

City Éouncil Minutes

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Regular MeetingSept. 18, 1985

City Council Chambers 735 Eighth Street South Naples, Florida 33940

-MAYOR BILLICK - None -CITY MANAGER JONES - noted the Public Hearing tonight at 5:30 p.m re the 1985-86 operating budget. PPROVAL OF MINUTES - Workshop Meeting, 09/03/85 Regular Meeting, 09/04/85 Special Meeting, 09/04/85 URCHASING	-SUBJECT-	Ord. No.	Res. No.	Pag
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CITY COUNCIL MINUTES Regular Meeting

Time 9:10 a.m.

Date September 18, 1985

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ROLL	CALL:	R W	tanley R. Billick Mayor B. Anderson Filliam E. Barnett Filliam F. Bledsoe	ITEM 2	COUNCIL	M O T I O N	SECOND	YES		
Frank David Roge		L W nes, City Manager rs, City Attorney ommunity	yle S. Richardson ade H. Schroeder Councilmen Stewart Unangst	and had a strend of						-
Mark Mai	Wiltsie, nager	Assistant City	Bill Hanley, Fi John McCord, Ci t - Attachment #1							
	CATION:	Reverend Warren Macedonia Baptis	Adkins	ITEM 1						
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ANNO	UNCEMENTS	. I have strong a		ITEM 3						
Mayo	r Billick	- None		ITEM 3-a						
City	Manager J	ones - noted the 0 p.m. re the 198	Public Hearing 5-86 operating budg NT AGENDA	ITEM 3-b				•		
City tonio	Manager J ght at 5:3	ones - noted the 0 p.m. re the 198 CONSE NUTES - Workshop Regular M	5-86 operating budg	ITEM 3-b						
City tonio	Manager J ght at 5:3 OVAL OF MI	ones - noted the 0 p.m. re the 198 CONSEI NUTES - Workshop Regular M Special M	5-86 operating budg NT AGENDA Meeting, 09/03/85 Weeting, 09/04/85	<u>ITEM 3-b</u> get. <u>ITEM 4</u>						
City tonio	Manager J ght at 5:3 OVAL OF MI	ones - noted the 0 p.m. re the 198 CONSEI NUTES - Workshop Regular M Special M	5-86 operating budg NT AGENDA Meeting, 09/03/85 Weeting, 09/04/85 Weeting, 09/04/85	<u>ITEM 3-b</u> get. <u>ITEM 4</u> *** <u>ITEM 5</u>						
City tonio	Manager J ght at 5:3 OVAL OF MI HASING ESOLUTION A RESOLUT CONDITION AUTHORIZII ORDER THE	ones - noted the 0 p.m. re the 198 CONSE NUTES - Workshop Regular M Special M * 85-4808 TION AWARDING THE ING/HEATING M NG THE CITY MANA REFOR; AND PROVID	5-86 operating budg NT AGENDA Meeting, 09/03/85 Weeting, 09/04/85 Weeting, 09/04/85 **	ITEM 3-b get. ITEM 4 *** ITEM 5 ITEM 5-a ITEM 5-a R AIR TRACT; RCHASE						
City tonio	Manager J ght at 5:3 OVAL OF MI HASING ESOLUTION A RESOLUTION AUTHORIZI	ones - noted the 0 p.m. re the 198 CONSE NUTES - Workshop Regular M Special M * 85-4808 TION AWARDING THE ING/HEATING M NG THE CITY MANA REFOR; AND PROVID	5-86 operating budg NT AGENDA Meeting, 09/03/85 Weeting, 09/04/85 Weeting, 09/04/85 ** BID FOR A TWO-YEA WAINTENANCE CONT WGER TO ISSUE A PUF	ITEM 3-b get. ITEM 4 *** ITEM 5 ITEM 5-a ITEM 5-a R AIR TRACT; RCHASE						
City tonio	Manager J ght at 5:3 OVAL OF MI HASING ESOLUTION A RESOLUT CONDITION AUTHORIZII ORDER THE	ones - noted the 0 p.m. re the 198 CONSEI NUTES - Workshop Regular M Special M * 85-4808 TION AWARDING THE ING/HEATING M NG THE CITY MANA REFOR; AND PROVID *	5-86 operating budg NT AGENDA Meeting, 09/03/85 leeting, 09/04/85 leeting, 09/04/85 ** BID FOR A TWO-YEA AINTENANCE CONT GER TO ISSUE A PUR JING AN EFFECTIVE DA	ITEM 3-b get. ITEM 4 *** ITEM 5 ITEM 5-a R AIR TRACT; RCHASE ATE.						
City tonio	Manager Ju ght at 5:30 OVAL OF MI HASING ESOLUTION A RESOLUTION AUTHORIZI ORDER THE not read. SOLUTION 8 A RESOLUT ANNUAL RE DURING TH CITY MANA	ones - noted the 0 p.m. re the 198 CONSET NUTES - Workshop Regular M Special M * 85-4808 PION AWARDING THE ING/HEATING M NG THE CITY MANA REFOR; AND PROVID * 5-4809 FION AWARDING THE QUIREMENTS FOR WA HE FISCAL YEAR 1	5-86 operating budg NT AGENDA Meeting, 09/03/85 leeting, 09/04/85 leeting, 09/04/85 ** BID FOR A TWO-YEA AINTENANCE CONT AGER TO ISSUE A PUF DING AN EFFECTIVE DA ** HE BIDS FOR THE C ATER TREATMENT CHEM .985-86; AUTHORIZIN RCHASE ORDERS THEF	ITEM 3-b get. ITEM 4 **** ITEM 5 ITEM 5-a AR AIR TRACT; ACHASE ATE. *** ITEM 5-b CITY'S MICALS G THE						

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City Council Chambers 735 Eighth Street South Naples, Florida 33940

City Council Minutes Date September 18, 1985	COUNCIL MEMBERS	O T I O	S E C V N E D S	N	
CONSENT AGENDA (Cont)		T		T	
PURCHASING (Cont) ITEM 5					
RESOLUTION 85-4810 ITEM 5-c	. Rest 198				
A RESOLUTION AWARDING THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR FERTILIZER; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title not read.					
*** *** ***					
				ľ	
A RESOLUTION AWARDING THE BID FOR PHASE II OF A THREE (3)-YEAR PROGRAM FOR THE INSTALLAION OF A LIFT STATION TELEMETRY AND CONTROL SYSTEM FOR THE WASTEWATER TREATMENT DIVISION, PUBLIC WORKS DEPARTMENT; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.					
Title not read.					
*** *** ***					
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER RELATING TO ENGINEERING SERVICES FOR RIGHT TURN LANE DESIGN AT NEAPOLITAN WAY AND U.S. 41; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AND PROVIDING AN EFFECTIVE DATE.					
Title not read.					
*** *** ***					
RESOLUTION 85-4813 ITEM 8					
A RESOLUTION AUTHORIZING THE CITY MANAGER TO TRANSFER FUNDS FROM THE CONTINGENCY FUND TO VARIOUS CITY DEPARTMENTS AS OUTLINED ON THE					
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE.					
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE.					
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE.					1
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read.	•				
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** ***					
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** <u>RESOLUTION 85-4814</u> ITEM 9 A RESOLUTION CONFIRMING THE MAYOR'S ACTIONS IN REGARD TO THE ISSUANCE OF A PURCHASE ORDER FOR EMERGENCY REPAIRS TO THE NAPLES MUNICIPAL FISHING PIER; AND PROVIDING AN EFFECTIVE DATE.					
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** RESOLUTION 85-4814 ITEM 9 A RESOLUTION CONFIRMING THE MAYOR'S ACTIONS IN REGARD TO THE ISSUANCE OF A PURCHASE ORDER FOR EMERGENCY REPAIRS TO THE NAPLES MUNICIPAL FISHING PIER; AND PROVIDING AN EFFECTIVE DATE. Title not read. Mr. Anderson made the observation that Agenda Item 8 concerning the transfer of funds from the Contingency Fund represented small percentage of the budget formulated a year ago and indicate close adherence to it.	a Barnett ed Bledsoe Richardson Schroeder		U CZ MAL ZO U		
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** <u>RESOLUTION 85-4814 ITEM 9</u> A RESOLUTION CONFIRMING THE MAYOR'S ACTIONS IN REGARD TO THE ISSUANCE OF A PURCHASE ORDER FOR EMERGENCY REPAIRS TO THE NAPLES MUNICIPAL FISHING PIER; AND PROVIDING AN EFFECTIVE DATE. Title not read. Mr. Anderson made the observation that Agenda Item 8 concerning the transfer of funds from the Contingency Fund represented small percentage of the budget formulated a year ago and indicated	a Barnett ed Bledsoe Richardson Schroeder		OZ VIE		· ·
ATACHED SUMMARY; AND PROVIDING AN EFFECTIVE DATE. Title not read. *** *** *** *** RESOLUTION 85-4814 ITEM 9 A RESOLUTION CONFIRMING THE MAYOR'S ACTIONS IN REGARD TO THE ISSUANCE OF A PURCHASE ORDER FOR EMERGENCY REPAIRS TO THE NAPLES MUNICIPAL FISHING PIER; AND PROVIDING AN EFFECTIVE DATE. Title not read. Mr. Anderson made the observation that Agenda Item 8 concerning the transfer of funds from the Contingency Fund represented small percentage of the budget formulated a year ago and indicate close adherence to it. MOTION: TO APPROVE the minutes and to ADOPT the resolutions of the second s	a Barnett ed Bledsoe Richardson Schroeder		OZ VEL ZO		

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	CITI OF MILED, IDORIDA		1	-	I		<u> </u>	_
64	City Council Minutes Date September 18, 1985	: COUNCIL MEMBERS	M O T I O N	O N	Y E S	NO	A B S E N T	
	OMMUNITY DEVELOPMENT DEPARTMENT/NAPLES IDEM 19 D-NESOLUTION 85-0815 IDEM 10 RESOLUTION 85-0815 IDEM 10 A RESOLUTION GRANTING A SPECIAL EXCEPTION NG PERMITY AT 801 ANCHOR RODE DRIVE, SUBJECT 05 DEDECONDUCTION SERVERATED HEREIN; AND PROVIDING AN EPECTIVE DATE. JTLe read by City Attorney Rynders. There ad by City Attorney Rynders. Attorney Michael Jones, representing the petitioner, reviewed the planed planes for the drive-up windows and noted the planed hadscaping. Citizens Charles Andrews, Gilbert Wei I and Kart for theis effect (Attachment \$2). In response to questions about the theoret of the property, Community building, permits for these. Bernard Turner, petitioner, building, building, bernards to the wei I and the increased traffic. Dr. Hammond presented a petitioner, building permits for these. Bernard Turner, petitioner, building, building bernards to the wei I and the increased traffic as a multi-family building. Moret the the petitioner is had not ye building permits for these. Bernard Turner, petitioner, building, building bernards to the drive of the property, Community building the resolution to a include a building bernards to the resolution to a include a building bernards on the vest side of the property building bernards building bernards building. Moret bernard the second building bernards building bernards building. MTM IMARY Scheeder and Mt. Richardson, maker of the motion and bernards building. Moret bernards building bernards building. MTM IMARY Scheeder and Mt. Richardson, maker of the property. Community building bernards	Anderson Barnett Bledsoe Richardson Schroeder Billick (6-0)	x	x	s x x x x x x x x x x x x x x x x x x x		<u>T</u>	
	A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT AN EDUCATIONAL BUSINESS IN AN EXISTING COMMERCIAL/OFFICE COMPLEX LOCATED IN THE GRAND CENTRAL STATION SHOPPING CENTER, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Petitioner Nancy Crooks made her presence known to answer any questions. <u>MOTION:</u> TO <u>ADOPT</u> the resolution as presented. *** *** *** <u>RESOLUTION 85-4817</u> ITEM 10-c-1 A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT AN ADDITION OF 704 SQUARE FEET TO THE DINING AREA OF THE NAPLES YACHT CLUB, INC., AT 700 14TH AVENUE SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. John Briggs, representing the petitioner, presented himself to answer any questions. In response to questions from Mr.	Anderson Barnett Bledsoe Richardson Schroeder Billick (6-0) Anderson Barnett	x	x	x x x x x x x x x x x x x x x x x x x		•	
	Answer any questions. In response to questions from Mr. Schroeder, he explained that the handicapped parking spaces were located near the ramp to be used for wheelchairs. MOTION: To ADOPT the resolution as presented. *** *** -3-	Bledsoe Richardson Schroeder Billick (6-0)		x	X X X X			
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	City Council Minutes Date September 18, 1985	1	M	S E			A 6
		,	T I O	CON	Y E	E	S E 7
		COUNCIL MEMBERS	N	D	S		
	COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 10 PLANNING ADVISORY BOARD (Cont) (Cont)						
	<u>RESOLUTION 85-4818</u> ITEM 10-c-2						
	A RESOLUTION AUTHORIZING EXPANSION OF A NONCONFORMITY TO PERMIT EXPANSION OF THE PARKING LOT AT THE NAPLES YACHT CLUB, INC., 700 14TH AVENUE SOUTH, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.	Anderson	x		x		
	Title read by City Attorney Rynders.	Barnett Bledsoe			Х		
	MOTION: To ADOPT the resolution as presented.	Richardson Schroeder		x	X X X		
	*** *** *** RESOLUTION 85-4819 ITEM 10-d-1	Billick (6-0)			X		
	A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.13F(3) OF THE ZONING ORDINANCE IN ORDER TO PERMIT A SETBACK OF APPROXIMATELY SEVEN (7) FEET FROM AN EXISTING SEAWALL AT THE NAPLES SAILING & YACHT CLUB, INC., 896 RIVER POINT DRIVE; AND PROVIDING AN EFFECTIVE DATE.						
	Title read by City Attorney Rynders.						
	<pre>Charles Spiro, representing the petitioner, stated that they would like to meet the stipulations in the resolution in Agenda Item 10-d-2 concerning the water retention and paving the parking lot when they expand the kitchen at a later date. He stated that they intend to enclose the patio immediately before the winter season. Community Development Director Barry emphasized that the petitioner did not plan to remedy the water retention or pave the parking lot until they enlarged the kitchen (as per Mr. Barry's memo dated 09/09/85 - Attachment #3). It was the consensus of Council that this would be permissible. Mr. Schroder suggested adding a stipulation to the resolution under discussion stating that the Naples Sailing & Yacht Club would contribute "an appropriate amount of money towards the traffic control signal planned at the intersection of U.S. 41 and River Point Drive at the time it was installed." Mr. Spiro agreed with the stipulation and Mr. Bledsoe and Mr. Anderson, maker of the motion and seconder, respectively, agreed to the amendment. MOTION: To <u>ADOPT</u> the resolution as amended by Mr. Schroder's suggestion above and in accordance with Community Development Director Barry's memo (Attachment #3). John Agnelli, representing the Power Corporation, addressed Council, thanked them for adding the stipulation about the contribution towards the traffic signal, and noted that the Power Corporation had to put up a check for \$10,000 towards the signal</pre>	Anderson Barnett Bledsoe Richardson Schroeder Billick (6-0)	x	x	x x x x x x x x x x x x x x x x x x x		
	light in order to obtain their building permit.						
	*** ***						
	RESOLUTION 85-4820 ITEM 10-d-2						
Ļ	A RESOLUTION AUTHORIZING EXPANSION OF A NONCONFORMITY TO ENCLOSE A PATIO AREA AT THE NAPLES SAILING & YACHT CLUB, INC., 896 RIVER POINT DRIVE, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders.	Anderson Barnett Bledsoe Richardson	x	x	X X X X		
	MOTION: To ADOPT the resolution in accordance with Community Development Director Barry's memo (Attachment #3).	Schroeder Billick (6-0)			X X		
		1	1	1	1	1	

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66	City Council Min	nutes Date Septe	ember 18, 1985	1	M O T	S E C			A B S	
				COUNCIL MEMBERS	I O N	O N D	Y E S	N O	E N T	
	COMMUNITY DEVELOPMENT DE PLANNING ADVISORY BOARD		ITEM 10 (Cont)							
	RESOLUTION 85-4821	See States	ITEM 10-e	2014-00-00						
	NONCONFORMITY TO REDUCING AN EXISTI FIVE UNITS, AND BY 433 THIRD AVENUE 3	UTHORIZING ALTERATION PERMIT MINIMUM EXPANSION NG SIX-UNIT APARTMENT COME CONSTRUCTING A SWIMMING F SOUTH, SUBJECT TO THE CONI ; AND PROVIDING AN EFF	PLEX TO . POOL AT DITIONS	Anderson		x	x			-
	Title read by City Attor	ney Rynders.		Barnett Bledsoe			X X			
	MOTION: To ADOPT the re	solution as presented.		Richardson Schroeder	x		X	Í		
	***	***	***	Billick	-		X			
	RESOLUTION 85-4822		ITEM 10-f	(6-0)						
	PROVISIONS OF SEC ZONING OF THE COL NAPLES IN ORDER OFFICE WHICH WILL AREA AT 701 11TH CONDITIONS ENUMER EFFECTIVE DATE.	ANTING A VARIANCE FRO TION 5.13G(1) OF APPENDIX E OF ORDINANCES OF THE C TO PERMIT CONSTRUCTION HAVE 600 SQUARE FEET OF STREET SOUTH, SUBJECT ATED HEREIN; AND PROVID	"A" — CITY OF OF AN P FLOOR TO THE							
	Title read by City Attor	ney Rynders.								
	and explained that it wo with the stipulation to the Collier County Storn asked for a compromise McCord cautioned Counci incorporated in a numb variances. He suggester found a feasible way to configuration of the bu possible to comply becau to meet the County retention. After further motion to approve, chang "bring the proposed 600 to bring the existing d with the developer's pl Anderson modified his Richardson's amendment.	esenting the petitioner, a uld not be economically fe- bring the entire area into mwater Management District be During the discussion l that these same stipul- er of other resolutions d deferring action until be comply. Mr. Ryan furthe ildings concerned and why se his clients did not own y's criteria for the or discussion <u>Mr. Richards</u> ged his motion to amend the square foot building int ry wells or catch basins an No. 830.7 dated March second of the motion	easible to comply o compliance with c criteria and he h. City Engineer lations had been granting similar the petitioners her explained the it would not be n enough property e storm water son, maker of the ne stipulation to o conformaty and into conformance 19, 1984." Mr. to include Mr.	Anderson Barnett Bledsoe		x	xxx			
	MOTION: To ADOPT the statement above	resolution as amended by •	Mr. Richardson's	Richardson	x		X			
	***	***	***	Schroeder Billick			X X			
	RESOLUTION 85-		ITEM 10-g	(6–0)						
	A RESOLUTION GR PROVISIONS OF SECT - ZONING OF THE C NAPLES IN ORDER T AND A 21 SQUARE FO	ANTING A VARIANCE FRO PION 22(F)(1)(F) OF APPENI DDE OF ORDINANCES OF THE C O PERMIT A 60 SQUARE FOC OT GROUND SIGN AT THE PARE 35 TAMIAMI TRAIL NORTH TIVE DATE.	M THE DIX "A" CITY OF DT SIGN K SHORE							
	Title read by City Attor	ney Rynders.								
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City Council Minutes Date September 18, 1985	COUNCIL	M C T I O N	SECOND	YES	NO	BSENT
	MEMBERS	N	0	5	0	
COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES ITEM 10 PLANNING ADVISORY BOARD (Cont) (Cont)						
RESOLUTION 85- (Cont) ITEM 10-g	pm as i i					
Jack Brugger, representing the petitioner, noted that they were effectively landlocked and did not have the street frontage that would permit the signs requested. Mr. Schroeder observed that this property owner really had no "front yard" and that the easements could be construed as "streets" enabling them to have the signs. Citizen Gilbert Weil spoke against the petition. Mayor Billick and Councilman Schroeder both noted their opinion that the Right Turn Only should be enforced by a barrier rather than the rubber bumpers now in place. Mr. Richardson indicated that he was not in favor of doing anything to increase traffic on Neapolitan Way, with which Mr. Barnett concurred. Charles Alexander, general manager of the apartment-hotel complex, noted that the sign on U.S. 41 had been taken down and they had "zero-identification" and needed the requested signs. Citizen Jim McGrath spoke against variances to the sign ordinance.	Anderson Barnett Bledsoe Richardson Schroeder Billick (3-3)	x	x	x x x	X X X	
MOTION: To ADOPT the resolution as presented.	FAILED		1			
*** ***						
RESOLUTION 85-4823 ITEM 10-h-1						
WIDE UTILITY AND DRAINAGE EASEMENT LOCATED IN BLOCK 30, PARK SHORE UNIT NO. 4; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. *** *** *** Mr. Richardson and Mr. Schroeder left the Council Chamber - 11:17 a.m. *** *** *** Dick Baker, representing the petitioner, said he was present to	Anderson Barnett Bledsoe Richardson Schroeder	x	x	x x x		xxx
answer any questions.	Billick (4-0)			X		
MOTION: To ADOPT the resolution as presented.						
RESOLUTION 85-4824 ITEM 10-h-2			ŀ			
A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT A DRIVE-UP WINDOW FACILITY AT A PROPOSED BANK FACILITY AT THE NORTHWEST CORNER OF TAMIAMI TRAIL NORTH AND NEAPOLITAN WAY; AND PROVIDING AN EFFECTIVE DATE.	Anderson Barnett Bledsoe Richardson	x	x	X X X X X		
Title read by City Attorney Rynders. *** *** *** Mr. Richardson and Mr. Schroeder returned to Council Chamber -	Schroeder Billick (6-0)			X X		
11:19 a.m. *** MOTION: To <u>APPROVE</u> the ordinance as presented on First Reading. *** ***						
ORDINANCE 85- ITEM 10-i						
AN ORDINANCE REZONING THE FOLLOWING DESCRIBED PROPERTY FROM "C-3" HEAVY BUSINESS, TO "C-2" GENERAL COMMERCIAL; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE CITY TO IMPLEMENT THE RECOMMENDATION IN THE COMPREHENSIVE PLAN IN ORDER TO FURTHER PROTECT THE ADJACENT RESIDENTIAL AREA.						
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ATTACHMENT #1

Supplemental Attendance List - Regular Meeting, September 18, 1985

Reverend Warren Adkins Charles Alexander Sergio Montes Robert Forsythe Janet Ward Gary Tice John E. Ryan Robert Galloway John Agnelli Jack Brugger Michael Jones Nancy Crooks Charles Andrews Tish Gray Gilbert Weil Larry Hammond Bernard Turner Jim McGrath A. Jos. Herms Mary Schmeckpeper Mrs. McClure Charles Spiro Ed McMahon Carl Hedin Dale Chlumsky Dick Baker Dr. Charles Eytel John Barr Jim Weigel Charles Long Laurie DeCourcy

News Media

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Ed Solberg, TV-9 Lori Rozsa, Miami Herald Pete Scovil, TV-9 Chuck Curry, Naples Daily News Margaret Minarich, Naples Star

Other interested citizens and visitors.

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TO WHOM IT MAY CONCERN ATTACHMENT #2 - page T

Relative to the issue that a commercial bank is planning on establishing itself at the address of 801 Anchor Rode Drive, the undersigned wish to make known to the City Council the following:

1) we do not wish to have yet another bank locate itself this close to our residences; 2) not withstanding our unhappiness with the bank's planned incursion into our neighborhood, we recognize that with the existing zoning there is nothing we can do about the matter except to let our displeasure be known and to respectfully request that the City Council continue to do what it can to stop commercial incursions into residential areas; and

3) nevertheless, with regard to the planned driveway encircling the entire existing structure at 801 Anchor Rode Drive, we strongly feel that it will not enhance the existing attractive building or neighborhood and that instead the traffic flow be limited only to the easternmost extent of the property, i.e. entrance to and egress from the property be restricted to the east of the existing property. We further request that signs designating the bank be neutral and unobtrusive.

In addition, we wish the City Council and bank to be aware that if the bank decides to be a bad neighbor and not consider our wishes, the undersigned intend to organize a boycott -- by personal telephone contact to as many residents of the city as we can -- by informing other citizens of the lack of interest on the part of the bank relative to our concerns about the quality of our neighborhood.

3363 BiNNACLE DRIVE 3363 Binnacle D. 3343 3200 Innae. 5-3. 3200 Sinnas D-1 3200 Bunn E-3 3200 BANARE/e 3200 2637576 BINNACLE 6.21 Junnache M 3200 and 2D innacle DR 3300 Jenn 261-1598 3 11.0 ROOK DRIVE techor lope

ATTACHMENT #2 - page 2

Relative to the issue that a commercial bank is planning on establishing itself at the address of 801 Anchor Rode Drive, the undersigned wish to make known to the City Council the following:

1) we do not wish to have yet another bank locate itself this close to our residences; 2) not withstanding our unhappiness with the bank's planned incursion into our neighborhood, we recognize that with the existing zoning there is nothing we can do about the matter except to let our displeasure be known and to respectfully request that the City Council continue to do what it can to stop commercial incursions into residential areas; and

3) nevertheless, with regard to the planned driveway encircling the entire existing structure at 801 Anchor Rode Drive, we strongly feel that it will not enhance the existing attractive building or neighborhood and that instead the traffic flow be limited only to the easternmost extent of the property, i.e. entrance to and egress from the property be restricted to the east of the existing property. We further request that signs designating the bank be neutral and unobtrusive.

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525 ANCHOR RODE DR. 261-4153 Basil P. Barr MD 510 ancho, Kode Mr. 263-1774 540 (Inchar - Rode AV - 261-4161 555 anchar Rade Dr 262-8514 7 261 6954 88 12

ATTACHMENT #2 - page 3

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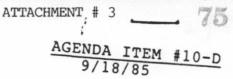
3) nevertheless, with regard to the planned driveway encircling the entire existing structure at 801 Anchor Rode Drive, we strongly feel that it will not enhance the existing attractive building or neighborhood and that instead the traffic flow be limited only to the easternmost extent of the property, i.e. entrance to and egress from the property be restricted to the east of the existing property. We further request that signs designating the bank be neutral and unobtrusive.

In addition, we wish the City Council and bank to be aware that if the bank decides to be a bad neighbor and not consider our wishes, the undersigned intend to organize a boycott -- by personal telephone contact to as many residents of the city as we can -- by informing other citizens of the lack of interest on the part of the bank relative to our concerns about the quality of our neighborhood.

TTT ANCHOR ZODC, NAPLES 787 anchor Rode; minla Rinuade Dr. 261-26-35 262-5173 3693 AIR LANC 261-0116 263-3410 261-3081 Coda 261-3324 46 (11, 1. 2630469 Rode 00 751 269-2130 261.4499 751 und 63-2073 3333 made An Cipt. 20. 3200 evale Binnacle Dr. apt 24 hor Rode Dr. 650 Rode Dr. 261-8296 rchor Cinchon Rode 263-0298

Ellen & Hopeff 3376 Crayton Re Attachment #2 - page 4 Dalla fort 616 Anchor Rode D Balette C. Stofko 636 Atuchos Rode D. Robert R. Katzenmeyer 788 Pazek Schore Drive, (-17, Maples, Florida 262-5574 Weinrech 5 Studiz 3373. Buildoce Drives Walks, House, 622, 3378 -13-





--- MEMO ----

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 85-V12 and Nonconformity Petition 85-N4.

Petitioner: Naples Sailing and Yacht Club

DATE: September 9, 1985

Background:

The petitioner wishes to expand a nonconforming building. A portion of the addition will have less than the required rearyard setback.

PAB Recommendation:

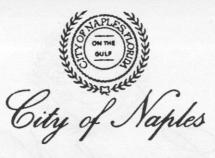
The PAB held a public hearing on this petition on September 5, 1985 and recommended approval, subject to the following conditions:

- The submittal and approval of a "best effort" water retention plan that would bring the subject property into substantial compliance with present County standards prior to the issuance of a building permit.
- The paving at the ends of certain rows of parking (see file copy site plan) shall be removed and the areas landscaped.

Respectfully submitted, Franklin C. Jones

City Manager

hent Director



MEMO

AGENDA ITEM #11 9/18/85

ATTACHMENT # 4- page 1

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: AMENDMENT OF POLICIES AND FEES FOR USE OF FACILITIES WITHIN THE COMMUNITY SERVICES DEPARTMENT

DATE: SEPTEMBER 12, 1985

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BACKGROUND: Over the past several years, the Community Services Department has been experiencing an ever-increasing demand for recreational facilities, athletic fields, and meeting rooms to the point of not having the ability to accommodate all requests. In an effort to structure facility use, our staff, in conjunction with the Parks & Recreation Advisory Board, reviewed our existing Code of Ordinances (Chapter 16) for possible amendments. Our objective was to provide a clear understanding of what types of groups and/or organizations may use our facilities and establishing procedures for reserving them. In addition, a revision of our existing fee structure was undertaken.

ANALYSIS: The initial staff research effort focused on two areas. These are: (1) policies and procedures for the use of facilities and (2) a fee schedule for recreational programs and facilities. Examples of ordinances from over a dozen cities and counties were obtained and a draft was prepared for the City Attorney's review. The draft was then placed on the Naples Parks & Recreation Advisory Board agenda for three consecutive months for their review. At the conclusion of the third meeting, the Advisory Board recommended that City Council adopt the policies for facility use contained in the proposed ordinance.

The policies and procedures language attempts to provide a clear understanding of what types of groups and organizations may use the cities' facilities and the procedures for reserving them. The schedule of fees associated with recreational programs and facilities use was developed by surveying other organizations' charges (ATTACHMENT I) and using the fee policy the Community Services Department presently has in place. The main objective in this effort was to develop a policy that would be fair and consistent for all individuals, groups and organizations wanting to participate on or use City facilities.

A summary of the changes and/or additions being recommended are as follows:

SECTION 16-28

Existing:

Sec. 16-28. Use of recreational facilities during hours of usual non-use; fees generally; exemption.

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Mayor and Council September 12, 1985 Page 2

> (a) The city manager shall establish a schedule of fees which shall be charged for the use of city recreational facilities during such times as said facilities are normally closed to the public, when such use requires the services of a custodian or results in additional utility costs to the city. Said schedule of fees shall be based upon the cost of the city for providing such facilities.

> (b) Activities or special groups sponsored or co-sponsored by the City of Naples Parks and Recreation Department shall be exempt from the payment of such fees.

Proposed:

Section 16.28. Policies governing the operation of Community Services facilities.

- These parks are to be used for activities conducted by the Community Services Department primarily for citizens of Naples. These parks and facilities may be made available to recognized recreation groups when not in conflict with the Department activities. Fees for the use of facilities are provided under the fee schedule.
- (2) Applicants for reservations must satisfy the Community Services Department that they represent responsible organizations, will guarantee orderly behavior for special events, will underwrite any damage due to their use of the facility and shall hold the city harmless for any injuries or damages occurring during said event.
- (3) The Community Services Department reserves the right to cancel or reschedule a meeting time if a special activity, instrumental in meeting the community needs, desires to meet at that time. One week's notice will be given to the group concerned whenever possible.
- (4) Violation of any of the established policies or rules may result in the loss of all present and future privileges.

SECTION 16-29

The existing Ordinance provides for a fee schedule as follows:

Fleischmann Park

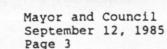
- 1. Registration of \$5.00 for non-City residents.
- 2. Light charge of \$5.00 per hour.

Cambier Park

 Registration for programs and classes of \$.50 City residents, \$1.00 for non-City residents.

The proposed fee schedule for athletic fields is as follows:

- Organized youth programs for individuals six years of age and under will be \$2.00 per participant for City residents and \$2.50 per participant for non-City residents when using athletic fields.
- Organized adult programs for individuals 17 years of age and older will be \$2.50 per participant for City residents and \$3.00 per participant for non-City residents when using athletic fields.



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- 3. \$5.00 per hour light charge when used.
- Field use for tournaments or fund raisers will be \$10.00/game.

The proposed fees for facilities and buildings is as follows:

CLASS I - Charitable Non-Profit Organizations

1. Fee waived for normal hour use.

2. \$20.00/hour beyond normal operating hours.

CLASS II - Civic, Governmental, Service Organizations

- 1. Fee waived for City of Naples or Collier County.
- If for fund raising or authorized solicitation \$20.00 per hour.
- All other Class II use beyond normal operating hours -\$20.00 per hour.

CLASS III - Private, Social Profit or Independent Organizations

- 1. Buildings or meetings room \$10.00/hour.
- 2. Buildings or meeting rooms with kitchen or food preparation or distribution \$20.00/hour.
- Buildings or meeting rooms beyond normal operating hours

 \$20.00/hour.
- 4. \$100.00 damage deposit for groups of 50 or more.

City of Naples Employees

- 1. 50% discount on programs and permits.
- 2. 10% discount on concession items.

In addition to the above fee schedules, we are proposing policies and procedures in the attached ordinance which will provide the Community Services Department with guidelines to regulate City recreational facilities.

<u>RECOMMENDATION</u>: That City Council adopt the attached ordinance which amends Article III, Section 16 of the Naples City Code providing revisions to the policies and fees for the use of facilities within the Community Services Department.

Respectfully submitted,

W. Willow

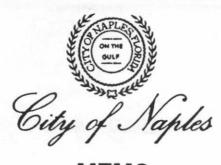
For Franklin C. Jones City Manager

Prepared by:

Fintende ? Falle Christopher L. Holley

Director of Community Services

CLH/ca



ATTACHMENT # 4 - page 4 79

MEMO

TO: CHRIS L. HOLLEY, DIRECTOR OF PARKS & RECREATION

GEORGE VUKOBRATOVICH, SUPT., RECREATION/ENTERPRISES FR:

RE: MUNICIPAL RECREATION FEE STRUCTURES

DATE: FEBRUARY 20, 1985

The following graph is a comparative analysis of Municipal Recreation Fees for facility use. Subject examples have been selected to reflect similar population and facility size as in comparison to the City of Naples.

MUNICIPALITY (Florida)	BALL FIELDS	LIGHTS (pr/hr)	AUDITORIUM (pr/hr)	MEETING ROOMS (pr/hr)	BALL FIELD TOURNAMENT	DEPOSIT	GYM (pr/hr)) INS.
FT. WALTON BEACH	\$5.00 (pr/team)	\$10.00	\$10.00/min. \$20.00	\$6.00/min \$12.00	\$25.00 + \$5.00/team	\$25.00	\$10.00/r \$20.00	nin N/A
LARGO	\$4.00 (pr/hr)	\$16.00	\$10.00/min \$20.00	\$10.00	\$100.00 (flat fee)	\$50.00	N/A	N/A
NORTH MIAMI BEACH	N/A	N/A	\$100.M-F/4 hr \$200.S-S/4 hr		N/A	\$100.00	N/A	Mandatory
ARCADIA	\$5.00	N/A	\$15.00	\$30.00 (1-4 hr)	\$25.00	\$25.00	\$10.00	Upon Request
HILLSBOUROUGH COUNTY-TAMPA	N/A	\$10.00	\$100.00 pr/day	\$20.00	N/A	\$15.00	N/A	Upon Request
SANFORD	N/A	N/A	\$50.00	\$10./Class \$20./Class		\$100.00	N/A	N/A
ST. PETERSBURG	\$5.00	\$10.00	\$25.00	\$10.00	\$10.00	\$100.00	\$15.00	Upon Request
PALM BAY	N/A	N/A	\$25.00	\$12.00	N/A	\$50.00	\$35.00	N/A

These figures reflect the charges to local citizen requests for facilities. In most instances a classification system was used by municipalities to levy higher fees for profit organizations. Most of the examples listed in the chart have the fee structures printed upon the request form. In our "revision efforts" I would recommend this information be on our forms as well.

In general the fees we have proposed are in line with similar municipalities. In my research most cities contacted are in a financial situation which demands fees to supplement operating budgets.

Vukobratovich

Supt., Recreation/Enterprises

GV/rj

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AGENDA ITEM #12 9/18/85

ATTACHMENT $\#^5 - page 1$

--- MEMO ----

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: REFUNDING SERIES 1984-A WATER/SEWER REVENUE BONDS

DATE: SEPTEMBER 12, 1985

BACKGROUND: We have received information from our financial advisors which indicates an advantage in refunding our Series 1984-A water/sewer revenue bond issue. They report a savings of \$10-million in debt service over the life of that issue. Should the bond market maintain its current level of improvement, we should be able to realize some very substantial savings for the City.

<u>ANALYSIS</u>: These savings are accomplished by shortening the maturity of the new refunding issue to take advantage of lower interest rates due to both today's market and shorter maturities. I have attached a letter from J. Timothy Tinsley of Dean Witter Reynolds, Inc., and a schedule which calculates debt service savings for refunding this issue.

<u>CONCLUSIONS & RECOMMENDATIONS</u>: We are asking for permission now to proceed in directing our financial advisors and bond counsel to develop a refunding issue that would be sold at the time we see the best opportunity in the marketplace.

Respectfully submitted,

Franklin C. Jones

City Manager

FCJ/tan encs.

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DEAN WIITER REYNOLDS INC. Public Finance, 325 John Knox Road, Building G-101, Tallahassee, FL 32303 Telephone (904) 386-1184 (800) 882-4422

September 6, 1985

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MANAGE

Franklin C. Jones City Manager Naples, Florida 735 Eighth Street, South Naples, Florida 33940

Dear Frank:

After discussion with the City staff, we have undertaken a refunding analysis of the City's outstanding \$9,030,000 Water and Sewer Revenue Refunding Bonds, Series 1984-A. It was felt that a refunding of the Series 1984-A Bonds would be timely in light of the lower interest rates available today than were available at the time that issue was completed.

The refunding plan would be to call in the Series 1984-A Bonds in 1997, the first date at which there is no call premium. Proceeds from the transaction would be placed in escrow and invested in U. S. Treasury obligations. The earnings from these U. S. Treasury obligations would be used to make the debt service payments on the Series 1984-A bonds until the call date of those bonds. Consequently, the Series 1984-A bonds would no longer have a lien on the water and sewer revenues. In effect, the City would be substituting the Series 1984-A bonds with bonds carrying lower interest rates. It is these new refunding bonds which would have the lien on the water and sewer revenues.

We feel that this plan would be beneficial for several reasons:

 The annual debt service to the City would be reduced in nearly every year.

- (2) The City would be able to retire its debt over a shorter period of time and capture the associated lower interest rates. Currently, the City's debt service extends out to 2013 with maturities not starting until 2003; the refunding plan would shorten this to 2006 with maturities beginning in 1986.
- (3) The shorter debt service period would result in gross savings of approximately \$10,000,000 and present value savings of \$400,000 to \$500,000.

If you have any questions, do not hesitate to call.

Sincerely,

J. Timothy Tinsley Asst. Vice President

JTT/rw

cc: Frank W. "Bill" Hanley Stanley E. Ross City of Naples, Florida Annual Debt Service Difference Dutstanding Debt Service vs. Debt Service After Refunding

	Current	Debt	
	Net Debt	Service	
	Service	After	Annual
Date	at Sept. 1	Refunding	Savings
10/01/85	•		
09/01/86	,-2, 348, 832. 72	2,267,191.46	81,641.26
09/01/87	2, 353, 975. 75	2, 333, 515.00	20, 460. 75
09/01/88	2, 352, 049. 49	2, 330, 052. 50	21, 996. 99
09/01/89	2, 319, 926. 20	2, 327, 552. 50	(7,626.30)
09/01/90	2, 323, 676. 20	2, 332, 802. 50	(9, 126. 30)
03/01/31	2, 335, 176.20	2, 328, 715.00	6,461.20
03/01/92	2, 343, 256. 20	2, 335, 670.00	7, 586. 20
09/01/93	2, 348, 296. 20	2, 327, 885.00	20, 411.20
09/01/94	2, 360, 296. 20	2, 331, 085.00	29,211.20
09/01/95	2, 367, 946.20	2, 333, 645.00	34, 301.20
03/01/36	2, 380, 546, 20	2, 329, 405.00	51,141.20
09/01/97	2, 387, 086.20	2, 328, 155.00	58, 931.20
09/01/98	2, 397, 326. 20	2, 334, 035.00	63, 291.20
09/01/99	2, 410, 176.20	2, 330, 485.00	79,691.20
09/01/00	2, 415, 356. 20	2, 328, 075.00	87,281.20
09/01/01	2, 382, 706.20	2, 335, 725.00	46, 981.20
03/01/02	2, 295, 206. 20	2, 326, 725.00	(31, 518.80)
09/01/03	2, 417, 706. 20	2, 332, 231. 25	85, 474. 95
09/01/04	2, 448, 418, 70	2, 329, 962. 50	118, 456. 20
09/01/05	2,464,606.20	2, 333, 462. 50	131, 143. 70
09/01/06	2, 462, 893, 70	2, 332, 200.00	130, 693. 70
09/01/07	1,308,503.10		1, 308, 503. 10
09/01/08	1, 302, 412. 50		1, 302, 412. 50
09/01/09	1,293,750.00		1,293,750.00
09/01/10	1, 353, 343, 75		1, 353, 343, 75
09/01/11	1, 328, 412. 50		1, 328, 412, 50
09/01/12	1, 346, 218, 75		1, 346, 218. 75
09/01/13	1, 346, 575.00		1, 346, 575.00
	59, 194, 675. 16	48, 888, 575. 21	10, 306, 099. 95

Present Value Difference	1,343,633.66
Less: Present Value of	
future Treasury purchases	(861, 577. 30)
Present Value Savings	482,056.36

ATTACHMENT $\#_{f}^{6}$ page 1 AGENDA ITEM #13 9/18/85

City of Naples

MEMO

(To be included as Resolution "Exhibit A")

TO:HONORABLE MAYOR AND MEMBERS OF CITY COUNCILFROM:CITY MANAGER FRANKLIN C. JONESSUBJECT:HEALTH INSURANCE COVERAGEDATE:SEPTEMBER 17, 1985

BACKGROUND: We have now received the final information from Blue Cross/Blue Shield concerning renewal rates for next year. As you remember, our rates had gone up 65% in 1983 and 40% in 1984, primarily because of extremely high utilization of the plan. Because of these increases we have been working with Blue Cross/Blue Shield to find an amendment to the plan that might reduce the total premium cost to both the City and to the employee participating in the plan. The premium cost to the employee was a subject of negotiations with all of the bargaining groups and, as a result, each contract stated that the City would pursue methods of reducing premium costs. In addition, we established a committee with representatives of all the employee groups (bargaining and non-bargaining) in order to share information concerning our health insurance situation and to gain some feedback from the employees.

<u>ANALYSIS</u>: After reviewing a number of alternatives, we asked Blue Cross/Blue Shield to quote premiums for our current Basic Coverage as well as Comprehensive Coverage. The main differences between these two types of policy is that under a Comprehensive Policy the employee shares in the cost of services at a 20% rate to a total out-of-pocket expense of \$700. Under the existing Basic Policy the employee shares in those costs only for certain services and very rarely reaches the \$700 out-of-pocket limit. While the Comprehensive Plan use means that the employee would meet that \$700 limit much quicker, there are significant premium savings for both the City and the employee under a Comprehensive Plan. The costs for next year indicate that a change to a Comprehensive Plan would result in a savings to the employee of \$208 per year.

In addition to that savings, the benefits of the plan would be expanded in several areas. In-patient days covered by the policy would be increased from 31 to 365 days and the lifetime maximum coverage for employees would be increased from \$250,000 to \$1-million. The supplemental accident coverage limit of \$300 under the current policy would be removed and there would be no limit on accident coverages for treatment within 90 days of an accident with costs covered at 100%. We would also add coverage for home health care services to a maximum of 60 visits per year. This service is not offered under the current Basic Policy.

A major concern we have had in recommending this change is the fact that a small number of our employees will see a greater out-of-pocket expense than they would under the prior Basic Coverage. We have analyzed our claims for 1984 and found that of our 390 employees who participated in health insurance, 226 filed claims during that year. Of those filing claims, 153 would

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Mayor and Council September 17, 1985 Page 2

experience an out-of-pocket expense that would be less than the premium savings for converting to the Comprehensive Plan. Because of the co-insurance provision, the other 73 employees would probably pay some amount up to the stop-loss amounts at a faster rate. Some of those employees may experience out-of-pocket expenses that were not required under the Basic Coverage.

In order to ensure that this transition to the Comprehensive Plan does not create a hardship for any employee, I would recommend that Council authorize us to establish a program that would provide interest-free loans to employees for out-of-pocket expenses that exceed \$500 per employee. We would recover the loan through a payroll deduction for a period not to exceed two years. Based on 1984's experience, there would be 40 employees who might need to participate in this loan provision. Our experience indicates that the employee could expect to utilize the health insurance at a level that would require additional out-of-pocket expenses one year out of every five. If we assume that a \$208 premium saving would continue for the five-year period, those premium savings would exceed the out-of-pocket expenses in every case.

This change in policy types actually shifts the burden for premium cost from the employees who do not utilize the insurance to the employees who do utilize it. The majority (317 of 390) of our employees will either realize a savings in premium costs or have costs equal to last year's premium.

<u>CONCLUSIONS & RECOMMENDATIONS</u>: I would recommend that the City Council approve the renewal of our contract with Blue Cross/Blue Shield for the Comprehensive Coverage outlined above.

Respectfully submitted,

UELLE Franklin C. Jones

City Manager

FCJ/tan enc.

ATTACHMENT 6 - page 3

		City	
Plan Type	Current Basic	Proposed Basic	Proposed Comprh.
Single Family	\$97.24 \$237.54	\$82.67 \$201.91	\$73.14 \$178.67
	Em	ployee	
Family/Mo Family/Yr	\$70.15 \$841.80	\$59.62 \$715.44	\$52.77 \$633.24
		Basic	Comprehensive
Benefits Ana Basic Hospita	-	100%	80%
In-Patient	Days	31	365
Room/Board	1 :	Semi-private	Semi-Private
Major Medical Lifetime M		\$250,000	\$1,000,000
Deductible	e	\$100	\$100
Co-insurar	nce	80/20	80/20
Room Allow	vance	Semi-private	Semi-private
Out-of-poo	cket Maximum	\$700	\$700
Supplemental	Accidental	\$300	Unlimited Within 90 Days
Home Health (Care	None	60 visits per year

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ATTACHMENT. # 7 page 1

AGENDA ITEM #15 9/18/85

735 EIGHTH STREET, SOUTH . STATE OF FLORIDA 33940

OFFICE OF THE CITY MANAGER

September 9, 1985

Mr. Carlo M. Paterno 1167 Third Street, South - Suite 108 Naples, Florida 33940

Dear Mr. Paterno:

After receiving your letter of September 5, concerning the intersection of Third Street and Broad Avenue South and having further discussed the issue with you today, I agree that a reasonable length of time has elapsed for us to make some sort of conclusion about the intersection. I do not agree, however, that the comments from the public received during this period indicate that the modifications to the intersection should remain.

In order to determine if the changes cause undue problems for the public and business people in the area, we have been collecting comments over the past 90 days since the changes to the intersection were in place. The input that we have received thus far would indicate very strong support for returning the intersection to its original condition.

In addition, in your letter to Mark Wiltsie of September 3, you indicate that further changes and traffic restrictions would be needed at the modified intersection for it to function safely and to eliminate criticism. This further indicates that the changes have had a negative effect on traffic and safety. Since the work was done by a private firm under contract to you and since our agreement was that you would bear the expense of returning Mr. Carlo M. Paterno September 9, 1985 Page 2

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the intersection to its original condition, if needed, I am requesting that you have your contractor schedule the work to return the intersection to its original condition. The work should be completed no later than October 15, 1985. If the work is not completed at that time, the City will undertake removal of the modifications and bill you.

Please feel free to contact the Mayor and/or individual City Council members if you wish to discuss this further with them. A further review could be scheduled on an upcoming meeting agenda, if you wish.

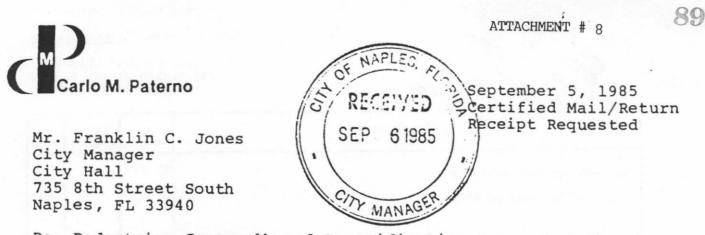
Your prompt attention to this matter will be greatly appreciated.

A. BLOW ENGLISTING STRATE LINE PROVIDE STRATE STRATE STRATE

Sincerely, Franklin C. Jones

City Manager

FCJ/tan



Re: Pedestrian Crosswalk and Beautification Program at the Corner of Third Street South and Broad Avenue South

Dear Frank:

I have been working all summer long on the beautification of the Third Street South Shopping area and am enclosing a picture of the 6 queen palm trees which were planted in the pedestrian crosswalk. Immediately after the 6 trees were planted, I received a phone call from City Engineer John McCord requesting me to remove the 6 trees which I did the following day although I had received a permit from Mr. McCord to install the trees; said permit having also been approved by other City departments which were involved. In addition, I had furnished the City with a survey prepared by a traffic engineer.

At about 5:00 P.M. on the afternoon of June 4th, I received a phone call at my residence from John McCord advising me he needed a letter from me the next day -- addressed to you -- stating that after a reasonable length of time if the intersection caused a traffic hazard as a result of the pedestrian crosswalk that I would make whatever restitution was necessary in order to rectify the problem. I now feel that a reasonable length of time has elapsed, there have been no accidents to my knowledge so I wish to go on record with you that I now will not make any restitution of the area.

On September 3rd I wrote Mark Wiltsie a long letter with suggestions which I believe will improve the intersection and I trust the City will give me some support so that I can replant the 6 queen palm trees in the very near future.

Sincerely

CMP:JB Enclosure

mc: Hon. Stanley Billick, Mayor Bruce D. Green, P.E. David N. Sexton, Attorney-at-Law Mark W. Wiltsie, Asst. to City Manager -28-

