City of Naples

City Council Minutes

Regular MeetingMay 16, 1984

City Council Chambers 735 Eighth Street South Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
and the friends and the state of the second s		1	
ANNOUNCEMENTS	6 6 C C	1.0.0.25	
-MAYOR BILLICK - County Manager Lusk will attend next meeting - no determination made yet about which timber groins	la nor	1.41.58.6	1
-CITY MANAGER JONES - None	S. 135, 157	ordani	
-MR. ANDERSON - noted that revenues from Naples Landing metered		1	1
parking were only \$268 short of the capital invest- ment after 18 months of operation			
APPROVAL OF MINUTES - 05/01/84 - Workshop Meeting			
05/02/84 - Regular Meeting	alter 1		1
RESOLUTIONS			
-Accept esmt, B/S and quitclaim deed for water facilities-Windstar	a 12.7 C	84-4472	1
-Adopt amendments - Civil Defense Plan		84-4473	1
-Approve Spec. Ex. 83-S7 and Nonconformity Pet. 84-N3, Edgewater Beach Hotel	on etc.	84-4476	2
-Approve extension of Spec. Ex. 82-S12, Trails End Motel	a la serie	84-4477	3
-Adopt Grievance Procedure for Handicapped		84-4480	5 & 6
PURCHASING		1.1.1.1.1.1.1	
-Award bid - 2 automobiles	Ser Price	84-4474	2
-Award bid - paper & plastic disposables	inder stal	84-4475	2
-Award bid - resurfacing & drainage improvements, streets		84-4479	5
ORDINANCES - First Reading			
Approve Dense Det Of DO 1 "Po"	84	e da la	3
- Second Reading			
-Adopt rules, regulations & rates, City Dock	84-4478		3 & 4
DISCUSSION			
-Traffic control on Goodlette-Frank Road			5

 $\frac{\text{CITY COUNCIL MINUTES}}{\text{Regular Meeting}} \ .$

165

City Council Chambers 735 Eighth Street South Naples, Florida 33940

, Sec

Date May 16, 1984

Time

9:08 a.m.

ROLL CALL:	Present:	Stanley R. H	Billick	ITEM 2				vor	F
		Mayor R. B. Anders William E. H William F. H Lyle S. Rich Wade H. Schn	Barnett Bledsoe Mardson		COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	NO
		Kenneth A. W Council				T			
Also present: Franklin C. Jone David W. Rynders Roger Barry, Com Development Di Stewart Unangst, Bill Hanley, Fir Norris Ijams, Fi Steve Cramer, Ch	s, City Atto munity rector Purchasing ance Direct re Chief	orney the John M Chris Agent Reco cor Paul H Ellen	City Mana	ty Engineer arks & rector ice Chief					
See Supplemental	Attendance	list - Attaç	hment #1						
INVOCATION - Rev Nap		rd Mapes Church of Chr	ist	ITEM 1					
***		***		***					
ANNOUNCEMENTS				ITEM 3					•
MAYOR BILLICK - Bounald B. Lusk, meeting today, b - the beach were t been made regard removed.	was unable ut would at refuted rum o be remove	to attend the tend the next ors that all d. He said d	Council one. the timbe: eterminat	r groins on ion had not					
CITY MANAGER JON	ES - None			ITEM 3-b					
MR. ANDERSON - parking meter re administrations' investment the c and a half reven the City's initi	venues. He estimate o ollections ues had fal al investme	commented on f an 18-month had been. He len only \$268	how close paymour of said that short of	e to the of capital the year					
Mayor Billick re Agenda.	viewed the	items to be c	onsidered	in the Consent					
APPROVAL OF MINU		, 1984, Works , 1984, Regul		ITEM 4					
RESOLUTION 84	-4472			ITEM 5					
A RESOLUTION ACCE FROM COLLIER COUN DISTRICT RELATING DRIVE IN THE WIND	TY AND. A QUI TO THE WATE	TCLAIM DEED FF R MAIN EXTENSI	ON THE COU	NTY WATER-SEWER HT HARBOUR					
Fitle not read.	1472								
RESOLUTION 84				ITEM 6	10.100				
A RESOLUTION AD	OPTING CERTA	IN AMENDMENTS VIDING AN EFFE	TO THE CIT	Y'S					

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6	City Council Minutes Date May 16, 1	1984	COUNCIL		E C O	YE	N	A B S E N
			MEMBERS	N	D	s		T
	CONSENT AGENDA (Cont)							-
	PURCHASING	ITEM 7	tes participat	1				
	RESOLUTION 84-4474	ITEM 7-a		1				
	A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) USED A WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDDING THEREO PROVIDING AN EFFECTIVE DATE.	UTOKODITEDO						
	Title not read.							
	RESOLUTION 84-4475	12-111 - 11-11-11-11-11-11-11-11-11-11-11-						
		ITEM 7-b						
	A RESOLUTION AWARDING BIDS FOR THE CITY'S ANNUAL REOUL PAPER AND PLASTIC DISPOSABLES; AUTHORIZING THE CITY MAI ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFEC	NACEP TO	general Antol Content Antol Content					
	Title not read.							
	In response to Mr. Anderson's question about waiving for Item 7-a, City Attorney Rynders explained that w parative prices had been requested, the complete bid cedure had not been utilized. Regarding Item 6, Mr.	while com- dding pro-	Anderson Barnett Bledsoe	x		C O N S		
	suggested a better method of indexing and cross-refe civil defense plan and City Manager Jones said that H	rencing the	Richardson	100		E		
	MOTION: To <u>APPROVE</u> the minutes and <u>ADOPT</u> the resolu presented.	and the statistical strength	Schroeder Wood Billick		х	N S U S		
	END CONSENT AGENDA							
	COMMINITERY DEVICE ODMINIE DED DEVICES (STREET)		•.					
	PLANNING ADVISORY BOARD	ITEM 8						
	RESOLUTION 84-4476	ITEM 8-a						
N	ber silving sikkor source on	and o a						
	A RESOLUTION GRANTING A SPECIAL EXCEPTION FOR AN EXIST TRANSIENT LODGING FACILITY AND AUTHORIZING EXPANSION OF NONCONFORMING STRUCTURE AT 1901 GULF SHORE BOULEVARD NO (EDGEWATER BEACH HOTEL), SUBJECT TO THE CONDITIONS ENUM. HEREIN; AND PROVIDING AN EFFECTIVE DATE.	A BTH	n de re grade de de de de de de de de de de de de d					
	1	in a second						
	Title read by City Attorney Rynders.	and the case	avan stream in					
	Attorney J. Dudley Goodlette addressed Council on beh prospective developers of the Edgewater Beach Hotel. the presence of Messrs. Garmaker, Fail, Cox, Forsythe Kendrick. Attorney Goodlette stressed the fact that ing would be used as a luxury hotel only. Mr. Fail, developers, explained that the restaurant would be on floor because it was not to be used by the general pu to lack of sufficient parking for this use. Communit ment Director Barry noted that there would be no obje the restaurant serving some of the public if it were	He noted e, and the build- one of the n the sixth ablic due cy Develop- ection to not ad-	Leo ad e bener Idae (n. 1994) Leo al e contra Leo al e contra Leo al e contra Leo al e contra					
	vertised as such. Mr. Anderson asked that the record that determination and Mr. Schroeder suggested that t make it a private club. Architect Kendrick directed attention to sample interior and exterior materials a architectural renderings. In answer to Mr. Schroeder tions about setback from the coastal control line, Mr and City Attorney Rynders confirmed that this buildi not encroach any more than the adjacent buildings, th was grandfathered-in, and that, in fact, the setback a part of either petition before Council.	the hotel Council's and the 's ques- . Barry ng did at it	Anderson Barnett Bledsoe Richardson Schroeder Wood	x		X X X X X X X X X		
	MOTION: To ADOPT the resolution as presented.	warmen e	Billick (7-0)			x		
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	CITY OF NAPLES, FLORIDA				VO	TE		
	City Council Minutes Date May 16, 1984	COUNCIL MEMBERS	M O T I O N	SECOND	Y E S	NO	A B S E N T	6 7
							Π	
	COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 8 (Cont) PLANNING ADVISORY BOARD (Cont)							
	ORDINANCE 84ITEM 8-b							
	AN ORDINANCE REZONING PROPERTY LOCATED AT 700 14TH AVENUE SOUTH (NAPLES YACHT CLUB) FROM "R1-7.5" SINGLE-FAMILY RESIDENTIAL AND "R3T-12" MULTIFAMILY RESIDENTIAL TO "PS" PUBLIC SERVICE; PROVIDING FOR THE ZONING ATLAS TO BE AMENDED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER TO ALLOW AN EXISTING YACHT CLUB FACILITY TO BECOME A PERMITTED USE.							
								-
	Title read by City Attorney Rynders.	·						
	In response to Mr. Schroeder, Community Development Director Barry stated that this was not spot zoning and that this action would bring the property in line with the Comprehensive Plan. *** ***	Anderson			x			
	Mr. Wood left the Countil table - 9:44 a.m.	Barnett Bledsoe			X X			
	Attorney John Forsyth, representing the Naples Yacht Club, addressed Council in support of the petition.	Richardsor Schroeder Wood	x	X	X X		x	
•	MOTION: To APPROVE the ordinance as presented on First Reading.	Billick (6-0)			X			
	END PLANNING ADVISORY BOARD	(0-0)						
X	*** *** *** Mr. Wood returned to the Council table - 9:46 a.m. *** *** ***							
	RESOLUTION 84-4477 ITEM 9							
.see								
	A RESOLUTION GRANTING AN ADDITIONAL ONE YEAR EXTENSION FOR THE SPECIAL EXCEPTION APPROVED FOR THE TRAIL'S END MOTEL; AND PROVIDING AN EFFECTIVE DATE.	Indexcon			x			
		Anderson Barnett			X			
	Title read by City Attorney Rynders. Mark Weakley, petitioner, addressed Council in support of the	Bledsoe Richardson	X	x	X X X			
	petition.	Schroeder Wood			X			
	MOTION: To ADOPT the resolution as presented.	Billick (7-0)						
	*** *** ***	1						
	SECOND READING OF AN ORDINANCE ITEM 10							
	ORDINANCE 84-4478							
	AN ORDINANCE RELATING TO RULES, REGULATIONS AND MOORING RATES FOR THE CITY OF NAPLES MUNICIPAL DOCK; AMENDING SECTION 7-7.1 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; REPEALING THE SCHEDULE OF FEES FOR THE CITY DOCK CONTAINED IN SECTION 16-29 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE RULES AND REGULATIONS FOR THE USE AND OPERATION OF THE CITY 50CK; TO INCREASE THE MOORING RENTAL RATES THEREFOR AND TO DELETE THE CITY DOCK FEE SCHEDULE SET FORTH IN SEC. 16-29 WHICH CONFLICTS WITH THE PROVISIONS OF THIS ORDINANCE.							
	이 아파 이가 집에서 가지 않는 것이 아파 집에 있다.							
	Title read by City Attorney Rynders.							
	Public Hearing: Reopened - 9:49 a.m. Closed - 10:21 a.m.							
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		MEMBERS	N	D	S

---ORDINANCE 84-4478 (Cont)

CITI OF NAFLES, FLORIDA

ITEM 10 (Cont)

Mr. Anderson moved to adopt the ordinance as amended on Second Reading, seconded by Mr. Barnett. City Manager Jones noted that he would be suggesting further amendments as listed in his memo dated May 15, 1984 (Attachment #2). He explained that these changes would be in addition to the amendments suggested in Parks & Recreation Director Holley's memo (Attachment #3). These latter amendments had been discussed affirmatively at the May 2, 1984 Regular Meeting (Attachment #4), although no action had been taken on them at the time. Arthur Lee, private boat owner, addressed Council and expressed his appreciation for the meetings with the staff and the resolution of some of the problems. Ray Graeber, chairman of the newly formed boat owners' association, also expressed appreciation for the meetings with Messrs. Jones, Wiltsie, and Holley. He noted that the boat owners would like to see installation of a proper antenna to be used for better communications with boats at sea and would work with the City to defray the cost. He reviewed City Manager Jones' memo of May 15 and suggested various changes. It was his opinion that Rule 19 was still too vague regarding the safety reasons for which a dock master could board and inspect a boat; and that the City Manager's comments in Item 4 did not provide for any further definition of "safety". He expressed appreciation, however, for the clarification offered by the City Manager on Item 6. He said he still objected to the use of the word "privilege" in Rule 5 and felt that if the rent were paid and the rules obeyed, the wording should be "right", not "privilege" to moor boats at the City Dock. City Manager Jones then reviewed his memo and noted that there had been an agreement to delete the two week sublease requirement that had been inserted at the May 2nd meeting. He cited an agreement to redistribute to participating slip renters any excess funds generated through subleasing. He noted that the surcharge would not go into effect until November 1, 1984, and the change in the wording regarding holding tanks to "approved and properly operating marine device". He further emphasized that boat owners could come back to the City staff and request a change if the rules and regulations were not being properly administered. City Attorney Rynders stressed his recommendation not to change Rule 26 which states that mooring at the City Dock is a privilege. Motioner Mr. Anderson and seconder Mr. Barnett noted their acceptance of the amendments as discussed at the May 2nd meeting as well as those discussed today.

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

Mayor Billick confirmed with City Manager Jones that the construction was nearing completion and announced that the formal dedication would be on Saturday, July 7, 1984. The City Manager commented on a communication he had received from the Department of Environmental Regulation that progress was being made on the amendment of the permit to enable the City to make some arrangements for fish cleaning on the dock. He indicated that one method may be to collect the remains of cleaned fish, freeze them and sell them to another marine for bait. He noted that there was a freezer at the Dock and the revenue from the sales would offset any other possible expense in this regard.

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

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RES	OLUTION 84-4	479	,	I	TEM 11	•						
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mi+le	read by City	Attorney Ry	nders.									
City At the May the cop	torney Rynde for and City by of the res	rs noted that Clerk to exe	t the termino cute contract he packet, bu	s" was mis	sing from	Anderson Barnett Bledsoe Richardson Schroeder	x	x	X X X X X			
MOTION	: To ADOPT	the resolutio	on as amended	l.		Wood Billick			X X			
***		***		*:	* *	(7-0)						
BREAK:	Recessed -	10:28 a.m.	Reconvened -	10:40 a.m.		· · ·						
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the Cit for a \$ Regulat	y had been i 3-million gr	ncluded in t ant from the wastewater t	Manager Jone he list of su Department o reatment plan	ccessful a	pplicants ental							
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	CITY OF NAPLES, FLORIDA	1923 10 8010			VC	DTE		
170	City Council Minutes Date May 16, 1984	COUNCIL	M O T I O	SECON	YE	N	A B S E N	
		MEMBERS	N	D	S	0	T	
	RESOLUTION 84-4480 (Cont) ITEM 13 (Cont) "Finance Officer or his designee" should be substituted through-	Anderson Barnett	x		x x			2
	out the document for "Frank W. Hanley". He also suggested "the complaint should be filed in writing or verbally" be changed to "or orally". <u>MOTION:</u> To <u>ADOPT</u> the resolution as amended.	Bledsoe Richardson Schroeder Wood		x	X X X X			
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Supplemental Attendance List - Regular Meeting, May 16, 1984

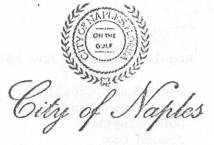
Reverend Richard Maples J. Dudley Goodlette Arthur Lee Ray Graeber Never Fail, Jr. David Kendrick Charles Andrews

- Henry "Hank" Caballero Jim McLaughlin Bob Forsythe Joseph Cox Mark Weakley Dick Garmaker Tish Gray Max Hasse
- Herb Anderson Bob Galloway John F. Forsyth Mrs. Kinkaid Bob Russell Anita Utter Mr. & Mrs. Richard Grant

News Media

Jim Forner, TV-9 Susan Gardner, TV-9 Randy Sell, TV-9 Brian Grinnoneau, WNOG Brian Leighton, News Press Todd Holzman, Naples Daily News Beverly Cameron, WINK, TV-11 Cynthia Glicken, WBBH, TV-20 Mary Armbruster, WEVU, TV-26

ther interested citizens and visitors.



MEN

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TO:HONORABLE MAYOR AND MEMBERS OF CITY COUNCILFROM:CITY MANAGER FRANKLIN C. JONESSUBJECT:CITY DOCK FACILITY - RULES, REGULATIONS AND RATESDATE:MAY 15, 1984

In order to finalize discussions concerning the adoption of the rules and regulations for the operation of the dock facility, we met with Ray Graeber who represented the boat owners leasing spaces at the dock. We discussed the provisions in the rules concerning the method of measuring boats; the \$25 surcharge for charter boats; the income from subleasing slips when regular tenants are away; the need for the city to be able to inspect boats moored at the dock for safety purposes; alternatives to holding tanks for transient boats moored at the dock; and the method by which leases can be terminated for violation of the rules and regulations. We now have an agreement with the representatives of the dock tenants on each of the following items about which they were concerned.

- Measurement of Boats: Representatives of the tenants have agreed that the measurement of the boats will remain as written in the proposed ordinance and as contained in the existing ordinance. The overall length of the boat will be included from bow sprints and/or dinghies hung on transums.
- 2. Surcharge for Charter Boats: The city has taken the position that the \$25 surcharge is required to cover additional costs of the operation of charter boats from the dock and to meet our overall financial requirements. The charter boat operators indicated they felt it would be fairer to collect the surcharge only during the charter operating season from November to April. As a compromise, we will begin collection of the surcharge November 1, 1984. At the end of April, 1985, we will make an analysis of the financial operations of the dock in order to determine whether six months or 12 months are required to meet the dock's expenses.
- 3. <u>Subleasing of Slips</u>: The city has taken a position that the income from subleasing slips will be needed to meet the financial obligations incurred in financing the dock. We have agreed, however, that we will account for one-half of the revenues from the subleasing until the end of one year's operation to determine whether or not those revenues are needed to meet the

Mayor and Council May 15, 1984 Page 2

> operating expenses. If we find that they are not required, we would redistribute the surplus of those revenues back to the slip renters who had made their slips available while they were absent, based on the number of days the slip was made available for sublease.

- Boat Inspections: Rule No. 19 provides that the dockmaster and the U.S. Coast Guard are able to board any vessel to inspect it for safety purposes. We still feel that there are no other provisions that would give the city or the Coast Guard access to these vessels. This provision would not be changed.
- 5. Holding Tanks Transient Boats: Rule No. 21 provides that transient boats moored at the dock could be lived aboard providing the boat is equippped with an adequate and properly operating holding tank. The tenants have requested and we have agreed that the holding tank requirement could be expanded to include "or an approved chemical equivalent".
- 6. Termination of Leases for Violation of Rules: We have agreed to clarify Rules No. 5 and No. 26 to provide that the dockmaster is responsible for the enforcement of the rules and regulations for the City of Naples Municipal Dock. He may recommend the termination of the dockage agreement to the Director of Parks & Recreation who will order the termination of the agreement. Rule No. 26 will be amended to provide that any termination made by the Parks & Recreation Director may be appealed to the City Manager. The City Manager will hear the facts presented by the tenant, the dockmaster and the Parks & Recreation Director and make a final determination as to the violation.

At the meeting Wednesday, we will propose amendments to accommodate these changes. If you have any questions, please feel free to contact me prior to the meeting.

Sincerely,

Franklin C. Jones City Manager

FCJ/tan

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ATTACHMENT #3 - page 1

AGENDA ITEM #9-e 5/2/84

MEM

TO: FRANKLIN C. JONES, CITY MANAGER FROM: CHRISTOPHER L. HOLLEY, PARKS & RECREATION DIRECTOR SUBJECT: PUBLIC MEETING ON PROPOSED CITY DOCK RULES AND REGULATIONS

DATE: APRIL 27, 1984

On April 27, 1984 at 10 a.m. the Parks and Recreation Department held an advertised public meeting, in order to obtain input pertaining to the proposed City Dock rules and regulations. The following represents items of discussion at that meeting, with Staff's recommendations addressing the public's concerns. The items are numbered as they appear in the proposed ordinance.

SECTION 1.A. (3) - Boat Measurement Procedure

Citizen concerns center around our proposal to measure, and charge, based on total length of the vessel, rather than United States Coast Guard certified length.

Staff Recommendation

Because the vessel must be placed in a slip that provides adequate space for the entire length, we feel justified in charging for that entire length. A survey of municipal marinas Daytona Beach, Fort Myers, and St. Petersburg, found that they also measure entire length of each vessel.

SECTION 1.B. (10) - Renting of Temporary Vacant Slips by the Dock Master

Boat owners felt that they should receive a credit for revenues generated by the City renting their slip while they were on extended trips.

Staff Recommendation

Even though this appears to have been authorized in past years by the City and may appear to be fair to the boat owners, a policy allowing this would limit the Parks and Recreation Department's ability to meet debt service requirements for the City Dock.

SECTION 1.B. (15) - Fish Cleaning at City Dock

There was a lengthy discussion concerning the options and alternatives for providing both short-term and long-term solutions to the Department of Environmental Regulation's condition prohibiting fish cleaning at the City Dock. Staff assured those present that we would continue to request a reconsideration of this condition by the Department of Environmental Regulation.

Staff Recommendation

Short-Term - Request cooperation from the charter boat captain by asking them to, as much as possible, clean all fish on the way in from their excursions. For those fish brought in and cleaned, this Department would provide for storage of fish remains, which would be disposed of by either:

-10-

- Charter boats taking remains out to sea the following day, or
- This material taken by the charter boat captains to Turner's Fish House, which has volunteered to accept the material for use as crab bait, or

3) To be deposited in the solid waste disposal truck.

Long-Term - Develop a mechanism that would be located at the Dock, which would grind up fish remains and disposed of in the City's sewer system.

SECTION 1.B. (16) - Hanging of Laundry on Boats

Boat owners felt that they should be allowed to hang certain articles out to dry upon return from wet passage.

Staff Recommendation

I feel that boat cushions and other equipment should be allowed to be placed on deck, in order to dry. However, to allow the hanging of laundry items above deck would create an unsatisfactory and unsightly situation at the City Dock.

SECTION 1.B. (18) - Animals on the Dock

' Citizens expressed a concern that both permanent slip occupants and transient vessels frequently have pets aboard, and that the City should provide them an opportunity to remove these pets without having to carry them.

Staff Recommendation

No animals will be permitted on the Dock, except those that are being brought to or removed from a vessel on a leash. If this creates an unsanitary situation in the future, Staff will recommend prohibiting animals at that time.

SECTION 1.B. (23) - Privately Owned Signs

Charter boat captains expressed their concern with not being allowed to have a sign on the Dock while they are out fishing.

Staff Recommendation

For the purpose of charter boat captains, privately owned signs shall be permitted on the Dock. However, the dimensions and location of these signs shall be regulated by the Parks and Recreation Director or his designee.

SECTION 1.B. (24) - Dock Box Sizes

Boat owners expressed concern that Dock boxes 36 inches in length, did not provide an adequate space for storage of materials.

Staff Recommendation

Alter the dimensions in the ordinance to read 24" in depth; 24" in heighth, 48" in length.

The above represents the general public's concerns with the proposed ordinance establishing rules and regulations for the City Dock. I feel our Staff has made an attempt to modify some of these rules, based on the input provided. Please let me know if I can provide further research or assistance with reference to this matter.

Christopher L. Holley, Direc Parks & Recreation Department

CLH/dj

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735	Eight	h Stre	et South
Na	aples,	Flori	da 33540



Time 9:04 a.m.

Date May 2, 1984

ATTACHMENT #4

Mayor Billick called the meeting to order and presided as Chairman. ROLL CALL Present: Stanley R. Billick 1.1 S ITEM 2 Mayor 0 E T C R. B. Anderson I 0 COUNCIL, William E. Barnett 0 N E MEMBERS William F. Bledsoe N D S C Lyle S. Richardson Wade H. Schroeder Kenneth A. Wood Councilmen -ORDINANCE 84 ITEM 9-e AN ORDINANCE RELATING TO RULES, REGULATIONS AND MOORING RATES FOR AN ORDINANCE RELATING TO RULES, REGULATIONS AND MOORING RATES FOR THE CITY OF NAPLES MURICIPAL DOCK; AMENDING SECTION 7-7.1 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; REPLALING THE SCHEDULE OF FEES FOR THE CITY DOCK CONTAINED IN SECTION 16-29 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE RULES AND REGULATIONS FOR THE USE AND OPERATION OF THE CITY DOCK; TO INCREASE THE MOORING RENTAL RATES THEREFOR AND TO DELETE THE CITY DOCK FEE SCHEDULE SET FORTH IN SEC. 16-29 WHICH CONFLICTS WITH THE PROVISIONS OF THIS ORDINANCE. Title read by City Attorney Rynders. Public Hearing: Opened - 9:47 a.m. Closed - 10:56 a.m. ITEM 9-e (cont) --ORDINANCE 84-Mr. Anderson moved adoption of the proposed ordinance on Second Reading, seconded by Mr. Wood. City Manager Jones reviewed a memorandum from Parks & Recreation Director Chris Holley dated April 27, 1984 (Attachment #5). He noted the amendments the staff was recommending to the proposed ordinance as heard on First Reading; i.e., animals would be permitted to and from each boat on a leash, privately owned signs for charter boats would be permitted up to 3 foot by 4 foot, and dock boxes for storage would be permitted up to 24" x 24" x 48". Charter boat captain Allen Walburn addressed Council and explained that they had retained the services of an attorney, but had not had time to gather the information they felt they needed to refute some of the provisions in the rules and regulations. He requested a two week postponement of action on this ordinance so they could prepare properly. He noted the charter boat captains' objections to the rate structure, the \$25.00 surcharge and the rental of their slip if they were gone more than 7 days. City Manager Jones stated the City's reasoning in charging the surcharge for commerical boats at the Dock. He noted the additional traffic created by the commercial ventures and the telephone message service that would be utilized. He emphasized the need to have the rate structure established so that contracts would be drawn and signed by June 1st. After Council's discussion of the temporary rental of a slip vacated for a certain period of time, Mr. Barnett suggested that the slip not be rented unless it was to be vacated longer than 14 days. It was the consensus of a majority of Council to agree with this amendment. Captains Tom Marvel, Simon Phillips, Ray Graeber and E. E. Anderson Bailey and private boat owner Arthur Lee also asked Council for a two week continuation of this item. They also suggested Barnett Х Bledsoe that the dockmaster have more control that the rules seemed to imply. City Manager Jones and Mayor Billick were not in favor Richardson х of a continuation at this time, but were in favor of passing Schroeder Mood the ordinance now and amending it later. Billick TO POSTFONE action on this item and CONTINUE it for MOTION: (5-2) two weeks. -12------END ADVERTISED PUBLIC HEARINGS----

Shortly after the re-opening of Goodlette Road as a 6-lane artery from Golden Gate Parkway to U. S. 41, the Naples Police Department requested and received a reduction in the speed limit from 45 MPH to 35 MPH. This request was based on numerous facts which follow:

DISTANCE

The distance in the length of Goodlette Road from Golden Gate Parkway to U. S. 41 is exactly 2.0 miles.

TRAFFIC HAZARDS

Along this two-mile stretch of road are:

- 1. Two school zones (elementary and middle school)
- 2. Entrance and exit to Fleischman Park and Community Center
- 3. Entrance and exit to major attraction (Jungle Larry's)
- 4. Entrance and exit to Conservancy/Nature Center
- 5. Entrance and exit to U. S. Post Office
- 6. Entrance and exit to police department
- 7. Entrance and exit to municipal maintenance
- Entrance and exit to Naples landfill area (both Items 7 and 8 generate a large amount of truck, trailer and heavy equipment traffic)
- 9. Entrance and exit to two major shopping centers
 - Entrance and exit to two major condominiums, one of which is utilized by predominantly elderly drivers coming and going

TIME

Traveling at 45 MPH, one would cover this distance (2 miles) 45 seconds sooner than a vehicle traveling at 35 MPH.

BRAKING DISTANCE

Traveling at 45 MPH requires approximately 55 more feet to stop a vehicle than traveling at 35 MPH.

SUMMARY

It is felt that the 45 seconds saved traveling at 45 MPH is not worth the potential hazard created by the additional braking distance required and the high hazard area to be crossed over the length of this short two miles.

Paul C. Reble Chief of Police

ATTACHMENT #6

MEM

AGENDA ITEM #13 5/16/84

TO: Honorable Mayor and Members of City Council
FROM: Franklin C. Jones, City Manager
SUBJECT: GRIEVANCE PROCEDURE FOR THE HANDICAPPED
DATE: May 7, 1984

BACKGROUND

On 10-17-83 the Office of Revenue Sharing published final regulations in the Federal Register prohibiting handicapped discrimination and implementing Section 504 of the Rehabilitation Act of 1973. These regulations placed several requirements and timetables on those governmental entities receiving \$25,000 or more in Federal Revenue Sharing. The requirements and deadlines are as follows:

Requirements	Deadline
Notice Requirements and Designation of Responsible Employee	1-17-84
Self Evaluation and Adoption of Grievance Procedure	10-17-84
Non Structural Changes • to Achieve Accessibility	10-17-84
Transition Plan for Structural Changes	10-17-84
Structural Changes to Achieve Accessibility	10-17-86

ANALYSIS

We have already complied with the notification, designation of responsible employee requirement. The next step we should take is the adoption of a grievance procedure. This would be the next most logical step under the requirements as it provides the vehicle for the handicapped community to formally address those areas they feel it necessary to grieve. A Section 504 grievance procedure is included for your review. The procedure outlines where the complaints should be filed and the time periods for action and investigation. The remainder of the requirements will be systematically addressed within the deadlines provided.

CONCLUSIONS & RECOMMENDATIONS

I would recommend a resolution adopting the Handicapped Grievance Procedure as presented.

Respectfully submitted,

Franklin C. Jones City Manager

Prepared by: -14-Frank W. Hanley, Finance Director