



City of Naples

City Council Minutes
Regular Meeting Jan 16, 1985

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
Employee Recognition Ceremony			1
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLY - None			1
-CITY MANAGER JONES - noted that the new fire ladder truck would be on display outside the Council Chamber after the meeting			1
<u>APPROVAL OF MINUTES</u> - Workshop Meeting, 12/18/84 Special Meeting, 12/18/84 Regular Meeting, 12/19/84 Regular Meeting, 01/02/85 Special Meeting, 01/04/85			1&2
<u>PURCHASING</u>			
-Award bid - compact auto - Community Development		85-4639	1&2
<u>RESOLUTIONS</u>			
-Authorize Equipment Management Director Gary Martin to participate- <u>ICMA</u>		85-4640	2
-Approve Preliminary S/D Plat - <u>Gulfshore Court</u>		85-4642	3
-Approve Vacation Pet. 84-EV2, <u>Gulfshore Court</u>		85-4643	3
-Approve Variance Pet. 84-V22 - permit logo signs, <u>Mobil Station</u> , 31 Tamiami Tr No		85-4644	4
- <u>WITHDRAWN</u> - Variance Pet. 84-V23 - <u>Senior Friendship Center, Inc.</u>			4
-Approve Spec. Ex. Pet. 84-S14 - 1995 8th St So, recreational facility		85-4645	5
- <u>CONTINUED</u> - Spec. Ex. Pet. 84-S15 - gas pumps, <u>Goodlette Food Mart</u> , 499 Goodlette Rd.			5
-Approve Spec. Ex. Pet. 84-S16, expansion of <u>Holiday Inn</u> , 1100 Tamiami Trail No		85-4646	5&6
- <u>DENIED</u> - Alley Vacation Pet. 84-AV2 - <u>Naples Medical Center</u>		FAILED	6
-Approve extension of Spec. Ex. in Res. 84-4423, <u>Heart of Naples Inn</u>		85-4647	7
-Approve contract w/ <u>I.A.F.F. Local 2174</u> , 04/01/84 - 03/31/86		85-4648	9
-Approve amendment to <u>AFSCME</u> contract re wages - 2nd year		85-4649	9
-Approve details and authorizing sale of <u>W/S bonds, Series 1984-B</u>		85-4650	9
-Award bid - construction <u>WWTP</u> expansion - <u>Twin Construction, Inc.</u>		85-4651	10
<u>ORDINANCES - FIRST READING</u>			
- <u>DENIED</u> - <u>Comprehensive Plan Amendment 84-CP3</u> , to change land use, NW corner Sandpiper St & Bluepoint Av	85-		2
- <u>NO ACTION</u> - <u>Rezone Pet. 84-R8</u> to "R3-12", NW corner of Sandpiper St & Bluepoint Av	85-		2
-Approve <u>Amending Comprehensive Plan</u> as per five year review	85-		8
<u>ORDINANCES - SECOND READING</u>			
-Approve <u>Rezone Pet. 84-R10</u> to "PD", south of 20th Av So & north of beachwalk - <u>Gulfshore Court</u>	85-4641		3
- <u>CONTINUED TO APRIL 17</u> - <u>Comprehensive Plan Amendment 84-CP1</u> , <u>Blue Caribbean Golf Driving Range</u>	85-		6&7
- <u>CONTINUED TO APRIL 17</u> - <u>Rezone Pet. 84-R4</u> , to "PD", <u>Blue Caribbean Golf Driving Range</u>	85-		7
- <u>REJECTED</u> - Ordinance creating statutory nuisance (<u>Cactus Flower</u>)	85-		8
<u>DISCUSSION</u>			
-Presentation of Audit			10
-Discussion/action - Legislative delegation hearing			10
-Proposed penalty for contractors who fail to obtain permits			10
-Proposed terms for Planning Advisory Board members			11

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	

CONSENT AGENDA (Cont)

RESOLUTION 85-4640

ITEM 7

A RESOLUTION AUTHORIZING GARY M. MARTIN, DIRECTOR OF EQUIPMENT MANAGEMENT, TO PARTICIPATE IN THE DEFERRED COMPENSATION PLAN THROUGH THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION; PROVIDING THAT HE SHALL BE EXEMPTED FROM PARTICIPATING IN THE RETIREMENT SYSTEM OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick

X

CONSENSUS

Title not read.

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

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

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD:

ITEM 8

ORDINANCE 85-

ITEM 8-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 read by City Attorney Rynders.

ORDINANCE 85-

ITEM 8-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.

Attorney Richard Aaron, representing the petitioners, addressed Council in support of the petitions. Local residents Jean Hill, Stephen Crabtree and Maxwell Teague spoke in opposition.

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

X

X
X
X
X
X
X
X

Item 8-a-1

MOTION: To accept the Planning Advisory Board's recommendation to DENY.

City Attorney Rynders noted that no action was necessary for Item 8-a-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	

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 8
(Cont)

---ORDINANCE 85-4641

ITEM 8-b-1

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.

Public Hearing: Opened - 9:39 a.m. Closed - 9:42 a.m.

Bill Vines, representing the petitioners, addressed Council and noted that they had reached an accord with the Fire Department concerning the cul-de-sac. Citizen Ed McMahon, speaking as an individual, spoke in favor of planned unit developments.

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

*** *** ***

---RESOLUTION 85-4642

ITEM 8-b-2

A RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAT FOR A PROPOSED SUBDIVISION TO BE KNOWN AS GULFSHORE COURT LOCATED IMMEDIATELY SOUTH OF 20TH AVENUE SOUTH BETWEEN GORDON DRIVE, AND THE GULF OF MEXICO AND NORTH OF AN ABUTTING PUBLIC BEACHWALK; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*** *** ***

---RESOLUTION 85-4643

ITEM 8-b-3

A RESOLUTION VACATING AND ABANDONING A 15' X 320' EAST/WEST UTILITY EASEMENT LOCATED ON LOTS 1 THROUGH 5, BLOCK 7, METTOGROVE SUBDIVISION AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To ADOPT the resolution as presented.

*** *** ***

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

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

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

COUNCIL MEMBERS	MOTION	S E C O N D	Y E S	N O	A B S E N T
<p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD (Cont)</u></p> <p><u>ITEM 8 (Cont)</u></p> <p><u>---RESOLUTION 85-4644</u> <u>ITEM 8-c</u></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6.10(E)(3) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, WHICH LIMITS THE NUMBER OF WALL SIGNS AT GASOLINE SERVICE STATIONS TO ONE PER STREET FRONTED UPON, IN ORDER TO RETAIN SEVEN WALL SIGNS, IN ADDITION TO TWO WALL SIGNS WHICH ARE PERMITTED, AT AN EXISTING GASOLINE SERVICE STATION AT 31 TAMiami TRAIL NORTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Mr. Wood moved to APPROVE the recommendation of the Planning Advisory Board to DENY the petition, seconded by Mr. Bledsoe. Petitioner Arnold Glass addressed Council in support of his petition and noted that he had agreed to remove all other signs except the logo of Pegasus on each pump. Community Development Director Barry stated that the staff had no problem with the retention of the logos only.</p> <p>First Motion <u>MOTION:</u> To APPROVE the recommendation of the Planning Advisory Board to DENY the petition.</p> <p><u>MOTION:</u> To ADOPT the resolution as presented.</p> <p>*** * * * *</p> <p><u>Planning Advisory Board Recommendation to DENY Variance Petition 84-V23</u> <u>ITEM 8-d</u></p> <p>Petitioner: Senior Friendship Center, Inc. Location: 675 Eighth Street South</p> <p>Mayor Billick noted that the petitioner had requested that the item be withdrawn.</p>	<p>Anderson Barnett Pledsoe Richardson Schroeder Wood Billick (0-7)</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>
<p><u>NO ACTION TAKEN</u></p>					

COUNCIL MEMBERS

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

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD (Cont)

ITEM 8
(Cont)

---RESOLUTION 85-4645

ITEM 8-e

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO ALLOW A 20-BY-44 FOOT RECREATIONAL FACILITY (SIMILAR TO A TENNIS COURT) TO REMAIN AT A SINGLE FAMILY RESIDENCE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Attorney Robert Hattmer, representing the petitioner, spoke in support of the petition and agreed to a condition that the facility never be lighted at night. Ed McMahon, speaking for the Old Naples Association, noted that this was another instance wherein the contractor had failed to obtain the permit. He stated his hope that Council would take that into consideration when directing the staff to propose some action to penalize contractors who do not ensure that their work is permitted. In response to a question from Mr. Anderson, Community Development Director Barry stated he would check to see if there were any "after-the-fact" permits that should be issued for this installation. Mr. Schroeder suggested that the Contractors' Examining Board review this omission of the contractor to obtain a permit and City Manager Jones noted that it would be covered under the action proposed in an item under Correspondence & Communications on today's agenda.

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

MOTION: To ADOPT the resolution as amended to prohibit any lighting of the facility at night.

---RESOLUTION 85-

ITEM 8-f

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT THE INSTALLATION OF TWO GASOLINE PUMPS AND THREE UNDERGROUND STORAGE TANKS AT AN EXISTING COMMERCIAL DEVELOPMENT WHICH HAS APPROXIMATELY 3,150 SQUARE FEET OF TOTAL FLOOR AREA AT 499 GOODLETTE-FRANK ROAD (THE GOODLETTE FOOD MART); AND PROVIDING AN EFFECTIVE DATE.

Title not read.

City Attorney Rynders noted a letter from the petitioner's attorney (Attachment #3) requesting that the matter be continued.

---RESOLUTION 85-4646

ITEM 8-g

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT EXPANSION OF AN EXISTING HOTEL FACILITY AT 1100 TAMIAMI TRAIL NORTH (THE HOLIDAY INN), TO ALLOW THE LOBBY AND RESTAURANT/LOUNGE AREA TO BE EXPANDED BY APPROXIMATELY 2,700 FEET OF FLOOR AREA, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Michael Walsh, petitioner, addressed Council and expressed his opinion that the drainage requirement was excessive and too expensive for him to fulfill at this time. City Engineer McCord

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	
<u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES</u> <u>PLANNING ADVISORY BOARD (Cont)</u>					
<u>---RESOLUTION 85-4646(Cont)</u>					
stated his opinion that what was being required was not as extensive or expensive as Mr. Walsh thought it was. Citizen Jim McGrath spoke in support of the petitioner's position. <u>Mr. Anderson's motion to defer action on this matter until the next regular meeting died for lack of a second.</u> It was the consensus of Council that the condition regarding the drainage could not be mitigated or deleted.					
<u>MOTION: To ADOPT the resolution as presented;</u>					

<u>---RESOLUTION 85-</u>					
A RESOLUTION VACATING AND ABANDONING A 20-FOOT WIDE EAST-WEST ALLEY BETWEEN U.S. 41 AND EIGHTH STREET NORTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders. <u>Public Hearing:</u> Opened - 10:25 a.m. Closed - 10:37 a.m.					
Bill Bethke, representing Naples Medical Center, spoke in support of the petition. Tom Vinciguerra, a businessman who occupies a building adjacent to the alley, spoke against vacating it and cited the amount of traffic in the alley each day. George Atkinson, another nearby businessman, also noted the traffic and the need for the subject alley for ingress and egress to the north-south alley. He said the building he occupies is adjacent to the north-south alley that feeds into the east-west alley being discussed. Attorney Stephen Thompson, representing the Naples Medical Center, noted the private easements that had been given to the adjacent property owners. City Attorney Rynders noted that the Code requires that Council make a finding that there is no present or foreseeable use of the alley in question prior to approving its vacation.					
<u>MOTION: To APPROVE the recommendation of the Planning Advisory Board to APPROVE the petition.</u>					
<u>-----END PLANNING ADVISORY BOARD-----</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 AN 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 read by City Attorney Rynders.					

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	

ITEM 9 (Cont)

ORDINANCE 85-

ITEM 9-b

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 "R12-7.5" 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 - 10:38 a.m. Closed - Continued

Attorney Robin Doyle addressed Council in support of the petitions and noted that the developer had engaged the services of G. Richard Hanor & Associates who have developed some of the more substantial shopping centers in the country. He also asked for a further continuance so they could complete the creation of some covenants to reassure Council about the development of the property, especially regarding the performing arts center. After further discussion, it was the consensus of Council to CONTINUE the matter to the April 17 meeting. Dennis Lynch, member of the Planning Advisory Board, addressed Council regarding his concern that the sale of the property was contingent upon receiving the rezoning. In response to Mr. Lynch's questions, Mr. Doyle stated that the closing was still scheduled for some time in January and was not contingent upon the rezoning.

RESOLUTION 85-4647

ITEM 10

A RESOLUTION GRANTING AN EXTENSION OF A SPECIAL EXCEPTION TO PERMIT THE CONSTRUCTION OF A 100 UNIT MOTEL AT THE NORTHEAST CORNER OF GOODLETTE ROAD AND US 41 AND TO UTILIZE 30 OFF-SITE PARKING SPACES AT THE ADJACENT SHOPPING CENTER TO MEET THE CITY'S PARKING REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Attorney Thomas Brown, representing petitioner Michael J. Miceli, addressed Council in support of the petition and noted that Mr. Miceli's intentions to build had been delayed by personal problems.

MOTION: To ADOPT the resolution as presented.

Anderson					
Barnett	X				
Eledsoe					
Richardson					X
Schroeder				X	
Wood		X		X	
Billick				X	
(6-1)					

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	

ORDINANCE 85-

ITEM 11

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.

Title read by City Attorney Rynders.

Public Hearing: Opened - 10:55 a.m. Closed - 11:05 a.m.

Garland Harris, resident of the adjacent condominium, made a statement to Council (Attachment #4) noting that an agreement to a trial cessation of the late night "Happy Hour" had been reached with Fran Jones of the Cactus Flower. He asked that the Second Reading be continued to allow time to see if the elimination of the "Happy Hour" would solve their problems. Attorney Richard Trieser, representing Fran Jones of the Cactus Flower, addressed Council and confirmed the agreement. Mayor Billick congratulated the parties involved in the discussion and agreement and noted that he was opposed to the Council taking the proposed action. He further expressed his opinion that this was not a proper action for the Council. Ron Jordan and Ray Singer, representing the Florida Restaurant Association, spoke in support of not passing the ordinance.

MOTION: To REJECT the ordinance.

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

In response to a question from Mr. Harris, Mr. Schroeder stated that the ordinance could be revived and considered again by Council if the problems persisted.

*** *** ***

BREAK: Recessed - 11:07 a.m. Reconvened - 11:20 a.m.

*** *** ***

ORDINANCE 85-

ITEM 12

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF NAPLES, PROVIDING ELEMENTS FOR FUTURE LAND USE AND DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT AN AMENDED COMPREHENSIVE PLAN PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT.

Mayor Billick noted that the Planning Advisory Board had held several public hearings, Council had held two and there would be another one with the Second Reading of the ordinance.

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

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

*** *** ***

COUNCIL MEMBERS	M	S	A	
	O	E	Y	N
	T	C	E	O
	I	O	N	N
	O	N	S	O
	N	D		T
<p><u>RESOLUTION 85-4648</u> <u>ITEM 13-a</u></p> <p>A RESOLUTION RATIFYING AND CONFIRMING THE CONTRACT BETWEEN THE CITY OF NAPLES AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2174, 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>Mayor Billick noted that there would be a renegotiation of the wages portion of the contract in April 1985.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>***</p>	X	X	X	
<p><u>RESOLUTION 85-4649</u> <u>ITEM 13-b</u></p> <p>A RESOLUTION RATIFYING AND CONFIRMING AMENDED ARTICLE 17, ENTITLED "INSURANCE", AND AMENDED ARTICLE 25, ENTITLED "WAGES", OF THE CONTRACT BETWEEN THE CITY OF NAPLES AND DISTRICT COUNCIL NO. 79 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES FOR THE PERIOD JANUARY 1, 1985, THROUGH DECEMBER 31, 1985; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>In answer to a question from Mr. Anderson, City Manager Jones noted that this had been negotiated with the American Federation of State, County and Municipal Employees for the second year of their two-year contract.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>***</p>	X	X	X	
<p><u>RESOLUTION 85-4650</u> <u>ITEM 14</u></p> <p>A RESOLUTION FIXING THE DATE, MATURITY SCHEDULE AND REDEMPTION PROVISIONS FOR \$13,500,000 WATER AND SEWER REVENUE BONDS, SERIES 1984-B, OF THE CITY OF NAPLES, FLORIDA; AUTHORIZING THE SALE OF SUCH BONDS AT PUBLIC SALE; AUTHORIZING THE PREPARATION OF THE OFFICIAL STATEMENT FOR THE BONDS; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Stanley Ross, bond advisor from Dean Witter Reynolds, Miami, presented himself to Council to answer questions. He expressed his opinion that interest rates would be attractive at the time proposed for the sale of the bonds. Mr. Schroeder noted several errors in the draft of the Official Statement and Mr. Ross made note of the corrections and stated that they would be made.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution with the noted corrections to the Official Statement.</p> <p>***</p>	X	X	X	

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	

---RESOLUTION 85-4651

ITEM 15

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

Title read by City Attorney Rynders.

Chuck Bolton, Camp Dresser & McKee (CDM), presented himself to answer any questions. In response to Mr. Anderson, Mr. Bolton stated that CDM had checked the references and the bonding company for Twin Construction, Inc.; based on their findings, he said they felt they could recommend acceptance of the Twin Construction bid. Mr. Anderson stated his desire to have CDM maintain constant supervision of the construction and to inform Council of any problems. He particularly noted "PERT time charts with critical paths all defined" and asked that they be adhered to. Mr. Bolton stated that CDM would be providing Council monthly reports and that while they could not guarantee the performance of the contractor, they would keep Council informed.

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.

PRESENTATION OF AUDIT AND FINANCIAL

ITEM 16

REPORTS FOR FISCAL YEAR 1983-84 BY ROGERS, WOOD, HILL, STARMAN & GUSTASON.

City Manager Jones stated that Ron Wood of Rogers, Wood, Hill, Starman & Gustason was ill and would meet with Council at a later date. Council had received copies of the audit (which is on file in the City Clerk's office) and had reviewed the auditor's Management Letter (Attachment #5) and the Response to the Management Letter (Attachment #6). In response to a question from Mr. Schroeder about a timetable for completing a reconciliation of the fixed asset listing with the auditor's listing, Finance Director Hanley estimated that it would be completed by the end of February. It was the consensus of Council to accept the audit.

Discussion/action with reference to items to be presented to the local legislative public hearing.

ITEM 17

Requested by City Manager.

City Manager Jones stated that there was no local legislation for the City to bring to the attention of the Legislative Delegation at this time. He did note that Council may wish to support the County's desire to be designated as the sole agent to operate solid waste facilities. Council asked the City Manager to keep track of the progress of that particular bill. City Manger Jones also noted a bill that he would be following that would relieve cities and counties of liability coverage for people who are ordered by the courts to do community service work by having that responsibility moved back to the State.

CORRESPONDENCE & COMMUNICATIONS

Correspondence Item 1

City Manager Jones asked Council for some guidance regarding the recommendations in his memo dated January 8, 1985 (Attachment #7). It was the consensus that the staff prepare a proposed resolution.

COUNCIL
MEMBERS

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VOTE

CORRESPONDENCE & COMMUNICATIONS (Cont)

Correspondence Item 2

Mayor Billick noted the recommendation of the Planning Advisory Board as outlined in the memo from Chairman Howard (Attachment #8). It was the consensus of Council that City Attorney Rynders prepare an ordinance to amend the Code of Ordinances with regard to the recommendations.

ADJOURN: 11:50 a.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen P. Weigand
Ellen P. Weigand
Deputy Clerk

These minutes of the Naples City Council approved 02/06/85

Supplemental Attendance list - Regular Meeting, 01/16/85

Reverend Rex Horton
 Charles Andrews
 Bill Vines
 Richard Aaron
 Mr. & Mrs. Don Chesser
 Herb Anderson
 Robert Galloway
 Bill Barton
 Joseph McMackin
 Gilbert Weil
 Robert Russell
 Jean Hill
 Richard Trieser

Stephen Crabtree
 Maxwell Teague
 Arnold Glass
 Jim McGrath
 Tom Vinciguerra
 Bill Bethke
 Michael Walsh
 George Atkinson
 Garland Harris
 Myra Daniels
 Don Pickworth
 Thomas Brown
 Stephen Thompson

Fran Jones
 Ron Jordan
 Ray Singer
 Stanley Ross
 Chuck Bolton
 Bob Ortiz
 Bierne Brown
 June Singer
 Carol Ladholtz
 Michael Moore
 Don Metz
 Ed McMahan
 Robert Hattemer

News Media

Ed Solberg, TV-9
 Denes Husty, News Press
 Bev Cameron, WINK-TV 11
 Scott Beyerl, WBBH-TV 20

Anna-Marie Carsello, TV-9
 Brian Grinonneau, WNOG
 Don Goodwin, Naples Star
 Gary Arnold, WEVU-TV 26

Jerry Pugh, TV-9
 Todd Holzman, Naples Daily News
 John Lunsford, Naples Daily News

Other interested citizens and visitors.

1/16/85

EMPLOYEE RECOGNITION PROGRAM

JULY 1, 1984 THROUGH DECEMBER 31, 1984

NAME	DEPARTMENT	ENTRY DATE	CURRENT CLASSIFICATION
-----FIVE YEARS-----			
ANN WALKER*	COMMUNITY DEVELOPMENT	07/27/79	SECRETARY II
ELSIE SMITH *	FINANCE	11/12/79	SERVICE WORKER I
BEN BROWN	PARKS & RECREATION	11/13/79	AUTO MECHANIC I
CHRISTE MILLER*	PARKS & RECREATION	08/13/79	CREW LEADER II
LEONHARD MULLER*	PARKS & RECREATION	08/27/79	SERVICE WORKER II
PAUL RUSSO*	POLICE	10/04/79	POLICE OFFICER
EUGENE BIELA*	PUBLIC WORKS	10/29/79	EQUIP OPERATOR IV
MELVIN HIERS*	PUBLIC WORKS	10/01/79	SERVICE WORKER III
ELWIN KINGSLEY*	PUBLIC WORKS	08/20/79	SERVICE WORKER II
DONALD MAJESKA	PUBLIC WORKS	10/30/79	SERVICE WORKER III
IRA McCOY, JR.*	PUBLIC WORKS	11/05/79	SERVICE WORKER III
WILLIAM METTS	PUBLIC WORKS	11/19/79	UTILITY PLANT MAINTENANCE TECH
-----TEN YEARS-----			
NATHANIEL KEITH	EQUIPMENT MANAGEMENT	09/03/74	ASST EQUIPMENT MAINT SUPERVISOR
VONCILE WHITAKER*	FINANCE	08/26/74	CUSTOMER SERVICE OFFICE MANAGER
JIMMY LUTZ *	PARKS & RECREATION	11/29/74	PARKS MAINT MECH
ROBERT SAPP *	PARKS & RECREATION	07/30/74	SERVICE WORKER I
JAMES BROWN*	PUBLIC WORKS	07/08/74	EQUIP OPERATOR III
JOHN McKAY*	PUBLIC WORKS	10/07/74	WATER METER REPAIR TECHNICIAN

-2-

-----FIFTEEN YEARS-----

CLIFFORD GORDEN *	COMMUNITY DEVELOPMENT	10/02/69	BUILDING OFFICIAL
THOMAS HUGGINS *	EQUIPMENT MANAGEMENT	09/22/69	EQUIP MAINT SUPV.
ROBERT FREDERICK *	PARKS & RECREATION	08/20/69	EQUIP OPERATOR I
EDWARD TERRY *	PARKS & RECREATION	11/18/69	EQUIP OPERATOR III
DAVID LESTER *	POLICE	07/14/69	POLICE LIEUTENANT
DARWIN MUIR *	POLICE	07/14/69	POLICE OFFICER
RICHARD BAILEY *	PUBLIC WORKS	10/20/69	UTILITY PLANT MAINTENANCE TECH
CHARLES McCOY *	PUBLIC WORKS	09/06/69	SERVICE WORKER III
ROBERT REED *	PUBLIC WORKS	07/23/69	SERVICE WORKER I
JOSEPH SHOEMAKER *	PUBLIC WORKS	12/08/69	SERVICE WORKER III

-----TWENTY YEARS-----

JANET CASON *	CLERK'S OFFICE	11/17/64	CITY CLERK
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-----THIRTY YEARS-----

JACOB HOFFMAN *	PUBLIC WORKS	10/01/54	WATER & WASTEWATER PLANTS SUPT
-----------------	--------------	----------	-----------------------------------

* - PRESENT

1/16/85

QUARLES & BRADY

The Four Hundred Building
400 Fifth Avenue South
Suite 301
Naples, Florida 33940-6526
(813) 262-5959

780 North Water Street
Milwaukee, Wisconsin

251 Royal Palm Way
Palm Beach, Florida

First Wisconsin Plaza
1 South Pinckney Street
Madison, Wisconsin

Naples Resident Attorneys

F. Joseph McMackin III

Leo J. Salvatori

January 15, 1985

Mr. Frank Jones
City Manager
City Hall
735 Eighth Street, South
Naples, Florida 33940

Re: Sciarrino Family Trust, Petition for Special Exception

Dear Mr. Jones:

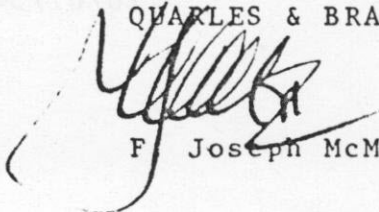
Please be advised that this firm represents the Sciarrino Family Trust in their efforts to obtain a special exception so as to allow the installation of gas pumps at the Goodlette Food Mart at the corner of Goodlette Road and 5th Avenue North.

As you may know, in the past there has been resistance from neighborhood residents to the installation of these gasoline pumps. We are attempting to work out these differences as best as we can, and feel as though we need more time so that an amicable solution to this problem can be reached. Accordingly, I would appreciate it if you would present this letter to the City Council as my client's request to withdraw this matter from the agenda for the next City Council meeting. I will be present in the audience to answer any questions that the Council may have.

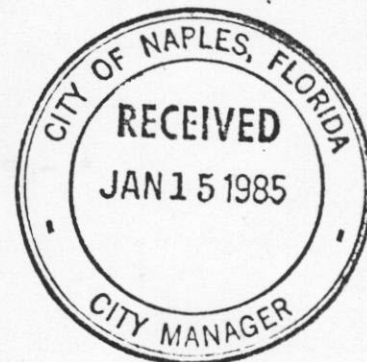
Thank you for your attention to this matter. Please let me know if you should have any questions.

Sincerely,

QUARLES & BRADY


F. Joseph McMackin III

FJM:mlo



CITY COUNCIL JANUARY 16, 1985

AGENDA ITEM # 11

MR. MAYOR; I AM GARLAND HARRIS, 1300 GULF SHORE BLVD(N) THE DEL MAR CLUB
 LAST WEDNESDAY, JANUARY 9TH, SEVERAL AREA RESIDENTS TOGETHER WITH MR. STERN,
 PRESIDENT OF COQUINA SANDS ABBN; MR. JORDAN, PRESIDENT OF FLORIDA STATE REST-
 AURANT ABBN; MR. ZYTKUS, PRESIDENT OF DEL MAR CLUB; MR. SUITES, PRESIDENT OF
 OCEAN TERRACE CLUB; MR. ROBERT, UNABLE / TO ATTEND OF CALUSA CLUB; - MET WITH MS. FRAN JONES,
 OWNER OF THE CACTUS FLOWER RESTAURANT.

MS. JONES VOLUNTEERED TO ELIMINATE THE 11 P.M. TO 1 A.M. "HAPPY HOUR", BEGINNING
 MONDAY OF THIS WEEK, JANUARY 14TH - - STATING THERE WOULD BE NO MORE DISCOUNTED
 WINE, BEER OR LIQUOR DRINKS, AND NO MORE 2 FOR 1 DRINKS.

BEING ASSURED OF HER SINCERITY IN THIS ACTION, WE RESIDENTS ACCEPTED THIS ACCORD
 ON A "TRIAL BASIS", AND MS. JONES WAS INFORMED AND THOROUGHLY UNDERSTANDS THAT IF
 THIS CONCESSION ON HER PART DOES NOT SOLVE THE PROBLEM WHICH HAS BEEN ON-GOING
 SINCE FEBRUARY OF 1984, WE RESIDENTS WOULD RETURN TO CITY COUNCIL AND REQUEST
 ACTION ON THE PROPOSED ORDINANCE.

WHILE WE AREA RESIDENTS BELIEVE THIS ABOLITION OF THE "HAPPY HOUR" WILL EASE
 THE NOISE PROBLEM SOMEWHAT, WE DO NOT THINK IT WILL DISAPPEAR ENTIRELY IN LIGHT
 OF THE CACTUS FLOWER REMAINING OPEN UNTIL 2 A.M. WITH LIVE ENTERTAINMENT FROM
 11 P.M. UNTIL THEIR CLOSING HOUR OF 2 A.M., AND IT STILL BEING A BAR AND LOUNGE
 OPERATION DURING THESE HOURS.

BY HER OWN ADMISSION MS. JONES STATED HER (CACTUS FLOWER) BUSINESS IS BY WORD
 OF MOUTH WITH EMPLOYEES OF OTHER RESTAURANTS AND BARS AND HERE IS A PLACE
 FOR THEM TO UNWIND AFTER THEIR TOUR OF DUTY AT THEIR REGULAR PLACE OF EMPLOYMENT.
 IT FOLLOWS THEREFORE, THE CACTUS FLOWER IS NOT IN BUSINESS AS A RESTAURANT PER SE.
 THEY HAVE CEASED NEWSPAPER ADVERTISING SINCE COUNCIL MEETING OF DECEMBER 5TH, 1984
 AND ONLY ADVERTISE ON A CONTEMPORARY RADIO STATION. TOURISTS AND SEASONAL RES-
 IDENTS HAVE NO WAY TO LEARN THEIR BILL-OF-FARE EXCEPT BY THE AFOREMENTIONED WORD
 OF MOUTH.

IF THERE IS ANY DEVIATION FROM THE ACCORD REACHED,
 OR THE CACTUS FLOWERS' PATRON ACTIVITIES ARE STILL DISRUPTIVE AND WE AREA RES-
 IDENTS ARE DENIED THE QUIET ENJOYMENT OF OUR HOMESTEADS, COUNCIL WILL BE ASKED
 TO PASS THIS ORDINANCE OR ISSUE A DIRECTIVE FOR THE CACTUS FLOWER TO CEASE OPERATION
 AT 11 P.M.

THEFORE MR. MAYOR, I AM SUGGESTING THAT COUNCIL TAKE AGAIN TABLE ACTION ON THE
 PROPOSED ORDINANCE.

ROGERS, WOOD, HILL, STARMAN & GUSTASON

PROFESSIONAL ASSOCIATION
CERTIFIED PUBLIC ACCOUNTANTSWALTER R. ROGERS, C.P.A.
RONALD A. WOOD, C.P.A.
JOHN R. HILL, C.P.A.
SHELDON W. STARMAN, C.P.A.
RONALD W. GUSTASON, C.P.A.OFFICES:
NAPLES 262-1040
MARCO ISLAND 394-7502
FT. MYERS 482-4800

December 3, 1984

Honorable Mayor and
Members of the City Council
City of Naples
Naples, Florida

We have examined the financial statements of the City of Naples for the year ended September 30, 1984, and have issued our report thereon dated December 3, 1984. As a part of our examination, we made a study and evaluation of the City's system of internal accounting control to the extent we considered necessary to evaluate the system as required by generally accepted auditing standards. Under these standards, the purpose of such evaluation is to establish a basis for reliance on the system of internal accounting control in determining the nature, timing and extent of other auditing procedures that are necessary for expressing an opinion on the financial statements and to assist the auditor in planning and performing his examination of the financial statements.

The objective of internal accounting control is to provide reasonable but not absolute, assurance as to the safeguarding of assets against loss from unauthorized use or disposition, and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that the cost of a system of internal accounting control should not exceed the benefits derived and also recognizes that the evaluation of these factors necessarily requires estimates and judgments by management.

There are inherent limitations that should be recognized in considering the potential effectiveness of any system of internal accounting control. In the performance of most control procedures, errors can result from misunderstanding of instructions, mistakes of judgment, carelessness, or other personal factors. Control procedures whose effectiveness depend upon segregation of duties can be circumvented by collusion. Similarly, control procedures can be circumvented intentionally by management, either with respect to the execution and recording of transactions or with respect to the estimates and judgments required in the preparation of financial statements. Further, projection of any evaluation of internal accounting control to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions and that the degree of compliance with the procedures may deteriorate.

Honorable Mayor and
Members of the City Council
December 3, 1984
Page Two

Our examination of the financial statements made in accordance with generally accepted auditing standards, including the study and evaluation of the City's system of internal accounting control for the year ended September 30, 1984, that was made for the purposes set forth in the first paragraph of this report, would not necessarily disclose all weaknesses in the system because it was based on selective tests of accounting records and related data. However, such study and evaluation disclosed the following conditions that we believe to be weaknesses.

1) Water Meter Deposits

The detail of customer water meter deposits could not be agreed to the general ledger. Many customers' names could not be traced to a meter deposit and vice versa. The City is presently working to reconcile the difference and should soon have a deposit listing that ties to the general ledger.

2) Fixed Assets

a) Some fixed assets were recorded at an incorrect cost. Instead of correctly using the invoice cost less any applicable discount, the assets were recorded at the invoice price. More attention should be given to ensure that the assets are recorded at the correct cost.

b) The City's fixed assets detail does not agree to the audit records. The difference is due to the following:

- (1) Fixed asset detail not complete prior to two years ago.
- (2) Recording only the cost of items purchased and not other capitalized costs.
- (3) Not maintaining a fixed asset card for every item purchased over \$200.
- (4) Not updating fixed asset detail run on July 24, 1984. Printouts of items sent to all departments but not all have been received by purchasing as of this date.
- (5) Employees not updating lists for items not shown on the printout during inventory of fixed assets.
- (6) Obsolete equipment being sold or removed, unknown to purchasing department.

The City should obtain an updated, completed fixed asset report. A careful inventory of fixed assets should be attempted. Department heads should be told of the significance of this inventory. The detail should show items by department with subtotals for equipment, autos, and other.

c) When fixed assets are sold, selling price information is not always available. The City should add a new column on the obsolete fixed asset listing where any selling price received should be recorded.

d) The City prepared various journal vouchers to reclassify capital items without appropriate documentation. Detail should be maintained for all fixed asset transactions to ensure that the items are properly recorded and classified.

e) The City recorded several invoices for fixed assets in a supplies account or in an incorrect fixed asset account. The supplies, repairs and maintenance, and fixed assets accounts should be reviewed periodically for possible reclassifications.

20 Honorable Mayor and
Members of the City Council
December 3, 1984
Page Three

3) Sales Tax Distribution

During the period January, 1984 to August, 1984, sales tax was incorrectly distributed to the Bay Dock rather than to the Bay Dock, vending machines, tennis, and parking meters. Sales tax should be allocated correctly based upon the detail shown on the sales tax reports.

4) Cash Disbursements

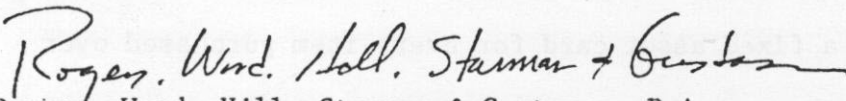
a) Various purchase orders for fixed assets were processed without a general fixed asset stamp. All purchase orders for fixed assets should have this stamp to ensure that the asset is recorded in the fixed assets detail ledger.

b) In one instance, the amount on a check was changed manually. If a correction must be made on a check, the check should be voided and a new check should be written.

The foregoing conditions were considered in determining the nature, timing and extent of audit tests to be applied in our examination of the financial statements and this report of such conditions does not modify our report dated December 3, 1984, on such financial statements.

The suggestions and recommendations in this report represent further refinements in the accounting system and will enhance the control of the City's resources. We would like to express our thanks to all City employees for their cooperation and assistance during our examination.

Respectfully submitted,


Rogers, Wood, Hill, Starman & Gustason, P.A.



AGENDA ITEM #16
1/16/85

City of Naples

--- MEMO ---

TO: Frank Jones, City Manager
FROM: Bill Hanley, Finance Director *BH*
SUBJECT: RESPONSE TO AUDITOR'S MANAGEMENT LETTER
DATE: December 20, 1984

1. Our new computer and software demands that we match all meter deposits with an account number. Prior to this system we always had a detail list of customer deposits by deposit number but not by service account number. We've found that on our new system that we had some accounts that we did not have deposits for and some deposits that we could not match with an account. We have worked on this problem and have reconciled the majority of deposits with account numbers. We have also determined that there are several hundred accounts that require no deposits such as City of Naples accounts and customers that have had service prior to the meter deposit ordinance. Those remaining customers that we can find no record of a deposit we have begun billing for one. We feel that because we have made a major improvement in the meter deposits that it becomes easier to recognize prior deficiencies that will be corrected.

2. (a) I have discussed this problem with our Purchasing Division and care will be taken to list our fixed assets at our net cost.

(b) We are currently working on reconciling our fixed asset list to the auditor's listing. We expect to have this completed soon. Our department heads were made aware of the significance of these fixed assets and other items in this letter that were relevant to them at a recent staff meeting.

(c) I have discussed implementing this recommendation with our Purchasing Division. We will devise a form that lists each fixed asset and the price it ultimately sells for at auction.

(d) Two journal vouchers are questioned here. J.V. 1583 duplicated a charge to a Capital Improvement account number that had already been charged directly. J.V. 1509 credited a charge to an Operation and Maintenance account number and then charged a capital expense number. This was for work done by the Sanitation Department to maintain and overhaul some of our containers. I believe this was a proper charge as this work extended the use life of our assets. What we didn't do that we will correct is maintain the detail on the containers that were improved.

RESPONSE TO AUDITOR'S MANAGEMENT LETTER

December 20, 1984

Page 2

2. (e) Two purchase orders were identified with incorrect account numbers. One was charged to an operating account instead of a capital account while the other was charged to a capital account but to an improvement code instead of a machinery and equipment code. The purchase order with the operating account number was stamped with our fixed asset stamp and recorded on the fixed asset list. I discussed these items with Purchasing and Accounting and advised them to be aware of purchase order account numbers specifically for fixed assets.

Fixed asset identification is another area we have made progressive improvements which make it easier to recognize prior deficiencies. We will address each of these concerns and continue to improve our fixed asset accountability.

3. The sales tax distribution has been corrected and will be charged appropriately.

4. (a) Although these purchase orders did not have the Fixed Asset stamp, we did put these on our fixed asset listing. The stamp is an internal control we implemented about two years ago and alerts us to these items and provides us with a reasonable assurance that our fixed assets get listed.

(b) The amount on Check Number 36673 was changed instead of being voided and reissued. Accounts Payable has been verbally instructed of the proper procedures for an incorrect check and we have also added this instruction to our procedures manual.



City of Naples

MEMO

TO: Honorable Mayor and Members of the City Council
 FROM: Franklin C. Jones, City Manager
 SUBJECT: PAB recommendation relative to contractors working
 without required permits.
 DATE: January 8, 1985

Background:

The PAB discussed and finally recommended, at their January 3, 1985 meeting, that the city take punitive actions, such as competency card suspension or revocation, against contractors doing work in the city without the required permits.

The Contractor Examining Board also discussed this matter at their December 21, 1984 meeting and the staff is now reviewing their recommendations and will prepare a report for the City Council's consideration in the near future.

Staff Recommendation:

We recommend that the City Council accept the PAB's recommendation at this time and take action at a later date after receiving the Contractor Examining Board's recommendation and staff report.

Respectfully submitted,

Franklin C. Jones
 City Manager

Prepared by:

Roger J. Barry
 Community Development Director

TO: PAB Members
FROM: H. E. Howard, Chairman
SUBJECT: Fixed Terms of Office for PAB Members
Limit on Number of Terms Served
Required Waiting Period before Re-appointment

At the PAB meeting January 3rd, I've placed on the agenda the subject of fixed terms for PAB members, limit on number of terms served, and a required waiting time before being re-appointed.

As a point of beginning discussion I'd suggest; PAB members be appointed for a two year term; if re-appointed, they would be allowed to serve for two successive terms, then must step down; after a waiting period of one year they could re-apply for appointment.

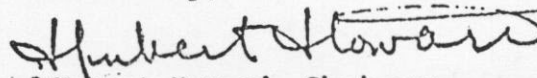
If this change is thought desirable by the Council, the City Attorney advises it could be handled easily by an ordinance modification, and could become effective at the end of our present terms.

My reasons for believing this idea may have merit are as follows:

1. In event the City Council makes a bad decision, and the PAB member does not adequately carry out his or her responsibility, it would be possible to terminate the individual at the end of two years in place of three.
2. A highly desirable person wishing to contribute his or her ability and time to Naples could serve two terms, wait one year, and be eligible for re-appointment.
3. This proposal would provide the PAB with "new talent" on a regular basis and might stimulate greater public interest in serving on this Board.

If we reach consensus on this matter we'll forward a recommendation to Council for their action.

Cordially,


Hubert Howard, Chairman

HH/c

cc: Mayor Stanley Billick
David Rynders, City Attorney
Roger Barrett, City Planning Director