



City of Naples

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - appointed Fire Chief Ijams as Sergeant-at-Arms			1
-CITY MANAGER JONES - stated that the Engineering Department had begun the road survey for CIP			1
<u>APPROVAL OF MINUTES</u> - Special Meeting, 11/28/84			
Workshop Meeting, 12/04/84			1&2
Regular Meeting, 12/05/84			
<u>PURCHASING</u>			
-Award bid - diesel powered payloader		84-4618	1&2
-Award bid - 300 hp motor - Wtr Plt #2		84-4619	2
-Award bid - quicklime & slaking syst. Wtr Plt #2		84-4620	2
-Award bid - annual janitorial service - City Hall		84-4621	2
-Waive bidding - personal computers - Police Department		84-4622	2
<u>RESOLUTIONS</u>			
-DENY Variance Pet 84-V18 to permit 4-unit residential structure NW corner 10th St No & 28th Av No		<u>FAILED</u>	3
-Approve Nonconformity Pet 84-N6 - expansion of Naples Med. Ctr.		84-4623	4&5
-DENY Variance Pet 84-V19 - to permit architectural detail to project into alley - Naples Med. Ctr.		<u>FAILED</u>	5
-DENY Nonconformity Pet 84-N5 - sign size - Pizza Hut		<u>FAILED</u>	5
-DENY Variance Pet 84-V20 - Parkview Condo - Set penalty at \$18,300		<u>FAILED</u>	6&7
-DENY Variance Pet 84-V21 - to allow awning carport in setback - 66 11th Av So		<u>FAILED</u>	7
-Approve Amendment #4 - Camp Dresser & McKee contract - WWTP exp		84-4626	11
-Approve City Manager salary increase to \$55,000 effective 01/01/85		84-4627	12
-Approve ratification of contract w/I.A.F.F. - Lieutenants		84-4628	12
-Approve Police Officers's Pension Board contract w/Barnett Bank		84-4629	13
<u>ORDINANCES - FIRST READING</u>			
-CONTINUE to Jan. 16 - Amend 84-CP3 to Comprehensive Plan to change land use - NW corner Sandpiper St & Blue Pt Av	85-___		2&3
-CONTINUE to Jan. 16 - Rezone Pet 84-R8 to permit multifamily NW corner Sandpiper St & Blue Pt Av	85-___		2&3
-DENY Rezone Pet 84-R9 to permit multifamily - NW corner 10th St No & 28 Av No	85-___		3
-Approve Rezone Pet 84-R10 - to rezone to "PD" - 2032 Gordon Drive	85-___		4
-CONTINUE to Jan. 16 - Amendment 84-CP1 - land use change - Blue Caribbean Golf Driving Range	85-___		7&8
-CONTINUE to Jan. 16 - Rezone Pet 84-R4 - Rezone to "PD" - Blue Caribbean Golf Driving Range	85-___		7&8
-Approve adoption of 1984 edition - Electrical Code	85-___		9
-Approve readoption of State misdemeanor laws	85-___		10
-Approve regulation of alcoholic beverages & drugs in homes	85-___		10
-Approve C.O.L.A.'s for retirants - General Pension	85-___		10
<u>SECOND READINGS</u>			
-Adopt increase in sewer rates	84-4624		8&9
-Adopt increase in water rates	84-4625		9
<u>DISCUSSION</u>			
-Recommendation re bid award for WWTP expansion construction			11
-Discussion of time period for continuance of Second Reading of ordinance relating to businesses which serve alcoholic beverages - reduced from 90 days to 42, scheduled for Jan. 16			11&12
-Approval to break ground for P.A.L. fieldhouse at Fleischmann Park			13

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:08 a.m.

Date December 19, 1984

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

ROLL CALL:	Present: Stanley R. Billick Mayor	ITEM 2	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	
	R. B. Anderson William E. Barnett William F. Bledsoe Lyle S. Richardson Wade H. Schroeder Kenneth A. Wood Councilmen							
Also present:	Franklin C. Jones, City Manager David W. Rynders, City Attorney Bill Hanley, Finance Director Roger Barry, Community Development Director Mark Wiltsie, Assistant to the City Manager William Savidge, Public Works Director	Norris Ijams, Fire Chief Paul Reble, Police Chief John McCord, City Engineer Steve Cramer, Chief Planner Stewart Unangst, Purchasing Agent Ellen Marshall Weigand, Deputy Clerk Gerry Gronvold, Utilities Engineer						
	See Supplemental Attendance list - Attachment #1							
<u>INVOCATION:</u>	Rabbi Mark Galub Temple Shalom	ITEM 2						
***	***	***						
<u>ANNOUNCEMENTS:</u>		ITEM 3						
	---Mayor Billick - appointed Fire Chief Ijams as Sergeant-at-Arms.	ITEM 3-a						
	- reminded speakers to sign up.							
	---City Manager Jones - noted that the Engineering Department had started its road survey with respect to the Capital Improvement Program and suggested that those who had a street project to suggest contact them.	ITEM 3-b						
	-----CONSENT AGENDA-----							
<u>APPROVAL OF MINUTES</u>	- Special Meeting, 11/28/84 Workshop Meeting, 12/04/84 Regular Meeting, 12/05/84							
<u>PURCHASING</u>		ITEM 5						
	---RESOLUTION 84-4618	ITEM 5-a						
	A RESOLUTION AWARDING THE BID FOR A DIESEL-POWERED PAYLOADER; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.							
	Title not read.							

204

COUNCIL MEMBERS

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

CONSENT AGENDA (Cont)

PURCHASING (Cont)

ITEM 5 (Cont)

---RESOLUTION 84-4619

ITEM 5-b

A RESOLUTION AWARDING THE BID FOR A 300 HORSEPOWER ELECTRIC MOTOR FOR WATER PLANT NO. 2; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 84-4620

ITEM 5-c

A RESOLUTION AWARDING THE BID FOR A QUICKLIME FEEDING AND SLAKING SYSTEM FOR WATER PLANT NO. 2; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 84-4621

ITEM 5-d

A RESOLUTION AWARDING THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR JANITORIAL SERVICES AT CITY HALL; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---RESOLUTION 84-4622

ITEM 5-e

A RESOLUTION WAIVING COMPETITIVE BIDDING PROCEDURES IN ORDER TO PURCHASE UNDER A STATE-NEGOTIATED CONTRACT PERSONAL COMPUTERS AND RELATED ACCESSORIES FOR USE BY THE POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

In response to a question from Mr. Anderson, Purchasing Agent Unangst responded that there would be a one year warranty on the 300 hp motor referred to in Item 5-b.

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

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick

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

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD

ITEM 6

---ORDINANCE 85---

ITEM 6-a-1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF NAPLES RELATING TO PROPERTY LOCATED AT THE NORTHWEST CORNER OF SANDPIPER STREET AND BLUEPOINT AVENUE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CHANGE THE EXISTING COMPREHENSIVE PLAN DESIGNATION FOR SAID PROPERTY FROM "LOW DENSITY RESIDENTIAL" TO "MEDIUM DENSITY RESIDENTIAL" AT THE REQUEST OF THE PROPERTY OWNER TO PERMIT CONSTRUCTION OF A MULTIFAMILY UNIT ON SAID PROPERTY.

Title not read.

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	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 6
(Cont)

---ORDINANCE 85---

ITEM 6-a-2

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF SANDPIPER STREET AND BLUEPOINT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM "R1-7.5" SINGLE-FAMILY RESIDENTIAL TO "R3-12" MULTI-FAMILY RESIDENTIAL; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED ACCORDINGLY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER TO PERMIT CONSTRUCTION OF A MULTIFAMILY UNIT ON SAID PROPERTY.

Title not read.

Mayor Billick noted receipt of a letter from the petitioner's attorney requesting that this item be continued (Attachment #2).

It was the CONSENSUS of Council to CONTINUE this item to January 16, 1984.

---RESOLUTION 84---

ITEM 6-b-1

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 12(A) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, REDUCING THE MINIMUM LAND AREA REQUIREMENTS FOR A DIFFERENT ZONE DISTRICT TO PERMIT CONSTRUCTION OF A FOUR-UNIT RESIDENTIAL STRUCTURE TO BE LOCATED AT THE NORTHWEST CORNER OF TENTH STREET NORTH AND 28TH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

---ORDINANCE 85---

ITEM 6-b-2

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF TENTH STREET NORTH AND 28TH AVENUE NORTH FROM "R1-7.5" SINGLE-FAMILY RESIDENTIAL TO "R3-12" MULTIFAMILY RESIDENTIAL; PROVIDING FOR THE ZONING ATLAS OF THE CITY OF NAPLES TO BE AMENDED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNERS TO PERMIT CONSTRUCTION OF A FOUR-UNIT RESIDENTIAL STRUCTURE.

Title read by City Attorney Rynders.

MOTION: To APPROVE the Planning Advisory Board's recommendation to DENY both requests.

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

206

COUNCIL MEMBERS

VOTE		A B S E N T
Y E S	N O	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 6
(Cont)

---ORDINANCE 84---

ITEM 6-c

AN ORDINANCE REZONING PROPERTY LOCATED IMMEDIATELY SOUTH OF 20TH AVENUE SOUTH BETWEEN GORDON DRIVE AND THE GULF OF MEXICO AND NORTH OF AN ABUTTING PUBLIC BEACHWALK, MORE PARTICULARLY DESCRIBED HEREIN, FROM "R1-E", "R1-15, AND "R1-10" SINGLE FAMILY RESIDENTIAL TO "PD" PLANNED DEVELOPMENT DESIGNATED FOR SINGLE FAMILY RESIDENTIAL LAND USE; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED ACCORDINGLY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER IN ORDER TO DEVELOP THE PROPERTY INTO A NINE-LOT SUBDIVISION.

Title read by City Attorney Rynders.

John R. Wood, Bill Vines, and Bill Barton, all representing the petitioner, addressed Council in support of the development, noting that it had been before the Planning Advisory Board twice and recommended changes had been made in the original plan. John Wood read a letter from Roger Otten (Attachment #3) indicating no objection to the present plan. They also noted that the property on the corner of Gordon Drive and 20th Avenue South had been acquired, which would eliminate any driveways on 20th Avenue. Ed McMahon, speaking for himself, and Attorney John Forsyth, representing Mrs. Williams, an adjacent neighbor, spoke in support of the planned development; however, Mr. Forsyth suggested the elimination of one lot, making a total of eight rather than nine. Local residents William Reynolds and Denman Kountze spoke in opposition to the zoning change. Helen Radke presented a petition opposing the new zoning (Attachment #4). Beth Hostetter read a letter from F. Wilson Chockley who was opposed to the project. Attorney Thomas Brown addressed Council and noted that one of his clients, Mr. Curry, had withdrawn his objections, but another, Mr. Silliman, still preferred the existing estate zoning. Robert Spang asked that the existing beach walk be unchanged.

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

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

City Attorney Rynders noted that the Second Reading would be on January 16, 1984 to permit the proper advertising for the subdivision plat approval petition.

---RESOLUTION 84-4623

ITEM 6-d-1

A RESOLUTION AUTHORIZING EXPANSION OF A NONCONFORMITY TO PERMIT ADDITION OF APPROXIMATELY 8,000 SQUARE FEET OF FLOOR AREA TO AN EXISTING MEDICAL BUILDING (THE NAPLES MEDICAL AND PROFESSIONAL CENTER) AT 831 FOURTH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

COUNCIL MEMBERS	MOTION	VOTE		ABSENTEE
		YES	NO	
<p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (Cont)</u> <u>ITEM 6 (Cont)</u></p> <p>---<u>RESOLUTION 84-</u> <u>ITEM 6-d-2</u></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT PROPOSED ARCHITECTURAL DETAIL TO PROJECT APPROXIMATELY 18 INCHES INTO THE RIGHT-OF-WAY OF AN EXISTING PUBLIC ALLEY ABUTTING A MEDICAL FACILITY (THE NAPLES MEDICAL AND PROFESSIONAL CENTER) AT 831 FOURTH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>*** *** ***</p> <p>Mr. Richardson and Mr. Schroder left the Council table - 10:21 a.m.</p> <p>*** *** ***</p> <p><u>ITEM 6-d-1</u> <u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p> <p>Mr. Richardson and Mr. Schroeder returned to the Council table - 10:23 a.m.</p> <p>*** *** ***</p> <p>Bill Bethke, representing the Naples Medical Center, addressed Council in support of the petition for a variance (Item 6-d-2). Architect Dick Morris also spoke in support of the architectural detail around the windows that created the need for a variance. Council suggested that they work with the staff to swap some property in their parking lot for alley right-of-way in order to remove the need for a variance.</p> <p><u>ITEM 6-d-2</u> <u>MOTION:</u> To <u>APPROVE</u> the Planning Advisory Board's recommendation to <u>DENY</u>.</p> <p>*** *** ***</p> <p>---<u>RESOLUTION 84-</u> <u>ITEM 6-e</u></p> <p>A RESOLUTION AUTHORIZING REPLACEMENT OF A NONCONFORMING GROUND SIGN AT PIZZA HUT RESTAURANT, 675 TAMIAMI TRAIL NORTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Citizen Emilia Ewing spoke in opposition to the petition.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the Planning Advisory Board's recommendation to <u>DENY</u>.</p> <p>*** *** ***</p>				
Anderson				
Barnett		X		
Bledsoe	X	X		
Richardson				X
Schroeder				X
Wood	X	X		
Billick (5-0)		X		
Anderson			X	
Barnett	X	X		
Bledsoe		X		
Richardson		X		
Schroeder		X		
Wood	X	X		
Billick (7-0)		X		
Anderson			X	
Barnett		X		
Bledsoe		X		
Richardson	X	X		
Schroeder		X		
Wood	X	X		
Billick (7-0)		X		

208

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	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 6
(Cont)

RESOLUTION 84-

ITEM 6-f

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 5.5(F)(1) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PERMIT A RECENTLY COMPLETED, FOUR-UNIT CONDOMINIUM (PARKVIEW CONDOMINIUM) AT 1100 THIRD STREET SOUTH, TO ENCROACH 11 FEET INTO THE REQUIRED FRONT-YARD BUILDING SETBACK AREA; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Attorney Don Pickworth representing William Klohn, Trustee for the owners of the Parkview Condominium, addressed Council on their behalf. He contended that the fact that the building encroached 11 feet into the setback had been an inadvertant error that the developer had brought to the attention of the City as soon as he realized it. Mr. Schroeder contended that the building could be and should be moved. Ed McMahon, representing the Old Naples Association, spoke in opposition to granting a variance for this building. He noted his feeling that the City inspectors should have caught the error earlier, but that the contractor should be held responsible for the error. He cited other problems with contractors doing work without permits or in nonconformance and it was his opinion that contractors should be made aware of the consequences of such performance. He also said he felt that the City inspectors should be more aware of construction being done and whether it has been permitted and is meeting specifications. Carlo Paterno, Third Street businessman, spoke in opposition to a variance. Attorney David Dawson, representing Mr. Paterno, noted his concurrence with Mr. Paterno's objections. Citizen John Cipolla noted that his request for a variance for a small problem had been denied and he did not think this large problem should be solved with a variance. Citizen Jim McGrath emphasized that the City inspectors should be cautioned to watch that this sort of thing does not happen again. Attorney Francis Sams spoke strongly against a variance and noted his feeling that it may not have been inadvertant. He further noted that there had been no survey done for the bank that made the loan for the building. In response to a question from Mayor Billick, City Attorney Rynders stated that in his opinion it would be difficult to obtain a court order for the contractor to move the building because of the many discrepancies in the matter. He then explained the formula used to arrive at a penalty for the encroachment. He stated that it involved 1100 square feet at \$16.00/square foot as the value of the land. Since the City and the public do not own the property in fee simple, 50% of the amount was calculated. During negotiations with the owner, a tentative figure of \$11,437.50 was agreed to as 62½% of the fee simple value of the property. Mr. Schroeder again stated his conviction that the building could and should be moved. Mr. Anderson moved that Council DENY the variance and adopt the City Attorney's solution with a figure of \$11,437.50, seconded by Mr. Richardson. After further discussion, Mr. Bledsoe moved to amend the portion of Mr. Anderson's motion regarding the penalty to increase it to \$18,300.00, seconded by Mr. Richardson. Citizen Harry Rothchild agreed that the owner should pay a penalty, but he suggested the monies be donated to charity inasmuch as it was his opinion the City was also at fault. Mr. Paterno and Mr. Dawson said they did not think the penalty was adequate, and Mr. Dawson also suggested ording the owner to move the building.

MOTION: To AMEND Mr. Anderson's motion to increase the penalty to \$18,300.

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

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES(Cont)</u>					
<u>PLANNING ADVISORY BOARD (Cont)</u>					
<u>AMENDED MOTION:</u> To DENY the petition for variance and to set the penalty fee as \$18,300.00.					
Anderson	X		X		
Barnett					X
Bledsoe			X		
Richardson		X	X		
Schroeder					X
Wood					X
Billick (4-3)			X		
***	***	***			
<u>BREAK:</u> Recessed - 11:30 a.m. Reconvened - 11:43 a.m.					
***	***	***			
<u>---RESOLUTION 84---</u>					
<u>ITEM 6-g</u>					
A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6.5 AND SECTION 5.3(F)(2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, ALLOWING RETENTION OF AN EXISTING CANVAS AWNING (CARPORT) AT 66 11TH AVENUE SOUTH WHICH IS LOCATED WITHIN THE REQUIRED 7.5 FOOT SIDE-YARD SETBACK AREA AND WHICH EXCEEDS THE 30-INCH LIMIT FOR OPEN AND UNOBSTRUCTED AREA IN THE REQUIRED SETBACK AREA; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
Attorney Don Pickworth, representing the petitioner, addressed Council in support of the petition. Ed McMahon, speaking for the Old Naples Association, spoke in support of denial, once again objecting to approval "after-the-fact" wherein the permission was being requested after the awning was in place.					
Anderson					X
Barnett		X	X		
Bledsoe			X		
Richardson			X		
Schroeder			X		
Wood	X		X		
Billick (7-0)			X		
<u>MOTION:</u> To APPROVE the Planning Advisory Board's recommendation to DENY.					
-----END COMMUNITY DEVELOPMENT/PAB-----					
-----ADVERTISED PUBLIC HEARINGS-----					
<u>PUBLIC HEARING AND SECOND READING OF ORDINANCES(Continued from Regular Meeting of December 5, 1984)</u>					
<u>ITEM 7</u>					
<u>---ORDINANCE 85---</u>					
AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF NAPLES RELATING TO PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE GOLDEN GATE PARKWAY AND U.S. 41 (THE BLUE CARIBBEAN GOLF DRIVING RANGE); AND PROVIDING AND EFFECTIVE DATE. PURPOSE: TO CHANGE THE EXISTING COMPREHENSIVE PLAN DESIGNATION FOR A PORTION OF SAID PROPERTY FROM "MEDIUM DENSITY RESIDENTIAL" TO "HIGHWAY COMMERCIAL" TO PERMIT THE PROPOSED DEVELOPMENT OF A COMMERCIAL/OFFICE COMPLEX ON SAID PROPERTY PURSUANT TO THE REQUEST OF THE PROPERTY OWNER.					
Title not read.					

210

COUNCIL MEMBERS

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PUBLIC HEARING AND SECOND READING OF ORDINANCES (Cont)

ITEM 7 (Cont)

ORDINANCE 85-

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE GOLDEN GATE PARKWAY AND U.S. 41 (THE BLUE CARIBBEAN GOLF DRIVING RANGE), MORE PARTICULARLY DESCRIBED HEREIN, FROM "HC" HIGHWAY COMMERCIAL AND "R1-7.5" SINGLE FAMILY RESIDENTIAL TO "PD" PLANNED DEVELOPMENT; DIRECTING THAT THE ZONING ATLAS OF THE CITY BE AMENDED ACCORDINGLY; APPROVING THE DEVELOPMENT PLAN FOR A COMMERCIAL/OFFICE DEVELOPMENT ON SAID PROPERTY, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER AND TO APPROVE A DEVELOPMENT PLAN FOR A PROPOSED COMMERCIAL/OFFICE DEVELOPMENT.

Title not read.

PUBLIC HEARING: Reopened - 11:45 a.m. Closed - _____

Robin Doyle, representing the petitioner, Mrs. Edith Troy, spoke on behalf of the property owner and the developer in support of the petitions. He cited all the people and organizations who had spoken in favor of the project and the performing arts center. Myra Daniels, Naples-Marco Philharmonic, noted that they had reassurances of a great deal of funding from sources that wished to remain anonymous. Mr. Schroeder stated his opinion that he would feel better if the funds for the center were in escrow. Maurice Gruber reviewed his market analysis which predicted the success of this project. Robert Ward, from a firm that manages shopping centers, noted that anchor stores probably would not commit to a project until the zoning was assured. Frank Weidner, also representing Mrs. Troy, explained her immediate problem with taxes on the property and asked for an early resolution to the situation. Mayor Billick further impressed on Mr. Doyle the necessity for showing more commitments in writing from prospective tenants. City Attorney Rynders suggested that some language be added to the rezoning ordinance that would cause the zoning to revert to the current status if certain progress on the project did not occur in a specified period of time. Mayor Billick directed the City Attorney to work with Attorney Pickworth, who also represented the petitioner, on some acceptable language. It was the consensus of Council to continue the Public Hearing to January 16, 1985.

SECOND READING OF ORDINANCES

ITEM 8

ORDINANCE 84-4624

ITEM 8-a

AN ORDINANCE RELATING TO RATES AND CHARGES FOR SEWER SERVICE, AMENDING SECTION 11-3.1, ENTITLED "NEW SERVICE CONNECTIONS INSIDE AND OUTSIDE THE CITY LIMITS; DEFINITIONS; METHOD OF COMPUTING; METHOD OF PAYMENT AND CHARGES", AND SECTION 11-3.3, ENTITLED "SEWER SERVICE - RATES AND CHARGES", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE RATE STRUCTURE FOR SEWER SERVICE RATES AND CHARGES.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened - 12:52 p.m. Closed - 12:58 p.m.

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p><u>SECOND READING OF ORDINANCES</u> <u>ITEM 8</u> (Cont)</p> <p><u>ORDINANCE 84-4624 (Cont)</u> <u>ITEM 8-a</u> (Cont)</p> <p>In response to questions from citizen J. Sandy Scatena, City Manager Jones explained how the billing at the new rates would be done and noted that it would not result in any retroactive charges.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the ordinance as presented on Second Reading.</p> <p>*** *** ***</p>					
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)	X	X	X		
<p><u>ORDINANCE 84-4625</u> <u>ITEM 8-b</u></p> <p>AN ORDINANCE RELATING TO RATES FOR WATER SERVICE, AMENDING SECTION 26-8, ENTITLED "RATE SCHEDULE", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE RATE STRUCTURE FOR WATER SERVICE RATES.</p> <p>Title read by City Attorney Rynders.</p> <p><u>PUBLIC HEARING:</u> Opened - 12:59 p.m. Closed - 1:00 p.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>-----END ADVERTISED PUBLIC HEARINGS-----</p> <p>-----FIRST READINGS-----</p>					
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)	X	X	X		
<p><u>FIRST READING OF ORDINANCES</u> <u>ITEM 9</u></p> <p><u>ORDINANCE 85-</u> <u>ITEM 9-a</u></p> <p>AN ORDINANCE RELATING TO THE ELECTRICAL CODE; AMENDING SECTIONS 8-22 THROUGH 8-28 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT THE 1984 EDITION OF THE NATIONAL ELECTRICAL CODE AND TO PROVIDE SPECIAL RULES AND REGULATIONS GOVERNING ELECTRICAL WIRING IN THE CITY.</p> <p>Title read by City Attorney Rynders.</p> <p>In response to questions from Mr. Anderson, Community Development Director Barry explained that the staff did also adopt amendments to the Standard Electrical Code, incorporating some additional requirements that would be peculiar to this particular area.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.</p> <p>*** *** ***</p>					
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)	X	X	X		

	COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
				Y E S	N O	
<u>FIRST READING OF ORDINANCES (Cont)</u>						
		<u>ITEM 9 (Cont)</u>				
<u>ORDINANCE 85-</u>		<u>ITEM 9-b</u>				
AN ORDINANCE AMENDING SECTION 15-01 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES RELATING TO MISDEMEANOR LAWS OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO READOPT CURRENT MISDEMEANOR LAWS OF THE STATE OF FLORIDA.	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)		X	X X X X X X		
Title read by City Attorney Rynders.						
<u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.						
***	***	***				
<u>ORDINANCE 85-</u>		<u>ITEM 9-c</u>				
AN ORDINANCE REGULATING USE OF ALCOHOLIC BEVERAGES AND DRUGS AT RESIDENCES; PROVIDING DEFINITIONS; PROVIDING EXCEPTIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO MAKE ADULTS RESPONSIBLE FOR TEENAGE DRINKING AT THEIR RESIDENCES.						
Title read by City Attorney Rynders.						
City Attorney Rynders noted the suggested ordinance with a portion of Section 3 struck out (Attachment #5). Mr. Schroeder moved that the stricken words be put back in the ordinance. His motion died for lack of a second. Bill Barton, Naples Informed Parents, spoke in support of the ordinance as presented. He expressed his opinion that this ordinance would assist parents in impressing their children with the illegality of alcohol for minors. Mr. Wood stated his doubt about the enforceability of the ordinance.	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (5-2)		X	X X X X X X	X X	
<u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.						
***	***	***				
<u>ORDINANCE 85-</u>		<u>ITEM 9-d</u>				
AN ORDINANCE RELATING TO THE CITY OF NAPLES RETIREMENT SYSTEM; AMENDING SECTION 18-35, ENTITLED "PENSION AMOUNT", OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PROVIDE FOR A COST OF LIVING INCREASE, EFFECTIVE JANUARY 1, 1985, FOR MEMBERS WHO RETIRED PRIOR TO JANUARY 1, 1984, OR THEIR BENEFICIARIES.	Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)		X	X X X X X X	X X	
Title read by City Attorney Rynders.						
<u>MOTION:</u> To <u>APPROVE</u> the ordinance as presented on First Reading.						
-----END FIRST READINGS-----						

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

COUNCIL MEMBERS

DISCUSSION WITH REFERENCE TO THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT. ITEM 10
Requested by City Manager.

RESOLUTION 84- ITEM 10-a

A RESOLUTION AWARDING THE BID FOR THE CONSTRUCTION OF THE CITY OF NAPLES WASTEWATER TREATMENT PLANT EXPANSION; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

City Attorney Rynders stated that staff was not prepared to make a recommendation at this time. It was the consensus of Council to take NO ACTION at this time.

*** *** ***

RESOLUTION 84-4626 ITEM 10-b

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE ENGINEERING AGREEMENT BETWEEN THE CITY OF NAPLES AND CAMP DRESSER & MCKEE, INC., RELATING TO PROFESSIONAL SERVICES DURING CONSTRUCTION OF THE CITY OF NAPLES WASTEWATER TREATMENT PLANT EXPANSION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones explained that at each stage of the project, the City would renegotiate with Camp Dresser & McKee for the services required. He further noted that it was a cost plus contract with a fixed fee, the total amount not to exceed the amount for this portion of the project.

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

MOTION: To ADOPT the resolution as presented.

*** *** ***

DISCUSSION/ACTION REDUCING THE CONTINUANCE OF THE SECOND READING OF THE FOLLOWING ORDINANCE FROM 90 TO 45 DAYS FROM THE REGULAR CITY COUNCIL MEETING OF DECEMBER 5, 1984. ITEM 11
Requested by Mr. Anderson.

AN ORDINANCE RELATING TO BUSINESSES WHICH SERVE ALCOHOLIC BEVERAGES; AMENDING THE CODE OF ORDINANCES OF THE CITY OF NAPLES BY ADDING A NEW SECTION 3-3 THERETO; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CREATE A STATUTORY CAUSE OF ACTION FOR CERTAIN NUISANCES SUFFERED BY RESIDENTIAL NEIGHBORS OF BUSINESSES SERVING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AFTER CERTAIN HOURS AND TO PROVIDE FOR SPECIFIED EQUITABLE RELIEF IN THE EVENT THAT SUCH A CAUSE OF ACTION IS PROVEN IN A COURT OF COMPETENT JURISDICTION.

Mr. Anderson moved that the Second Reading be held in 45 days rather than 90 days, seconded by Mr. Bledsoe. Attorney Richard Treiser, representing the Cactus Flower, noted that a meeting had been held with the residents of the Delmar Condominium in an effort to resolve the problem and solutions had been discussed.

214

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p><u>DISCUSSION/ACTION REDUCING THE CONTINUANCE OF THE SECOND READING OF THE FOLLOWING ORDINANCE FROM 90 TO 45 DAYS FROM THE REGULAR CITY COUNCIL MEETING OF DECEMBER 5, 1984. (Cont)</u></p>					
<p><u>ITEM 11 (Cont)</u></p>					
<p>Garland Harris, resident of the Delmar condo, stated his belief that the meeting had accomplished nothing and stated his feeling that the only solution would be to eliminate the 11 p.m. "Happy Hour". He suggested that the City Attorney draft an ordinance eliminating "Happy Hours" after 7 p.m.; however, Mayor Billick noted his feeling that this would probably only be considered as a last resort. Mr. Barnett and Mr. Anderson asked Mr. Harris if he thought the problem would be solved by the elimination of the late "Happy Hour". Mr. Harris said that only a trial period would demonstrate whether it would help. Mr. Schroeder suggested that the date for the next hearing be January 16 rather than 45 days, making only a 2 day difference and Mr. Anderson and Mr. Bledsoe so amended their motion. Ronald Berkowitz, Elephant Walk Restaurant & Lounge, noted that the holiday period may have hampered the efforts of the parties involved in getting together. He spoke in favor of the 90 day time period.</p>					
<p><u>MOTION:</u> To <u>MOVE</u> to shorten the 90-day continuance of the Public Hearing and Second Reading of the proposed ordinance to be heard on January 16, 1985.</p>					
Anderson	X		X		
Barnett				X	
Bledsoe		X	X		
Richardson				X	
Schroeder			X		
Wood			X		
Billick (5-2)			X		
<p>***</p>					
<p><u>RESOLUTION 84-4627</u></p>					
<p><u>ITEM 12</u></p>					
<p>A RESOLUTION PROVIDING FOR A SALARY INCREASE FOR THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>Title read by City Attorney Rynders.</p>					
<p>Mayor Billick noted that City Manager Jones' salary is currently \$50,000/year which was the same as his predecessor's when he took over the job. He suggested a salary increase of \$5,000. Citizen Harry Rothchild spoke in opposition to the increase. Mayor Billick ruled that Mr. Rothchild's objections were not in order.</p>					
Anderson		X	X		
Barnett			X		
Bledsoe			X		
Richardson			X		
Schroeder	X		X		
Wood			X		
Billick (7-0)			X		
<p>***</p>					
<p><u>RESOLUTION 84-4628</u></p>					
<p><u>ITEM 13</u></p>					
<p>A RESOLUTION RATIFYING AND CONFIRMING THE CONTRACT BETWEEN THE CITY OF NAPLES AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2174 - FIRE LIEUTENANTS FOR THE PERIOD APRIL 1, 1984 THROUGH MARCH 31, 1986; AND PROVIDING AN EFFECTIVE DATE.</p>					
<p>Title read by City Attorney Rynders.</p>					
<p>Sheldon Reed, representing the Firefighters, addressed Council to note his appreciation for the City's cooperation during the negotiations.</p>					
Anderson			X		
Barnett		X	X		
Bledsoe			X		
Richardson			X		
Schroeder	X		X		
Wood			X		
Billick (7-0)			X		
<p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p>					
<p>***</p>					

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick	APPROVAL TO BREAK GROUND FOR P.A.L. FIELDHOUSE TO BE LOCATED AT FLEISCHMANN PARK. Requested by Police Chief on behalf of Police Athletic League.	ITEM 14	X		
	Police Chief Reble noted that the project had been approved two years ago and construction was now set to begin.				
	MOTION: To APPROVE the ground breaking.				
	***	***			
	---RESOLUTION 84-4629	ITEM 15			
	A RESOLUTION APPROVING THE ACTION OF THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM ENTERING INTO A CONTRACT WITH BARNETT BANK'S TRUST COMPANY FOR ADMINISTRATION OF THE SYSTEM'S PENSION FUNDS; AND PROVIDING AN EFFECTIVE DATE.				
	Title read by City Attorney Rynders.				
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (7-0)	In response to a question from Mr. Anderson, City Manager Jones explained that there were statutory guidelines in existence for the investment of these funds and that the Board of Trustees of the Police Officers' Retirement System would set additional guidelines.		X		
	MOTION: To ADOPT the resolution as presented.				
	***	***			
	CORRESPONDENCE & COMMUNICATIONS - None				
	***	***			
	ADJOURN: 1:45 p.m.				
	<i>Janet Cason</i> Janet Cason City Clerk				
	<i>Stanley R. Billick</i> Stanley R. Billick, Mayor				
	<i>Ellen Marshall Weigand</i> Ellen Marshall Weigand Deputy Clerk				
	These minutes of the Naples City Council approved <u>Jan. 16, 1985</u>				

Supplemental Attendance list - Regular Meeting, December 19, 1984

Rabbi Mark Galub
 Charles Andrews
 Robert Galloway
 Herb Anderson
 Sheldon Reed
 Bill Barton
 Santa Claus
 John R. Wood
 Bill Vines
 Willie Anthony
 Carlo Paterno
 Tish Gray
 Don Pickworth
 William Reynolds
 Denman Kountz, Jr.

Ed McMahon
 Harry Rothchild
 Helen Radke
 Robert Spang
 Thomas Brown
 Jim McGrath
 John Forsyth
 Beth Hostetter
 William Bethke
 Dick Morris
 Emilia Ewing
 Chuck Mohlke
 Francis Sams
 David Dawson
 Tara Norman, Santa's
 Helper

Robin Doyle
 Mary Brandt
 Myra Daniels
 Maurice Gruber
 Edith Troy
 Robert Ward
 Frank Weidner
 J. Sandy Scatena
 Robert Russell
 Robert Ortiz
 Richard Trieser
 John Cipolla
 Nelson Faerber, Jr.
 Garland Harris
 Ronald Berkovitz

News Media

Bev Cameron, WINK, TV-11
 Anna-Marie Carsello, TV-9
 Mary Armbruster, WEVU, TV-26
 Randy Sell, TV-9

Tom Morgan, Naples Sun
 Don Goodwin, Naples Star
 Brian Grinonneau, WNOG
 Denes Husty, News Press

Todd Holzman, Naples Daily
 News
 Rosemary Harold, Miami Herald
 John Lundsford, Naples Daily
 News

Other interested citizens and visitors.

LAW OFFICE
OF
RICHARD J. AARON, P. A.
SUITE 304 AT THE COMMONS
720 GOODLETTE ROAD
NAPLES, FLORIDA 33940
TELEPHONE (813) 261-6393

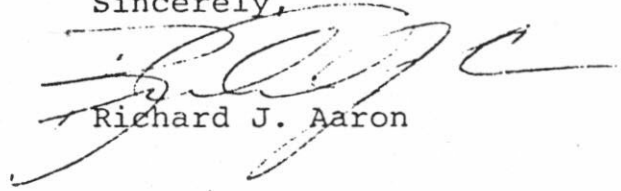
December 18, 1984

Hon. Mayor and Members of Council
City Hall
Naples, Florida 33940

Gentlemen:

On behalf of Joyce and Donald L. Chesser, Petitioners, we hereby request continuance of the public hearing to consider an amendment to the City's Comprehensive Plan relating to property located on the northwest corner of Sandpiper Street and Bluepoint Avenue, which has been scheduled for December 18, 1984.

Sincerely,



Richard J. Aaron



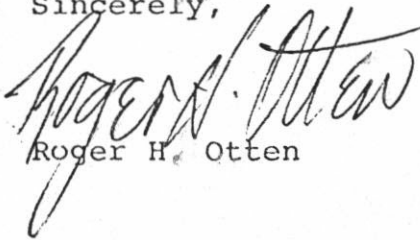
DATE: December 14, 1984
TO: Mayor and City Council
FROM: Roger H. Otten

My residence is immediately north of the proposed PD of the Palmer Estate.

I have examined the proposed nine (9) lot Planned development, known as Palmer Estate, with the perimeter landscaping and the access gate on Gordon Drive.

I have no opposition whatsoever to this new plan.

Sincerely,


Roger H. Otten

PETITION

**AGAINST
REZONING**

1. 20

We the undersigned are against any change in the present zoning of Naples Estate Section 2032 Gordon Drive:

NAME	ADDRESS
Maria B. Darguilla	421 21 st Ave. S.
Alfred Darguilla	421 21 st Ave. S.
Ruth & Tom Trethick	505 21 st Ave So
Rominie Foster	515 21 st Ave South
Ruberta Foster	515 21 st Ave South
Deborah Nichols	550 21 st Ave So.
Robert E. Tuford	575 21 st Ave So.
Allyn Staff	595 21 st Ave. So.
Maria L Owen	625 21 st Ave S.
W. B. Owen	
Phillip D. Thomas	651 21 st Ave. South
Florence L. Thomas	" " "
James W. Phillips	660 21 st " " "
Angelina J. LeVay	688 21 st Ave S. "
Joseph Gray	688 21 st Ave. So.
Mignon Evans	700 21 st Ave S.
Fred P Evans	" " "
Maria Thomson	717 " "
Ran Grover	744-21 st Ave S.
Leona Grover	744-21 st Ave S.
Fred C. Pennington	755-21 st Ave So
Elizabeth W. Pennington	755 21 st Ave South

We the undersigned are against any change in the present zoning of Naples Estate Section 2032 Gordon Drive:

NAME H. Enrietta Abbott ADDRESS 815 21st Ave. So.

- Maida Zyaberg. 848 - 21st Ct. S.
- Armen Fenley 854 21st Ave. S.
- Beth - Burr Fenley 854 21st Ave. So.
- 2- W. & Jamie A. Felle 2125 Marina Dr.
- 2- Janton + Mary B. Dawson 2131 Marina Dr.
- Tom Tippitt 2255 Marina Dr.
- Theo. W. Zindler 2250 Marina Dr.
- Al C. Zindler 225 Marina Dr.
- Ernest T. Fuhrer 2220 Marina Dr.
- Jane Fuhrer 2220 Marina Dr.
- Mary E. Gerard 787 21st Ave. So.
- J. H. Gerard
- Betsy Jantzen 395 21 Ave. S.
- Edith C. Brandt 718 8th Ave. S.
- Guinevere Jantzen 1021 Third Street South
- Marie Stella Jantzen 305 21st A 512 So. Naples
- Marcia D Spang 301 Aqua Ct. Naples.
- Mary H. Burt 265 Aqua Ct. Naples.
- Charlotta Storer 255 21st Ave. S. Naples
- Anderson Herrick 486 3rd Ave N Naples
- Harley Truitt 260 18 Ave So.
- Wanda Underwood
- Eugene Zyaberg 848 - 21st Ct. S.

222

We the undersigned are against any change in the present zoning of
Naples Estate Section 2032 Gordon Drive:

NAME

ADDRESS

NAME	ADDRESS
Richard L Siegel	286 - 18 th Ave. So.
Magaret B. Siegel	286 18 th Ave. S.
Robert Siegel	1830 4 th St. So
Joan Hill	1830 4 th St. So.
Isabel A. Stanley	1910 4 th St. S.
John Stanley	1936 4 th St. So
Gayle Phillips	1990 4 th St. S.
Janet R Whitney	2005 4 th St So.
W A Whitney	" " "
John Davenport	2022 " "
Ellie Davenport	" " "
Janet Beebe	1919 Fourth St, so.
E. Colman Beebe	" " "
Allman Howe	1780 4 th St South
Georgia S. Cox	1875 Gordon Dr
Marilyn J. Fricke	451 21st Ave South
Wm. F. Fricke	451 21st Ave. South
Robert C Kavy	2168 South Winds Pt
Mrs. E F Ruth	2155 South Winds Dr.
E F Ruth	2155 So Winds Dr

We the undersigned are against any change in the present zoning of Naples Estate Section 2032 Gordon Drive:

NAME

ADDRESS

NAME	ADDRESS
John O. Hopper	2201 Southwinds Dr
Margaret Hopper	" " " "
Seymour Peacock	2222 Southwinds Dr
Hoe Peacock	" " " "
Mildred Syme	2211 South Winds Drive
Joe Syme	2111 S winds Dr
Paul Lowe	2230 Southwinds Dr.
Oliver M. Lowe	2230 Southwinds Dr.
Mitzy Bozin	2220 South winds
Marne Corwith	2220 South Winds Dr
Maymy Hillman	552 Southwinds Dr.
Fred R. Hillman	552 Southwinds Dr.
Celia V. Souder	2215 South Winds Drive
Allen W. Gilbert	605 21st Avenue South
Bette Gilbert	" " " "
Joseph W. Radke	375 - 21st Ave S.
Kelen C. Radke	375 21st Ave S.
Betty Schelling	351 21st Ave S
Richard Schelling	351 21st Ave S.

5

224

We the undersigned are against any change in the present zoning of Naples Estate Section 2032 Gordon Drive:

NAME	ADDRESS
Morgan Thomas	1795 Gordon Drive
Nathan O. White	1795 Gordon Dr.
Mrs W. Park Wilson	1755 Gordon Drive
W. Park Watson	1755 Gordon Drive
Mary L. Waack	1675 Gordon Drive
A. L. Walker	1675 " " W
R. Woodlock	1525 Gordon Dr.
Linda Malney	190-15 th Ave. So.
Jan Frazier	158-15 th Ave. So.
Robert S. Frazier	Box 368 Naples Fla 33939
Edna Burglund	192 18 Av. So.
Dan Burglund	192 18 Ave. So.
Emil Holzwarth	146 18 th Ave So
Shirley Holzwarth	146 18 th Ave So
Arthur Cummings MD	176 18 th Ave So
Modertha Cummings	" " "
William Flounton	149 " "
Marilyn McDevitt	1835 Gulf Shore Blvd, So.
William T. McDevitt	" " " "
Bruce A. Shannon	1790 Gulf Shore Blvd So.
Jean Shannon	1790 H.S. S.
Jean Smellings	1890 Gordon Dr.

We the undersigned are against any change in the present zoning of Naples Estate Section 2032 Gordon Drive:

NANE	<u>Dorothy M. Radke</u>	ADDRESS	<u>482 Second Ave S.</u>
	<u>Melina Thomas</u>		<u>482 Second Ave S.</u>
	<u>Weslart & Shelding</u>		<u>1890 Gordon Dr,</u>
	<u>Robert L. Spang</u>		<u>301 Aqua Ct.</u>
	<u>Elsie D. Upham</u>		<u>261 Aqua Ct.</u>
	<u>Susan C. Upham</u>		<u>261 aqua ct</u>
	<u>William D. Upham</u>		<u>261 " "</u>
	<u>Doris Synnott</u>		<u>1895 Gulfshore Blvd. So.</u>
	<u>W.D. Spingold</u>		<u>1895 Gulfshore Blvd. So</u>
	<u>W.D. Spingold</u>		<u>1911 Gulfshore Blvd So.</u>
	<u>Terese W. Richards</u>		<u>636 12th. Avenue South</u>
	<u>Lehan Kwalek</u>		<u>654 - 12th Ave So. Naples</u>
	<u>Phil Breece</u>		<u>628 - 12th Ave So. "</u>
	<u>Roger C. Emery</u>		<u>632 - 12th ave So Naples</u>
	<u>Barbara R. Emery</u>		<u>632 - 12th ave So Naples</u>
	<u>Leslie A. Spriggs</u>		<u>552 - 14th AVE So. Naples</u>
	<u>Mabel E. Spriggs</u>		<u>552 - 14th ave S. Naples.</u>
	<u>Clyde E. Kirkwood</u>		<u>500 - 14th Ave. S. Naples.</u>
	<u>Ray Smith</u>		<u>3660 RUM Row</u>
	<u>cc ch</u>		<u>263 385 S</u>

7. 226 We the undersigned are against any change in the present zoning of
Naples Estate Section 2032 Gordon Drive:

NAME	ADDRESS
George L Tamm	2171 Southwoods Wy
Carlisle B Tamm	2171 Southwoods Wy
Ammon Kourtek	2350 Forrest Lane, Naples, FL
John L. Beskes	2171 Forrest Lane, Naples, FL
Paul F Zampell	2200 Forrest Lane, Naples
Deborah M. Zampell	2200 Forrest Lane, Naples, Fla.
Lee Slives	2333 Forrest Lane, Naples
Jane Zimmerman	2190 Forrest Lane, Naples
Margaret L Worcester	2233 Forrest Lane Naples
John Worcester	2233 Forrest Lane "
Alicia F. Kourtz	2350 Forrest Ln. Naples

ORDINANCE NO. _____

AN ORDINANCE REGULATING USE OF ALCOHOLIC BEVERAGES AND DRUGS AT RESIDENCES; PROVIDING DEFINITIONS; PROVIDING EXCEPTIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO MAKE ADULTS RESPONSIBLE FOR TEENAGE DRINKING AT THEIR RESIDENCES.

WHEREAS, the unregulated use of alcohol and drugs by minors can have devastating effects on not only the minors but on the public at large, including, but not limited to delinquency, chemical dependencies, and injuries caused by vehicles operated by persons under the influence of alcoholic beverages or drugs; and

WHEREAS, adults could significantly alleviate alcohol and drug problems by assuming responsibility for the use of alcoholic beverages or drugs at their residences,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

SECTION 1. Definitions. For purposes of this ordinance, the following terms shall be defined as follows:

(a) "Alcoholic beverage" means any beverage containing more than one percent (1%) of alcohol by weight. The percentage of alcohol by weight shall be determined in accordance with the provisions of Section 561.01(4)(b), Florida Statutes.

(b) "Drug" means "controlled substance" as that term is defined in Sections 893.02(3) and 893.03, Florida Statutes.

(c) "Minor" means a person not legally permitted by reason of age to possess alcoholic beverages.

(d) "Residence" means a home, apartment, condominium or other dwelling unit.

SECTION 2. No person having control of any residence shall:

(a) Allow a social gathering to take place at said residence if any alcoholic beverage or drug is possessed or consumed at said gathering by any minor where the person knew or reasonably should have known that an alcoholic beverage or drug was in the possession of or being consumed by a minor at said residence, and where the person failed to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug.

ORDINANCE NO. _____

PAGE TWO

(b) Knowingly allow a minor to remain on the premises of such residence while in the possession of alcoholic beverages or drugs or while consuming alcoholic beverages or drugs.

SECTION 3. Exceptions. The provisions of this ordinance shall not apply to the use of alcoholic beverages at legally protected religious observances or activities. ~~or to the consumption of alcoholic beverages by a minor under the direct supervision and approval of the parent(s) or guardian(s) of such minor in the privacy of the parent's or guardian's home.~~

SECTION 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

SECTION 5. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS _____ DAY OF DECEMBER, 1984.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS _____ DAY OF JANUARY, 1985.

Mayor
Stanley R. Billick

ATTEST:

Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY _____
David W. Rynders, City Attorney