



City of Naples

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - Noted the presence of Assistant to the City Manager Wiltsie serving in the absence of City Manager Jones			1
-ASSISTANT TO THE CITY MANAGER WILTSIE - None			1
<u>APPROVAL OF MINUTES</u> - 03/06/84, Workshop Meeting 03/07/84			1 & 2
<u>RESOLUTIONS</u>			
-Accept water facilities - <u>The Point S/D-REMOVED FROM THE AGENDA</u>			1
-Accept B/S for <u>water & sewer</u> facilities - <u>Betart Estates</u>		84-4440	1 & 2
-Approve Var Pet 84-V3 - <u>7' fence & overhang roof</u> , Honda Suzuki		84-4443	2
-Approve Var Pet 84-V4 - <u>7' fence</u> , Hansen Marine		84-4444	2
<u>PURCHASING</u>			
-Award bid - 2 autos & 10 trucks		84-4441	1 & 2
-Award bid - T-shirts for resale		84-4442	2
<u>ORDINANCES - Second Reading</u>			
-Adopt repeal of mandatory retirement age of 70 from <u>General Pension Plan</u>	84-4445		3
-Adopt repeal of mandatory retirement age of 70 from <u>Firemens' Pension Plan</u>	84-4446		3
-Adopt repeal of mandatory retirement age of 70 from <u>Police Pension Plan</u>	84-4447		3
-Adopt authorization to sell bonds for refunding existing <u>water & sewer bonds</u> and to raise capital cost for W.W.T.P. expansion/ effluent disposal projects	84-4448		4
- <u>First Reading</u>			
-Approve increase in fine for violation of handicapped parking space	84-		4 & 5

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:03 a.m.
Date March 21, 1984

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

ROLL CALL:	Present:	ITEM 2	M	S	VOTE		A
					Y	N	
COUNCIL MEMBERS			O	E		O	S
			T	C			E
			I	O			N
			O	N			O
			N	D			T
<p>Present: Stanley R. Billick Mayor</p> <p>R. B. Anderson William E. Barnett William F. Bledsoe Lyle S. Richardson (arrived 9:14 am) Wade H. Schroeder Kenneth A. Wood Councilmen</p> <p>Also present: Mark Wiltsie, Assistant to the City Manager David W. Rynders, City Attorney Stewart Unangst, Purchasing Agent Roger Barry, Community Development Director</p> <p>John McCord, City Engineer Gerald Gronvold, Utilities Engineer Steve Cramer, Chief Planner Ellen Marshall Weigand, Deputy Clerk</p> <p>See Supplemental Attendance list - Attachment #1</p> <p><u>INVOCATION</u> - Reverend Rex Horton Golden Gate Presbyterian Church</p> <p>***</p> <p><u>ANNOUNCEMENTS</u></p> <p><u>MAYOR BILLICK</u> - noted that City Manager Jones was on leave and acknowledged the presence of Mark Wiltsie, Assistant to the City Manager</p> <p><u>ASSISTANT TO THE CITY MANAGER</u> - None</p> <p>-----CONSENT AGENDA-----</p> <p>Mayor Billick reviewed the items in the Consent Agenda.</p> <p><u>APPROVAL OF MINUTES</u> - Workshop Meeting, 03/06/84 Regular Meeting, 03/07/84</p> <p>---<u>RESOLUTION 84</u>---</p> <p>No resolution submitted as per City Manager Jones' memo dated March 16, 1984 (Attachment #2)-<u>ITEM TO BE REMOVED FROM AGENDA</u></p> <p>---<u>RESOLUTION 84-4440</u></p> <p>A RESOLUTION ACCEPTING A BILL OF SALE FROM BETTYE K. HOWARD CONVEYING TO THE CITY WATER AND SEWER LINES AND APPURTENANCES LOCATED IN BETART ESTATES; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title not read.</p> <p><u>PURCHASING</u></p> <p>---<u>RESOLUTION 84-4441</u></p> <p>A RESOLUTION AWARDED THE BIDS FOR TWO (2) AUTOMOBILES AND TEN (10) TRUCKS TO REPLACE VARIOUS VEHICLES PRESENTLY BEING USED BY CITY DEPARTMENTS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title not read.</p>							

COUNCIL MEMBERS	MOTION	S E C O N D	Y E S	N O	A B S E N T
<u>CONSENT AGENDA - PURCHASING (Cont)</u> <u>ITEM 7 (Cont)</u>					
--- <u>RESOLUTION 84-4442</u> <u>ITEM 7-h</u>					
<p>A RESOLUTION AWARDED THE BID FOR FURNISHING IMPRINTED T-SHIRTS FOR A TWELVE MONTH PERIOD FOR RESALE AT THE NAPLES PIER CONCESSION AND CAMBIER PARK; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title not read.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the Consent Agenda, thereby <u>APPROVING</u> the minutes as presented, <u>ADOPTING</u> the resolutions as presented and <u>REMOVING</u> Item No. 5 as noted.</p> <p>-----END CONSENT AGENDA-----</p>					
<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD</u> <u>ITEM 8</u>					
--- <u>RESOLUTION 84-4443</u> <u>ITEM 8-a</u>					
<p>A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTIONS 5.14J AND 6(8) (A) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT THE CONSTRUCTION OF A ROOF OVER AN EXISTING FENCED-IN AREA AT HONDA/SUZUKI OF NAPLES, 965 FIFTH AVENUE NORTH, AND TO INCREASE THE FENCE HEIGHT TO TEN (10') FEET, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>*** Mr. Richardson arrived - 9:14 a.m. ***</p> <p>Attorney Ron Hogue, representing the petitioner, addressed Council and noted that his client had agreed to the conditions in the proposed resolution. He responded affirmatively when Mr. Anderson asked if this would be a permanent solution to his client's problems, precluding the use of the motorhome again next year.</p> <p>*** Mr. Richardson arrived - 9:14 a.m. ***</p> <p>Mr. Schroeder stated his belief that the petitioner had not met the criteria required for a variance and questioned Mr. Hogue on each one. Mr. Hogue contended that his client did meet each of the criteria.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>***</p>					
--- <u>RESOLUTION 84-4444</u> <u>ITEM 8-b</u>					
<p>A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6(8) (A) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA TO PERMIT CONSTRUCTION OF A SEVEN (7') FOOT HIGH FENCE IN A FRONT YARD SETBACK AREA AT 1146 SIXTH AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Michael McGee, representing the petitioner, reviewed the request for the fence.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>-----END PLANNING ADVISORY BOARD-----</p>					
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick	X	X			X
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (6-1)	X	X	X	X	X
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (6-1)	X	X	X	X	X

	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S E N T
-----ADVERTISED PUBLIC HEARINGS-----						
<p><u>SECOND READING OF ORDINANCES</u> <u>ITEM 9</u></p> <p>---<u>ORDINANCE 84-4445</u> <u>ITEM 9-a</u></p> <p>AN ORDINANCE RELATING TO THE CITY OF NAPLES RETIREMENT SYSTEM; AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES BY REPEALING THEREFROM SECTION 18-33, ENTITLED "MANDATORY RETIREMENT FROM EMPLOYMENT"; AMENDING SECTION 18-36 (OPTION C), ENTITLED "OPTIONAL FORMS OF PAYMENT"; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO DELETE THE MANDATORY RETIREMENT PROVISION FROM THE CITY'S RETIREMENT PLAN AND TO DELETE THE REFERENCE TO SECTION 18-33 CONTAINED IN SECTION 18-36, (OPTION C), IN CONFORMANCE WITH STATE STATUTES.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 9:29 a.m. Closed - 9:30 a.m. No one present 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>Anderson</p> <p>Barnett</p> <p>Bledsoe</p> <p>Richardson</p> <p>Schroeder</p> <p>Wood</p> <p>Billick</p> <p>(7-0)</p>	X				
<p>---<u>ORDINANCE 84-4446</u> <u>ITEM 9-b</u></p> <p>AN ORDINANCE RELATING TO THE FIREMEN'S PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 18-70(c) AND SECTION 18-75(f) (1) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO DELETE THE REFERENCES TO AGE SEVENTY (70) CONTAINED IN SAID SECTIONS IN CONFORMANCE WITH STATE STATUTES.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 9:31 a.m. Closed - 9:32 a.m. No one present 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>Anderson</p> <p>Barnett</p> <p>Bledsoe</p> <p>Richardson</p> <p>Schroeder</p> <p>Wood</p> <p>Billick</p> <p>(7-0)</p>	X		X		
<p>---<u>ORDINANCE 84-4447</u> <u>ITEM 9-c</u></p> <p>AN ORDINANCE RELATING TO THE POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 18-101(c) AND SECTION 18-106(f) (1) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO DELETE THE REFERENCES TO AGE SEVENTY (70) CONTAINED IN SAID SECTIONS IN CONFORMANCE WITH STATE STATUTES.</p> <p>Title read by City Attorney Rynders.</p> <p>Public Hearing: Opened - 9:33 a.m. Closed - 9:34 a.m. No one present 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>Anderson</p> <p>Barnett</p> <p>Bledsoe</p> <p>Richardson</p> <p>Schroeder</p> <p>Wood</p> <p>Billick</p> <p>(7-0)</p>	X	X	X		

COUNCIL MEMBERS

MOTION RECORD ABSENCE

ADVERTISED PUBLIC HEARINGS (Cont)

SECOND READING OF ORDINANCES (Cont)

ITEM 9 (Cont)

---ORDINANCE 84-4448

ITEM 9-d

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AUTHORIZING THE REFUNDING OF THE PRESENTLY OUTSTANDING WATER AND SEWER REVENUE BONDS, SERIES 1977, OF THE CITY; AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$20,000,000 WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1984-A, TO BE APPLIED FOR THE REFUNDING AND OF NOT EXCEEDING \$15,000,000 WATER AND SEWER REVENUE BONDS, SERIES 1984-B, TO BE APPLIED TO FINANCE THE COST OF THE PROJECT; PROVIDING FOR THE PAYMENT OF SAID BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:35 a.m. Closed - 9:36 a.m. No one present to speak for or against.

In response to a question from Mr. Anderson, Assistant to the City Manager Wiltsie stated that nothing had occurred with the stock market to make the staff believe that it would be advisable to put off action on these bonds. Mr. Schroeder asked that the record direct attention to the discussion held at the First Reading of this ordinance on March 7 as reflected in the minutes of that meeting (Attachment #3).

Anderson X
Barnett X
Bledsoe X
Richardson X
Schroeder X
Wood X
Billick X
(7-0)

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

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

-----FIRST READINGS-----

---ORDINANCE 84-

ITEM 10


AN ORDINANCE RELATING TO HANDICAPPED PARKING; AMENDING SECTIONS 23-9(k) AND 23-12.2(a) (2) (b) AND (c) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CHANGE THE REFERENCE TO SECTION 316.1955, F.S. CONTAINED IN SECTION 23-9(k) TO SECTION 320.0848, F.S. AND TO INCREASE THE FINE FOR PARKING IN HANDICAPPED PARKING SPACES FROM \$15.00 TO \$35.00.

Title read by City Attorney Rynders.

Mr. Barnett moved to approve the ordinance as presented on First Reading, seconded by Mr. Anderson. Mr. Anderson referred to the discussion with representatives of Handicapped In Action a few weeks ago and he asked Assistant to the City Manager Wiltsie if the staff had compiled the information he had asked for concerning locations of frequent violations. Mr. Wiltsie said he would check into the matter. Bill Burd, president of Handicapped In Action, addressed Council and noted his group's support for the proposed increase in the fine for violations of spaces designated for handicapped parking. However, he added that there had been much discussion about the amount of the increase and their desire to have it higher. He again noted problems with some of the existing handicapped spaces and listed some locations where the problems were. Mr. Schroeder informed Mr. Burd that the Library was County property and he should be addressing the County Commission about that area. Mr. Anderson also suggested that Mr. Burd determine which problems were in the County and bring them to the Commission's attention. Mr. Anderson asked Mr. Burd to list

COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S E N T
<u>FIRST READINGS (Cont)</u>					
---ORDINANCE 84-____ (Cont) <u>ITEM 10 (Cont)</u>					
<p>the problem areas in the City in writing and submit them to the staff. Phyliss Drayer asked that the City check into zoning violations in the construction of some buildings that were inaccessible and asked that the fine be increased to an amount large enough to make an impact on the public. Teresa Hill suggested that the sign designating the handicapped spaces also state the amount of the fine for any violations. Mr. Barnett indicated his desire to propose a \$50.00 fine; whereupon, <u>Mr. Schroeder moved to amend the motion approving the ordinance with a \$50.00 fine, seconded by Mr. Barnett.</u> Mr. Anderson stated his support for the staff's recommendation as reflected in City Manager Jones' memo dated March 16, 1984 (Attachment #4).</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.</p>	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick	X	X	N O V O T E	
<u>MOTION:</u> To <u>AMEND</u> the motion to approve the ordinance by making the proposed fine \$50.00	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (4-3)	X	X	X X X X	X X X
<u>AMENDED</u> <u>MOTION:</u> To <u>APPROVE</u> the ordinance <u>as amended</u> on First Reading.	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (6-1)	X	X	X X X X X	X

CORRESPONDENCE & COMMUNICATION - None					

ADJOURN: 10:10 a.m.					
<p><i>Janet Cason</i> Janet Cason City Clerk</p> <p><i>Ellen Marshall Weigand</i> Ellen Marshall Weigand Deputy Clerk</p>	 Stanley K. Billick, Mayor				
These minutes of the Naples City Council approved <u>04/04/84</u>					

Supplemental Attendance list - Regular Meeting, March 21, 1984

Reverend Rex Horton
Tish Gray
Mr. & Mrs. Egon Hill
Bruce Holly
Ron Hogue

Herb Anderson
Michael McGee
Bill Hill
Bob Russell
Jim McGrath

Bill Burd
Robert Stetkewicz
Gilbert Weil
Harry Cunningham
Phyliss Drayer

News Media:

Jim Forner, TV-9
Susan Gardner, TV-9
Chris Kucha, TV-9

Todd Holzman, Naples Daily News
Randy Sell, 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: ACCEPTANCE OF WATER/SEWER FACILITIES
THE POINT SUBDIVISION

DATE: MARCH 16, 1984

Because we were unable obtain the necessary executed easement and bill of sale in time to prepare an item for this agenda, I am asking that it be removed from the agenda and rescheduled for a subsequent meeting.

Sincerely,

 Franklin C. Jones
 City Manager

FCJ/tan

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:10 a.m.

Date March 7, 1984

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

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

- R. B. Anderson
- William E. Barnett
- William F. Bledsoe
- Lyle S. Richardson
- Wade H. Schroeder
- Kenneth A. Wood
- Councilmen

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		
Barnett			X		
Bledsoe		X	X		
Richardson			X		
Schroeder	X		X		
Wood			X		
Billick (7-0)			X		

---ORDINANCE 84- ITEM 8-d

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, AUTHORIZING THE REFUNDING OF THE PRESENTLY OUTSTANDING WATER AND SEWER REVENUE BONDS, SERIES 1977, OF THE CITY; AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY; PROVIDING FOR THE ISSUANCE OF NOT EXCEEDING \$20,000,000 WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1984-A, TO BE APPLIED FOR THE REFUNDING AND OF NOT EXCEEDING \$15,000,000 WATER AND SEWER REVENUE BONDS, SERIES 1984-B, TO BE APPLIED TO FINANCE THE COST OF THE PROJECT; PROVIDING FOR THE PAYMENT OF SAID BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones explained that the staff and consultants had studied any limitation within the old bond ordinances regarding outstanding bonds which might prevent the City from doing the best job in structuring the financing for the wastewater treatment plant expansion. He noted that all prior bond issues had restricted the use of impact fees (system development charges) from being considered as part of the revenue of the system when supporting the debt service for bonds. He noted that changing the covenants would permit refunding the existing issues and raising the money for the capital cost of the expansion. He outlined an estimated timetable for having the second reading of this ordinance in two weeks and filing immediately for a validation hearing; the usual waiting period is 60 days. He said he expected the City could sell the refunding issue in June and wait approximately 60 days to sell the new issue in August or September when the "market window" would be optimum. In response to a question from Mr. Anderson, the City Manager noted that the existing bonds would not be recalled, but the City would have enough money to reinvest so that those bonds would be automatically paid off. Mr. Anderson inquired about any problems with the Internal Revenue Service (IRS) concerning arbitrage funds; City Attorney Rynders responded that the investment of those funds would be regulated via computer and that the City could comfortably certify to the IRS that these were not arbitrage funds. Mr. Schroeder concurred with the City Attorney's explanation and referred to mention of this in a portion of the Legal Considerations paragraph in the Refunding Analysis by Dean Witter Reynolds. He further asked that the entire Refunding Analysis be made a part of the record (Attachment #3).

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



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY MANAGER FRANKLIN C. JONES
SUBJECT: AMENDMENT TO HANDICAPPED PARKING REGULATIONS
DATE: MARCH 16, 1984

BACKGROUND: Following a recent Council workshop discussion concerning accessibility for the handicapped, the staff researched the possibility of increasing the fine for unauthorized parking in a space reserved for the handicapped from \$15 to \$35. This proposal was circulated to members of the City's Advisory Council on Problems of the Handicapped and received the group's unanimous support.

This increase brings the fine in line with our fines for other serious violations of the City's Code of Ordinances. This penalty should represent a strong deterrent to those who may now be improperly using handicapped parking spaces.

RECOMMENDATION: I recommend that the Council approve the attached ordinance on first reading.

Respectfully submitted,

Franklin C. Jones
City Manager

FCJ/tan