title read by City Attorney Rynders.</p> <p>In a response to a question from Mr. Rothchild, City Manager Jones noted that analysis of this problem was not in the scope of work in the contract with Camp, Dresser and McKee. Mr. Schroeder noted that attempting to accept treatment for a larger area would increase the cost to the present users.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson				X	
Rothchild				X	
Schroeder		X		X	
Thornton	X			X	
Wood				X	
Billick (7-0)				X	
<p>Break: Recess - 10:50 a.m. Reconvene - 11:01 a.m.</p>					

COUNCIL MEMBERS	M O T I O N	VOTE		A B S E N T
		Y E S	N O	
<p>---RESOLUTION 83-4194 ITEM 9</p> <p>A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT BETWEEN THE CITY OF NAPLES AND CAMP DRESSER & MCKEE, INC., RELATING TO ENGINEERING SERVICES FOR THE DESIGN, BIDDING AND CONSTRUCTION OF THE CITY OF NAPLES WASTEWATER TREATMENT PLANT EXPANSION AND EFFLUENT DISPOSAL/REUSE PROJECT; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Wood noted that the Camp, Dresser & McKee contract referred to environmental engineers and not sanitary engineers and he asked for an explanation. Charles Bolton, representing Camp, Dresser, & McKee, noted the information provided during negotiations regarding the detailed descriptions of the various categories of engineers proposed to work on this project. He added that the State of Florida only issues a professional engineering license and that his firm uses environmental engineer as synonymous with sanitary engineer. In response to the same question from Mr. Wood, Dr. Floyd Peterson, a member of the Consultant Selection Committee for these projects, stated his feeling that the term Professional Engineer, Civil/Sanitary should be used in the contract. Mayor Billick stated his feeling that it wouldn't be necessary to change the language in the contract. Mr. Rothchild noted a \$10.00 error on page 12 of the contract, noting that it should read \$192,624. City Manager Jones noted the proposed addition of a sentence, "It is understood owner maintains rights to reuse of all documents on this project", on page 11 at the end of paragraph 6.2.</p> <p>MOTION: To <u>ADOPT</u> the resolution as amended.</p> <p>*** *** ***</p>				
Anderson		X		
Richardson	X		X	
Rothchild			X	
Schroeder		X		
Thornton			X	
Wood			X	
Billick (7-0)			X	
<p>---RESOLUTION 83-4195 ITEM 10</p> <p>A RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS TO DEDICATE A PORTION OF THE FUNDS ALLOCATED TO THE COUNTY FROM THE FLORIDA BOATING IMPROVEMENT PROGRAM FUNDS TO ASSIST IN FINANCING THE PROPOSED CITY DOCK RENOVATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>In response to questions from Mr. Rothchild, City Manager Jones explained that the funds were derived from boater registrations and could be used for improving recreational boating. He further noted that the City had used some of these funds in the improvement of Naples Landing. Also in response to a question from Mr. Rothchild, City Attorney Rynders stated that a portion of the dock was on public right-of-way and a portion was on state-owned bottom land.</p> <p>MOTION: To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p>				
Anderson		X		
Richardson		X		
Rothchild			X	
Schroeder		X		
Thornton	X		X	
Wood			X	
Billick (6-1)			X	

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><u>DISCUSSION/ACTION with reference to implementing consent agenda format for City Council meetings.</u> <u>ITEM 11</u> Requested by Councilman Richardson.</p> <p>Mr. Richardson noted that this means was used by many Councils to hasten meetings. Mayor Billick referred to material pertaining to this matter that had been distributed by City Manager Jones, a copy of which is on file in this meeting packet in the City Clerk's office. In response to questions, the City Manager suggested that this be structured so that any item could be taken out of the Consent agenda at the request of a Councilman or a member of the public. He also suggested that any questions anyone might have on those items could be answered prior to a meeting. Mr. Rothchild reviewed his objections to a consent agenda.</p> <p><u>MOTION:</u> To use a consent agenda on a <u>TRIAL</u> basis.</p> <p>***</p>					
Anderson			X		
Richardson			X		
Rothchild				X	
Schroeder	X		X		
Thornton			X		
Wood		X	X		
Billick			X		
(6-1)					
<p>---<u>RESOLUTION 83-4196</u> <u>ITEM 12</u></p> <p>A RESOLUTION AUTHORIZING STEVEN C. BROWN, PERSONNEL DIRECTOR, TO PARTICIPATE IN THE DEFERRED COMPENSATION PLAN THROUGH THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION; PROVIDING THAT HE SHALL BE EXEMPTED FROM PARTICIPATING IN THE RETIREMENT SYSTEM OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>***</p>					
Anderson			X		
Richardson			X		
Rothchild			X		
Schroeder		X	X		
Thornton	X		X		
Wood			X		
Billick			X		
(7-0)					
<p><u>PURCHASING</u> <u>ITEM 13</u></p> <p>---<u>RESOLUTION 83-4197</u> <u>ITEM 13-a</u></p> <p>A RESOLUTION AWARDED THE BID FOR TWO (2) DIESEL POWERED GENERATORS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Dennis Stube, Key Power, Inc., addressed Council in support of awarding the bid to his firm. It was his contention that the engine used in the generator to be supplied by the low bidder, Reagan Equipment of Ft. Myers, did not meet specifications inasmuch as he believed it was manufactured in Japan. He noted that his company could have underbid Reagan Equipment if they had also included an imported engine. He questioned the availability of parts and service for the Japanese engine. Purchasing Agent Stewart Unangst noted that he had been assured of the parts availability and that the generators chosen were manufactured in Japan, but assembled in the United States by Waukesha in Wisconsin.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>***</p>					
Anderson		X	X		
Richardson			X		
Rothchild		X	X		
Schroeder			X		
Thornton			X		
Wood			X		
Billick			X		
(6-1)				X	

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 83-4198

ITEM 13-b

A RESOLUTION AWARDING THE BID FOR PROVIDING AND ERECTING A METAL INDUSTRIAL BUILDING AT THE CITY WATER PLANT #2 AND FURNISHING AND INSTALLING FOUR (4) OVERHEAD DOORS IN THE EXISTING WATER PLANT GARAGE BUILDING; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented

*** *** ***

Anderson
Richardson
Rothchild
Schroeder
Thornton
Wood
Billick
(7-0)

X		X		
		X		
	X	X		
		X		
		X		
		X		
		X		

---RESOLUTION 83-4199

ITEM 13-c

A RESOLUTION AWARDING THE BID FOR RENOVATIONS TO THE FIRE ADMINISTRATION BUILDING; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*NOTE: See paragraph following Item 13-d.

*** *** ***

Anderson
Richardson
Rothchild
Schroeder
Thornton
Wood
Billick
(7-0)

		X		
		X		
	X	X		
		X		
		X		
	X	X		
		X		

---RESOLUTION 83-4200

ITEM 13-d

A RESOLUTION AWARDING THE BID FOR ROYAL PALM TREES TO BE PLANTED ALONG CITY RIGHTS-OF-WAY; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*NOTE: Referring back to Agenda Item 13-c, Mr. Anderson noted the big difference between the low bid and the next one and asked if this low bid had been verified. Stewart Unangst, Purchasing Agent, stated that he and Fire Inspector Wayne Martin had walked the contractor through the building after the bid opening and he had been satisfied with his bid.

*** *** ***

Anderson
Richardson
Rothchild
Schroeder
Thornton
Wood
Billick
(7-0)

	X	X		
		X		
		X		
X		X		
		X		
		X		
		X		

---RESOLUTION 83-4201

ITEM 13-e

A RESOLUTION AWARDING THE BID FOR A FIRE RESCUE VEHICLE; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Fire Chief Norris Ijams verified that this will replace the present rescue vehicle and that the options that were deleted can be added at a later date, if needed. City Manager Jones corroborated Chief Ijams' statement. Chief Ijams further explained that most of the options would be added if the City at a later date wished to bring the vehicle up to ambulance status.

MOTION: To ADOPT the resolution as presented.

*** *** ***

Anderson
Richardson
Rothchild
Schroeder
Thornton
Wood
Billick
(7-0)

		X		
		X		
		X		
		X		
X		X		
	X	X		
		X		

DD0784

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 83-4202

ITEM 13-f

A RESOLUTION AWARDING THE BID FOR THREE (3) TRUCKS TO BE USED BY THE PUBLIC WORKS DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Rothchild questioned the intention of putting the generators purchased in Item 13-a on these trucks for the purpose of transporting the generators to the source of the City's raw water supply during a power outage. City Manager Jones replied that this was the most effective way to remedy such an outage. Mr. Schroeder suggested using these generators to supply power at the present time and possibly selling some power to Florida Power & Light. He asked the City Manager to check out the feasibility of doing this.

Anderson			X	
Richardson		X	X	
Rothchild				X
Schroeder			X	
Thornton			X	
Wood	X		X	
Billick (6-1)			X	

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 83-4203

ITEM 13-g

A RESOLUTION AUTHORIZING THE PURCHASE OF A USED VIBRATORY ROLLER; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

CORRESPONDENCE & COMMUNICATIONS

---Mr. Schroeder noted the City's opposition to the proposed new flood level elevations and the fact that County is also opposed to them. He suggested that City Attorney Rynders get together with County Attorney Saunders to review the situation and report back to Council. The City Attorney reported on meetings with the County Manager and an attorney who had filed an appeal for Cape Coral. He noted that the City had until mid-March to file an appeal. He added that the basis for the new level was under attack and it may not be necessary to file such an appeal if the Lee County appeal is successful. Mr. Rothchild suggested also contacting the League of Cities to see if other areas are involved in appealing these new flood levels. The City Attorney stated he would continue to explore the situation and bring the information back to Council.

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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 (Cont)

---Mr. Schroeder called Council's attention to a letter from Tamiami Ford dated January 13, 1983 (Attachment #6). He suggested that the City contact the main office of Ford to see if this letter represented a policy of Ford or of the local dealer. City Manager Jones noted that he was pursuing the matter and further explained the City's bid specifications regarding warranties.

ADJOURN: 12:55 p.m.

Janet Cason

Janet Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

These minutes of the Naples City Council approved on 02-02-83

Supplemental Attendance List - Regular Meeting 01/19/83

Reverend J. Walter Cross
 Herb Anderson
 Ed McDermott
 Merritt Rathje
 Sam Aronoff
 Dan Abercrombie
 Bruce Green
 Al Ziegler

Miles L. Scofield
 Lou Kibsgard
 Ed Kant
 Charles Andrews
 Gilbert Weil
 Walter Olson
 Mr. & Mrs Bob Mulligan
 James McGrath
 Dennis Stubbee

John McGregor
 George Turner
 Floyd Peterson
 Mr & Mrs Grant
 Charles Bolton
 Victor Pujals
 Ben Anderson
 Bob Johnson

News Media

Scott Stewart, TV-9
 Lynn Levine, TV-9
 Ned Warner, TV-9
 Gary Arnold, WEVU, TV-26

Denes Husty, News Press
 Tish Gray, Naples Star
 James Moses, Naples Daily News

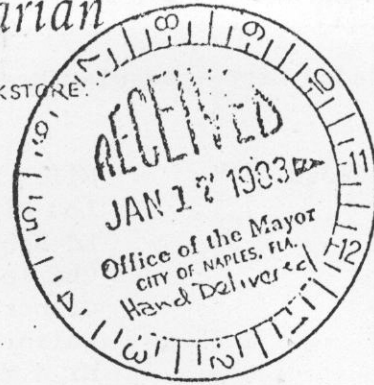
Other interested citizens & visitors

The Aquarian

METAPHYSICAL BOOKSTORE
& CENTER

5600 N. TAMiami TRAIL
SUITE 11
NAPLES, FLORIDA 33940

PHONE
(813) 597-3241



Jan. 15, 1983

Dear Mr Mayor,

I would like to withdraw my request for an ordinance change allowing Astrologers to be placed in a separate category including a reduction of the license fee.

I want to thank you and the Council for your time and consideration in this matter.

Very Sincerely,

Ninette Peterson
Ninette R. Peterson

xc: Council
mgr.
Atty
Clerk

Opening Statement

Wednesday, Jan. 19, 1983

ATTACHMENT #3 - page 1

Good Morning, Mr. Mayor and Councilmen:

My name is J. Sandy Scatena and my wife and I reside at 2990 Binnacle Drive, Naples, Florida. We have lived in the City of Naples for over 10 years, have owned properties in Collier County since 1967 and in 1975, we opened a Women's Apparel Shop, - Clothes Rack, at 539 Fifth Ave. So.

As a business man in this community, I come before you today at this Public Hearing to discuss the 2nd Reading of this Proposed Ordinance re-adopting Section 15-01A of the Code of Ordinances for the City of Naples relating to Misdemeanor hours of Florida. My wife and I are particularly concerned how this Ordinance will affect the present way in which "worthless checks" are handled by Joseph P. D'Alasandro, the State Attorney for the 20th Judicial District. In order for me to do this, Mayor Bullock, I request your permission to ask the City Managers and the City Attorney the following questions.

In conclusion, Mr. Mayer and Councilmen, my wife and I suggest that you delay the passage of this Proposed Ordinance until you definitely know whether or not it will accomplish the purpose it is intended to do. As Taxpayers, Property Owners and Members of the Business Community in the City of Naples we are in favor of doing anything that is legal to collect more money for the City of Naples, but we are strongly opposed to doing anything that will create legal problems between the City of Naples and William J. Reagan Clerk of the Courts who under the Constitution of the State of Florida Section 20 - Schedule to Article 5 - Number 8 "Has the responsibility to collect all fines and forfeitures arising from offenses tried in County Court and to deposit them in a Special Trust Account. These fines and forfeitures are then paid on a monthly basis to the City, County and State Government as prescribed by State Law."

Again, I thank you for giving me this opportunity to appear before you today at this Public Hearing. If you have any questions, I am happy to answer them to the best of my ability.

*City of Naples*

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: ADOPTION OF STATE MISDEMEANOR LAWS
DATE: DECEMBER 30, 1982

BACKGROUND: In order for the City to incorporate the current misdemeanor laws of the State of Florida into our code of ordinances, it is necessary for the City Council to adopt an ordinance. Such an ordinance was adopted in 1979 to incorporate the misdemeanor laws in effect at that time.

Since that time there have been numerous amendments to the Florida Statutes; therefore, in order to have these enforced as part of our code and to receive the fines levied by the courts for offenses, the Council must again adopt the current misdemeanor laws. As an example, one change has been the inclusion of bad check offenses as misdemeanor violations. These violations are currently being prosecuted under the state law and fines are not being forwarded to the City. By readopting the State misdemeanor laws, we would be entitled to approximately \$6,000 in fines for this type of prosecution each year.

RECOMMENDATION: I recommend that Council enact this ordinance which would serve to bring us into a current position with the State misdemeanor laws and we will schedule to do this again when major changes are made in the Florida Statutes.

Respectfully submitted,

Franklin C. Jones
Franklin C. Jones
City Manager

FCJ/tan



City of Naples

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: CAPITAL IMPROVEMENT PROGRAM
 DATE: SEPTEMBER 15, 1982

During the workshop on the capital improvement program you requested that I investigate the feasibility of compressing the five-year streets program into two years. In the process of doing that, I requested that John McCord compute the cost of the projects in the program at rates that would be in effect for 1983 and 1984. This required him to reduce the amount of the projected inflation factor for each of the projects. The results of this are as follows:

1982-83 Program.....	\$1,673,545
1983-84 Program.....	2,365,770
Two-year program estimated cost.....	\$4,039,315

This would mean that there would be a savings of approximately \$600,000 by accomplishing the work at an earlier date.

At the same time I asked Bill Hanley to compute the cost of borrowing money to complete this program. We used bond maturity dates of five, ten and 20 years and interest rates of 10% and 12%. The cost of having to borrow the money to accomplish the work would add between \$1.3-million and \$5.8-million to the cost of the projects, considerably more than the savings from avoiding the inflationary impact.

A third factor that would affect the decision on this is that \$944,000 of the work to be done in 1983, and \$1,500,000 of the work to be done in 1984 would have to be done under contract. This would add another \$738,000 to the cost, based upon our experience of work being done under contract costing approximately 30% more than work done in-house. I have reviewed this 30% factor with John McCord once again and we are both satisfied that it continues to be a valid assumption.

In addition to this review, I have undertaken a review of current and prior year budgeted projects in an attempt to identify those projects where costs will now be less than estimated thus providing some additional surplus funds to be used in the 1982-83 program.

I have also taken input from individual Council members and from members of the public who attended the workshop and have identified several projects for which these people expressed interest in advancing in the program. I have prepared a suggested budget change which would allow us to accomplish either in the first year of the program or at some point earlier in the program the projects for which this interest was expressed. The attached schedule reflects those changes and I would be happy to discuss them with you at our next budget workshop or individually prior to that time.

Respectfully submitted,

Franklin C. Jones
 Franklin C. Jones
 City Manager



TAMIAMI FORD, Inc.

4075 North Tamiami Trail
P. O. Box 3226
Telephone (813) 262-3673 Or 262-Ford
(BEAUTIFUL) NAPLES, FLORIDA 33939

January 13, 1983



Members of City Council
City of Naples
735 8th St. S.
Naples, FL 33940

Dear Council,

In regards to Mr. Unangsts letter dated Jan. 10, 1983, please be advised that Tamiami Ford will complete only unit down warranty repairs for units purchased by the City from outside vendors. All other repairs will be the responsibility of the selling dealer. Unit down repairs are those which render the vehicle unsafe or undrivable.

Thank you,

Tim Zellers
Tamiami Ford, Inc.

xc : Council
Mgr.
Purch. Dpt.