



*City of Naples*

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - announced that the Council would meet in executive session immediately following Regular Meeting re labor negotiations			1
- noted that the Mayor's Prayer Breakfast would be Friday, April 6			1
-CITY MANAGER JONES - gave recognition to the members of the Fire Department who earned trophies in the Collier County Firefighters' recent competition			1
- announced the selection of Chris Holley as new Parks & Recreation Director			1
<u>APPROVAL OF MINUTES</u> - 03/21/84, Regular Meeting			1
<u>RESOLUTIONS</u>			
-Accept esmt. and indenture, <u>water facilities, Royal Arms Villas</u>		84-4449	1
-Approve Michelob <u>Regatta '84, Lowdermilk Park</u>		84-4451	2
-Authorize Addendum "B": - <u>Mutual Aid Agreement, area fire departments</u>		84-4452	3
<u>ORDINANCES - Second Reading</u>			
-Increase fine for violation of <u>handicapped parking</u> to \$50.00	84-4450		2
<u>DISCUSSION</u>			
-Recognition of retiring PAB members Donald Boyes and Clayton Bigg			2
-Staff Report re Beach Activities			3
-Discussion of <u>Utility Bill procedures</u>			3
-Discussion of <u>City Dock</u> rules, regulations and slip rates			4

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Time 9:05 a.m.

Date April 4, 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 (arrived 9:10am)
  - Wade H. Schroeder
  - Kenneth A. Wood (arrived 9:52 am)
- Councilmen

Also present:

Franklin C. Jones, City Manager	Norris Ijams, Fire Chief
David W. Rynders, City Attorney	Mark Wiltsie, Assistant to the City Manager
Roger Barry, Community Development Director	Bill Hanley, Finance Director
John McCord, City Engineer	Ellen Marshall Weigand, Deputy Clerk
Steve Cramer, Chief Planner	

See Supplemental Attendance list - Attachment #1

INVOCATION - Rabbi Mark Golub ITEM 1  
Temple Shalom

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ANNOUNCEMENTS ITEM 3

MAYOR BILLICK - stated that Council would go ITEM 3-a  
into Executive Session immediately following the  
adjournment of this Council meeting to discuss  
labor negotiations.

- noted that the Mayor's Prayer Breakfast  
would be held on Friday, April 6, at the Beach Club Hotel  
at 7:00 a.m.

CITY MANAGER JONES - noted the achievements of the ITEM 3-b  
Naples Fire Department in placing No. 1 in the recent Collier  
County Fire Departments' competition. Fire Chief Ijams noted  
the presence of the participating firemen who  
earned the trophies on display in the lobby of City Hall.

-announced the selection of Chris Holley  
as the new Parks & Recreation Director.

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

APPROVAL OF MINUTES - Regular Meeting, 03/21/84 ITEM 4

---RESOLUTION 84-4449 ITEM 5

A RESOLUTION ACCEPTING AN EASEMENT AND AN INDENTURE FROM ROYAL  
ARMS VILLAS, INC. FOR THE PURPOSE OF PROVIDING WATER TO THE ROYAL  
ARMS VILLAS, PHASE I PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To APPROVE the minutes and ADOPT the resolution as  
presented.

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

COUNCIL MEMBERS	M	S	VOTE		A
			O	N	
	T	E	Y	E	B
	I	C	N	N	S
	O	O	E	O	E
	N	N	S	T	N
	D	D	O	O	T
Anderson					
Barnett					
Bledsoe		X			
Richardson					
Schroeder	X				
Wood					X
Billick					

COUNCIL MEMBERS

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

\*\*\* Mr. Richardson arrived - 9:10 a.m. \*\*\*

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

SECOND READING OF AN ORDINANCE ITEM 6

---ORDINANCE 84-4450

AN ORDINANCE RELATING TO HANDICAPPED PARKING; AMENDING SECTIONS 23-9(k) AND 23-12.2(a) (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 \$50.00.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:17 a.m. Closed - 9:20 a.m. No one present to speak for or against.

In response to a question from Mr. Anderson about the trouble areas mentioned by the representatives from Handicapped In Action, City Manager Jones stated that the Police Department had increased their surveillance of these areas and the enforcement of the ordinance regarding violation of handicapped parking spaces.

Anderson X  
Barnett X  
Bledsoe X  
Richardson X  
Schroeder X  
Wood X  
Billick X  
(6-0)

X

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

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

RECOGNITION OF RETIRING PLANNING ADVISORY BOARD MEMBERS. Requested by City Manager ITEM 7

Earle Vincent Johnson, member of the Planning Advisory Board, spoke on behalf of himself, Hubert Howard and Chairman Dennis Lynch in recognition of the service of Clayton Bigg and Donald Boyes on this Board. Mr. Bigg and Mr. Boyes both addressed Council and expressed their pleasure in having served on the Board. Mayor Billick presented each gentleman a certificate from the City honoring their service to the community.

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---RESOLUTION 84-4451 ITEM 8

A RESOLUTION DESIGNATING A CERTAIN PORTION OF THE BEACHFRONT AREA AT LOWDERMILK PARK AS A TEMPORARY LAUNCHING AREA FOR THE NON-EXCLUSIVE USE OF PARTICIPANTS IN THE NAPLES MICHELOB REGATTA '84; OUTLINING CONDITIONS RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mayor Billick confirmed with City Manager Jones that the Michelob Regatta had been held in Lowdermilk Park in years past with no problems.

Anderson X  
Barnett X  
Bledsoe X  
Richardson X  
Schroeder X  
Wood X  
Billick X  
(6-0)

X

MOTION: To ADOPT the resolution as presented.

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COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
	---	RESOLUTION 84-4452			
					ITEM 9
		A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ADDENDUM "B" TO THE MUTUAL AID AGREEMENT BETWEEN THE CITY OF NAPLES AND VARIOUS FIRE DEPARTMENTS AND/OR DISTRICTS IN COLLIER COUNTY RELATING TO RECIPROCAL EMERGENCY FIRE PROTECTION AND MEDICAL AID; AND PROVIDING AN EFFECTIVE DATE.			
Anderson			X		X
Barnett					X
Bledsoe					X
Richardson			X		X
Schroeder					X
Wood					X
Billick (6-0)				X	
		Title read by City Attorney Rynders.			
		MOTION: To ADOPT the resolution as presented.			
		***			
		STAFF REPORT REGARDING BEACH ACTIVITIES			ITEM 10
		Requested by City Council			
		City Manager Jones reviewed the information in his memorandum dated March 30, 1984 (Attachment #2). He responded to Mr. Anderson that the type of complaints that usually came through the City Manager's office had decreased. In response to a question from Mayor Billick, the City Manager explained that the physical impediments to the beach buggies such as rocks and extended groins had been removed and in some instances the patrol was done on foot when high tides inhibited use of the buggy. He also noted that a garage adjacent to the beach had been rented to store the beach buggies which reduced travel time. In response to a question from Mr. Schroeder, City Manager Jones stated that a barrier would be placed at the entrances to the Pier parking lot to prevent parking from 11:00 p.m. to 5:00 a.m. after this regulation is enacted.			
		***			
		Mr. Wood arrived - 9:52 a.m.			
		***			
		Ed McMahon, vice president of the Old Naples Association, addressed Council to review his letter (Attachment #3). He commented on the recent appearance of jet skis at the beach and the danger they represent. Herb Anderson, president of the Naples Beautification Council, spoke about the littering at the beach. Citizens Marilyn Andrews and Ann Halderman Combs spoke about the congregating of groups, use of alcoholic beverages and questionable loitering in the area immediately adjacent to the Pier and out on the Pier late at night. City Manager Jones suggested that Council authorize a public hearing to receive more input from the citizens and then the staff would prepare ordinances to implement the course of action the Council wishes to take.			
		***			
		DISCUSSION OF UTILITY BILLING PROCEDURES			ITEM 11
		Pursuant to City Council discussion at the Regular Meeting of March 7, 1984			
		City Manager Jones reviewed his memorandum dated March 30, 1984 (Attachment #4) which included reference to Finance Director Hanley's memorandum also dated March 30, 1984. Mr. Hanley noted that there had not been a problem with commercial customers and that there was a different deposit system for them. Mr. Schroeder again recommended a billing date closer to the meter reading date.			
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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
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DISCUSSION OF CITY DOCK RULES, REGULATIONS AND SLIP RATES. Requested by City Manager ITEM 12

City Manager Jones reviewed his memorandum of March 30, 1984, and the information attached to it (Attachment #5). In response to a question from Mayor Billick, the City Manager explained that due to a delay in delivery of some construction materials, the Dock probably would not be completed by June 1; but would be done in time for a grand opening ceremony by July 4th. City Manager Jones said that these rules and rates would be brought back to Council in the form of ordinances for action. In response to a question from Mr. Anderson, Assistant to the City Manager Wiltsie explained that the prohibition of fish cleaning was a condition of the permit from the Department of Environmental Regulation (DER). City Manager Jones and City Attorney Rynders further explained that the City could probably appeal the prohibition if some provision was made for disposal of this waste through the solid waste or sewer system. This was deemed necessary because the Bay is considered an enclosed body of water that did not naturally flush itself. It was the consensus of Council that some provision be made for fish cleaning at the appropriate time. City Manager Jones confirmed for Mr. Richardson that provision for deposits would be included in the proposed ordinance. Citizen Harry C. Anderson addressed Council to comment on the thoroughness of the report submitted by the staff.

\*\*\* . . . \*\*\*

ADJOURN: 10:42 a.m.

*Stanley R. Billick*  
Stanley R. Billick, Mayor

*Janet Cason*  
Janet Cason  
City Clerk

*Ellen Marshall Weigand*  
Ellen Marshall Weigand  
Deputy Clerk

These minutes of the Naples City Council approved 04-18-84

## Supplemental Attendance List - Regular Meeting, April 4, 1984

Rabbi Mark Golub  
 Earle V. Johnson  
 Tish Gray  
 Wayne Martin  
 Tom Smith  
 Sheldon Reed  
 Roger Jarvis  
 Dan Malinowski  
 Richard Pence  
 Donald Boyes

Carl Puchhas  
 Brian Cress  
 Donald Alderman  
 Ricky Jarvis  
 Ed McMahon  
 Marshall Davenport  
 Herb Anderson  
 Jim McGrath  
 Mr. & Mrs. Clayton Bigg  
 Joseph Severino

Bill Burd  
 Mr. & Mrs. Richard Grant  
 Bob Galloway  
 Bob Russell  
 George Moelke  
 Gilbert Weil  
 Harry Anderson  
 Ann Halderman Combs  
 Marilyn Andrews

## News Media

Jim Forner, TV 9  
 Susan Gardner, TV-9  
 Jerry Pugh, TV-9  
 Brian Dunn, WNOG

Chuck Curry, Naples Daily News  
 Michael Dunn, News Press  
 Mary Armbruster, WEVU, 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: BEACH ACTIVITIES  
 DATE: MARCH 30, 1984

BACKGROUND: Some time ago we circulated to the various civic and property owner associations in the community a discussion of recommended actions concerning the beach and beachends. We have received the responses from the associations and with this report are transmitting to the City Council the staff's analyses of the current beach situations along with input from the associations and some recommendations for the City Council to consider. I have attached a copy of my memos requesting association input and their individual responses. Also attached is input from two of the groups which did not respond directly to our memo but wrote to endorse the original request that prompted the study of these items. We interpret this to be endorsement of corrective action which addresses these issues.

ANALYSIS: The following presents each discussion item in our memoranda to the associations, a summary of their responses, and then a recommendation which we would like the City Council to consider for each of the areas addressed.

### BEACHENDS

In reviewing the situation at the beachend parking areas, the staff feels that there have been great improvements over the past several years. Quite a few of the beachends have now been improved which provides for orderly traffic and parking control. While we found that the parking areas are heavily used, we didn't feel that the situation prohibits anyone from being able to use the beach. We found that several of the beachends are more popular than others, and on busy weekends the parking spaces would be 100% utilized. We did find, however, that on these weekends spaces were available at the other beachend parking areas. We would recommend that the City complete the improvements of all the beachends by the summer of 1985 and plan on then initiating a regular parking system that would include a permit parking area and a metered parking area at each beachend. Residents of the City and County would be able to purchase a permit that would allow them to park in either the permit parking or meters. People who choose not to purchase a permit would be able to park at the meters only. The cost of the permits to City residents would be \$1 or \$2 and the cost to non-residents would be in the neighborhood of \$30.

We believe that this type of parking scheme would insure that at least half of the available parking spaces would be available to area residents. The revenue from the metered parking areas could then be used to support the cost of enforcing beach regulations and maintaining the beach areas.

Mayor and Council  
 Beach Activities  
 March 30, 1984  
 Page 2

Association Response: Each association endorsed our proposal that a plan be established to provide for the regulation of parking at beachends. Also some commented on the amount of the non-resident fee that was proposed.

Staff Recommendation: Because any action to implement parking regulations for the beachends would not be made until at least 1985, we recommend that the City Council direct the staff to conduct a comprehensive review of the availability of parking at the beachends during the upcoming spring and summer seasons. Based on this information the staff would present to the City Council during the fall of 1984 a program to implement parking regulations to whatever degree may be needed during 1985 and for subsequent years. The philosophy upon which the parking regulations should be built is to ensure that residents of the City and County have a reasonable number of parking spaces available to them and that revenue generated through the parking regulations would be used for beach-related activities.

#### LOWDERMILK PARK

About a year ago the City made some changes in the operation of Lowdermilk Park, and we now find that the activities there are generally satisfactory. At this time we don't recommend any further changes or any further action, except for some regular maintenance activities. At the same time that a regulated parking system is installed at the beachends, we would recommend a similar system at Lowdermilk Park with about half of the spaces being meters and half of the spaces being designated for permit parking. We would hope that this would reserve at least half of the spaces available for use by area residents.

Association Response: All property owner associations endorsed the staff's proposals.

Staff Recommendation: The City Council should direct the staff to include Lowdermilk Park in the development of any parking regulation system. No other action concerning Lowdermilk Park is needed at this time.

#### SANDY BEACH ACTIVITIES

The types of activities which are permitted on the sandy beach areas seems to be the issue of most concern at this time. In considering this issue, the staff tried to match the physical environment of the beach to the types of uses that are usually found there. What we found was that the Naples beach is now a fairly narrow area which does not lend itself to activities involving thrown objects such as frisbees, footballs, and the like. We feel that these types of activities would be more appropriate in our other park areas where there are wider areas of open space. We will be recommending to the City Council that they adopt an ordinance prohibiting activities that involve thrown objects on the beach.

Association Response: There was no clear-cut consensus among the associations as to what regulations were needed over beach activities. Two of the groups opposed any regulations while one association urged that certain activities could be allowed, and one other supported a ban of activities involving thrown objects on the beach.



Mayor and Council  
 Beach Activities  
 March 30, 1984  
 Page 3

Staff Recommendation: Because there was no clear consensus on this point, we reviewed the instances of complaints concerning these activities since this has become a publicized issue. What we have found is that complaints concerning these activities seem to be centralized in the area of Old Naples. However, we also found that since the publicity on these activities, beach users have become aware of the need to be considerate of each other, and complaints about these activities have fallen off. We have taken steps to ensure that beach patrols in this area are increased with special instructions to pay close attention to any activities on the beach which might inhibit the ability of others to enjoy the area. Attached is a memo from Police Chief Paul Reble outlining these procedures. Because of these actions we feel that no further steps are required at this time except for the staff to review the outcome of these additional enforcement efforts.

#### PIER AREA

We've considered the parking areas as the beachends at Broad Avenue, 12th Avenue South and 13th Avenue South, the Pier parking lot and the on-street parking on 12th Avenue between Gulf Shore Boulevard and Second Street South. These areas are already metered and we would probably recommend that all the spaces in the area remain metered, even when permit parking is installed in other areas. Area residents would still be able to park in the area at metered spaces using their beach parking permit. The Pier parking lot area seems to be the source of complaints from residents in the area. They have complained that people congregate in the parking lot and cause some disturbance. We are going to recommend to City Council that the lot be closed from 11:00 p.m. to 5:00 a.m., the same hours as we now prohibit parking at beachends. We would permit, however, 24 hour parking at the parking meters on 12th Avenue South between the Pier and Second Street South. This should provide adequate parking for those using the Pier after 11:00 p.m.

Association Response: All endorsed the proposals concerning changes in the operation of the Pier parking area.

Staff Recommendation: The Council should direct the staff to prepare the appropriate ordinance that would provide for the closing of the Pier parking lot from 11:00 p.m. to 5:00 a.m.

#### SAILBOAT STORAGE

For some time the city staff has been aware of an increasing number of privately owned "hobie cats" and other small sailboats being stored on the public beach area and on private property along the beach. Often the storage and movement of these boats damages the vegetation, consumes beach area which could be utilized by beachgoers, and infringes upon private property rights. In 1981 the staff recommended that the City Council prohibit storage of boats on the beach in all areas except for the continuation of city beachends. Here the City would install pilings to provide for the securing of two boats at each. At that time the Council indicated that the number of sailboats being stored on the beach was not sufficient to warrant implementation of that plan. We now, however, feel that regulation of these boats should again be considered along with other proposals to regulate beach activities.

The proposal which the city staff recently considered recommending to the Council would prohibit all storage of boats overnight in the public beach areas. Boats could be taken to and from the beach each day or stored on private property adjacent to the beach with permission of the property owner and with precautions taken to prevent damage to the vegetation in the dune area.

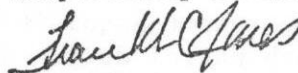
Mayor and Council  
Beach Activities  
March 30, 1984.  
Page 4

Association Response: The responses contained suggestions that the staff review the possibility of designating certain beachends where the storage of sailboats could be permitted. Several years ago the staff had developed a program that would designate storage areas for a limited number of boats, usually two per beachend, and provide for the mooring equipment and regulations. It would be possible to review this program and develop a proposal that would permit some storage of sailboats in the City-owned right-of-way areas that extend between the beachend and the water.

Staff Recommendation: The City Council should direct the staff to develop a program for storage of a limited number of boats at the beachends and return with the appropriate ordinances to implement the program.

CONCLUSIONS: We are presenting this to the Council as a discussion item and because of the interest which the property owner associations expressed, it would be a good idea to schedule a session for public input at our next regular City Council meeting. Following that the Council could take formal action to direct further work to be done in these areas by the staff.

Respectfully submitted,



Franklin C. Jones  
City Manager

FCJ/tan  
encs.



# City of Naples

## MEMO

TO: Frank Jones, City Manager  
FROM: Paul Reble, Chief of Police  
SUBJECT: Beach Patrol  
DATE: March 30, 1984

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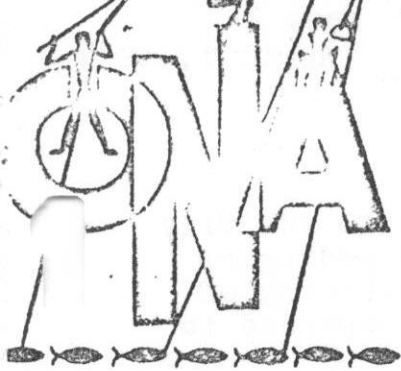
With the recent acquisition of a second ATC we will be able to increase our beach patrol during Spring breaks.

Effective Saturday, March 31st through Easter holidays, we will have two bikes working the beach. One patrol will start at approximately 9 A.M. and the other running until dusk, with an overlap in the middle of the day during peak hours.

This will require some overtime to be paid; however, with some scheduling adjustments we will attempt to hold overtime to a minimum.

Paul C. Reble  
Chief of Police

PCR:nm



Old Naples Association  
Box 861 Naples 33939

April 1, 1984

Mayor Stanley Billick and  
City Council Members  
City Hall  
8th Street, South  
Naples, Florida 33940

Gentlemen:

I would like to review with you some of the past history, as well as present the view of the Old Naples Association with reference to the beach-related proposals that City Manager Frank Jones will present to you on Wednesday, April 4, 1984.

These are part of proposals originally presented to City Council by the Old Naples Association in 1980. At that time we had a Beach-Study Group under the leadership of Elaine Finkelstein appointed by Mayor Anderson. The Parks and Recreation Board also had suggestions that were given to City Council.

Out of all of this the Council has implemented the following:

1. Beach patrol.
2. Banned glass containers on the beach.
3. No parking at beach ends from 11 p.m. to 5 a.m.
4. No parking on Gulfshore Blvd., South.

The Old Naples Association felt there were still some additional areas that should be considered, so we appointed a Beach-Study Committee under the Chairmanship of Ralph Sexton in 1983 to consider these. This Committee had individuals on it ranging in ages from mid 30's to 70+.

For background material they used the Beach-Study Report submitted by Elaine Finkelstein and a questionnaire which we submitted to over 200 members on which we had a reply of over 100 - plus their own experience.

As a result of all of this, we submitted a report to the City Manager on July 31, 1983 (see copy attached).

On October 3, 1984 the City Manager sent a memorandum to all the property owners' associations requesting their input with reference to four of our original suggestions. On October 12, 1984 he added another

one concerning storage of sailboats on the beach.

On November 3, 1984 (see copy attached), we replied to the City Manager's memorandum supporting all of his proposals and adding an additional one requesting that the current ban on the launching of motor-driven craft from the beach at Lowdermilk Park be expanded to include all of the beach area in Naples.

During this period we asked the other property owners' associations to support our proposals with the following results:

Port Royal - 100% support  
Aqualine Shores - 50% support  
Cocquina Sands - 100% support  
Royal Harbor - 100% support  
Park Shore - originally 100% support under Paul Hockwalt which was changed to opposition when Dave Bennett took over.  
Moorings - opposed to our suggestions.

We would like to point out that with the exception of a small area at Park Shore, both the Moorings and Park Shore have private beaches and do not face the same problems as in the Old Naples area.

Before I discuss the merits of each proposal we made, I would like to give some overview of the situation we see developing in the future.

The City of Naples is unique in that it has approximately 2 miles of beachfront from the Beach Club Hotel south to 23rd Ave., South, with public access at almost every block. There are very few beach areas in the country that allow this. In a survey I made at the time the Naples Cay vote was coming up, I counted 1200 to 1500 cars parked within these areas.

The County on the other hand, when it completes all of its current access points - including the ferry parking lot at Naples Cay - will have parking for less than 600 cars and they plan to or now have parking charges for most of these (per Rollie Rice).

This makes it quite evident that the City of Naples will continue to be the focal point for beach access for City residents, County residents and out-of-town visitors. The load will increase as the area of Old Naples zoned for multi-family is built and growth continues in the County.

Now let us consider why people come to Naples and the type of individuals that make up the majority of our City:

1. They are retired or semi-retired.
2. They are in the upper-income bracket.
3. They want the tranquility that Naples offers plus the type of shops, restaurants and golf courses that furnish the services they feel they need.

If the City does not continue to provide the environment that people came to Naples for, people can move to other areas that DO furnish this. As this affluence moves out, the shops, restaurants and other facilities

they support will be forced to close; the homes will deteriorate or become multi-family units. This may sound far fetched, but if we allow our beaches to become playgrounds rather than places where people can enjoy the sun and surf in tranquility we will lose the people who support this City. Remember - we are talking about the majority and we should furnish them what they want rather than satisfy the needs of a minority.

Now let me discuss each one of our proposals:

1. Parking meters.

The purpose of this is not to deny anyone the use of the beach but it will require the user to pay for the services required to maintain sanitation, police services, road maintenance, beautification upkeep. Why should the City tax payer be asked to pay for all of this. The non-City resident pays his share and the resident has a permit since he is paying taxes. This permit parking system has worked at the Naples Landing for boat users.

2. Flying objects.

As stated in our letter to the City Manager and his original memorandum to the property owners' associations, the beach is not wide enough to allow those who wish to sit and sun, walk or swim, and those who wish to play games to fit in the same area. The other problem with the flying objects is that what starts out to be a simple game of throwing an object from one individual to another becomes a challenge to see how hard and far it can be thrown. This means that the party attempting to catch it runs through groups of people sitting on the beach, jumps over them or launches his body through the air in the bathing area to the dismay of individuals using the bathing area.

This is not only an annoyance - it is dangerous. We also have had several instances of individuals being knocked down or hit by the flying objects. These games should be played in parks or the back yard. The beach area is not the place - this disturbs the tranquility of the majority--the majority who support our City.

3. Closing the pier parking lot at night.

There is sufficient on-street parking for those who wish to use the pier after 11 p.m. This lot has become a real nuisance for the adjacent residents. One of the problems is the racing of cars through the lot with roar of motors and screeching of tires plus blaring radios. That is why we recommended enclosing it with a gate entrance. In addition, according to Chief Rebble, this has been a meeting place for drug dealing and homosexuals. This disturbs the tranquility of the majority--the majority who support our City.

4. Ban launching of motor-driven craft from the beach.

This was proposed to eliminate the sea sleds which have just started to invade the area. Not only are these dangerous to swimmers when they start up because the concentration of the driver is to get the sled up on top of the water - not see where he is going. With a proliferation we will have the beach area subjected to the noise of many angry hornets. This will disturb the tranquility of the majority--the majority who support our City.

5. Sailboat storage.

This has not been a major problem and if we move now to license them so we can control the number at certain designated areas, those who use boats on a regular basis can store them on the beach - others can

96 Mayor Stanley Billick and  
City Council Members

-4-

April 1, 1984

bring them by trailer on an as-need basis.

These problems are not going to go away and will only increase as the population grows.

Let us face them now - put the regulations in place - correct if necessary and keep Naples the City that attracts and holds the type of individuals who built the City and can support the business enterprises that have grown up here to service the majority of our citizens.

Cordially yours,

Edward M. McMahon  
Vice-President  
Old Naples Association

Encs.



# City of Naples

## --- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
 FROM: CITY MANAGER FRANKLIN C. JONES  
 SUBJECT: UTILITY BILLING PROCEDURES  
 DATE: MARCH 30, 1984

We have identified some areas in the existing ordinances and procedures controlling our utility billing system that we feel need to be changed to insure easy and efficient collection of the amounts due for these services. The changes we would like to discuss with the Council involve the following:

- Increasing the utility deposit for an owner-occupied home to reflect the current amount of bi-monthly bills;
- Establishing a utility deposit for tenant-occupied premises to insure adequate funds are on deposit to cover average bills and delinquencies;
- Effecting some "housekeeping" changes to insure that unpaid sewer and refuse collection bills are liens against the property unless a tenant utility deposit is made;
- Increasing the reconnection fees that are charged when service is disconnected due to non-payment of bills; and
- Adjusting the multi-user rates for garbage containers.

I have attached a memo prepared by Finance Director Bill Hanley which explains each of these and we will be prepared to discuss this subject with the Council. Following that discussion, we would bring back to the Council the appropriate ordinances needed to effected the changes.

Respectfully submitted,

Franklin C. Jones  
 City Manager

FCJ/tan  
 enc.





# City of Naples

## --- MEMO ---

TO: CITY MANAGER FRANILIN C. JONES  
 FROM: FINANCE DIRECTOR FRANK W. HANLEY  
 SUBJECT: UTILITY BILLING AMENDMENTS  
 DATE: MARCH 30, 1984

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### BACKGROUND:

Our City ordinances are passed for a specified purpose and often a particular point in time. Having been in use for long periods of time and with the benefit of experience in using the ordinances we are in a better position to see improvements that need to be made due to inflation, wording, or simply a change in our opinion on a certain subject.

### ANALYSIS:

I have reviewed several sections of our water, sewer, and garbage ordinances and have determined that there is a need for some additions, deletions, and wording changes. I am recommending the following ordinances be deleted: 11-3.1 (C)4 (a) - This can be omitted because of the new wording in 11-3.1(C) 4.

26-17.1(d), 11-3(C)4(b) - I am requesting these sections be deleted because they are used so infrequently today. It is my understanding that these sections were made available at the time our impact fees were instituted to give the large number of customers affected by this a method of financing their debt over a period of 3 years. It's use today is limited to non-existent, and the bookkeeping for the dozen or so we still have on record is a burden to the system. It is my feeling that these are costs that are appropriately paid up front as the connection is made particularly if we are contemplating expanding our system and perhaps substantially increasing our impact fees.

I would recommend the addition of the following ordinances: 10-3.1 - The property owner is responsible for all garbage and trash charges to his/her properties. 11-4(e) - The property owner is responsible for all sewer charges to his/her properties. I am suggesting that we add these ordinances in sewer and garbage to compliment the existing ordinance in water. It only makes good sense that if we made the property owner responsible for water he/she should be responsible for the other utility services.

I would like to make some changes in the following ordinances either by adding, deleting, or changing the wording or the charges:

11-4 - I would like to add "SEWER CHARGES" after "SEWER LINES". This change will be supplemented by 11-4(e) which I requested be added.

26-9(a) - I would like to increase all \$20 and \$40 meter deposits to \$60. This deposit increase is more in line with today's average utility bill. The deposit ordinance was last changed in 1975 and \$20 most times is not enough to cover a delinquent bill. Also, I would like this section to

City Manager Franklin C. Jones  
 March 30, 1984  
 Page 2

state that "Application for water service is considered as an application for sewer and garbage service when the property is within those areas that the City provides sewer and garbage service. The deposit is also for sewer and garbage service where applicable and will be applied as described in 26-9(b)."

26-10(a) - I would like to add to this section the following: "When a landlord-tenant relationship exists the utility deposit for a tenant be 3 times that for the property owner or a minimum of \$180. All unpaid and delinquent utility bills shall constitute a lien on the single family owner occupied residences."

26-12(a) & (b) - I would like to increase the reinstatement of service fee from \$5 to \$20 and the meter reinstallation from \$35 to \$75. These two ordinances were last changed in 1958 and inflation has certainly increased the cost of these services. I feel the change from \$5 to \$20 is justified because we have to dispatch a man and a vehicle. I would also like to add wording to 26-13(a). "The \$20 service fee is payable if the City made the visit but was unable to restore service due to meter obstruction."

26-8(a)4 - I would like to remove apartment houses from the definition here and include it in the definition of multifamily. The reason for this is twofold. First, the calculation of the system development charge for a 24 unit apartment building with a 2" meter, for example, would currently be \$3,250. I am of the opinion that a structure such as this should pay the same as a full ownership unit which would be \$3,250 plus \$4,550. These are units that are occupied all the time much like a condominium and this flaw in the ordinance deprives the City of these charges. Secondly, what happens at times is that these apartments convert from rental status to ownership. When this happens the developer or owner is home free from the additional unit charge that is necessary if these units were of ownership status to begin with.

10-9(B)(2)(c)(d) - I would like to address the rates for multiusers of our containers. We developed a matrix about 2 years ago that accurately identifies and recovers our costs for container service based on size and frequency of pickup. Current rates for multiusers are \$3.50 per month plus 65¢ for each cubic yard over one. We feel the multiusers should pay an amount that more closely relates to the costs of providing the service already developed in the container matrix. We decided to arrive at a multiuser rate by developing a rate for a 1 cubic yard container that is one half the 2 cubic yard fee. This process gives us the following schedule of charges:

CONTAINER SIZE	PICKUPS PER WEEK MONTHLY CHARGE				
	2	3	4	5	6
1 Cu.Yd.	\$10.84	\$15.32	\$19.80	\$24.28	\$28.76

This rate structure is consistent with our existing container fees and allows us to recover our true costs.

I suggest we repeal Sections 10-9(b)(2)(c)(d) of the code and have the 1 yard rates apply to all multiusers with the minimum rate of \$21.67 for up to 2 yards. Any customer who shares a 2, 3, 4, 6 or 8 yard container will be charged on the volume of garbage generated per week as determined by the public works department. ie. A customer who generates 4 cubic yards per week will pay \$39.60 every 2 months. If a customer generates more than 6 yards per week we will add the 2 rates necessary to calculate the charge. ie. A customer generates 8 yards so we add the 6 yard and the 2 yard rates for a charge of \$79.20 for a 2 month billing.

100

City Manager Franklin C. Jones  
March 30, 1984  
Page 3

26-9(b) - After the word system, add "as well as the sewer and garbage services where applicable. The city reserves the right to deduct final billing or any accrued indebtedness from said deposit, and the balance, if any shall be refunded to the depositor. Each residence or place of business shall be considered a separate service and a deposit for any outstanding water, sewer, or garbage billings shall be required for each separate service."

CONCLUSIONS & RECOMMENDATIONS:

It is my recommendation that we made these various ordinance changes so we can operate more efficiently and cost effectively.

AGENDA ITEM #12  
4/4/84



# City of Naples

## MEMO

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: NEW CITY DOCK - RULES & REGULATIONS  
RENTAL RATES

DATE: MARCH 30, 1984

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The City Dock project is now nearing completion and we are beginning to prepare for the opening of the facility. As part of that preparation we need to adopt a set of rules and regulations and a rate schedule. I have had Mark Wiltsie and Bill Hanley prepare some information concerning these items which I have attached.

The rules and regulations seem to address some of the problem areas that we have experienced in the past and were built on existing rules and regulations plus those we found in effect in other municipal marinas.

The dock rental rates were designed to be competitive in the area and to recover the cost of construction and operation of the new facility.

Also attached is a status report on the construction of the dock for your information. We will be prepared to discuss these items with the Council at the meeting on Wednesday.

Respectfully submitted,

Franklin C. Jones  
City Manager

FCJ/tan  
encs.

102

BACKGROUND:

For the past several months I have been in the process of preparing a revised set of Rules and Regulations for the City's Municipal Dock. In my opinion, with the new Dock almost complete, this is the appropriate time to address the operation and activities associated with this facility.

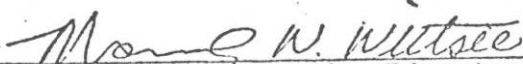
ANALYSIS:

The attached draft of the proposed Dock Rules and Regulations was prepared with the input from my Staff and other agencies that maintain and operate a dock facility. I feel the proposed changes and additions are necessary to ensure the Dock will be operated in an efficient manner.

CONCLUSION:

I respectfully request that the attached proposed Rules and Regulations be adopted. I would be pleased to discuss these in further detail should questions arise.

Prepared By:

  
Mark W. Wiltsie, Acting Director  
Parks & Recreation Department

FCJ/MWW/dj  
Attachment

(A) DEFINITIONS - For the purposes of this section, the terms and phrases used herein are defined as follows:

Transient Berths - Any boat slip, pier, dock, wharf or other dockage space or facility provided at the City of Naples Municipal Docks for the mooring of inhabited boats or vessels for a period not exceeding two weeks in any given month.

Regular or Permanent Berths - Any boat slip, dock, pier, wharf or other dockage space or facility provided at the City of Naples Municipal Docks for the mooring of uninhabited boats or vessels for a period exceeding two weeks.

Per Ft. of Boat - Boat measurements shall be for the extreme length of the boat, including bow sprits and/or dinghies hung on transom.

City Manager - The City Manager of the City of Naples.

Director of Parks and Recreation - The Director of Parks and Recreation of the City of Naples.

Boat or Vessel - Every description of self-propelled watercraft used or capable of being used as means of transportation on water, including all types of boats and all uses thereof.

Moor - To secure a vessel or boat by line, cable, or other device to any boat slip, dock, pier, wharf, dockage space or docking facility at the City of Naples Municipal Docks, in such a manner as to assure the security of such vessel.

Dock Master - A person charged with the responsibility of directing the mooring and removing of vessels from the City of Naples Municipal Docks, reporting to the Director of Parks and Recreation any violations of the rules and regulations set forth in this section and any items needing repair at said Docks, and collecting the transient rental rates herein provided and turning the same over to the City of Naples.

(B) RULES AND REGULATIONS FOR THE USE AND OPERATION OF THE CITY OF NAPLES MUNICIPAL DOCK - Subject to the approval of the City Manager, the Director of Parks and Recreation, or his designee, shall be authorized and directed to promulgate rules and regulations for the use and operation of the City of Naples Municipal Docks in addition to and supplemental to the following, all of which shall be posted at said Docks:

1. No beer, wine or other alcoholic beverages shall be sold or consumed on the City of Naples Municipal Dock. Possession of open containers shall be prima-facie evidence of consumption.
2. No barbecue fires, open fires, or welding shall be permitted on boats while moored at said docks or on the dock premises.
3. Boat owners desiring to moor in or at said docks must first register with the Dock Master.
4. Berths will be assigned by the Dock Master.

104

5. The Dock Master may terminate the dockage agreement and order any boat or vessel to vacate the space said boat or vessel is occupying for the violation of any City of Naples Municipal Dock rules and regulations.
6. Only boats or vessels in good condition, legally registered, shall be admitted to berthing areas. In the event of an emergency (e.g. breakdown of bilge pump, leaks, bad lines, etc.), the Dock Master is authorized to make necessary repairs as economically as possible. Said repairs will be charged to the owner.
7. The Rules of the Road regarding boats and vessels shall apply in or around the Dock area.
8. Subleasing of berths will not be permitted. Transfer of boats between berths or from one berth to another will not be allowed, except upon prior written approval of the Director of Parks and Recreation.
9. In the event a need arises for the movement of a boat or vessel (safety or otherwise), the Dock Master, unless the boat owner is immediately available, is authorized to effect the necessary move.
10. Boat owners leaving for an extended cruise (i.e. one week or more) shall notify the Dock Master of departure and return dates. The City reserves the right to rent temporarily vacant berths to transient boats or vessels. Said transient boats or vessels must vacate slip within 24 hours should slip lessee return prior to originally scheduled return date. All proceeds from said rental shall be retained by the City of Naples.
11. No boat parts, equipment, materials or inflammable substances shall be stored on said Docks. All trash and garbage shall be placed in plastic bags and secured in a container provided for said purpose on said Docks. It shall be the responsibility of boat owners to keep the premises rented to them in an orderly and clean condition, and upon any user's failure to do so, the Director of Parks and Recreation, or his designee, shall order the property cleaned, and upon such user's failure to clean such premises, the Director of Parks and Recreation, or his designee may order the property cleaned and assess reasonable charges against the boat owner responsible therefor for the cost of said cleaning or a minimum charge of \$5.00.
12. Painting, scraping, or repairing of gear shall not be permitted on the docks or finger piers. Extent of repairs and maintenance shall be at the discretion of the Dock Master.
13. Noise shall be kept at a minimum at all times so as not to create a nuisance or disturbance.
14. No tie-up, electrical or other lines, water hoses or other items shall be permitted across the top of docks, slips or piers at any time without permission of the Dock Master.
15. Fishing, fish cleaning, swimming, diving, jumping, running, roller skating, skateboarding, bike riding, cast netting, or gigging will not be permitted on or from the Dock, or from boats moored at the Dock.

16. Laundry shall not be hung on boats, dock, or finger piers at any time.
  17. No person shall litter on Dock or into water, discharge or throw overboard any oils, spirits, flammable liquids or oily bilge into Naples Bay.
  18. Animals are not permitted on the Municipal Dock.
  19. Any boat or vessel moored at the Dock may be inspected at any time by either the Dock Master or U.S. Coast Guard representative for safety purposes.
  20. No person shall solicit at or loiter upon the said Dock.
  21. Live aboards shall not be permitted, except for transient boats or vessels as defined in Section A. Transient berth rates shall apply for these occurrences. All transient boats or vessels shall have an adequate and properly operating holding tank. The Dock Master may inspect any boat or vessel to ensure this requirement is satisfied.
  22. A maximum of one slip will be assigned per individual or firm.
  23. No privately owned signs shall be permitted on said Dock.
  24. Slip lessees may at their option and expense install and secure a storage box at a location specified by the Dock Master to meet the following requirements:
    - Dimensions - 24" depth x 24" height x 36" length
    - Material - Fiberglass
    - Color - White
    - Hardware - Stainless Steel
- Box is to be secured in a manner approved by the Dock Master. Slip lessees are responsible for upkeep and maintenance of storage boxes.
25. All sections of Chapter 7 and all other ordinances of the City of Naples shall apply to persons using the City of Naples Municipal Docks insofar as the same may be applicable.
  26. The mooring of boats at the City Dock is hereby declared to be a privilege and not a right, and all leases shall be terminable upon one week's notice at the sole discretion of the City Manager or his designee.



BACKGROUND:

During September and October of 1983 we presented council with a dock funding proposal. The council authorized a \$600,000 loan from Naples Federal with the understanding that the rates for the slips would be developed for review. We now have the rate schedule that will recover our costs to meet payroll, debt service, maintenance and operation, and repay the C.I.P.

ANALYSIS:

A summary of our proposed fee schedule along with a comparison to other local marinas follows:

# SLIPS	SLIP LENGTH	BOAT ACCOMODATIONS	MONTHLY FEE	MINIMUM ANNUAL REVENUES
57	28'-33'	30'-35'	\$100 + \$3 Per Foot over 30'	\$ 68,400
14	43'-48'	45'-50'	\$145 + \$3 Per Foot over 40'	24,360
5	58'	60'	\$170 + \$3 Per Foot over 50'	10,200
(1) 13	--	--	\$25 Charter Boat Surcharge	3,900
				<u>\$106,860</u>

The \$25 per month surcharge for charter boats we feel is justified for the following reasons:

- (a) Premium Location - We will locate the charter boats at the entrance area of the dock creating high visibility.
- (b) High impact on parking and traffic.
- (c) Phone message service by dockmaster.
- (d) Use of our facility to run a private for profit business.

(1) Included in 76 slips above.

Our fee structure also recommends a 50¢ per foot per day for transient vessels.

The total revenue and expense estimates for the new budget year are as follows:

Revenues:	
Slip Rentals	\$106,860
Fuel	150,000
Bait	7,500
Ice	1,800
Misc.	2,500
	<u>\$268,660</u>

Expenses:	
Personal Services	\$ 36,000
O/M	124,000
Debt Service	73,828
Repay CIP	34,832
	<u>\$268,660</u>

For your information I am including the monthly slip rentals for Bay Marina, Marco River Marina and Turner's Marina to compare to our proposed rates.

BOAT LENGTH	CITY OF NAPLES	*BAY MARINA	TURNER MARINA	MARCO RIVER MARINA
20'	\$100	\$60	\$90	\$103.00
21'	100	63	90	108.15
22'	100	66	90	113.30
23'	100	69	90	118.45
24'	100	72	90	123.60
25'	100	75	90	128.75
26'	100	N/A	93	133.90
27'	100	"	96	139.05
28'	100	"	99	144.20
29'	100	"	102	149.35
30'	100	"	105	154.50
31'	103	"	108	159.65
32'	106	"	111	164.80
33'	109	"	114	169.95
34'	112	"	117	175.10
35'	115	"	120	180.25
36'	145	"	123	185.40
37'	145	"	126	190.55
38'	145	"	129	195.70
39'	145	"	132	200.85
40'	145	"	135	206.00
41'	148	"	138	211.15
42'	151	"	141	216.30
43'	154	"	144	221.45
44'	157	"	147	226.60
45'	160	"	150	231.75
46'	163	"	153	236.90
47'	166	"	156	242.05
48'	169	"	159	247.20
49'	172	"	162	252.35
50'	175	"	165	257.50
51'	173	"	168	262.65
52'	176	"	171	267.80
53'	179	"	174	272.95
54'	182	"	177	278.10
55'	185	"	180	283.25
56'	188	"	183	288.40
57'	191	"	186	293.55
58'	194	"	189	298.70
59'	197	"	191	303.85
60'	200	"	194	309.00
61'	203	"	197	314.15
62'	206	"	200	319.30

\*No water or electric.

CONCLUSIONS & RECOMMENDATIONS:

Repeal Section 16-29 "City Dock" portion of ordinance and replace with recommended fee schedule.

Prepared by:

Frank W. Hanley, Finance Director

FWH/bm



# City of Naples

## MEMO

TO: Franklin C. Jones, City Manager  
FROM: John McCord, City Engineer  
DATE: March 30, 1984  
SUBJECT: Status Report  
Construction Contract - City Dock

To date, Zep Construction, Inc., of Ft. Myers, has completed about \$390,000 worth of the total \$714,000 contract work requirements. The main components of the north/south main pier and east/west "finger" piers are in place. Dredge work in these areas is substantially completed. The public convenience facilities (i.e. restrooms, vending areas) along with the dockmaster and fueling facilities are progressing well.

The major work area yet to be executed involves the majority of work effort associated with the main east/west dock platform/finger pier systems. The contractor is preparing an alternate method of construction proposal for our consideration which could eliminate any need for shuttling boat owners between their docks and dry land. The proposal, if accepted by us, would encourage continued "only minor" inconvenience which characterizes execution of the work to date.

In conclusion/summation, we are progressing adequately toward our final required date of completion, June 1, 1984.