



City of Naples

Regular Meeting Jan. 2, 1985

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - None			
-CITY MANAGER JONES - None			
<u>PURCHASING</u>			
-Reject all bids for grouting at Water Plant #2			
-Auth. City Manager to issue Purchase orders for <u>wellfield esmts.</u> & sites - Golden Gate Estates		85-4631	1
<u>RESOLUTIONS</u>			
-Auth continuing appropriations for <u>CIP</u> from 83-84 fiscal year to 84-85 fiscal year		85-4635	4
-Auth. contract w/ <u>Bruce Green & Associates</u> - eng. serv. renovations at <u>Fleischmann Park</u>		85-4636	4
<u>ORDINANCES - SECOND READINGS</u>			
-Adopt 1984 edition - <u>Electrical Code</u>	85-4632		2
-Adopt current State <u>misdemeanor laws</u>	85-4633		2
-DENY regulation of the use of <u>alcoholic beverages & drugs in homes</u>	FAILED		3
-Adopt <u>C.O.L.A.'s</u> for retirants - <u>General Pension Plan</u>	85-4634		3
<u>DISCUSSION</u>			
-Update on proposed activities for <u>1985 Centennial</u>			2
-Discussion of appropriate language for <u>rezoning Blue Caribbean Golf</u> <u>Driving Range</u>			4
-City Manager noted the Special Meeting re <u>Block Grant</u> - 01/04/85			5

230

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



CITY COUNCIL MINUTES
Regular Meeting

Time 9:07 a.m.

Date January 2, 1985a

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

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

William E. Barnett
William F. Bledsoe
Lyle S. Richardson
Kenneth A. Wood
Councilmen

Absent: R. B. Anderson
Wade H. Schroeder

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
Stewart Unangst, Purchasing Agent

Norris Ijams, Fire Chief
Chris Holley, Parks & Recreation Director
William Savidge, Public Works Director
Ellen Marshall Weigand, Deputy Clerk

INVOCATION: Reverend Walter Lauster ITEM 1
Church of God

*** *** ***

ANNOUNCEMENTS: ITEM 3
Mayor Billick - None ITEM 3-a
City Manager Jones - None ITEM 3-b

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

PURCHASING ITEM 4
RESOLUTION 85-4630

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR GROUTING THE FOUNDATION OF A LARGE MOTOR AT WATER PLANT NO. 2; AUTHORIZING THE CITY MANAGER TO REISSUE BID INVITATIONS WITH REVISED SPECIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

RESOLUTION 85-4631 ITEM 5

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS IN CONJUNCTION WITH ACQUISITION OF WELLFIELD AND PIPELINE UTILITY EASEMENTS AND FOR THE PURCHASE OF A SITE FOR PIPELINE, WELL AND AUXILIARY POWER INSTALLATION IN GOLDEN GATE ESTATES IN CONJUNCTION WITH EXPANSION OF THE CITY'S RAW WATER SUPPLY; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

In response to a question from Mayor Billick, City Manager Jones explained the reason for rejecting the bids for Item 4. He noted that inclusion of a guarantee on the grout in the original bid was likely to be too costly.

MOTION: To ADOPT the resolutions as presented.

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

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

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	

UPDATE ON CENTENNIAL YEAR OF THE CITY ITEM 6
OF NAPLES PRESENTED BY CENTENNIAL COMMITTEE

Charles Dauray outlined the four three-day weekends in 1985 scheduled for Centennial activities as being Washington's birthday, Memorial Day, Labor Day and Veterans' Day. He displayed the official copyrighted logo for the Centennial and the Historical Society's logo of sponsorship. Mayor Billick suggested the framed logos be placed on the south wall of the Council Chamber.

*** ***

Mayor Billick noted that Councilmen Anderson and Schroeder were visiting their doctors today.

*** ***

City Attorney Rynders noted receipt of a check in the amount of \$18,300 from Foster-Lechler, which entitled them to a certificate of occupancy for The Parkview as per the agreement made by City Council at the December 19, 1984 meeting.

*** ***

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

SECOND READING OF ORDINANCES ITEM 7

---ORDINANCE 85-4632 ITEM 7-a

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.

Title read by City Attorney Rynders.
Public Hearing: Opened - 9:19 a.m. Closed - 9:20 a.m.
No one present to speak for or against.

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

*** ***

---ORDINANCE 85-4633 ITEM 7-b

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.

Title read by City Attorney Rynders.
Public Hearing: Opened - 9:21 a.m. Closed - 9:22 a.m.
No one present to speak for or against.

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

*** ***

Anderson				X
Barnett		X		
Bledsoe	X	X		
Richardson		X		
Schroeder				X
Wood	X	X		
Billick (5-0)		X		
Anderson				X
Barnett		X		
Bledsoe	X	X		
Richardson		X		
Schroeder				X
Wood	X	X		
Billick (5-0)		X		

COUNCIL MEMBERS

MOTION

SECTION

Y E N S

VOTE

A B S E N T

ADVERTISED PUBLIC HEARINGS (Cont)

SECOND READING OF ORDINANCES (Cont)

ITEM 7 (Cont)

ORDINANCE 85-

ITEM 7-c

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.

Public Hearing: Opened - 9:23 a.m. Closed - 9:37 a.m.

For the purposes of discussion Councilman Bledsoe moved adoption of the ordinance as presented, seconded by Mayor Billick. Citizen Len Zaiser spoke in opposition to the proposed ordinance and noted that he preferred the option of exposing his children to the use of alcoholic beverages at home under close supervision. He cited the problems confronting children when they leave home for college or other reasons who have had no supervised exposure to alcoholic beverages. He also speculated on the alternatives available to minors if they were not permitted this exposure in the home. He asked that the provision allowing supervised consumption, as noted in Section 3 (Attachment #2), be reinstated in the ordinance. Rev. Walter Lauster noted that he had been out of town and had was not familiar with this proposed ordinance.

MOTION: To amend the motion to adopt the ordinance by reinstating the words struck out of Section 3.

Anderson					X
Barnett				X	
Bledsoe	X	X			
Richardson				X	
Schroeder					X
Wood				X	
Billick (2-3)	X	X			

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

<u>FAILED</u>					
Anderson					X
Barnett		X		X	
Bledsoe	X			X	
Richardson				X	
Schroeder					X
Wood				X	
Billick (0-5)				X	
<u>FAILED</u>					

*** *** ***

ORDINANCE 85-4634

ITEM 7-d

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.

Title read by City Attorney Rynders.

Public Hearing: Opened - 9:38 a.m. Closed - 9:39 a.m. No one present to speak for or against.

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

Anderson					X
Barnett	X			X	
Bledsoe				X	
Richardson				X	
Schroeder					X
Wood				X	
Billick (5-0)		X		X	

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

234

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
----------------------------	----------------------------	-------------	--------	----------------------------

CORRESPONDENCE & COMMUNICATIONS (Cont)

City Manager Jones noted that a notice of a Special Meeting to be held Friday, January 4, 1985, and a packet of background material had been distributed to the Councilmen this morning. He stated that the Planning Advisory Board would meet tomorrow for their final input to the application to be made for the State's Small Cities Community Development Block Grant program.

ADJOURN: 9:45 a.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen Marshall Weigand
Ellen Marshall Weigand
Deputy Clerk

These minutes of the Naples City Council approved Jan. 16, 1985

Supplemental Attendance list - Regular Meeting - 01/02/85

Reverend Walter Lauster
Charles Andrews
Robert Galloway

Charles Dauray
Len Zaiser
Stephanie Zaiser
Tish Gray

Robert Russell
Herb Anderson
Jim McGrath

News Media

Ed Solberg, TV-9
Dave Fuller, WNOG

Anna Marie Carsello, TV-9
Don Goodwin, Naples Star

Denes Husty, News Press
Tom Morgan, Naples Sun

Other interested citizens and visitors.

236

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