



City of Naples

Regular Meeting Aug. 17, 1983

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u> -MAYOR BILLICK - noted that Councilman Richardson was at home recuperating and may be able to return to work in a month. - noted the celebration of the 58th birthday of the City of Naples and invited everyone to have cake -CITY MANAGER JONES - None			1
<u>APPROVAL OF MINUTES</u> - Regular Meeting - August 3, 1983 Workshop Meeting - August 10, 1983			1
<u>RESOLUTIONS</u> -Approve <u>Coastal Construction Setback Variance CCL 83-4</u> , Alan Gerry Lot south of 3350 Gordon Drive -Approve <u>Final Subdivision Plat - Betart Estates</u>		83-4324 83-4327	2 & 3 4
<u>ORDINANCES - First Reading</u> -Approve <u>Rezone S.E. corner U.S. 41 and 26th Ave No. to Highway Comm.</u> - <u>Second Reading</u> -Amend Code of Ordinances re <u>Pension Offsets</u> -Amend Code of Ordinances - Increase <u>Occupational License fees</u>	83- 83-4325 83-4326		4 3 3 & 4
<u>PURCHASING</u> -Award bid - Submersible water pumps -Award bid - Street construction materials		83-4322 83-4323	1 2
<u>DISCUSSION</u> -Band shell/Performing Arts stage in <u>Cambier Park</u> Appoint Blue Ribbon Committee: Henry Watkins, Chairman, George Schnakenberg, Glenn Mackay, Bill Longshore, John A. Smith -Request State Attorney's office to investigate TV Channel 9's report of Sunshine Law violations - <u>NO ACTION TAKEN</u>			5 5 & 6

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:10 a.m.

Date August 17, 1983

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

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

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

Absent: Lyle S. Richardson
Councilman

Also present:

Franklin C. Jones, City Manager	Janet Cason, City Clerk
David W. Rynders, City Attorney	Tara Norman, Administrative Aide
Roger Barry, Community Development Director	Bill Hanley, Finance Director
Norris Ijams, Fire Chief	John McCord, City Engineer
Stewart Unangst, Purchasing Agent	Randy Davis, Parks & Recreation Director
Paul Reble, Police Chief	Mark Wiltsie, Assistant to the City Manager
Steven Brown, Personnel Director	Ellen P. Marshall, Deputy Clerk

See Attachment #1 - Supplemental Attendance List

INVOCATION - Reverend Kay White ITEM 1
First Christian Church

ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - noted Mr. Richardson was continuing ITEM 3-a
to regain his health and may be able to return to Council in a month.

- announced, that the 58th birthday of the City of Naples was being celebrated with a cake today and he recessed the meeting for this purpose.
*** *** ***

BREAK: Recessed - 9:14 a.m. Reconvened - 9:25 a.m.
All Councilmen present except Mr. Richardson.
*** *** ***

CITY MANAGER JONES - no announcements ITEM 3-b

-----CONSENT AGENDA-----

Mr. Rothchild asked that Agenda Items 5-a and 5-b be removed from the Consent Agenda.

APPROVAL OF MINUTES - 08/03/83 Regular Meeting ITEM 4
08/10/83 Budget Workshop

MOTION: To APPROVE the Consent Agenda and the minutes of the meetings contained therein.

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

PURCHASING ITEM 5

---RESOLUTION 83-4322 ITEM 5-a

A RESOLUTION AWARDING THE BID FOR SIX (6) SUBMERSIBLE WATER PUMPS; 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.

*** *** ***

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

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

PURCHASING (Cont)

ITEM 5 (Cont)

---RESOLUTION 83-4323

ITEM 5-b

A RESOLUTION AWARDING BIDS FOR THE CITY'S SEMI-ANNUAL REQUIREMENTS OF STREET CONSTRUCTION MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Based on Mr. Rothchild's inquiry about the amount of asphalt used by the City in a six-month period, Mr. Schroeder asked Purchasing Agent Unangst to submit a report of the last three six-month periods detailing how much asphalt was used, how many jobs were done, how many square feet of asphalt involved in these jobs, and how many were proposed for the upcoming year.

MOTION: To ADOPT the resolution as presented.

-----ADVERTISED PUBLIC HEARINGS-----

---RESOLUTION 83-4324

ITEM 6

A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S 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 PROPOSED SINGLE-FAMILY HOME AT A PREFERRED SITE LOCATION ON AN UNDEVELOPED BEACHFRONT LOT LOCATED IMMEDIATELY SOUTH OF 3350 GORDON DRIVE, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened - 9:33 a.m. Closed - 10:29 a.m.

Mr. Anderson moved approval of the resolution and Mr. Schroeder stated that he would second it in order to properly discuss it. Bruce Green, agent for the petitioner, and Richard Morris, architect for the proposed residence, addressed Council in support of the request to obtain a variance. They indicated their feeling that the house should not be located farther landward of the adjacent homes to the north and to the south. Mr. Rothchild suggested that no decision be made until the final report from the Beach Construction Study Committee was received. In response to a question from Mr. Rothchild about the Conservancy's reaction to the staff recommendations, City Engineer John McCord stated that the Conservancy noted approval of either the recommendation to deny or the recommendation to approve which included a requirement for the proposed rock revetment in front of the existing seawall. Mr. Thornton noted that the staff report indicated that not all the requirements for a variance petition had been met. Alan Gerry, owner of the property, addressed Council in support of his petition and suggested a compromise. Mr. Anderson moved to amend his motion to approve a variance if the house in question was placed landward of a line from the westernmost wall of the adjacent house to the north to the westernmost wall of the adjacent house to the south. Mr. Schroeder noted that the house under discussion had steps in front and asked if the line to be drawn would include steps or other construction in front of the houses to the north and south, to which Mr. Anderson replied in the negative. Mr. Rothchild seconded Mr. Anderson's motion to amend. After further discussion, during which the petitioner and his agent registered some objections to the added requirement of the rock revetment in front of the existing seawall, Mr. Anderson withdrew his motion to amend and proposed a motion to deny the petition, seconded by Mr. Thornton. Owner Gerry noted his desire to build the house at least as far seaward as the houses to the north and

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 83-4324 (Cont) ITEM 6 (Cont)</p> <p>south and his willingness to put in the revetment; whereupon, Mr. Anderson withdrew his motion to deny and restated his motion to amend as stated above, again seconded by Mr. Rothchild.</p> <p><u>MOTION:</u> To <u>AMEND</u> the motion to approve the resolution to permit construction of the subject house and steps on a line to be drawn from the westernmost wall of the adjacent house to the north to the westernmost wall of the adjacent house to the south and to include the installation of the rock revetment.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended.</p> <p>*** *** ***</p> <p><u>SECOND READING OF ORDINANCES</u> <u>ITEM 7</u></p> <p>---ORDINANCE 83-4325 <u>ITEM 7-a</u></p> <p>AN ORDINANCE RELATING TO THE CITY OF NAPLES RETIREMENT SYSTEM; AMENDING PARAGRAPH (e) OF SECTION 18-40 OF THE CODE OF ORDINANCES, ENTITLED "PENSION OFFSETS"; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO RESTRICT THE REMUNERATION OFFSET TO RETIRANTS UNDER THE AGE OF SIXTY-TWO (62) YEARS.</p> <p>Title read by City Attorney Rynders.</p> <p>PUBLIC HEARING: Opened - 10:31 a.m. Closed - 10:32 a.m. No one to speak for or against.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the ordinance as presented on Second Reading.</p> <p>*** *** ***</p> <p>---ORDINANCE 83-4326 <u>ITEM 7-b</u></p> <p>AN ORDINANCE RELATING TO OCCUPATIONAL LICENSES; AMENDING SECTION 12-47, "SCHEDULE OF LICENSE TAXES", AND SECTION 12-48, "AUTHORITY TO IMPOSE LICENSE TAX LIMITED", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO INCREASE THE OCCUPATIONAL LICENSE FEES FOR BUSINESSES, OCCUPATIONS AND PROFESSIONS PURSUANT TO SECTION 205.043, F.S. AND TO REPEAL SUBSECTION (a) OF SECTION 12.48.</p> <p>Title read by City Attorney Rynders.</p> <p>PUBLIC HEARING: Opened - 10:33 a.m. Closed - 11:25 a.m.</p> <p>City Manager Jones reviewed the information in his memorandum dated August 16, 1983 (Attachment #2). He noted that the proposed changes to the ordinance would be on page Six (45) (a), (b), (c), and (e), as per his recommendation in his memo's paragraph 3 and the attached ordinance, and on Page Seven (49), as per his recommendation in his memo's paragraph 2. He noted that the matter of exemptions in (45) (d) and the inclusion of a penalty would be brought back before Council in separate ordinances at a later date. Mr. Rothchild stated his objection to having received the suggested changes on the day before this meeting and suggested not taking action until the next meeting. Business owner Robert Rinzel and Stewart MacFarlane, Vice-president of the state association of service stations, spoke</p>					
Anderson	X		X		
Richardson					X
Rothchild		X	X		
Schroeder			X		
Thornton			X		
Wood			X		
Billick			X		
(6-0)					
Anderson	X		X		
Richardson					X
Rothchild			X		
Schroeder		X	X		
Thornton			X		
Wood			X		
Billick			X		
(6-0)					
Anderson			X		
Richardson					X
Rothchild		X	X		
Schroeder	X		X		
Thornton			X		
Wood			X		
Billick			X		
(6-0)					

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	

---ORDINANCE 83-4326 (Cont) ITEM 7-b (Cont)

against the increases. Citizens Jim McGrath and John DeBaun also spoke against the proposed increases. Citizen Edward Hannam asked for clarification of the application of these fees to businesses in the Third Street South area, to which Mayor Billick explained that it would apply to any business. Citizen and local businessman J. Sandy Scatena spoke at length (Attachment #3) noting the several business people he had talked to and their objections to the increase. Mr. Schroeder noted he had an occupational license and asked if he need file a conflict of interest affidavit, to which City Attorney Rynders replied in the negative inasmuch as this was a general change affecting all holders of an occupational license. In response to questions about the benefits to businesses from the City, City Manager Jones noted fire inspections, added police protection and traffic control in business areas.

MOTION: To ADOPT the ordinance as amended on Second Reading.

-----END ADVERTSIED PUBLIC HEARINGS-----

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD

---ORDINANCE 83- ITEM 8

AN ORDINANCE REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF U.S. 41 AND 26TH AVENUE NORTH, BEING A PORTION OF LOT 88, NAPLES IMPROVEMENT COMPANY LITTLE FARMS, FROM "R1-7.5, SINGLE-FAMILY RESIDENTIAL, TO "HC", HIGHWAY COMMERCIAL; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER TO FACILITATE CONSTRUCTION OF A FOUR-STORY OFFICE/COMMERCIAL BUILDING.

Title read by City Attorney Rynders.

Sergio Montes, representing the petitioner, noted the presence of Delta Locker of the Naples Fund, Ltd., and Walter Keller, architect. He noted their acceptance of the conditions of the Planning Advisory Board contained in their recommendation. In response to a question from Mr. Rothchild about filing a conflict of interest form because he owned some share in the Naples Fund, Ltd., City Attorney Rynders noted that if he owned in excess of 5% of the firm, it would be necessary. Mr. Rothchild stated that he did not.

MOTION: To ACCEPT the recommendation of the Planning Advisory Board's recommendation to APPROVE the ordinance as presented on First Reading.

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---RESOLUTION 83-4327 ITEM 9

A RESOLUTION APPROVING THE RECORD PLAT FOR A SINGLE-FAMILY FOUR (4) LOT SUBDIVISION KNOWN AS "BETART ESTATES", LOCATED ON THE EAST SIDE OF GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

In response to a question from Mr. Thornton, City Attorney Rynders explained that the City could draw upon the letter of credit (Attachment #4) if the improvements were not made by the date specified. Mr. Thornton asked that this be followed up.

MOTION: To ADOPT the resolution as presented.

*** *** ***

Anderson Richardson		X	X			X
Rothchild					X	
Schroeder	X		X			
Thornton			X			
Wood					X	
Billick (4-2)			X			
Anderson Richardson	X		X			X
Rothchild			X			
Schroeder		X	X			
Thornton			X			
Wood			X			
Billick (6-0)			X			
Anderson Richardson	X		X			X
Rothchild			X			
Schroeder		X	X			
Thornton			X			
Wood			X			
Billick (6-0)		X	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	

DISCUSSION OF CONSTRUCTION OF A BAND SHELL/ ITEM 10
PERFORMING ARTS STAGE IN CAMBIER PARK.

Requested by Naples Concert Band. (Continued from Regular Meeting of August 3, 1983)

George Schnakenberg, President of the Naples Concert Band, Inc., and Dallas Rudrud, Vice-president, distributed a scale drawing of Cambier Park along with an inset that demonstrated the amount of space contemplated for the proposed band shell. They also passed around pictures of existing band shells. A copy of the scale drawing is on file in the meeting packet in the City Clerk's office. In response to questions from Mr. Anderson, Mr. Schnakenberg noted that the band shell would be constructed from scratch, employing the services of an architect and an acoustician. Henry Watkins, representing the original donors of the property in Cambier Park, addressed Council and expressed his concern that while the projects requested were very worthwhile, there soon would be no room left in Cambier Park. He requested that a Blue Ribbon Committee be formed to study the problem. Mayor Billick agreed with the suggestion and asked Mr. Watkins to serve on such a committee along with Glenn Mackay and George Schnakenberg. Mr. Watkins suggested Bill Longshore inasmuch as he had been active with the Naples Little League and had an interest in the Cambier ballfield. Mr. Anderson and Mr. Schroeder voiced agreement with the appointment of a committee. Mr. Rothchild suggested that some consideration be given to a cultural center to answer the need of the Concert Band and many other functions. He also suggested the addition of John Anson Smith to the Blue Ribbon Committee. Mr. Anderson noted that there was a group working on a cultural center and land had been donated in Lely Estates. Mr. Smith spoke to Council and suggested the Blue Caribbean Golf Driving Range site on the North Tamiami Trail as a suitable location for a cultural center because of the zoning, which is Highway Commercial (where the driving range is located) and Residential (east of the driving range). Mr. Schnakenberg noted that the audiences who came to the band concerts liked the concept of "concerts in the park" and that many of them walked to Cambier Park to listen. Mayor Billick asked Mr. Smith to serve on the Blue Ribbon Committee. It was the consensus of Council to appoint this Committee and name Mr. Watkins as Chairman.

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DISCUSSION/ACTION WITH RESPECT TO REQUESTING THE ITEM 11
STATE ATTORNEY TO INVESTIGATE THE CHANNEL 9 NEWS

REPORTS OF JULY 18, AND JULY 19, WHICH INDICATED THAT THE CITY COUNCIL HAD VIOLATED THE FLORIDA SUNSHINE LAW IN CONNECTION WITH THE SELECTION OF A NEW MEMBER OF THE AIRPORT AUTHORITY. Requested by Councilman Rothchild.

Mr. Schroeder expressed his feeling that the matter had been referred to the State Attorney's office and he thought that Council was through with it. Mr. Thornton stated his opinion that the matter should be investigated by someone else, not the Council. Mr. Rothchild made a statement suggesting that Council pass a resolution requesting the State Attorney to make a further investigation. Mayor Billick noted that he and the City Attorney and the City Manager had met with representatives from Palmer Cablevision who were still unwilling to reveal their source of information. He noted the letter written by City Attorney Rynders to the State Attorney's office and the State Attorney's reply. He further questioned Mr. Rothchild's motives for bringing the matter up again for

Supplemental Attendance List - Regular Meeting, August 17, 1983

Reverend Kay White
 Charles Andrews
 Dallas Rudrud
 Edward Hannam
 Tish Gray
 Lloyd Sarty
 George Schnakenberg
 Ed Smith
 Walter Olson
 Mrs. Stanley Billick
 Sam Aronoff

Joseph Zanotti
 Herb Anderson
 Bruce Green
 Robert Rinzel
 Richard Morris
 Dan Spina
 Mr. & Mrs. Alan Gerry
 Sergio Montes
 Delta Locker
 Walter Keller
 Stewart MacFarlane
 Donald Pickworth

Jim McGrath
 Robert Russell
 John DeBaun
 Mr. & Mrs. John Anson Smith
 Denise Smith
 J. Sandy Scatena
 Terri Kehoe
 Henry Watkins
 Herb Luntz
 Mrs. J. A. Raulio-Mitchell
 Gilbert Weil

News Media:

Jim Forner, TV 9
 Matt Spina, Naples Daily News
 Jim Bryan, WNOG
 David Bristow, TV-9
 Randy Sells, TV-9

Ben Garrett, TV-20
 Cindy Glickner, TV-20
 Denes Husty, News Press
 Gary Arnold, TV-26

Other interested citizens and visitors.



City of Naples

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: OCCUPATIONAL LICENSE AMENDMENT

DATE: AUGUST 16, 1983

BACKGROUND: As requested by the Council during their consideration at first reading of the occupational license ordinance revisions, we have met with representatives of the Chamber of Commerce, Contractors Association of Collier County, Third Street South Merchants Association and the Fifth Avenue South Association to discuss the proposed ordinance. As a result of those meetings we are suggesting several changes in the ordinance at this time and several other changes which will require future Council action.

Our review with these groups centered around the areas of: 1) the lack of a relationship in the current fee structure to the size of the business; 2) the possibility of treating contracting businesses as administrative offices rather than as heavy industrial use businesses; 3) clarification of some terms under vending machine operators; and 4) the inclusion of a penalty for those businesses which do not purchase the appropriate occupational licenses.

ANALYSIS:

1. License Fee Relationship To Business Size: In reviewing the businesses which are licensed by the City of Naples, we estimate that 80% are within the categories in our current ordinance that contain fees tied to the size of the business. This is done by providing for fees that are based on the number of employees, the number of square feet, the number of chairs in a restaurant, the number of seats in a theatre, etc. The business community representatives we met with felt that all occupational licenses should have fees that relate to the size of the business. Over the next few years we have agreed to implement a per-employee license fee in any license category which does not now contain a fee based on business size. That provision would be based on three breaking points that are used in the merchant's license fee schedule of one to five employees being the base fee, six to 15 employees being a higher fee, and 16 or more employees being another higher fee.

2. Contractor Administrative Offices: Our discussions with business community representatives centered around the fact that contractors' businesses within the City were generally administrative or sales locations and not the heavy industrial uses such as construction yards or warehousing. If that premise is accepted, it would mean that these business locations would be treated in a similar manner to other administrative offices. Based on our

agreement with this concept, we propose that the ordinance be amended to provide for license fees for any contracting business to be similar to those of other administrative offices and based on the number of management, administrative, and clerical employees. It was agreed that this would more clearly reflect the operation of contractors' offices within the City and provide some relationship to the size of businesses.

3. Coin-operated, Vending Or Other Machines: The representatives of the business community indicated to us that the section of our ordinance addressing coin-operated, vending or other machines might be confusing and did not provide similar fees for similar types of businesses. In addressing this, we have reworded some of this section and provide the same fee for commercial amusement machines as we do for service machines and vending machines.

4. Penalty: The representatives who met with us were concerned that our ordinance penalties now only contain a delinquency charge for late application for a business license or a fine which would require the issuance of a summons or notice to appear. After discussing this it was agreed that we should implement a penalty which would be a significant amount (\$100) to encourage businesses to apply for licenses and also contain a provision that an amount be added equal to the cost of a license which was not obtained while the business was operating. Because this is an addition to the ordinance which has never before been discussed, we feel that it would need to be proposed as a separate ordinance. We will therefore be coming back to the Council with an ordinance to implement an administrative penalty that will be a flat fee of \$100 plus an additional amount equal to the cost of the license, times the period of delinquency.

CONCLUSIONS & RECOMMENDATIONS: I have attached a copy of the occupational license ordinance which provides for the fee increases and also incorporates the changes that can now be implemented. This morning we were advised that the executive committee of the Chamber of Commerce and the Contractors Association of Collier County, based on the information presented at the two meetings which were held, will endorse the ordinance with the changes that we have presented. The Fifth Avenue South Association and the Third Street Merchants Association also endorsed these changes and the resulting ordinance.

Respectfully submitted,

Franklin C. Jones

City Manager

FCJ/tan
enc.

(c) Vending machines, vending merchandise of any kind except those hereafter provided:		
(1) Operator	62.50	50.00
(d) Machines exempt from license:		
(1) Change machines.		
(2) Parcel-checking lockers and toilet locks used in depots, hotels and restaurants.		
(e) Each operator of machines described above shall furnish to the tax collector at the time of taking out a license therefor, a list showing the address or location where each licensed machine is to be located; the location may be changed without payment of additional license tax, provided that the tax collector is notified of such change and new location within three days of such change; if no such notification is given within three days, a transfer fee of two dollars (\$2.00) per machine shall be due and payable for each change.		
(46) COLD STORAGE, renting cold storage space to the public	62.50	50.00
(47) COLLECTION AGENCY, CREDIT BUREAUS, TAX COLLECTION AGENCIES	62.50	50.00
(48) CONSULTANT AND/OR BUSINESS ADVISOR For each person operating, which advice is the only service rendered and nothing is bought or sold in connection therewith....	43.75	35.00
(49) CONTRACTORS, including general contractors, specialty contractors, subcontractors, professional contractors and sign contractors:		
one to five employees*.....	\$43.75	
six to fifteen employees*...	87.50	
sixteen or more employees*..	125.00	
*management, administrative and clerical		

	Proposed	Present
(32) BROKER, ship, motorboats, or yacht (a) Each person acting as agent and/or broker negotiating sales but does not carry stock on hand	43.75	35.00
(33) BROKER-AGENT, STOCKS AND BONDS	62.50	50.00
(a) Leased wire	93.75	75.00
(34) BUILDING AND LOAN ASSOCIATION	125.00	100.00
(35) BURGLAR ALARM SYSTEMS Companies or agents	62.50	50.00
(36) BUS COMPANIES	62.50	50.00
(37) BUSES, SIGHTSEEING	62.50	50.00
(38) CANNING PLANT (a) One to five employees	62.50	50.00
(b) Six to fifteen employees	93.75	75.00
(c) Sixteen or more employees	125.00	100.00
(39) CATERER OR CATERING	43.75	35.00
(40) CEMETERIES	125.00	100.00
(41) CHEMISTS, ANALYTICAL	43.75	35.00
(42) CHIROPDIST	43.75	35.00
(43) CHIROPRACTOR	43.75	35.00
(44) CLEANER AND DYER, permits fur storage and repair (a) Plant, where cleaning, pressing or dyeing is done on premises	62.50	50.00
(b) Agency, where no cleaning, pressing or dyeing is done on premises	31.25	25.00
(45) COIN-OPERATED, VENDING OR OTHER MACHINES Every person selling, leasing, renting distributing, servicing, operating or placing for operation any machine, except those machines exempt from licensing: (a) Commercial amusement machines. (1) Operator	62.50	100.00
(2) In addition thereto for each machine defined as machines or devices, not gambling devices which are played or operated for amusement or score and not for vending merchandise or rendering service, and whether or not a charge is made for play..	6.25	10.00
(b) Service machines (other than vending merchandise) (1) Operator	62.50	50.00
In addition thereto, for each machine :	6.25	

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Opening Statement - Naples City Council Meeting - August 17, 198

Good Morning, Mr. Mayor and Councilmen:

My name is J. Sandy Scatena and I reside at 2990 Buinacle Drive. My wife and I have owned the Clothes Rack on Fifth Ave., So., for 8 years, and, as Merchants, we protest the passage of this Proposed Ordinance to raise the Occupational License Fees...

I strongly opposed this Proposed Ordinance at its first Reading two weeks ago, and I am here today at this Public Hearing for the 2nd Reading of this Proposed Ordinance relating to Occupational License Taxes for Business Occupations, and Professions to again protest the enactment of this Proposed Ordinance.

At the last Council Meeting, I was Spokesman for 82 Business Owners on Fifth Ave., So., who were and still are strongly opposed to the passage of this Proposed Ordinance. At that Meeting, I submitted 8 Pages of Photo Copies of their Business Cards to you.

Today, I am here as Spokesman for 174 Business Owners who have businesses on Fifth Ave., So., Old Marine Market Place, Grand Central Station, Waterloo Station, Central Mall, Moorings Shopping Plaza and Naples Shopping Center. I personally have spoken to all these Store Owners or their Managers and they all strongly protest the passage of this Proposed Ordinance raising the Occupational License Taxes by 25%.

They all stated that this Additional tax is not justified, & the Business Owners are currently overburdened by taxes, and why should they be singled out to pay an Additional tax when they now pay heavily for the privilege of doing business in the City of Naples?

I did not have time to speak to Store Owners whose businesses are located on the Tamiami Trail, Coastland Mall, Park Shore Square, Park Shore Plaza... If you, Mr. Mayor and Councilmen are sincere in hearing from these Business Owners, I would be happy to personally accompany you to see them. Then you would hear "first hand" from these Merchants how they feel about this Proposed 25% Increase in the Occupational License Tax. Certainly in a Democracy such as ours, the voices of all these Business Owners should be heard and their opinions should be respected...

Again, I repeat, all these 174 Store Owners that I have recently contacted - strongly oppose the passage of this Ordinance to raise Occupational License Taxes!!!

Mr. Mayor, at this time, I would like the following exhibits marked NO 7 through NO. 6 to be placed into the Record of this Meeting, which are pertinent to this Public Hearing. I will make brief comments on each of these Exhibits.

Public Chapter 82-1000...
 by the Director of Manpower Services on
 1/15/82. He, with whom I personally talked
 concerning this proposed Ordinance to increase
 the 4 (custodial) license fee. All of these women
 are strictly bonded to this increase. Since they
 were last able to attend this meeting that asked
 us to reconsider them and since their opposition
 to this proposed Ordinance...

THE Optical
OF
NAPLES, INC.

Eye Exams
 Contact Lenses
Dr. Elaine M. Witten
 Optometrist
 505 Fifth Avenue South
 Naples, Florida 33940
 Office
 (813) 263-4242

Rnette's Rig and Tug Shop
 Fashions for Women

Nadine Lewis Beck
 (813) 262-0500
 465 Fifth Avenue South
 Naples, Florida 33940

The Eagle's Nest
 FINEST QUALITY HATS

PETER HALL MANCIB
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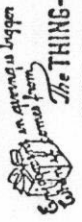
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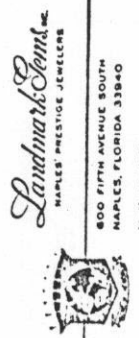
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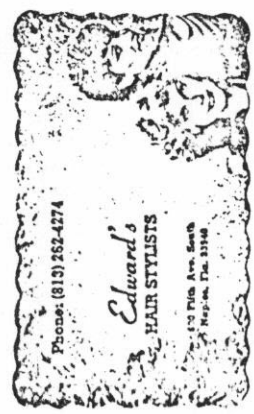
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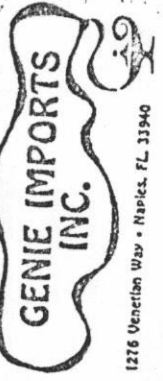
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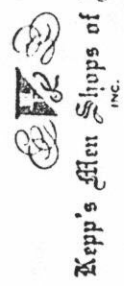
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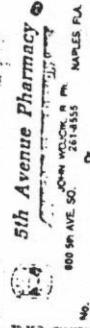
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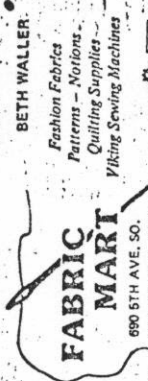
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NAPLES DAILY NEWS Tues., Aug. 2, 1983 3A

Piccadilly Pub Bought by Pate

• Related photo, 3A

By **JAMES MOSES**
 Staff Writer

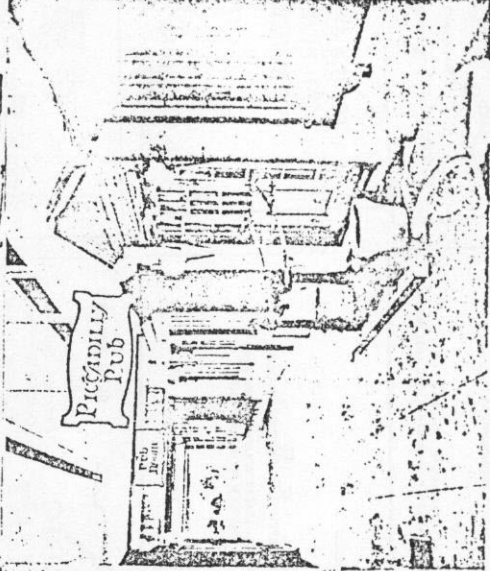
Cloyd Pate has added the Piccadilly Pub, a Naples dining landmark and one of the area's oldest restaurants, to his chain of eating spots.

He said Shirley Smith, owner since 1977, closed and sold him the Piccadilly Pub about two weeks ago. Pate will reopen what he calls the "downtown landmark" in about three weeks, after a complete renovation.

"WE DON'T plan to change the Pub's layout, just fix it all up. Pate said today.

He said he hasn't decided on the fate, but reviewing all the Piccadilly's Pub's old menus.

"I might not change the menu much. I've always thought this Piccadilly Pub had good food," he added. Pate said he will replace all of the Pub's kitchen equipment.



Staff photo by Carl Hansen

Landmark Restaurant Sold

Veteran Naples restaurant owner Cloyd Pate has added the Piccadilly Pub on Fifth Avenue South downtown to his list of local eating establishments. Opened in 1961, it is among Naples' oldest restaurants.

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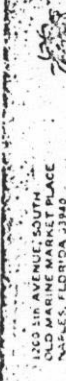
1095 232 (119)
 OFFICE: 11 300 PM
 4066 11 300 PM
 302-211-6471

Photo C
 by the way of 32 Business Cards given to me
 at the T-shirt Place with whom I personally talked the
 concerning the proposed Ordinance to increase the
 occupational license tax. All of these during they were
 strategy sessions in the morning they agreed with
 that day. It is clear that this meeting they agreed with
 present then and that this will opposition to the
 increased Ordinance.

ATTACHMENT #3 - page 13
 Exhibit No. 1
 (CONTINUED)

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Jean Kent 813/261-5125



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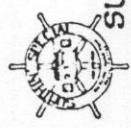
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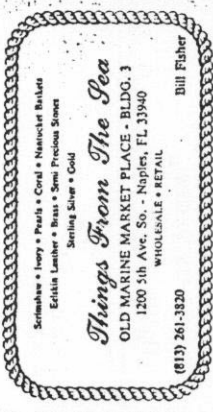
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 OWNER: BOB DOBROZENSKI

1200 5th Ave. So.
 Naples, FL 33940

(813) 262-5115

Come 'N Go
 Bed & Bathroom Accessories

John & Mary Gillis
 Old Marine Mkt. Place

"Sherwood Forest"
 Gofffried ENDERS
 1200, Fifth Ave South
 262 - 2038
 1200 Fifth Ave So

(813) 262-2099
Sim Patton
 TOBACCO ROAD
 Pipes
 Cigars
 Tobacco
 Cigarettes

OLD MARINE MARKET PLACE • NAPLES, FL 33940

Tim City Sweets
 Tin City
 Donalds DORIA
 1200 5th Ave SO
 263-3342

1200 5th AVENUE, SOUTH
 OLD MARINE MARKET PLACE
 NAPLES, FLORIDA 33940



L'ART de HAITI
 HAITIAN OIL PAINTINGS
 WOODGANY SCULPTURES
 BANANA LEAF CARVINGS

IVY & JESSE BAILEY (813) 261-6245

JAMES & JOAN HENDERSON

Fresh Homemade Cookies
 from
 The Real Cookies
 Old Marine Market Place
 Naples, Fla.

261-0567

1200 5th Avenue South
 Old Marine Market Place
 Naples, Florida 33940

PHOTO - CRAFTS
 SOUTHWEST FLORIDA PHOTOGRAPHS
 and
 LARGE COLLECTION OF EXOTIC SHELLS

IVY CASTLE & JESSE BAILEY
 (813) 263-0373
 Curious Mementos
 and Framing

TRENDS SETTER
 TIN CITY
 DAWN DOMKOWSKI
 263-8971 owner

245

Photo Copies of 11 Business cards given to me by the Owners or Managers of Businesses At Grand Central Station with whom I personally talked concerning this proposed spinoff to increase the operational income of ALL of these businesses. I have the copies of these cards and will be glad to attend this meeting if they are available. I will be glad to provide this information.

Exhibit No. 1 (CONTINUED)

The Wave Surf Shop
 BEACH WEAR • SURF BOARDS • WET SUITS
 1200 5TH AVENUE SO.
 NAPLES, FLORIDA 33940
 AT TIN CITY
 MARGIE DOMKOWSKI
 PHONE 813/263-4375

M. D. RAFFELT (813) 252-8040
Creative Crafts
 OMMF, 1200 5th Ave. S.
 NAPLES, FLA 33940
LEATHER
HAND CRAFTS

THE OSPREY
 of Naples
 Wildlife T's
 Sportswear for Men & Women
 Bob & Trudy Wright
 1200 5th Ave., S.
 Naples, FL 33940
 813-263-4015

Handiques
 HANDMADE ORIGINALS AND ANTIQUES
 Featuring items for the left-handed.
 handiques, inc.
 anne higgins, president
 in the village of olds worthington, ohio
 (614) 246-9979
 the french market at the continental,
 columbus, ohio - (614) 246-0778
 the olds marine market place,
 naples, florida - (813) 261-6400

Sherril McElright
Tin City
Carol Ingham
 262-6733
 1200 5th Ave So

Lida's
 resortwear
 Tin City
 1200 Fifth Ave. So.
 Naples, FL 33940
 813-263-5468

"Will-O-The-Wisp"
 Old Marine Market Place
 1200 - 5th Ave. South
 Naples, Florida 33940
 813 252-6056
DUPER WILMA & DON MULLINCKEY

THE HUT
 1200 5th Ave. So.
 NAPLES, FLA. 33940
 Bags & Gift Items
 (813) 261-5431

Handiques
 HANDMADE ORIGINALS AND ANTIQUES
 Featuring items for the left-handed.
 handiques, inc.
 anne higgins, president
 in the village of olds worthington, ohio
 (614) 246-9979
 the french market at the continental,
 columbus, ohio - (614) 246-0778
 the olds marine market place,
 naples, florida - (813) 261-6400

J.I. Designs
 jewelry
 1200 5th Avenue S.
 Naples, Florida 33940
 SPOOKIE FOLEY
 813/263-1011
 IVY & JESSE BAILEY

Van Byskirk Opticians
 grand central station
 10th st. entrance
 Naples, Florida
 261-7447
 heritage square
 marco island, florida
 394-1028
 naples - mon.-fri. 8:30 to 6:00
 saturday 9:00 to 1:00
 marco - mon.-fri. 9:00 to 5:30

Nature's Cupboard
 "Healthy Foods and Utensils"
 GRAND CENTRAL STATION
 (TO THE RIGHT OF THE CLOCK)
 320 GOODLETTE ROAD NAPLES
 262-8050 ALSO OPEN EVENINGS & SUNDAYS

ALL STAR VIDEO
 MOVIE RENTAL & RECORDER RENTAL
 GRAND CENTRAL STATION
 JACK MACIELAG
 DEBBIE MACIELAG
 Rt. 41 and Goodlette Rd.
 Naples, FL 33940
 262-5900

Häagen-Dazs®
 Häagen-Dazs Franchise Inc.
 210 Sylvan Avenue, Englewood Cliffs, New Jersey 07632
 Telephone: (201) 560-5611 and (201) 560-5624
 Dianne Petersen - 262-4042

WINDOW WORKS
 GRAND CENTRAL STATION PLAZA
 SUSIE DOUGAN
 CUSTOM WINDOW TREATMENTS
 (813) 263-6699

BRIDAL GOWNS TUXEDOS
 INVITATIONS ACCESSORIES
Weddings, Tea 1 by Design
 GRAND CENTRAL STATION SHOWING PLAZA
 NAPLES, FLORIDA 33940
 (813) 261-9517

the Cheese Cellars
 Grand Central Station Plaza
 10th Street Entrance
 Sammy Pennella
 (813) 263-1640

WSE WALL SYSTEMS, ETC.
 GRAND CENTRAL STATION
 285 Goodlette Road South
 Naples, Florida 33940
 (813) 262-4500
 EDWARD J. LIS

MIKE KOKINDY
SPOONBILL REST
 TEL 263-4900
 GRAND CENTRAL STATION

HARE TON
 HAIR DESIGN FOR MEN AND WOMEN
 NO APPOINTMENT NECESSARY
 MONDAY - SATURDAY, 10 TO 7
 GRAND CENTRAL STATION SHOWING PLAZA
 392 GOODLETTE ROAD SOUTH, NAPLES, FL 33940
 TELEPHONE (813) 263-6869

Stargirl
Pelican
 Unique
 Grand Central Station
 446 Goodlette Rd. S.

Photo P.tical of **Business Cards** given to me
to me
by the **Owners or Managers of Businesses**
At Central Mall with whom I personally talked concerning
this proposed Ordinance to increase the occupational license
tax. All of these Owners are strongly opposed to this increase
since they were not able to attend this meeting, they are
asked to register them and state their opposition to this
proposed Ordinance.

Photo Copies of **Business Cards** given to me
by the **Owners or Managers of Businesses** at the
Medical Shopping Center, both whom I personally
talked concerning this proposed Ordinance to
increase the occupational license tax. All of these
business are strongly opposed to this increase since
they were not able to attend this meeting, they
are asked to register them and state their oppo-
sition to this proposed Ordinance.

Exhibit No. 1

Exhibit No. 1

MIKE & NATALIE CHERNEY
YOUR HOSTS
PHONE 261-8851




SANDWICHES
DRAFT BEER
CHILI

HOME OF THE PEANUT BUTTER PIE
IN THE CENTRAL MALL
NAPLES, FLORIDA

459 GOODLETTE ROAD SO.

RAZOR CUT



HOURS 8:00 TO 8:00
SATURDAY & TO 6

Central Mall Barber Shop
"IT PAYS TO LOOK WELL."

STONEY BROOKS
NAPLES, FLA.

An Authorized Before-Oral-Test
Hearing Aids and
ADVERTISERS

Bellone
NO WEIL HELP

JEFFREY L. COLLIER
Licensed Hearing Aid Specialist

Central Mall
Naples, Florida
Telephone 262-5800

3949 Broadway
Fort Myers, Florida 33901
Telephone 936-1110

CHARLES AND VIRGINIA KARAGIS

MR. K'S SHOES
FAMOUS BRANDS FOR MEN AND WOMEN
AT DISCOUNT PRICES

CENTRAL MALL
NAPLES, FL 33940

HERITAGE SQUARE
MARCO ISLAND, FL 33937

Marta Cross
W.S. Cross

Mathia's
Health Food Shop, Inc.
JUICE, SALAD & SANDWICH BAR

2073 9th St. North
Naples Shopping Center
Naples, Florida 33940

(813) 261-7838
(813) 992-4829


BERNINA SEWING CENTER
2072A 9th STREET NORTH
NAPLES, FLORIDA 33940
TELEPHONE 262-2247

Gisela Davis
Owner

FAMILY PORTRAITS
Presque
Photographic
Portraits

Central Mall
Naples, Florida 33940
(813) 261-8000

Jenny Farr
Photographer



UNIFORMS OF NAPLES
&
ACCESSORIES

FULL LINE OF UNIFORMS


484 GOODLETTE ROAD
NAPLES, FLORIDA 33942

CALVIN AND VIVIAN PATRICE
(813) 261-8111

KiNKeboode
GIFT AND CARD SHOP
AUTHORIZED "HUMMEL" DEALER
FEATURING UNIQ & IMPROVED GIFTS

441 GOODLETTE RD. SO. • CENTRAL MALL • NAPLES, FL 33940

262-5100



Wishes Hair Beauty Salon
TOTAL HAIR CARE FOR MEN & WOMEN
STYLIST


Marlene Pearson
CENTRAL MALL • NAPLES, FLORIDA

262-5109

Genie's
5th Avenue Florists, Inc.

THREE LOCATIONS
1078 FIFTH AVENUE SOUTH
NAPLES, FLORIDA 33940
PHONE 261-7111

"MARCO ISLAND - HERITAGE SQUARE
PHONE 384-8155"



Bud and Arlene Brimmer

Owner: C.D. Blasigim

Manager: Andy Gurt

K-T Sporting Goods, Inc.
Quality Sporting Goods
Retail - Schools - Teams

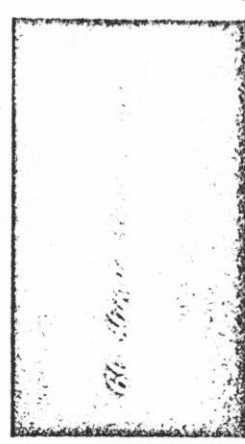
2254 Cleveland Ave.
St. Myers, FL 33901
936-1531

2067 0 9th St. N.
Naples, FL 33940
262-1523

THE Turntable RECORD SHOP

NAPLES SHOPPING CENTER
2073 NINTH ST., N.
NAPLES, FLORIDA 33940
813 - 263-6174

JON B. EHRLICH



813 / 261-1070

FLORIDA
PATIO & RATTAN
FURNITURE

MARCELLE
Design Consultant

2909 N TAMPAH AVE
NAPLES SHOPPING CENTER
NAPLES, FLORIDA 33940

(813) 263-0516

TAI-NA, INC.
BEIJING RESTAURANT

2073 C-D 9th Street North
Naples, Florida 33940

*Ms. by the business owners given to
at the Mooring's Shopping Plaza by the business
owners to be personally talking to the managers
to increase the occupational license tax. All of these
businesses are strongly opposed to this increase. Since
they are not likely to attend the meeting they are
likely to submit them and state their opposition to
the proposed ordinance.*

Reichert's Jewelry

"Since 1940"
2033K NORTH 9TH STREET
NAPLES SHOPPING CENTER
WATCH REPAIR • JEWELRY REPAIR • CUSTOM DESIGN
DIAMOND SETTING • APPRAISALS
ON PREMISES
OPEN DAILY 9:30 - 5:30 MON. - SAT.



DONNA B. STIESS
Proprietor
CUTS • NEEDLEWORK
CREATING CARDS
Naples Shopping Center
2033 North 9th Street
Naples, Florida 33940
Telephone (813) 263-7140

THE BOOK GALLERY
NAPLES SHOPPING CTR.
2039 1/2 - 906 S. N.
NAPLES, FLORIDA
53940
813-263-8706
MARCELLA ENGELHART

LYNN'S SHOP
Edward J. Rogan
PAULA ROGAN
Naples Shopping Center
2033 North 9th Street
Naples, Florida 33940
813-263-1288

*Photo Copies of 2 Business Cards given to me by the owners or
Managers of Businesses At Waterloo Station with whom I
personally talked concerning the Proposed Ordinance to increase
the Occupational License Tax. All of these Owners are strongly
opposed to this increase. Since they were not able to attend this
meeting they asked me to represent them and state their
opposition to this Proposed Ordinance.*

COMMERCIAL
C & B TILE DISTRIBUTORS
Beauty Your Home With Ceramic Tile
Pool Decks • Patios & Floors
Custom Kitchen • Bathrooms
WATERLOO STATION
200 GOODLETTE ROAD, NAPLES FL 33940
WHOLESALE & RETAIL
OWNERS
CHUCK BLAKE & BOB TAYLOR
BUS. PH.: 263-8664

T-SHIRT EXPRESS
WATERLOO STATION
200 GOODLETTE RD. SO.
NAPLES, FL 33940
CUSTOM SILKSCREENING
LOGOS & DESIGNS
HEAT TRANSFERS DECALS
MAGNETIC-REAL ESTATE SIGNS
Roland H. Kolman
President
Naples (813) 261-2149
Wholesale (813) 263-7611



NOTE

*This is the total of Business Cards given to me by the Owners
or Managers of Businesses with whom I personally talked
Concerning the Proposed Ordinance to increase the Occupational
License Tax. All of these Owners are strongly opposed
to this increase. Since they were not able to attend this
meeting they asked me to represent them and state their
opposition to this Proposed Ordinance.*

THE HAIR FAMILY
524 Park Street • Naples, FL
(813) 263-2017
Beauty in the Moorings
1831 9th Street North
Naples, Florida 33940
(813) 262-1934
Open 6 Days
KMS, Rocken

Pizza by Nona Mia's
Moorings Plaza
1841 Ninth Street North
262-2823

*Van's Tobby Shop
Moorings Plaza
Aurora 262-3279
David Felton*

Moorings Plaza Travel
ROBERT NADEAU
1813 Tamiami Trail North
Naples, Florida 33940 U.S.A.
(813) 263-2525

RONALD R. ENGELKE 1809 N. Tamiami Trail Naples, FL 33940 Phone: 262-8822 If no ans: 263-0098	LIFE HEALTH HOME CAR BUSINESS
NATIONWIDE INSURANCE Member is on your side Home Office: Columbus, Ohio	

262-1937
MOORINGS SEAFOOD MARKET
FRESH SEAFOOD DAILY
JOHN BRONKOWSKI
PROPRIETOR
1838 9TH STREET, NO.
NAPLES, FLORIDA 33940

MOORINGS LAUNDROMAT & DRY CLEANING
1833 9th Street N. Across From Central Mall
SAME DAY SERVICE (MON. - SAT.)
DRY CLEANING
Clothing
Drop • Off
Wash • Dry • Fold
SELF-SERVICE LAUNDRY (EVERY DAY)
M-F 7:30 - 9:00
S & S 7:30 - 6:00
BOB & LYNN ASHMAN
261-9970

O. J.'s SHOE REPAIR
Jim Bourland, Owner
EXPERT SHOE AND LEATHER REPAIR
Moorings Plaza, Naples, Florida
Telephone: (813) 262-7648

Mooring's Plaza Watch Repair
1823 8th St. N.
Naples, FL 33940
813-247882

Ultimate Look
SUNGLASSES
THE MOORINGS PLAZA • 1811 9TH STREET N.
NAPLES, FLORIDA 33940
BERNARD
(813) 262-1842

FASHIONABLE
5th Avenue
SOUTH

DOWNTOWN BUSINESS ASSOCIATION

1700 North Tamiami Trail, Naples, Florida 33940

PAID MEMBERS

- 1. Ad Miller Associates •
- 2. Barnett Bank of Naples ✓
- 3. Baxter's Shoes •
- 4. Dean Witter Reynolds Inc. •
- 5. The Eagles Nest •
- 6. Edward's Hair Stylist •
- 7. 5th Avenue Deli
- 8. First National Bank & Trust Co. ✓
- 9. Golf Exchange •
- 10. The Good Design Store, Inc. •
- 11. Harmon Photo Center Inc. •
- 12. Heritage Investment Securities •
- 13. Holland Salley Inc.
- 14. House of Golf Inc. •
- 15. House of High Fidelity •
- 16. Ingram's Hardware *going out of business*
- 17. Kami's Contemporary Shop
- 18. Phannah's •
- 19. Pepp's Men Shops of Florida •
- 20. King Insurance Agency Inc.
- 21. Lilly Pulitzer of Naples •
- 22. Maggie's Vanity Fair •
- 23. Merry Go Round Shop •
- 24. Micro Works Inc.
- 25. Wm. C. Minarich Photography
- 26. The Mueller Co. Realtors
- 27. Naples Camera Shop •
- 28. Naples Fifth Ave. Pharmacy •
- 29. Naples Sporting Goods •
- 30. Naples Travel Agency Inc.
- 31. Benjamin G. Parks
- 32. Picadilly Square
- 33. Port of Gifts •
- 34. Powell & Yanson Inc.
- 35. Pratt Shoes •
- 36. Provenance Galleries •
- 37. Sadez & Son
- 38. Paul J. Schmitt Jeweler •
- 39. Security Trust Co. of Naples ✓
- 40. Shepard's Office Supply Inc.
- 41. Song & Story Shop •
- 42. Southeast National Bank ✓
- 43. Sunshine Superex Market
- 44. Tropical Fashions •

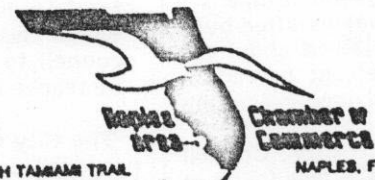
- 45. United Telephone Co. of Florida ✓
- 46. Vogue Fashion Shoppe •
- 47. Water Babies •
- 48. WBBH TV
- 49. West Coast Furniture Co. Inc. •
- 50. Winger-Nadeau & Associates Inc.
- 51. John R. Wood & Associates Inc.

II UNPAID MEMBERS

- A. G. Edwards & Sons
- Exclusive Showcase •
- Fabric Mart •
- Landmark Gems Ltd. •
- Lucy's •
- The Magic Lantern
- Monique Boutique Inc. •
- Naples Federal Savings & Loan Assn ✓
- 52. PD Naples Liquors ✓
- The Paper Merchant •
- Pelican Travel of Naples •
- ~~Sirintan Oriental Rugs~~ *out of business*
- 53. PD. Smith-Lesher Insurance Inc.
- The Squash Blossom •

• 36 cards given to me by Business Owners who are members of the 5th Ave., So., Merchants' Association who are strongly opposed to the passage of this proposed Ordinance to raise the Occupational License taxes by 25%.

William W. McGowan III
EXECUTIVE VICE PRESIDENT



1700 NORTH TAMAMI TRAIL

NAPLES, FLORIDA 33940
(813) 262-6141

SECRETARY - CARMEN HALTERMAN

NAPLES DAILY NEWS

Sun., July 17, 1983

City Manager Urges Hike in Job Licenses

By MATTHEW SPINA
Staff Writer

The cost of occupational licenses for almost 3,000 Naples businessmen will rise 25 percent if City Councilmen approve a suggestion by City Manger Frank Jones.

In his second attempt in as many years to raise occupational license fees, Jones said the proposed increase would add \$20,000 to the city's budget before the 1982-83 fiscal year ends Sept. 30.

Most licenses issued by the city cost businesses \$35 annually, Jones said, so a 25-percent increase will mean another \$8.75 or a total payment of \$43.75 a year.

BUT BUSINESSES such as merchants, manufacturers and marinas with more than 16 employees pay \$100 for a license. Their payment could go to \$125 if the proposal is approved.

Bail bondsmen, detectives, auctioneers of antiques, civic promoters and vendors at parades and similar events also would be facing a \$25 increase.

"We're not talking of a big burden on individual businesses," Jones said. "We feel that this increase will allow the business community to help share in the services...that make Naples a good place to live and do business."

License fees have remained the same since 1966 and had been frozen by the state legislature in 1972. In 1981, Florida lawmakers gave cities the authority to raise the rates.

But last year's attempt to raise the cost of occupational licenses was defeated in Naples after business groups complained about the lack of an enforcement procedure and said proposed increases were inequitable.

IN AUGUST, a City Council resolution to hike the fees failed in a 3-3 tie, and was never revived in order to meet an Oct. 1 deadline.

Since then, the legislature has set a ceiling of 25 percent on increasing costs of occupational licenses, Jones said.

"Because these funds were
(Please see FEE, Page 2A)

Fee

frozen in 1972, they have not kept pace with other sources of revenue which are also used to support the cost of government, nor have they kept pace with the increases in costs to provide governmental services," the city manager said in a memo to councilmen.

There were no early indications Friday that the measure would again be opposed by business groups. Spokesmen for the Chamber of Commerce, the Fifth Avenue Merchants Association and the Third Street Merchants Association said their groups had not yet established a position on the proposed increase.

A spokesman for the Contractors' Association of Collier County, which last year influenced the council to delay action, could not be reached for comment.

The City Council will consider a proposed ordinance when they meet Wednesday at 9 a.m., but a public hearing must be held at a later meeting before the measure can become law.

Saturday, July 16, 1983 / The Miami Herald

Petition bars raises for officials

By JEAN FRANCYK
Herald Writer

Naples resident Sandy Scatena has been circulating a petition among downtown business people that urges the Naples City Council to deny pay hikes for the city manager and city attorney.

Scatena, a Fifth Street businessman, said Friday he and a small group of private citizens began circulating the petition a week ago. "We want to give people the opportunity to know what's going on," he said.

City Manager Frank Jones earns \$47,250 a year and has a \$200 a month car allowance. City Attorney David Rynders earns \$56,121 a year. Both men receive fringe benefits worth about 15 per cent of their salaries.

Jones said Friday he had not seen the petition and couldn't comment on it until he did.

"I can't react to a hypothetical situation," Jones said. "I have no knowledge of the petition."

Rynders was not in his office Friday and could not be reached at home.

Scatena said he would not make a special effort to bring the petition to city hall but he had shown it to one city official.

"It doesn't matter if the council pays attention," Scatena said. "The people will know [by its reaction] if they accept fiscal responsibility."

Though he would not reveal how many people had signed the petition, Scatena said he had collected a "reasonable amount of signatures."

City Councilmember Lyle Richardson said the number of signers meant "nothing." He said he would have to see where they were from and if they represented Naples as a whole.

"A petition doesn't mean anything more than a given [group] feels a certain way," Richardson said.

The council is scheduled to review the city's operating budget — including the salaries of the city manager and city attorney — next month. But Scatena said he would not present the petition to the council unless it offers pay raises to Jones and Rynders.

It is a tool, he said, to inform the public.

Harry Rothchild was the only member of the council to cast a vote against Jones and Rynders when a vote of confidence was called in May. The Naples Taxpayers League and Rothchild initiated the question after charging Jones and Rynders with mismanaging water and sewer rates.

The taxpayers association has nothing to do with the petition, Scatena said. Its secretary, Frank Lualdi, has run several advertisements in the Naples Star charging the council with spending too much money on salaries.

Rothchild said he had not seen the petition, though he had heard of it.

"I wouldn't sign the petition," Rothchild said. "My vote on the council is worth more than my signature."

Rothchild, consistently at odds with the council regarding the city manager and attorney, said he has always been opposed to increasing their salaries.



City of Naples

Exhibit No. 4

MEMO

TO: ✓ HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
 FROM: CITY MANAGER FRANKLIN C. JONES
 SUBJECT: OCCUPATIONAL LICENSE FEE INCREASE
 DATE: JULY 15, 1983

BACKGROUND: In formulating our budget plan for the next fiscal year, we have reviewed the revenues derived from occupational licenses and are again recommending that the Council consider an ordinance that would effect an increase. The fees which are contained in our current ordinance were established in 1966 and were frozen by the state legislature in 1972. In 1981, the legislature passed a law which allows municipalities to increase their occupational license fees.

ANALYSIS: The Florida Statutes define a "local occupational license" as a "method by which a local governing authority grants the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction." It is a source of revenue by which the business community contributes to the cost of providing governmental services which allows the City to be an attractive place in which to do business. Because these funds were frozen in 1972, they have not kept pace with other sources of revenue which are also used to support the cost of government nor have they kept pace with the increases in cost to provide governmental services.

I have attached two exhibits from our 1982 audit report which compares revenues and expenditures for the years 1973-82. These are also the years during which occupational license fees were frozen. From the tables we see that the expenditures for the general government's functions increased from \$3-million a year in 1973 to \$7-million a year in 1982, and that other general forms of revenue that the City uses to pay these expenses have increased from \$2.9-million in 1973 to \$7.8-million in 1982. Our occupational license fees are contained in the "Fees and Licenses" category of revenue. Those revenues have only increased by \$45,000 during the ten-year period from \$216,000 in 1973 to \$261,000 in 1982. The main portion of this increase came from the City's share of county occupational licenses which increased in 1981 when the County increased its occupational license fees.

One of the objections that we have heard in the past against increases in occupational license fees is that there has been no enforcement program within the City. The City actually has several enforcement programs. In addition to the programs which

Mayor and Council
July 15, 1983
Page 2

have been in effect for several years such as comparing business lists with other organizations and reviewing newspapers and yellow pages advertising, the City has instituted one new enforcement program this past year. Through the cooperation of the Fire Department, the fire code inspectors who visit each business with the City once a year have been checking to verify that the business has a current occupational license. In eight months of this fiscal year, this program has resulted in 65 new licenses being issued totalling additional fees of \$3,360.

The fee increase that we are proposing amounts to 25% for each category described in the City's current ordinance. We have attached a sample of the ordinance annotated with the proposed and current fees so that you can identify the increase. We anticipate that this would generate \$20,000 in additional revenue during fiscal year 1982-83. Based on the premise that the business community should continue to contribute its fair share toward the expenses of maintaining Naples as an attractive place to live and to do business, it follows that a reasonable increase in these occupational license fees is an equitable method of assuring this participation.

RECOMMENDATION: I recommend that the Council adopt on first reading the attached ordinance increasing occupational licenses by 25%.

We have notified the Chamber of Commerce and the Fifth Avenue South Merchants Association of this proposed ordinance and will meet with them and obtain their comments prior to the public hearing on second reading.

Respectfully submitted,

Franklin C. Jones
Franklin C. Jones
City Manager

FCJ/tan
encs.

James H. Topping, Inc., Realtors

231 NINTH STREET SOUTH • NAPLES, FLORIDA 33940 • PHONE 813/261-7775

July 21, 1983

Naples Area Chamber of Commerce
1700 N. Tamiami Tr.
Naples, Fl. 33940

Att: William W. McGowan III, Exec. Vice President

Dear Sir:

According to the newspaper, the city of Naples is planning an increase in the cost of Occupational Licenses once again. This item was brought up approximately one year ago.

As a member of the Chamber, I strongly oppose such an increase for the following reasons:

1. The city manager stated the increase was to raise additional funds for the city.
2. The economic situation among small businessmen has many struggling to stay in business.

Since the city manager nor members of council have not in any way indicated that this increase would be used to benefit the payee by policing the holders of licenses and will only be used as a revenue raising instrument, I urge you to use all of your efforts to defeat this proposal.

Sincerely,

JAMES H. TOPPING, INC., REALTORS

 A large, stylized handwritten signature in cursive script, which appears to read 'James H. Topping'.

James H. Topping

JT:ms

Guy L. Carlton

COLLIER COUNTY TAX COLLECTOR
COURTHOUSE - BLDG. C
NAPLES, FLORIDA 33942

August 12, 1983

THE COLLIER COUNTY TAX COLLECTOR'S OFFICE REFLECTS THE DISBURSEMENT OF OCCUPATIONAL LICENSE FUNDS FOR THE FISCAL YEAR 1981-82, TO THE CITY OF NAPLES, FLORIDA, IN THE AMOUNT OF \$66,263.13, AND THROUGH AUGUST 1, 1983, THE AMOUNT OF \$24,196.42.

SEPTEMBER 1, IS THE BEGINNING OF THE RENEWAL PERIOD FOR OCCUPATIONAL LICENSES, AND REPRESENT THE BULK OF MONEY RECEIVED.

Guy L. Carlton

GUY L. CARLTON
COLLIER COUNTY TAX COLLECTOR

CITY OF NAPLES

REVENUE DETAIL

FOR THE FISCAL YEAR 1983-84

Department: General Fund

<u>Classification</u>	<u>Actual 1980-81</u>	<u>Actual 1981-82</u>	<u>Actual 3/31/83</u>	<u>Estimated 1982-83</u>	<u>Budgeted 1982-83</u>	<u>Recommended 1983-84</u>
Ad Valorem Tax	2,272,534	2,309,251	1,830,081	2,095,395	2,095,395	2,139,935
5th Cent Sales -	-0-	-0-	-0-	-0-	-0-	-0-
for Property Tax Relief	1,493	1,538	2,680	3,000	1,560	2,500
Tax Penalties	1,068	1,877	-0-	1,800	1,800	1,800
Road and Bridge Tax	1,467	1,963	748	1,800	700	700
Mobile Homes Tax	41,835	8,626	-0-	-0-	-0-	-0-
Addit. Homestead Exs.	6,568	13,189	6,325	9,602	10,000	10,000
Fuel Tax Refund	2,324,965	2,336,444	1,839,834	2,111,597	2,109,455	2,154,935
Subtotals						
<u>Fees & Licenses</u>						
Occupational Licenses	104,180	154,701	89,753	135,588	120,000	160,000
Building Permits	155,732	105,731	46,397	115,000	100,000	110,000
Engineering Permits	3,955	1,345	670	1,060	4,860	4,425
Liquor and Beer Licenses	12,085	39,212	3,060	29,000	13,000	30,000
Contractors Exam	14,268	14,381	9,006	17,550	17,550	18,270
Zoning Fees	7,486	8,627	3,111	7,000	5,000	7,325
Subtotals	297,706	323,997	151,997	305,198	260,410	330,020
<u>Franchises</u>						
Florida Power & Light	901,439	1,067,811	452,510	1,053,000	1,075,000	1,074,000
Telephone	29,263	31,459	31,995	31,995	33,000	32,500
Palmer Cablevision	48,317	54,736	59,639	59,638	59,400	64,500
Subtotals	979,019	1,154,006	544,144	1,144,633	1,167,400	1,171,000



796 Fifth Avenue South
Post Office Box 488
Naples, Florida 33939
813/262-1200

July 22, 1983

City of Naples
Mr. David Rynders
735 8th St. S.
Naples, Florida 33940

RE: Irrevocable Letter of Credit No. 236

Dear Mr. Rynders:

We hereby authorize you to draw on or before January 18, 1984, on Barnett Bank of Naples, for the account of Bettye Howard up to an aggregate amount of Twenty-five thousand five hundred dollars (\$25,500), available by your drafts at sight, accompanied by an affidavit signed by an authorized official of the City, stating that Bettye Howard has not completed in a satisfactory manner roads, sewer and water connections in subdivision known as Betart Estates.

Drafts under this credit must bear upon their face the words, "Drawn under Letter of Credit No. 236 of Barnett Bank of Naples".

Sincerely,

BARNETT BANK OF NAPLES

A.W. Haidle
Senior Vice President



CITY OF NAPLES
Sunshine Violation Discussion

INTRODUCTION:
Monday,
7/18/83

Susan Gardner: Newswatch 9 - states that her sources informed her the Airport Authority selection was made before the City Council convened. Stating that "If that's the case, (it) would put the City Council in violation of the State Sunshine Law".

PHASE I
Tuesday, 7/19/83
Council Workshop

CITY ACTION & COMMENT

Rothchild: Comments on the Newswatch 9 report and asks for an investigation by the State Attorney.
Rothchild: States this casts a cloud over Council
Billick: These are "Blind Accusations - I don't accept the cloud and I don't accept the accusations".
Anderson: "I have no fear in proceeding with these interviews."
Rothchild: Refuses to participate in the interviewing.

Schroeder: "I don't know what motive there was in making such a statement on the television, but it could have been that somebody in the Palmer group has a knife out for Mike and what a beautiful way to slit his throat".

Wednesday, 7/20/83
Council Meeting

Schroeder: Perhaps the Council should request it. (State Attorney investigation.)

MEDIA COMMENT

No print media Comment on Tuesday.

(NDN 7/20/83) What happened next might be recorded as a City

anecdote with a very long life.

Rothchild: Encourages Schroeder to proceed.

Various Voices: "We thought you were 'definitely' going to do it". (to Rothchild)

Thornton: "We have the right to an explanation or to request a change in the personnel of the station".

Schroeder: I resent what I heard. You impugned the integrity of this council, and I resent it.

Rothchild: Absents himself by leaving the Chamber. Hears the tie vote on Kant. Comes back in and votes for Kant which results in election 4-3.

Billick: States that he hopes the vote will dispel the accusation that Councilmen acted secretly to appoint McDonnell.

Rothchild: States that if his fellow Councilmen do not ask for a State Attorney investigation, he will.

Rothchild: Goes to City Manager's office. Asked if any action has been taken on Sunshine situation, or if it has been placed on Agenda?

(NDN 7/21/83) "Rothchild who has earned a reputation as the most rebellious, and easily the most argumentative councilmen".

"After the meeting, a frustrated and angry Billick said Harry does not know his a-- from third base".

The paper quoted Billick as also saying "Rothchild's position today is absolute demagoguery".

and finally, "Rothchild quickly forgot about his decision to abstain. He popped out of an anteroom said he was going to vote and won the nomination for Kant. Several observers were aghast

(FWNP 7/28/83) "Billick beats Rothchild to ~~beat~~ in contacting State Attorney" (article heading) Billick states - "Harry is just trying to Showboat as usual".

Rothchild notes that it is 11:30 A.M. and only 30 minutes remain before the deadline to place an item on the August 3rd meeting.

Billick: Removes item request from Agenda.

Ryders: Writes a letter to State Attorney, Joseph D'Allesandro. Several interesting facts:

1. City Attorney states that Council gave him the "authority" to "write to him". However, no specific action is requested.
2. City Attorney contradicts the Mayor in saying "it does not seem important to us that the appointment was not actually made as predicted;..." (See Mayor's closing statement 7/20/83).
3. He continues "...rather, the substance of the charge alleges an attempt to violate the Sunshine law." (Note, the accusation was for a violation)
4. The letter continues with a statement that "the members of the Council with whom I spoke do not believe that any Sunshine law violation has occurred." (Rothchild's request seems overlooked).
5. Finally, the letter concludes with "if you choose to investigate the matter please be assured of the complete cooperation of City officials".

City Manager: Advises Rothchild that "because the request for an investigation has been made, we did not include it as an item on the August 3rd Agenda."

* * A response from State Attorney, D'Allesandro

(NDN 7/28/83) "Billick requests 'Sunshine' Probe"

Quotes the City Attorney letter to D'Allesandro. Leaves out a vital line in the statement. "the members of the Council... (omission) do not believe that any violation has occurred".

(MH 7/28/83) "This is totally trumped up charge. I don't know who is responsible, but I am convinced that if there is an investigation the Council will be exonerated".

"Billick Accused Rothchild of using the News Report to call the Councils Propriety in Question".

"I think Harry Rothchild's behavior in this matter is ridiculous. All he is trying to do is stir things up".

informs the City his office will not undertake an inquiry or investigation into the matter.

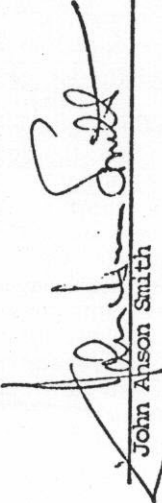
"unless, or until, as in any other case, a sworn statement is obtained from a complainant".

"unless Palmer Cablevision discloses by way of sworn affidavit information as to who may have been involved in a possible sunshine violation, together with other pertinent and supportive data, this office will not undertake any action.

(NDN 8/5/83) Thornton states "it is possible that sunshine violations have occurred".

CONCLUSION:

The chain of events, actions taken, statement made, and printed media comments lead me to believe that the old axiom "where there's smoke -- there's fire" is applicable in this situation and the elected officials owe it to the citizens to admit to violating the sunshine law, or to demand a retraction (by litigation if necessary) as Councilman Schroeder states - you have been impugned.


John Anson Smith

August 17, 1983

Member Selected For Airport Panel

By **MATTHEW SPINA**
Staff Writer

Area engineer and businessman Edward J. Kant this morning was appointed to the Naples Airport Authority in a strange chain of events set off by a rebellious councilman reacting to a local television report.

When the airport authority meets Thursday at 8:30 a.m., Kant will replace Edwin Putzell, who

resigned from the authority after joining the board of directors of Povince-town-Boston Airlines.

ABOUT TWO hours into this morning's confrontation-filled meeting, the council took up the appointment, which would run until August 1986.

But Councilman Harry Rothchild started off discussion by repeating his reaction to a report aired by a local television sta-

tion.

A reporter on Monday quoted unnamed sources as saying that councilmen had privately decided to appoint local attorney Michael R.N. McDonnell to the post.

If that is true, she said, the councilmen probably violated Florida's Sunshine Law. On Tuesday, when councilmen interviewed the six candidates in a workshop session, Rothchild said he would ask for an investigation by the state attorney.

This morning he said that he could not in good conscience vote on the matter. Since laws do not allow councilmen to abstain unless absent, the often argumentative Rothchild said he would leave the room.

"WONDERFUL," Mayor Stan Billick said as Rothchild slipped into an anteroom so he could hear the debate.

Other councilmen then said they were disturbed by the TV report, and debated the merits of asking the television station to explain where it got the information.

"We have the right to an explanation, or to request a change in the personnel of the station," said Randolph Thornton.

"I resent what I heard," said Wade Schroeder. "You impugned the integrity of this council," he told the reporter who sat nearby, "and I resent it."

Rothchild strode back to his chair to join this conversation, but slipped back in as a vote was called in response to Lyle Richardson's nomination of Kant. What happened next might be recorded as a City Council anecdote with a very long life.

RICHARDSON, Thornton and Ken Wood voted yes, but Billick, Schroeder and Roland Anderson voted no. Hearing of the deadlock, Rothchild popped out of the anteroom, and asked if he could vote.

After a neutral decision by City Attorney David Rynders, Rothchild voted for Kant.

"I was very disappointed when this whole thing came out," Kant said later as he graciously accepted the appointment. Kant is president of the Development Management Corp. of Naples.

NAPLES DAILY NEWS

Thurs., July 21, 1983

Billick Vents Anger at Rothchild Behavior

By MATTHEW SPINA
Staff Writer

The usually affable Mayor Stan Billick was genuinely miffed Wednesday.

Naples Councilman Harry Rothchild was chirping in on something that Billick considered his province as mayor.

"If you want to run the meeting," Billick snapped, "then why don't you run for mayor and let the people decide."

"IT'S BEEN suggested," responded Rothchild, who has earned a reputation as the most rebellious, and easily the most argumentative, councilman.

The lopsided battle between Rothchild and the remaining six councilmen may have been as evident during Wednesday's meeting as it has been at any point in the controversial councilman's tenure.

Some exchanges between Rothchild and other

councilmen were downright funny, others were brutal. After the meeting, a frustrated and angry Billick said, "Harry does not know his ass from third base."

This session was heated by at least two items: the selection of someone to fill a vacant post on the Naples Airport Authority and the decision on whether to continue to build a new city dock without expected financial assistance from the state.

DURING THE former, Rothchild's performance was astonishing. But afterward he said it was well worth it since he may have placed other councilmen in a corner.

Rothchild was miffed after hearing a television report Monday that seemed to allege that other councilmen had met privately to hand-pick the replacement for the Airport Authority.

On Tuesday, he said he would request a state attorney's investigation into whether the other councilmen had violated Florida's sunshine law.

On Wednesday, the others went along, saying that if Rothchild wanted an investigation, it was OK with them since they have nothing to hide. Perhaps the council should request it, suggested Wade Schroeder.

Great, go ahead and do it, was Rothchild's response.

Hold on, Harry, we thought you were "definitely" going to do it, they countered.

Billick reminded his colleagues of at least one lawsuit Rothchild had promised to file against councilmen, but never did. Rothchild's position today is absolute demagoguery, the mayor said.

ROTHCHILD explained

that he would rather have the entire council request the investigation and later said he would wait to see if they bring the matter up at the next meeting.

If they do not, Rothchild said, he will.

His effort in this debate, however, revolved about his insistence that no vote be taken until the allegations are either verified or proved false.

If a vote was taken, Rothchild said, he would abstain and the only way to do that under the council's rules of order was to leave the room.

He did so, but stayed nearby so he could hear the vote. He soon learned that the council was deadlocked 3-3 on the appointment of Edward J. Kant — not the applicant councilmen had reportedly agreed on secretly.

Rothchild quickly forgot about his decision to abstain. He popped out of an

anteroom, said he was going to vote, and won the nomination for Kant. Several observers were aghast.

LATER, ROTHCHILD again argued that the city

should drop plans to build a 76-slip dock, since it did not get an estimated \$360,000 in state funds that had been requested.

Several former councilmen have said this council

is fiscally irresponsible, Rothchild argued as he insisted that the project be shelved. He described the dock as a "pig in a poke."

By this time, Roland Anderson had lost his usually

calm demeanor.

"Harry, you're always seizing upon somebody else's name," he snapped.

With Rothchild on City Council, such exchanges have become routine.

***Fort Myers News-Press, Thursday, July 28, 1983

Billick beats Rothchild to punch in contacting the state attorney

By DENES HUSTY
Collier Bureau Chief

NAPLES — Mayor Stan Billick has headed City Councilman Harry Rothchild off at the pass in asking that the state attorney investigate an allegation that the council violated the Sunshine Law.

At the request of Billick, City Attorney David Rynders sent a letter Wednesday morning to State Attorney Joseph D'Alessandro.

Billick said the letter mentions an allegation reported last week by Palmer Cablevision that city councilmen had already decided who they would appoint to the Naples Airport Authority before they voted on the matter in public.

If true, it would be a violation of Florida's

Sunshine Law, Rothchild has said.

The Sunshine Law prohibits public officials from discussing the public's business in private.

Rothchild said that late Wednesday morning, he requested that City Manager Frank Jones schedule a discussion for next week's council meeting on whether the council should ask the state attorney's office to investigate the matter.

However, Billick said he has asked Jones to pull Rothchild's item from the agenda because the letter sent by Rynders makes the discussion unnecessary.

Billick said the letter asks the state attorney to take whatever action he deems necessary and pledges the cooperation of the city council.

"Harry is just trying to showboat as usual. If he

Billick said the letter asks the state attorney to take whatever action he deems necessary and pledges the cooperation of the city council.

doesn't win this one, he should resign. If he wins this one, fine, I'll resign," Billick said.

"Anybody who suggests that this is a win or lose proposition is stupid," Rothchild said.

The controversy was created when Palmer Cablevision reported that city councilmen had decided before meeting in public to appoint local attorney Michael R.N. McDonnell to the Naples Airport Authority.

However, when the vote was cast last week, the city council voted 4-3 in favor of local engineer Edward Kant.

NAPLES DAILY NEWS Thurs., July 28, 1983

Billick Requests 'Sunshine' Probe

By **CONNIE BOUCHARD**
Staff Writer

Mayor Stan Billick on Wednesday asked the state attorney to probe allegations of a Sunshine Law infraction against the Naples City Council.

Billick outlined the allegations in a letter written by City Attorney David W. Rynders. Sunshine Law requires public officials not to discuss government issues or make decisions in private.

THE ALLEGATIONS surfaced last week after a local television station said the council had decided who would become the new member of the Naples Airport Authority. The report came the day before the appointment was to be voted on at a public meeting.

The reporter quoted unnamed sources as saying that councilmen had privately decided to appoint local attorney Michael R.N. McDonnell to the post.

However, area businessman Edward J. Kant was named to the authority that Wednesday on a 4-3 vote by councilmen who were openly disgruntled by the news report.

Billick's letter to State's Attorney Joseph P. D'Alessandro notes the city's position on the allegations:

"The members of the

Council...do not believe that any Sunshine Law violation has occurred or that there is any substance to the station's charges. However, we turn this matter over to you for whatever action you feel is appropriate; and if you choose to investigate the matter, please be assured of the complete cooperation of the city officials."

THE LETTER also said

that the mayor and vice-mayor had both met unsuccessfully with the television station executives after the charges were publicized to get more particulars.

"Because of the lack of supporting material in the charges, it was the city representatives' position that the charges should be either substantiated or retracted," the letter said.

The Miami Herald
Thursday, July 28, 1988

City seeks probe of TV report

By CHRISTOPHER BOYD
Herald Staff Writer

Naples City Attorney David Rynders invited the state attorney's office Wednesday to investigate a television report charging City Council members with violating the Florida Sunshine Law by allegedly discussing a public appointment in private.

Palmer Cablevision, owner of a Naples-based cable-television station, reported July 17 that several council members had met unofficially to discuss an appointment to the Naples Airport Authority Board. The story was attributed to an unnamed source.

"We stand firm behind our report and our source," said station News Director Jim Anderson. "And we have no intention of ever revealing that source."

The report alleged that councilmen had agreed to name Naples attorney Michael R. N. McDonnell to the board. But last Wednesday, the council voted 4-3 to appoint local engineer Edward Kant.

Anderson said the vote had no bearing on what may have been discussed prior to the meeting.

"If the state attorney would look into this, it could create a lot of problems for the City Council," Anderson said. "We are sure what our source told us is true."



Rothchild

In response, Mayor Stan Billick asked attorney Rynders to write State Attorney Joseph D'Allessandro, telling him that the council was baffled by the report.

"It doesn't seem important to us that the appointment was not actually made as predicted," Rynders wrote. "Rather, the substance of the charge alleges an attempt to violate the Sunshine Law."

Rynders said the council would be willing to have D'Allessandro's office investigate the allegation.

After meeting with Palmer management, Billick said he was unable to learn who made the charges or why they were aired.

"This is a totally trumped up charge," Billick said. "I don't know who is responsible, but I am convinced that if there is an investigation of the council, the council will be exonerated."

Billick said that since the appointment predicted in the report never occurred, he felt the station should have explained why it broadcast the story.

Councilman Harry Rothchild said he felt the Cablevision story raised legitimate questions.

"I have no way of knowing whether the story is true or not," Rothchild said. "I can only say that I believe fully and firmly in the Sunshine Law."

At last week's meeting, Rothchild left his seat at the meeting when the council voted on the appointment. He returned only when councilmen cast a tie vote on Kant's appointment. Rothchild broke the tie by voting for Kant.

"I was going to refuse to vote after I heard that story," Rothchild said. "I felt the report raised enough questions that the vote should have been set aside."

But Billick accused Rothchild of using the news report to call the council's propriety in question.

"I think Harry Rothchild's behavior in this matter has been ridiculous," Billick said. "All he is trying to do is stir things up."

NAPLES DAILY NEWS

Sun., Aug. 14, 1983

Sunshine Flap To Be Revived By Rothchild

By MATTHEW SPINA
Staff Writer

A City Council brouhaha involving allegations that some councilmen met privately to discuss picking a member of the Naples Airport Authority is being resurrected.

The issue seemed to have cooled last week after State Attorney Joseph D'Alessandro said his office would not investigate the allegations brought to light July 18 by a local television reporter.

BEFORE AN investigation can begin, the station would have to name the councilmen who allegedly violated Florida's Sunshine Law, D'Alessandro wrote in a letter to City Attorney David Rynders, who councilmen had instructed to request a state-attorney probe.

But Councilman Harry Rothchild, who insists he was not one of the alleged violators, still wants an investigation.

At a meeting Wednesday, Rothchild will ask other councilmen to again call for an investigation. But Rothchild refused Friday to answer questions as to why he wishes to do so.

The topic is scheduled for 10:35 a.m. and is the last item on a light Council agenda.

THE TELEVISION reporter on July 18 quoted unidentified sources as saying that some councilmen had privately selected local attorney Michael McDonnell to fill an Airport Authority vacancy.

If the sources are correct, she said, the councilmen would have violated the Sunshine Law.

At the meeting July 20, the council selected Edward J. Kant by a 4-3 vote.

Just before the voting, Rothchild said he would abstain until the allegations were either determined to be true or false. However, Kant received Rothchild's vote after he learned he could break a 3-3 tie.

TIMOTHY A. O'CONNOR
Publisher

GEORGE W. CECIL
Executive Editor

CORBIN A. WYANT
General Manager

J. PATRICK BERLING
Advertising Director

KENNETH W. TANNER
Circulation Director

1075 Central Ave. Naples, Fla. 33940 Tues., July 12, 1983 Ph: 813-262-7161

THOUGHT FOR THE DAY

A liberal is a man who is willing to spend somebody else's money.

— Carter Glass

Sunshine Law Must Be Enforced

The Collier County League of Women Voters landed on the County Commission with both of its collective feet last week. The League believes the commission violated Florida's Sunshine Law when it adopted a utilities reorganization plan with no advance notice, then stifled any public discussion at subsequent meetings.

The League has detected a growing tendency on the part of the commission to circumvent public discussion of important issues and said it intends to halt the slide to government-behind-the-scenes if it can.

Believe us, ladies, you can stop it. In fact, with your fearless statement last week, you probably already have helped discourage violations of the law.

Since the commission appeared nonplused when the issue was raised, perhaps it is time to explain just what the Sunshine Law is all about.

By way of background, the Sunshine Law has been cited as an example of Florida leading the nation in important trends. Florida was the first state to respond to complaints that the public was being excluded from the governmental process, i.e. public business was being conducted behind closed doors.

The public felt ineffectual. Groups such as the League had little impact on public policy because it couldn't find out what was going on until it was too late. Government by the people was being undermined.

The Florida Legislature decided the public is entitled to know why its governmental bodies do things. The only way it could guarantee openness in government was to make all records open to the public and require that all decisions be made in public.

- 4 1 -

passed, Florida has without question had the most open government in the world. And since then, most other states have adopted similar legislation to correct serious flaws in the democratic process.

Florida's law can void actions by a public body if a violation is proven. There can be criminal sanctions against public officials who blatantly violate it.

The law makes it difficult — but not impossible — for elected officials to play games with the public or with public money.

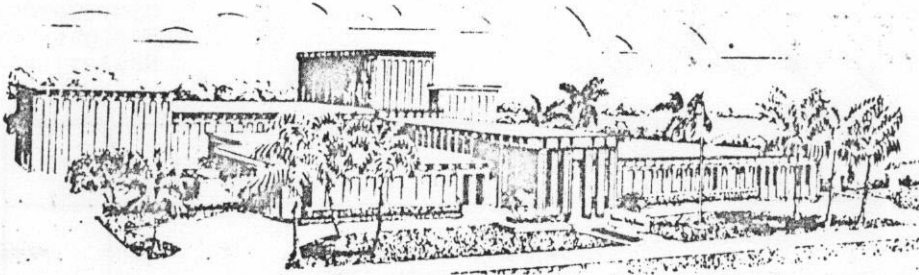
Most public officials dislike the Sunshine Law — not because they want to be dishonest but because it makes their job more difficult. It's annoying to be second-guessed by the public on every decision. It's time-consuming to open every issue to public debate.

But without access to all the facts, how can taxpayers become informed and comment intelligently on public issues? Without this access, how can the public participate intelligently in the democratic process? Without this access, how can it prevent hasty, ill-advised or even corrupt actions by its elected officials?

The Sunshine Law is not a "paper law," as one county commissioner contemptuously referred to it last week. That commissioner is advised to read the law and discover that there are some very sharp teeth in it.

You have a right to know what the public officials who are spending your money are doing and why. That is why the Naples Daily News joins the League of Women Voters in opposing transgressions against the Sunshine Law and urges others to join in this opposition.

The Sunshine Law is a good law and it must be observed and en-



Naples Daily News

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Letter

City Should Seek Probe Of Possible Law Violation

Editor, Naples Daily News:

Some members of the Naples City Council have criticized our local TV station for reporting a news story on July-18 which stated that there was a violation of the Florida Sunshine Law in the selection of a new member for the Airport Authority. The TV station's spokesman has said that he checked their sources and the story is true. Your newspaper had an editorial on July 12 which said that the "Sunshine Law Must Be Enforced," and I strongly agree with your editorial.

If we citizens are required to obey the ordinances passed by the City Council of Naples, then city councilmen should obey the laws passed by the Florida Legislature.

The most important thing to be resolved is — Is this news story as reported by TV true? Did some of our city councilmen flagrantly violate the Florida Sunshine Law? Mayor Stanley Billick should call for an investigation by the state attorney's office to determine whether this news story is true. This he owes to the citizens of Naples.

J. Sandy Scatena
Naples