



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - None			
-COUNCILMAN SCHROEDER - reported on his attendance at National Conference on Waste Exchange			1
-COUNCILMAN ROTHCHILD - recommended open bidding on any City bond issue			
-CITY MANAGER JONES - reported on negotiations with Wilson, Miller, Barton, Soll & Peek, Inc. - dock design			
<u>APPROVAL OF MINUTES</u> - Regular Meeting 03/02/83			
			1
<u>RESOLUTIONS</u>			
-Appoint Barrie Kee to <u>Police Pension Board</u>		83-4235	1
-Accept Bill of Sale and easment - <u>water main ext.</u> - World Tennis Ctr		83-4236	1
-Adopt <u>Compensation & Benefit plan</u> - Non-bargaining employees		83-4241	3
-Approve <u>Variance Pet.</u> 83-V2, 3625 Gordon Dr., Hahn		83-4242	4
-Approve <u>Spec. Ex. Pet.</u> 83-S2, <u>Church of God</u> , 1074 10th St No		83-4243	4
-Approve <u>Variance Pet.</u> 83-V3 and <u>Spec. Ex. Pet.</u> 83-S3, <u>Macedonia Church</u>		CONTINUED	4 & 5
-Approve <u>Spec. Ex. Pet.</u> 83-S4, <u>Naples Community Hospital</u>		83-4244	5
-Approve <u>Rezone Petition</u> 83-R1 - Darlene Stoneburner	REFERRED BACK	TO PAB	5
-Approve <u>Temporary Use Permit</u> - <u>Collier Bank</u>		83-4247	7
-Appoint George C. Mohlke to <u>Carver Finance, Inc.</u>		83-4248	7
-Appoint Lyle Richardson to <u>Collier County Tourist Development Council</u> ; Wade Schroeder as alternate		83-4249	8
<u>ORDINANCES</u>			
First Reading			
- <u>Rezone petition</u> - <u>Windstar</u> from "R1-15" to Planned Development	FAILED		6
Second Reading			
-Approve ordinance to remove excessive growth of <u>noxious plants</u> and trash from privately-owned unimproved property	83-4245		6 & 7
-Prohibit landing & taking off of <u>seaplanes and ultra-lights</u> in City or on <u>Naples Bay</u>	83-4246		7
<u>PURCHASING</u>			
-Award bid - control panel, Water Plant #2		83-4237	2
-Renew contract - lot mowing		83-4238	2
-Award bid - annual electrical service		83-4239	2
-Award bid - 16" force main, Cypress Woods Drive		83-4240	3

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Time 9:06 a.m.

Date March 16, 1983

Mayor Billick called the meeting to order and presided as Chairman

ROLL CALL: Present: Stanley R. Billick ITEM 2
Mayor

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

Also present:

Franklin C. Jones, City Manager Stewart Unangst, Purchasing Agent
David W. Rynders, City Attorney
Roger Barry, Community Development Director John McCord, City Engineer
Reid Silverboard, Chief Planner Wayne Martin, Fire Marshal
Mark Wiltsie, Assistant to the City Manager Ellen P. Marshall, Deputy Clerk

See Attachment #1 - Supplemental Attendance List

INVOCATION Reverend Rex Horton, Golden Gate ITEM 1
Presbyterian Church

ANNOUNCEMENTS ITEM 3

Mayor Billick - None

Councilman Schroeder - reported on his attendance at a National Conference on Waste Exchange in Tallahassee.

Councilman Rothchild - noted the problems in the County in connection with their current bond issue and recommended open bidding for any bond issue the City may contemplate.

City Manager Jones - reported on negotiations with Wilson, Miller, Barton, Soll & Peek, Inc., on a dock design contract. He added that he expected to have a report to Council prior to the first meeting in April.

CONSENT AGENDA ITEMS 4 thru 8

Mayor Billick reviewed the items listed under the Consent Agenda. Mr. Rothchild asked that Items 5-a, 5-b, 5-c, 5-d and Item 6 be removed from the Consent Agenda.

APPROVAL OF MINUTES ITEM 4

Mr. Wood noted that in Item 7-c, Mr. Threlkeld was associated with Nassau Pool Construction, Inc., and the bid was awarded to Nassau Pools, Inc.

--RESOLUTION 83-4235 ITEM 7

A RESOLUTION APPOINTING AN EMPLOYEE OF THE POLICE DEPARTMENT TO SERVE ON THE BOARD OF TRUSTEES OF THE CITY OF NAPLES POLICE OFFICERS' RETIREMENT TRUST FUND; AND PROVIDING AN EFFECTIVE DATE. (Barrie L. Kee)

--RESOLUTION 83-4236 ITEM 8

A RESOLUTION ACCEPTING A BILL OF SALE AND ASSIGNMENT OF EASEMENT FROM COLLIER COUNTY RELATING TO THE WATER MAIN EXTENSION FOR THE WORLD TENNIS CENTER; AND PROVIDING AN EFFECTIVE DATE.

MOTION: To APPROVE the minutes as corrected and ADOPT the resolutions as presented.

-----END CONSENT AGENDA-----

COUNCIL MEMBERS	M	S	Y	A
	O	E	O	B
	I	C	N	S
	O	O	E	E
	N	N	S	N
				O
Anderson				X
Richardson			X	
Rothchild				
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	

PURCHASING (Cont)

ITEM 5 (Cont)

---RESOLUTION 83-4240

ITEM 5-d

A RESOLUTION AWARDING THE BID FOR INSTALLATION OF A 16" WASTEWATER FORCE MAIN ALONG CYPRESS WOODS DRIVE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Rothchild questioned the awarding of the entire bid to one bidder inasmuch as it had been broken down into different parts and one part had received a lower bid from another bidder. City Manager Jones noted that the City had retained Bruce Green & Associates to review the bids and their professional recommendation had been to award the entire bid to the bidder who had been low in all the other parts.

MOTION: To ADOPT the resolution as presented.

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

Mr. Anderson observed that if there was a possibility of one part of a project not being completed on time due to a problem with a bidder who may have bid too low, then the whole project could be in trouble. He added that he was in agreement with the decision to award the entire bid to one company. Mayor Billick noted that in some instances, an award was made on a judgmental basis without hard-and-fast rules.

*** -----END PURCHASING----- ***

---RESOLUTION 83-4241

ITEM 6

A RESOLUTION ADOPTING THE COMPENSATION AND BENEFIT PLANS FOR NON-BARGAINING UNIT EMPLOYEES FOR 1983-84; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones explained that the employees in the bargaining unit had a two year contract, the second year of which would begin on April 1 with an 8% increase. This compensation and benefit plan would give the employees not in the bargaining unit a similar increase at the same time. This plan would also reimburse an employee 100% for an approved college credit course that the employee passed, matching the benefits in the negotiated agreement with union employees. He further noted that the biennial physical examination on page 32 had been deleted. Mr. Richardson confirmed with the City Manager that this increase had been included in the budget under "Contingency." Mr. Rothchild observed that reference to "leave of absence with or without pay at the discretion of the City Manager" was, in his opinion, a very broad statement. City Manager Jones outlined the usual conditions under which this type of leave was granted; Mr. Rothchild suggested that it be granted by Council.

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

MOTION: To ADOPT the resolution with the changes noted by City Manager Jones.

*** -----END PURCHASING----- ***

CITY OF NAPLES, FLORIDA

City Council Minutes

Date March 16, 1983

COUNCIL MEMBERS

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

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD

ITEM 9

---RESOLUTION 83-4242

ITEM 9-a

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6(18) OF APPENDIX "A" - ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT CONSTRUCTION OF A BOAT SHELTER AT 3625 GORDON DRIVE, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Rothchild asked if there had been an excessive number of variances granted such as the petition under consideration. Dr. William Johnson, representing the petitioner, spoke in support of the petition and noted that the need for the variance was only because of a roof on the proposed structure.

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 83-4243

ITEM 9-b

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT EXPANSION OF AN EXISTING ADMINISTRATION AND SUNDAY SCHOOL BUILDING AT THE CHURCH OF GOD, 1074 10TH STREET NORTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

John Hobart, architect for the petitioner, presented himself to answer any questions from Council. In answer to questions from Mr. Rothchild, Mr. Hobart noted that this would not increase the parking requirement or the use of the building, but merely accommodate present demand.

MOTION: To ADOPT the resolution as presented.

---RESOLUTION 83-

ITEM 9-c

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6(8) (B) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, AND GRANTING A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF A SIX (6') FOOT HIGH CHAIN LINK FENCE IN THE REQUIRED SIDE AND REAR YARD SETBACK AREAS AT THE MACEDONIA BAPTIST CHURCH, 1003 3RD AVENUE NORTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mr. Thornton noted that there was no mention of landscaping, and Community Development Director Roger Barry explained that most of the property in question was paved and that the staff had deemed it a hardship upon the petitioner to require landscaping. Mr. Rothchild stated his feeling that the request actually stemmed from problems with the manner of operation of the grocery across the street which should be solved rather than erecting a fence to protect the church. Edward Chestnut, representing the Macedonia Church, spoke in support of the petition. Willie Anthony, a resident of the area, also cited what he believed to be detrimental impact upon the locality.

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

CITY OF NAPLES, FLORIDA

City Council Minutes

Date March 16, 1983

	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<u>SECOND READING OF ORDINANCES (Cont)</u>					
<u>ITEM 10 (Cont)</u>					
--- <u>ORDINANCE 83-4245 (Cont)</u>					
<u>ITEM 10-a (Cont)</u>					
Rothchild's observation that the words "public nuisance" had been changed to "particular nuisance" prior to the Second Reading. Mr. Thornton expressed the opinion that the present ordinance was adequate.		X			X
<u>MOTION:</u> To <u>ADOPT</u> the ordinance, as amended, on Second Reading.		X			
***	***				
--- <u>ORDINANCE 83-4246</u>					
<u>ITEM 10-b</u>					
AN ORDINANCE RELATING TO THE TAKING OFF AND LANDING OF AIRCRAFT WITHIN THE CITY OF NAPLES; PROVIDING DEFINITIONS FOR CERTAIN WORDS USED HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PROHIBIT THE TAKING OFF AND LANDING OF ANY AIRCRAFT WITHIN THE CITY OTHER THAN AT THE NAPLES AIRPORT, WITH CERTAIN EXCEPTIONS ENUMERATED HEREIN.					
Title read by City Attorney Rynders.					
Public Hearing: Opened - 1:22 p.m. Closed - 1:25 p.m.					
City Attorney Rynders noted that in accordance with the request of the Naples Pilots' Association, consideration had been given to leaving an area in which seaplanes could land; therefore, he suggested an amendment to Section 2 by adding "north of an east-west line running through the south side of Gordon Pass." William Fries of the Naples Pilots' Association indicated his understanding of the prohibition of landing in Naples Bay.		X			
<u>MOTION:</u> To <u>ADOPT</u> the ordinance, as amended, on Second Reading.			X		
***	***				
--- <u>RESOLUTION 83-4247</u>					
<u>ITEM 11</u>					
A RESOLUTION AUTHORIZING THE COLLIER BANK TO USE A TEMPORARY STRUCTURE TO BE LOCATED AT 4501 TAMiami TRAIL NORTH AS A BANKING FACILITY FOR A PERIOD NOT TO EXCEED EIGHTEEN (18) MONTHS SUBJECT TO THE CONDITIONS SET FORTH HERIN; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
Charles Andrews, citizen, asked about proposed landscaping, and Mayor Billick replied that an agreement had been made for appropriate landscaping. Gilbert Weil, citizen, requested that the proposed traffic pattern be enforced. Sherrill Woods, representing the petitioner, spoke in favor of the request.		X			
<u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.			X		
***	***				
--- <u>RESOLUTION 83-4248</u>					
<u>ITEM 12</u>					
A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF DIRECTORS OF CARVER FINANCE, INCORPORATED, AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
Council noted George C. Mohlke's letter of interest (Attachment #3).		X			
<u>MOTION:</u> To <u>ADOPT</u> the resolution appointing George C. Mohlke.			X		
***	***				

CITY OF NAPLES, FLORIDA

City Council Minutes

Date March 16, 1983

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 83-4249

ITEM 13

A RESOLUTION APPOINTING A MEMBER OF CITY COUNCIL TO THE TOURIST DEVELOPMENT COUNCIL AS SET FORTH BY COLLIER COUNTY ORDINANCE; APPOINTING A MEMBER OF CITY COUNCIL AS AN ALTERNATE MEMBER OF SAID TOURIST DEVELOPMENT COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mayor Billick noted that it would be necessary to appoint a member to the Council and an alternate (Attachment #4).

MOTION: To ADOPT the resolution appointing Lyle S. Richardson to the Tourist Development Council and Wade H. Schroeder as the alternate.

CORRESPONDENCE AND COMMUNICATION

None

ADJOURN: 1:40 p.m.

Janet Cason

Stanley R. Billick
Stanley R. Billick, Mayor

Janet Cason
City Clerk

Ellen P. Marshall

Ellen P. Marshall
Deputy Clerk

These minutes of the Naples City Council approved 04-20-83

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

ATTACHMENT #1

• Reverend Rex Horton
 Charles Andrews
 Mr. & Mrs. Frederick Braden
 Reverend Walter Lauster
 Ed Kant
 Clayton Bigg
 Arthur Gilbert
 Mr. & Mrs. Murchie
 Herb Cambridge
 Chuck Mohlke
 Willie Anthony
 Paul Baschon
 Walter Olson
 Mrs. Mize
 Walter Howe

Mr. & Mrs. Strong
 Mr. & Mrs. Hahn
 George Hermanson
 Robert Russell
 Bill Johnson
 Bruce Mumm
 Arnold Lamm
 Jim McGrath
 Phil Morse
 George Turner
 Betty Van Arsdale
 Anita Utter
 Gilbert Weil
 John Hobart
 William Fries
 Florence Pittman

Ed McMahon
 Edward Chestnut
 Lloyd Sheehan
 Michael Steven
 Alfred French
 Robert Tiffany
 Toivo Tammerk
 M. F. Garwood
 James Dupree
 Addison Brown
 Paul Barr
 Harmon Nicholas
 Mrs. H. M. Curry
 Donna Smith
 Sherrill Woods

News Media:

Scott Stewart, TV-9
 Lynn Levine, TV-9
 Jerry Pugh, TV-9
 Jeff Leen, Miami Herald

James Moses, Naples Daily News
 Tish Gray
 Denes Hustry, News Press
 Gary Arnold, WEVU-TV 26

Other interested citizens and visitors.

Kevin Stoneburner
125 Gulfshore Blvd. N.
Naples, Fl. 33940

March 7, 1983



Naples City Council
735 8th Street S.
Naples, Fl. 33940

Re: Rezone petition for 11 units on 10th Street

Gentlemen:

I would like to request at this time that you withhold your decision on rezoning our property on 10th Street. At this time I would like the matter referred back to the Planning Advisory Board to consider reclassifying said rezoning request to P.D. with subclassification as R3T12. This should satisfy their concerns as to reviewing proper site plans of the proposed development since the site plans now become part of the rezone request.

Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to be "Kevin Stoneburner".

Kevin Stoneburner

KS/jk

George C. Mohlke, Jr.
Post Office Box 2312
Naples, Florida 33939

AGENDA ITEM #12
3/16/83

Residence: 686 Third Avenue, South, Naples, Florida

9 March 1983

The Honorable Stanley R. Billick
Mayor of the City of Naples
735 Eighth Street, South
Naples, Florida 33940



Dear Mayor Billick:

Re: Carver Finance, Incorporated

I am writing to express my interest in the appointment to fill the vacancy created in the membership of Carver Finance due to the elction of Mr. Lyle Richardson to the Naples City Council. I understand that the monitoring of the financial progress of the George Washington Carver Center to be the principal ongoing function of Carver Finance as well as the general welfare of the Black residents of the Center.

I enjoy membership on such community organizations as the Black Betterment Committee and the Evening Optimists, a Black service organization. My involvement also includes membership in the National Association for the Advancement of Colored People and in efforts to provide a Civic Center for the Black Community. As once the operator of a local restaurant, I have some experience with the development and the auditing of financial statements.

Perhaps you and your fellow members of the Naples City Council will conclude that my interest and the experience cited above qualifies me for appointment to Carver Finance. If appointed, I hope I may be of service to the City of Naples and the residents of the Black community.

I wish to thank you for permitting me to submit my name for consideration. I will await your pleasure and that of the City Council.

Very truly yours,

George C. Mohlke, Jr.
George C. Mohlke, Jr.

*City of Naples*

--- MEMO ---

TO: Frank Jones, City Manager
FROM: Stan Billick, Mayor
DATE: March 9, 1983
SUBJECT: Tourist Development Council

The County Commission has created by ordinance a Tourist Development Council. The purpose of the Council is to study the feasibility of establishing a tourist tax (bed tax) in Collier County.

The County ordinance states that there shall be two elected municipal government officials on the Council. Everglades City has not indicated whether they wish to have representation on the Council. Therefore, the County has suggested that the City of Naples appoint two of its City Council members, with the second to serve as an alternate if there is to be representation from Everglades City.

Stan Billick
SB