



City of Naples

Regular Meeting June 15, 1983

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - noted the resignation of Edwin J. Putzell, Jr. from Airport Authority			1
-CITY MANAGER JONES - None			
<u>APPROVAL OF MINUTES</u> - Regular Meeting, June 1, 1983 Workshop Meeting, June 7, 1983 Special Meeting, June 7, 1983			1
<u>ORDINANCE - First Reading</u>			
-Approve annual amendments to Zoning Ordinance	83-		1 & 2
<u>RESOLUTIONS</u>			
-Approve Variance Pet. 83-V5, Naples Comm. Hosp. 5' and 6' fences		83-4289	2
-Award bid for Public Works Area Development Project-Fineis		83-4290	3
-Appoint members to Beach Construction Study Committee		83-4291	3
<u>DISCUSSION</u>			
-Use of Seaplanes in State of Florida - John DeBaun			3
-Discussion of DER requirement to eliminate discharge of treated effluent into Gordon River from wastewater treatment plant			4

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:08 a.m.

Date June 15, 1983

Mayor Billick called the meeting to order and presided as Chairman

ROLL CALL: Present: Stanley R. Billick ITEM 2
Mayor
Lyle S. Richardson
R. B. Anderson
Harry Rothchild
Wade H. Schroeder
Randolph I. Thornton
Councilmen

Absent: Kenneth A. Wood
Councilman

Also present:

Franklin C. Jones, City Manager Mark Wiltsie, Assistant to
David W. Rynders, City Attorney the City Manager
Steve Cramer, Chief Planner Ellen P. Marshall, Deputy
John McCord, City Engineer Clerk

See Attachment #1 - Supplemental Attendance List

INVOCATION - Reverend Walter Lauster ITEM 1
Church of God

ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - noted the resignation of Edwin J. Putzell, Jr.,
from the Airport Authority and that Council would be review-
ing applications for a replacement.

CITY MANAGER JONES - None

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APPROVAL OF MINUTES - Regular Meeting, June 1, 1983 ITEM 4
Workshop Meeting, June 7, 1983 and Special Meeting,
June 7, 1983

MOTION: To APPROVE the above minutes as presented.

*** *** ***
COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 5
PLANNING ADVISORY BOARD

FIRST READING OF ORDINANCE ITEM 5-a

---ORDINANCE 83---

AN ORDINANCE RELATING TO ZONING, AMENDING SECTION 5.9, "HC"
HIGHWAY COMMERCIAL DISTRICT, SECTION 5.12, "C2" GENERAL COMMERCIAL
DISTRICT, SECTION 5.14, "C3" HEAVY BUSINESS DISTRICT, SECTION 5.15,
"C4" AIRPORT COMMERCIAL DISTRICT, SECTION 5.17, "M" MEDICAL DISTRICT,
SECTION 5.20, "PS" PUBLIC SERVICE DISTRICT", SECTION 6, "SUPPLEMENTARY DISTRICT
REGULATIONS, AND SECTION 14, "DEFINITIONS", OF APPENDIX - "A" - ZONING OF THE CODE OF
ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.
PURPOSE: TO PERMIT PARKING GARAGES BY SPECIAL EXCEPTION ONLY IN
"HC" HIGHWAY COMMERCIAL DISTRICT, "C2" GENERAL COMMERCIAL DISTRICT,
"C3" HEAVY BUSINESS DISTRICT AND "M" MEDICAL DISTRICT; TO PERMIT
CERTAIN NON-AVIATION RELATED COMMERCIAL AND SPECIAL EXCEPTION USES
IN THE "C4" AIRPORT COMMERCIAL DISTRICT; TO CLARIFY CERTAIN PROVISIONS
OF SECTION 5.20, "PS" PUBLIC SERVICE DISTRICT; TO PERMIT TRUCK, AUTO
AND EQUIPMENT STORAGE AT GASOLINE SERVICE STATIONS BY SPECIAL EXCEPTION;
TO AMEND CERTAIN OFF-STREET PARKING AND LOADING REQUIREMENTS; TO
DELETE THE PROVISION FOR PARKING AUTHORITY IN-LIEU PAYMENTS; TO PERMIT
"CANOPY" SIGNS IN SHOPPING CENTERS; TO AMEND THE DEFINITION OF "YARDS"
TO PROVIDE FOR THE DETERMINATION OF YARD LOCATIONS ON DOUBLE FRONTAGE
LOTS FOR PURPOSES OF FENCE CONSTRUCTION.

Title read by City Attorney Rynders.

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					
Richardson		X			
Rothchild					
Schroeder			X		
Thornton					
Wood					
Billick					X
					C O N S E N S U S

CITY OF NAPLES, FLORIDA

City Council Minutes

Date June 15, 1983

165

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	

---ORDINANCE 83- (Cont) ITEM 5-a (Cont)

City Manager Jones noted that the proposed changes were recommended by the Planning Advisory Board as a result of the regular review of the Zoning Ordinance. Mr. Schroeder noted his objections to reducing all parking space sizes to nine feet wide, and also suggested that a minimum height from the sidewalk grade be added to the section on signs hanging from canopies. He further stated that he had requested that the Planning Advisory Board reconsider a change in the fence height restrictions. Mr. Rothchild voiced his concern about reducing the parking space width. He also stated his objection to an ordinance that encompassed as many changes as this one. At Mr. Anderson's request, Airport Manager Toivo Tammerk outlined the reasons for the Airport's request for rezoning. Mr. Anderson said he objected to including "transient lodging" under Special Exceptions in the proposed rezoning for the Airport. Mr. Richardson pointed out the possibility that a change of building use could create a problem with parking spaces because the new smaller spaces allowed a building to meet parking requirements in a reduced area. He cited an example of a building on Eleventh Avenue South that had recently changed from a women's apparel shop to an office building where the new use required additional parking. Mr. Anderson asked that the Building Department determine whether this building currently meets the parking requirement. After further discussion, it was the consensus of Council to have a minimum height from sidewalk grade for signs hanging from canopies and to delete "transient lodging" from Special Exceptions in the rezoning of the Airport property.

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

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

*** *** ***

---RESOLUTION 83-4289 ITEM 5-b

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SUBSECTION 8(B), SECTION 6 OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT THE NAPLES COMMUNITY HOSPITAL TO ERECT A FIVE (5) FOOT HIGH CHAIN LINK FENCE AT THE NORTHWEST CORNER OF EIGHTH STREET AND SECOND AVENUE NORTH AND A SIX (6) FOOT HIGH CHAIN LINK FENCE AROUND AN OXYGEN STORAGE FACILITY ADJACENT TO EIGHTH STREET NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney.

Hank Buckhannan, representing Naples Community Hospital, spoke in support of the petition. He noted that the fences were for safety because clearing out around the lake may make it an attractive nuisance. He further noted that the fences would be heavily screened with landscaping. Mr. Schroeder again asked City Manager Jones to request the Planning Advisory Board to change fence height restrictions.

Anderson			X		
Richardson			X		
Rothchild			X		
Schroeder	X		X	X	
Thornton		X	X		
Wood					X
Billick (5-1)			X		

MOTION: To ADOPT the resolution as presented.

*** *** ***

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 83-4290 ITEM 6</p> <p>A RESOLUTION AWARDED THE BID FOR THE PUBLIC WORKS AREA DEVELOPMENT PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>City Manager Jones reviewed some of the information in his memorandum dated June 9, 1983 (Attachment #2). In response a question about the vehicle washing facility, the City Manager explained that that was a part of the project that had been phased to a different time to keep within the budget. He confirmed the staff's evaluation of the financial stability of the recommended contractor.</p> <p>MOTION: To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p>					
Anderson				X	
Richardson		X		X	
Rothchild				X	
Schroeder	X			X	
Thornton				X	
Wood					X
Billick (6-0)				X	
<p>---RESOLUTION 83-4291 ITEM 7</p> <p>A RESOLUTION ESTABLISHING A BEACH CONSTRUCTION STUDY COMMITTEE; APPOINTING MEMBERS TO SERVE ON SAID COMMITTEE; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mayor Billick reviewed the information in City Manager Jones' memorandum dated June 10, 1983 (Attachment #3) and read the names of the suggested members of this Committee. Mr. Richardson and Mr. Rothchild made suggestions of various groups they felt should be represented on this Committee; however, Mayor Billick said he felt too many members would create confusion. He noted that the other groups could voice their comments after the Committee had made their recommendations.</p> <p>MOTION: To <u>ADOPT</u> the resolution appointing the members recommended in the memorandum.</p> <p>*** *** ***</p> <p>BREAK: Recessed 10:18 a.m. Reconvened - 10:26 a.m. All Councilmen present except Mr. Wood.</p> <p>*** *** ***</p>					
Anderson		X		X	
Richardson					X
Rothchild		X		X	
Schroeder				X	
Thornton				X	
Wood					
Billick (5-1)				X	
<p><u>DISCUSSION OF USE OF SEAPLANES IN THE STATE OF FLORIDA.</u> Requested by John DeBaun. ITEM 8</p> <p>Mayor Billick noted that he had discussed with Mr. DeBaun his original request for a discussion of law and order and the use of seaplanes and had agreed to allow him to speak specifically on the use of seaplanes for a period of five or ten minutes. Mr. DeBaun noted the use of seaplanes in other communities in southwest Florida and his objection to the City's ordinance prohibiting the landing and taking off of seaplanes on Naples Bay. Mr. Rothchild suggested that Mr. DeBaun test the ordinance in the courts; whereupon, Mr. Schroeder suggested that City Manager Jones be directed to ask the Police Department to issue a summons to Mr. DeBaun so he could take the matter to court.</p> <p>*** *** ***</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	

167

CORRESPONDENCE AND COMMUNICATIONS

Mr. Richardson noted his concern about the Camp, Dresser, & McKee recommendation made at last evening's workshop to discharge even a small percentage of treated effluent into the Gordon River in conjunction with the wastewater treatment plant expansion and effluent disposal projects. He noted a letter from L. D. Lukin, Director of the Division of Environmental Programs, dated March 31, 1982, which directed the City to develop alternative disposal methods which would exclude discharge into the Gordon River, and the consent order signed on May 19, 1982 with Mr. Phillip Edwards, South Florida District Manager of the Department of Environmental Regulations (DER), that the City shall take such action which will result in the elimination of all effluent discharge into the Gordon River from its wastewater treatment facilities. It was his feeling that the City should have some reassurances in writing that DER would be favorable to this recommendation. It was the consensus of Council to ask the consultants to respond to these concerns in writing prior to the meeting scheduled for June 29.

ADJOURN: 10:55 a.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 07/06/83

Supplemental Attendance List - Regular Meeting, June 15, 1983

Reverend Walter Lauster
Charles Long
Charles Andrews
Lloyd Sarty
Tish Gray
Rick Henderlong
J. R. Mudge

E. W. Schmieder
Robert Tiffany
W. H. Buckhannan
Sam Aronoff
James Calvin
Toivo Tammerk
Ed Kant

Harold Minier
Bruce Green
Jim McGrath
Willie Anthony
John DeBaun
Bob Russell

News Media:

Laurie Fugitt, TV-9
Susan Gardner, TV-9
Jerry Pugh, TV-9

Matt Spina, Naples Daily News
Gary Arnold, WEVU, TV-26
Laura Csonka, TV-9

Other interested citizens and visitors.

*City of Naples*

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: PUBLIC WORKS AREA DEVELOPMENT PROJECT
DATE: JUNE 9, 1983

BACKGROUND

On May 25, 1983, bids were opened and publicly read for the proposed Public Works Area Development Plan. Bid invitations were extended to 66 local contractors along with plans and specifications being available in three plan rooms (Miami, Naples, and Fort Myers). As anticipated, the interest in this project was very good. Nine bids were received on the project all of which were considered responsive to the bid documents. In addition, we feel the bid proposals were very competitive, considering the number of bids received.

To refresh your memory on the scope of work I submit the following project outline:

A. Maintenance Building

This includes the renovation of the Equipment Maintenance Shop and provides for the construction of two additional bays. An improved office area is also a part of this work.

B. Utility Office Building

The entire water and sewer administration and clerical support will occupy this 4,320 square foot building. It will become the operation and communication center for the four divisions associated with water and wastewater.

C. Utility Warehouse Building

This 12,600 square foot building will accommodate the following activities:

1. Inventory for all water and sewer related items such as pumps, motors, valves, clamps, fittings, etc.
2. Central Stores operation
3. Meter Shop
4. Central work area

170

Mayor and Council
June 9, 1983
Page 2

D. Fertilizer Storage Building

This is a 900 square foot building for the proper storage of chemicals and fertilizer used by the Parkways & Services Division.

E. Employee Parking Area

An employee parking area adjacent to the utilities office building will provide 41 parking spaces to accommodate the personnel associated with this area.

F. Other

1. Chain link fencing around perimeter of utility center.
2. Open storage shed to protect expensive equipment from the elements.
3. Paving and site work around entire utility center.
4. Painting of existing siding not being renovated.

Note: We previously anticipated having a vehicle wash facility constructed as part of this project; however, after reviewing the need for this as opposed to other priorities it was deleted from the scope of work. We will review the need for such a facility in the future.

ANALYSIS

After reviewing the bid proposals with Bruce Green & Associates, Inc., consulting engineers on this project, our recommendation is to award the bid to the low bidder, Fineis Construction, Inc., of Naples. Prior to making this recommendation, Bruce Green & Associates, Inc., contacted numerous owners that Fineis Construction, Inc., had done work for in the past. All responses to their inquiries were favorable. In addition, we requested financial data from the recommended firm which was reviewed by Bill Hanley, Finance Director. It appears from the financial data and reference investigations that Fineis Construction, Inc., is a sound firm and capable of completing this job to our satisfaction.

Based on the above, I recommend awarding this contract to Fineis Construction, Inc., as follows:

Base bid	\$684,486.00
Alternate A-2 (painting of siding on existing building)	3,900.00
Alternate D-1 (sitework & paving)	67,500.00
TOTAL	\$755,886.00

Completion time:	245 calendar days
Contract bond:	100% of bid amount


Mayor & Council
June 9, 1983
Page 3

Sufficient funds are available in utility tax and water/sewer capital improvement programs to successfully complete this entire project.

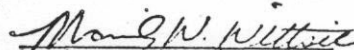
CONCLUSION

I respectfully request authorization to execute a contract with Fineis Construction, Inc., in the amount of \$755,886.00 for the completion of this project. It is noteworthy to mention that the estimated construction costs submitted by Bruce Green & Associates, Inc., in November 1982, were \$750,000.00. I am pleased with the results of the bidding on this project and feel we will have a much improved facility at a very reasonable cost.

Respectfully submitted,


Franklin C. Jones
City Manager

Prepared by:


Mark W. Wiltsie
Assistant to the City Manager

MWW/jm

attachments

172



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: BEACH CONSTRUCTION STUDY COMMITTEE
 DATE: JUNE 10, 1983

Background: During Council's discussion of construction of facilities in the beach setback area, indications were heard that a review of the City's beach construction policy might be appropriate. After receiving suggestions from Councilman Richardson and from Ned Putzell, President of the Conservancy, Inc., as well as other interested individuals, Mayor Billick and I have discussed the establishment of a committee to study beach construction.

We have met with Ned Putzell and have agreed on membership and on a set of objectives for the committee as well as a general outline of the program.

We recommend that the committee be charged with the following objectives:

1. Establish a set of principles that would serve to conserve the natural beach and protect upland development. These principles would serve as the guidelines for Council approval of construction within the beach area.
2. Develop the objectives for a post-disaster contingency plan for beach management. These would be a set of objectives that would be needed in the event of damage to the beach by a hurricane or severe storm.

In order to accomplish these two goals, we feel that the committee would first review pertinent data that is on hand and available, such as the City's beach management report and data that has been assembled by the City and County Engineering Departments concerning various aspects of the beach. The committee could then draw information from various experts in the field, including the staffs of the City, County, and State agencies which are concerned with beach management problems as well as the faculties of state universities who are studying these types of problems.

We anticipate that the committee would accomplish its work through a series of three or four meetings that would take place during July and August and that some final recommendations would be presented to the Council during September.

Mayor and Council
June 10, 1983
Page 2

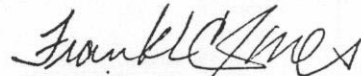
The following names are suggested as members of the committee:

Dr. Jack Briggs, M.D., Chairman
Stanley W. Hole, Consulting Engineer
Miles L. Scofield, Marine Contractor
David Tackney, Consulting Engineer
Edwin J. Putzell, Jr., President, The Conservancy, Inc.
Michael Stevens, Consulting Engineer

We anticipate that the committee would be supported by City, County, and Conservancy staffs.

Recommendation: In order to establish this committee, we suggest that the Council adopt the attached resolution.

Respectfully submitted,



Franklin C. Jones
City Manager

FCJ/tan