



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR PUTZELL - None.			
-CITY MANAGER JONES - Announced that there would be a press conference for Congressman Connie Mack at City Hall on September 4, 1986 at 2:00 p.m.			1
<u>PURCHASING</u>			
-BID AWARD - one panel van for Fire Prevention Bureau.		86-5069	1
-BID AWARD - various items for resale at the City Fishing Pier, City Dock, Lowdermilk Park and through vending machines at City-owned facilities.		86-5070	2
<u>RESOLUTIONS</u>			
-ADOPT coastal construction setback variance, 4348 Gordon Dr., Clarke Swanson.		86-5071	2
-ADOPT rescheduled hearing date for Collier DRI Application January 7, 1986.		86-5072	5
-ADOPT revision of procedure for securing professional services.		86-5073	5
-ADOPT idle speed - no-wake zones in Naples Bay.		86-5074	6
-ADOPT appointment of selection committee to evaluate architectural firms, renovation of Cambier Park.		86-5075	6,7
-ADOPT agreement between City and County for service to the Sandpiper Club.		86-5076	7
-ADOPT agreement between City and Pelican Bay for potable water.		86-5077	7
-ADOPT authorization for parking garage study for Fifth Avenue.		86-5078	8
-ADOPT authorization to execute two contracts regarding effluent reuse system.		86-5081	10,11
<u>ORDINANCES - First Reading</u>			
-APPROVE amendments in the Coastal Zone Protection Act.	86-		2
-APPROVE amending Chapter 9 of the Code of Ordinances to conform with the National Fire Protection Association Code and Standards.	86-		3
-APPROVE amendment of Section 18-72 of the Code of Ordinances regarding The Firemen's Retirement Trust Fund.	86-		4
-APPROVE building height restrictions in HC zone districts.	86-		9
<u>ORDINANCES - Second Reading</u>			
-ADOPT establishing a Blue Ribbon committee to study Mayor and Council's compensation and benefits.		86-5079	9
-ADOPT exclusion of Mayor and Council's participation in retirement system - option to withdraw contributions.		86-5080	9
<u>DISCUSSION/ACTION</u>			
-Request for rehearing on September 17, 1986 by Peter Takos, Naples Bay Club.			5
-Approve City Manager's pay increase of 6.9%.			11
<u>CORRESPONDENCE AND COMMUNICATIONS</u>			
-City's Health Insurance Bidding.			11,12

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 5:30 p.m.

Date September 3, 1986

Mayor Putzell called the meeting to order and presided as Chairman:

ROLL CALL: Present: Edwin J. Putzell, Jr. ITEM 2
Mayor

Kim Anderson-McDonald
William E. Barnett
William F. Bledsoe
Alden R. Crawford, Jr.
John T. Graver
Lyle S. Richardson
Councilmen

Also Present:

Franklin C. Jones, City Manager	Christopher L. Holley, Community Services Dir
David W. Rynders, City Attorney	Stewart K. Unangst, Purchasing Agent
Mark W. Wiltsie, Assistant City Manager	Paul A. Reneau, Equipment Mgt Director
Janet Cason, City Clerk	Frank W. Hanley, Finance Director
Roger J. Barry, Community Development Director	Norris C. Ijams, Fire Chief
James L. Chaffee, Utilities Director	Wayne Martin, Fire Marshall
Jodie M. O'Driscoll, Deputy Clerk	

See Supplemental Attendance List - Attachment #1.

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INVOCATION: Reverend Rick Morrell ITEM 1
East Naples Baptist Church

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ANNOUNCEMENTS ITEM 3

MAYOR PUTZELL: None.

CITY MANAGER JONES: Announced that there would be a press conference for Congressman Connie Mack at City Hall on September 4, 1986 at 2:00 p.m.

*** **

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

APPROVAL OF MINUTES ITEM 4
Workshop Meeting, 08/19/86
Regular Meeting, 08/20/86
Workshop Meeting, 08/20/86

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PURCHASING ITEM 5

---RESOLUTION NO. 86-5069 ITEM 5-a

A RESOLUTION AWARDING THE BID FOR ONE (1) PANEL VAN TO BE PURCHASED FOR THE FIRE PREVENTION BUREAU OF THE CITY FIRE DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

*** -1- ***

COUNCIL MEMBERS	VOTE			
	M	S	Y	A
	O	E	E	B
	T	C	N	S
	I	O		
	O	N	E	N
	N	D	S	O
				T
Edwin J. Putzell, Jr.				
Kim Anderson-McDonald				
William E. Barnett				
William F. Bledsoe				
Alden R. Crawford, Jr.				
John T. Graver				
Lyle S. Richardson				
Christopher L. Holley				
Stewart K. Unangst				
Paul A. Reneau				
Frank W. Hanley				
Norris C. Ijams				
Wayne Martin				

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p>---RESOLUTION NO. 86-5070 ITEM 5-b</p> <p>A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS ITEMS FOR RESALE AT THE CITY FISHING PIER, CITY DOCK, LOWDERMILK PARK AND THROUGH VENDING MACHINES LOCATED AT CITY-OWNED FACILITIES; WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING THEREON; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title not read.</p> <p>MOTION: To APPROVE the Consent Agenda as presented.</p> <p>*** *** ***</p> <p>-----END CONSENT AGENDA-----</p> <p>---RESOLUTION NO. 86-5071 ITEM 6</p> <p>A RESOLUTION MODIFYING THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE VARIANCE GRANTED TO CLARKE SWANSON TO ADD A PORCH TO A PRIVATE RESIDENCE AT 4348 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>City Engineer Gronvold advised Council that a previous variance was granted but not acted upon by the petitioner. That variance was granted in 1981 which required the petitioner to construct rip-rap along the seawall for the entire length of the property, he said. The staff concurred with this modification.</p> <p>George Hermanson, representing Petitioner Clarke Swanson, explained that the first variance wasn't acted upon because of a recent redesign of the residence; the new design utilizes less sand than before.</p> <p>MOTION: To ADOPT the resolution as presented.</p> <p>*** *** ***</p> <p>-----FIRST READINGS-----</p> <p>---ORDINANCE NO. ITEM 7</p> <p>AN ORDINANCE ADOPTING THE 1986 AMENDMENTS TO THE "COASTAL ZONE PROTECTION ACT OF 1985" SET FORTH IN CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CLARIFY AND CORRECT THE COASTAL CONSTRUCTION REQUIREMENTS ENACTED DURING THE 1985 SESSION.</p> <p>Title read by City Attorney Rynders.</p> <p>Community Development Director Barry delineated for Council the provisions of the Coastal Zone Protection Act. In response to Mayor Putzell, Mr. Barry advised that Council had conformed to the earlier legislation in February.</p> <p>MOTION: To APPROVE the ordinance as presented on first reading.</p> <p>*** *** ***</p>					
Anderson-McDonald				X	
Barnett			X	X	
Bledsoe	X		X	X	
Crawford			X	X	
Graver			X	X	
Richardson			X	X	
Putzell			X	X	
(7-0)					
Anderson-McDonald	X		X	X	
Barnett		X	X	X	
Bledsoe			X	X	
Crawford			X	X	
Graver			X	X	
Richardson			X	X	
Putzell			X	X	
(7-0)					
Anderson-McDonald				X	
Barnett				X	
Bledsoe	X		X	X	
Crawford			X	X	
Graver		X	X	X	
Richardson			X	X	
Putzell			X	X	
(7-0)					

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 NO. _____

ITEM 8

AN ORDINANCE AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO CONFORM WITH THE NATIONAL FIRE PROTECTION ASSOCIATION CODE AND STANDARDS, 1985 EDITION; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT THE NATIONAL FIRE PROTECTION ASSOCIATION CODE AND STANDARDS, 1985 EDITION, IN ORDER TO UPDATE CURRENT FIRE CODES.

Title read by City Attorney Rynders.

Chief Ijams commented that these changes in the Code would serve the citizens well.

Mayor Putzell asked the record to reflect Mr. Scott Browne's letter dated September 2, 1986 (Attachment #2).

Mr. Scott Browne, President of Collier County Builders and Contractors Association, recommended approval of the ordinance except for the section regarding fire sprinklers. He said he did not believe that sprinklers should be mandatory for new construction, it is an added burden to the cost. Mr. Browne indicated a desire to participate with the City in a study of the effectiveness of sprinklers in saving lives.

Chief Ijams explained that another area in Florida, Longboat Key, has sprinkler protection similar to this proposal and that Scottsdale, Arizona, has 100% sprinkler protection with proven reduction of fire loss.

Mr. Mario LaMendola, Architect, was also in favor of adopting the code with the exception of fire sprinklers. In response to Mayor Putzell, he explained that there are other areas of construction that can be improved to prevent fire danger.

Mr. Graver asked what effect fire sprinklers would have on insurance and Mrs. Anderson-McDonald advised there is a very small credit issued. She further advised that even if the fire had not consumed the building, water damage would have occurred.

In response to Mr. Bledsoe, Mayor Putzell clarified that the ordinance states sprinklers are required in all new construction.

Chief Ijams expressed his view that the section involving sprinklers would be a plus for every citizen in Naples and that most water damage occurs when sprinkler heads have been damaged.

MOTION: To APPROVE the ordinance as presented on the first reading.

Anderson-McDonald
Barnett
Bledsoe
Crawford
Graver
Richardson
Putzell
(7-0)

X

X
X
X
X
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	

---ORDINANCE NO. ITEM 9

AN ORDINANCE AMENDING SECTION 18-72 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA, RELATING TO THE BOARD OF TRUSTEES OF THE FIREMEN'S RETIREMENT TRUST FUND; PROVIDING FOR MEMBERSHIP ON SAID BOARD; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE MEMBERSHIP AND METHOD OF APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF THE FIREMEN'S RETIREMENT TRUST FUND IN ACCORDANCE WITH THE LAWS OF FLORIDA, CHAPTER 86-41, 1986.

Title read by City Attorney Rynders.

City Manager Jones explained that this ordinance would bring the City into compliance with State law in regard to the pension board. He continued by explaining that Council should pass the ordinance on first reading at this meeting, and then on second reading, September 17, 1986. Members could be appointed on September 17, to comply with the statute as of October 1, 1986. The City Manager suggested discussing the makeup of the board at the September 10 workshop meeting and advised that there was nothing in the statute that precluded a citizen from being an officer or chairman.

Mayor Putzell encouraged any citizens of the City interested in serving on this board to notify the present board.

MOTION: To APPROVE the ordinance as presented at the first reading.

*** *** ***

Anderson-McDonald		X	X
Barnett	X		X
Bledsoe			X
Crawford			X
Graver			X
Richardson			X
Putzell			X
(7-0)			

---ORDINANCE NO. ITEM 10

AN ORDINANCE AMENDING SECTION 18-103 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA, RELATING TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT TRUST FUND; PROVIDING FOR MEMBERSHIP ON SAID BOARD; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REVISE THE MEMBERSHIP AND METHOD OF APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT TRUST FUND IN ACCORDANCE WITH THE LAWS OF FLORIDA, CHAPTER 86-42, 1986.

Title read by City Attorney Rynders.

No discussion for or against.

MOTION: To APPROVE the ordinance as presented at the first reading.

*** *** ***

Anderson-McDonald			X
Barnett		X	X
Bledsoe	X		X
Crawford			X
Graver			X
Richardson			X
Putzell			X
(7-0)			

-----END FIRST READINGS-----

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 11

REQUEST BY PETER J. TAKOS ON BEHALF OF NAPLES BAY CLUB FOR A REHEARING ON SEPTEMBER 17 OF THE NON-CONFORMITY AND SPECIAL EXCEPTION PETITIONS WITH REFERENCE TO A PROPOSED MARINA FACILITY ON THE FORMER OMC PROPERTY.

Title read by City Attorney Rynders.

Mr. Peter Takos requested a rehearing on September 17, 1986, to present revised plans and to address any fears or problems from Council and the public. In response to Mayor Putzell, Mr. Takos advised that they would be prepared to discuss the issue of adequate parking.

Mr. Richardson asked if Mr. Takos could have the information to the City Manager's Office by September 8 or 9 so that it may be included in the meeting packets. Mr. Takos assured Mr. Richardson that it would be there.

Mr. Robert Hines, attorney representing area resident William Tracy, opposed the rehearing with regard to approval of the variance. He argued that there would be too much traffic generated on residential streets which is not in conformity with the neighborhood.

MOTION: To APPROVE a rehearing for petitioner Peter Takos on behalf of Naples Bay Club on September 17, 1986.

*** *** ***

Anderson-McDonald	X		X	
Barnett		X	X	
Bledsoe			X	
Crawford			X	
Graver			X	
Richardson			X	
Putzell			X	
(7-0)				

---RESOLUTION NO. 86-5072 ITEM 12

A RESOLUTION RESCHEDULING THE PUBLIC HEARING DATE IN CONJUNCTION WITH THE "COLLIER DRI" APPLICATION FOR DEVELOPMENT APPROVAL/DRI #10-8586-59; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Barry requested that the October 5, 1986 public hearing date be rescheduled for January 7, 1987 due to a conflict with the necessary County meeting.

MOTION: To ADOPT the resolution as presented.

*** *** ***

Anderson-McDonald			X	
Barnett			X	
Bledsoe	X		X	
Crawford			X	
Graver		X	X	
Richardson			X	
Putzell			X	
(7-0)				

---RESOLUTION NO. 86-5073 ITEM 13

A RESOLUTION RELATING TO THE SELECTION OF ARCHITECTS AND ENGINEERS; REVISING THE PROCEDURE FOR SECURING PROFESSIONAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Manager Jones.

Assistant City Manager Wiltsie explained that this would amend the existing ordinance which is cumbersome and lengthy. City Manager Jones further explained that this would enable staff to negotiate a contract with the approval of the City Manager for anything under \$5,000, thus reducing the time required for Council review.

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson- McDonald				X	
Barnett				X	
Bledsoe		X		X	
Crawford					X
Graver					X
Richardson				X	
Putzell				X	
(5-2)					
Anderson- McDonald				X	
Barnett				X	
Bledsoe				X	
Crawford				X	
Graver		X		X	
Richardson				X	
Putzell				X	
(7-0)					

In response to Mr. Richardson, City Manager Jones explained that the number of people on each committee would vary from project to project. Mr. Crawford said he was concerned that the public would not be well informed with the new procedure, but City Manager Jones reiterated that the committee would operate under the Sunshine Law and there would be no difference in public input, just the number of interviews that the contractors would have to go through.

Mr. Graver expressed reservations regarding the new procedure. Mayor Putzell suggested involving the public in the committees to do the interviewing.

MOTION: To ADOPT the resolution as presented.

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

---RESOLUTION NO. 86-5074 ITEM 14

A RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES TO INVESTIGATE, CONSULT AND COORDINATE WITH THE U.S. ARMY CORPS OF ENGINEERS AND U.S. COAST GUARD, THE ESTABLISHMENT, LOCATION AND TYPE OF INSTALLATION OF NINE (9) PROPOSED PILING AND SIGN (IDLE SPEED - NO WAKE) INSTALLATIONS AND TWO (2) EXISTING PILING AND SIGN RELOCATIONS IN THE NAPLES BAY FOR THE PURPOSE OF PREVENTING POTENTIAL BOAT ACCIDENTS AND TO CLARIFY THE LINE OF NO WAKE ZONES FOR MORE UNIFORM ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Assistant City Manager Wiltsie explained that this resolution would authorize staff to apply for a permit through the Department of Natural Resources and is at the urging of the Florida Marine Patrol, Coast Guard and the police department.

In response to Mayor Putzell, Assistant City Manager Wiltsie advised that the channel up to Marker 13 had already been designated as a no-wake zone. Mayor Putzell advised that the Florida Marine Patrol assured the City of increased surveillance in that area. Mr. Richardson was concerned about night traffic and whether boaters would be able to see the markers. Assistant City Manager Wiltsie explained that the markers were painted with reflective paint.

MOTION: To ADOPT the resolution as presented.

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---RESOLUTION NO. 86-5075 ITEM 16

A RESOLUTION APPOINTING A SELECTION COMMITTEE FOR THE PURPOSE OF EVALUATING VARIOUS ARCHITECTURAL FIRMS REGARDING THEIR QUALIFICATIONS AND ABILITY TO PROVIDE PROFESSIONAL SERVICES RELATING TO THE RENOVATION OF THE CAMBIER PARK COMMUNITY CENTER; AND PROVIDING AN EFFECTIVE DATE.

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	

with increases concurrent with retail customers. The City Manager then gave a brief history of the issues involving Pelican Bay, the City, and the County.

Mayor Putzell asked if the County's position was that they would not permit the City to install the distribution line. The County maintains that there are legal issues involved, Mr. Jones explained, and the County has the right to provide this service. The County estimates that in two years they should be able to provide service to Pelican Bay, he added, but Pelican Bay is hesitant to rely on this estimate because at the end of two years they could be in a dangerous position if the County was not able to provide service.

Mayor Putzell suggested that upon the County's assurance of winding up all pending and future service matters, that Council execute a two year agreement with both, but nothing more.

In response to Mr. Graver, City Manager Jones explained that the County would negotiate price terms with Pelican Bay before the end of the agreement. Mr. Barnett asked why in the County's addendum, Item 3 was crossed out. City Manager Jones advised that Item 3 referred to a 12 inch line owned by the City that the County wanted deeded over to them.

Mr. Graver asked if Pelican Bay was pursuing the possibility of being an independent district. City Attorney Rynders advised that he did not know.

MOTION: To ADOPT the resolution as amended to delete all of Article 7 but the first sentence of.

MOTION: To APPROVE execution of an agreement between the City of Naples and Collier County with regard to Pelican Bay deleting paragraphs #1 & #3.

---RESOLUTION NO. 86-5078

ITEM 20

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN CONJUNCTION WITH THE STUDY TO DETERMINE THE FEASIBILITY OF A PARKING GARAGE IN THE FIFTH AVENUE SHOPPING AREA; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Mayor Putzell advised that this had been discussed in the budget workshops. Council is asked to authorize \$6,000, no more, for a parking garage study. In response to Mayor Putzell, Assistant City Manager Wiltsie advised that the study would include the necessary ratio conversions for the winter months.

Mr. Bledsoe expressed doubts about the project.

MOTION: To ADOPT the resolution as presented.

Anderson-McDonald			X	
Barnett			X	
Bledsoe			X	
Crawford			X	
Graver		X	X	
Richardson	X		X	
Putzell (7-0)			X	
Anderson-McDonald			X	
Barnett		X	X	
Bledsoe			X	
Crawford			X	
Graver			X	
Richardson	X		X	
Putzell (7-0)			X	
Anderson-McDonald	X		X	
Barnett		X	X	
Bledsoe			X	
Crawford			X	
Graver			X	
Richardson			X	
Putzell (7-0)			X	

COUNCIL MEMBERS	VOTE				A B S E N T
	M O T I O N	S E C O N D	Y E S	N O	
Anderson-McDonald			X	X	
Barnett					X
Bledsoe					X
Crawford			X		
Graver	X		X		
Richardson			X		
Putzell			X		
(5-2)					
Anderson-McDonald	X				X
Barnett		X			X
Bledsoe					X
Crawford					X
Graver					X
Richardson					X
Putzell					X
(7-0)					

---ORDINANCE NO.

ITEM 15

AN ORDINANCE AMENDING SECTION 5.9H OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES LIMITING THE BUILDING CONSTRUCTION HEIGHTS IN "HC" ZONE DISTRICTS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO RESTRICT THE HEIGHT OF BUILDING CONSTRUCTION IN THE "HC" ZONE DISTRICTS.

Title read by City Attorney Rynders.

City Attorney Rynders advised Council that there was an error in the ordinance, it should read 5.10H, not 5.9H.

Community Development Director Barry explained that this ordinance was to reduce the building height in commercial highway use property.

Citizen Gil Weil, resident of the Park Shore area, spoke in favor of the most recent height ordinance passed by Council. He said he believed the citizens of the community would back Mayor Putzell and the members of Council.

Mr. Barnett opined that he believed Council's first height decision was a good one. Mrs. Anderson-McDonald said she hoped that the City would have the courage to follow the recommendations of the (R/UDAT) team which the City is applying for. Mayor Putzell read a brief statement into the record (Attachment #3). He also read a letter dated July 16, 1986 from the committee responsible for collecting and submitting signatures on the petition to limit heights (Attachment #4).

MOTION: To APPROVE the ordinance as presented at the first reading.

---ORDINANCE NO. 86-5079

ITEM 15-a

AN ORDINANCE AMENDING SECTION 2.5 OF THE CHARTER OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ESTABLISH A BLUE RIBBON COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS TO THE COUNCIL ON THE LEVEL OF COMPENSATION AND BENEFITS FOR THE MAYOR AND COUNCIL MEMBERS.

Title read by City Attorney Rynders.

No one present to speak for or against.

MOTION: To ADOPT the ordinance as presented on second reading.

---ORDINANCE NO. 86-5080

ITEM 15-b

AN ORDINANCE AMENDING SECTION 18-30(B) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; EXCLUDING THE MAYOR AND COUNCIL MEMBERS FROM THE SYSTEM; PROVIDING AN OPTION FOR WITHDRAWING ACCUMULATED CONTRIBUTIONS FOR VESTED COUNCIL MEMBERS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO EXCLUDE PARTICIPATION OF THE MAYOR OR CITY COUNCIL MEMBERS IN THE MEMBERSHIP OF THE RETIREMENT SYSTEM AND TO PROVIDE AN OPTION FOR WITHDRAWING ACCUMULATED CONTRIBUTIONS FOR VESTED COUNCIL MEMBERS.

COUNCIL MEMBERS	M O T I O N	S E C T I O N	VOTE		A B S E N T
			Y E S	N O	
Title read by City Attorney Rynders.					
In response to Mr. Bledsoe, the City Attorney advised that the accumulated contributions include interest.					
<u>MOTION:</u> To <u>ADOPT</u> the ordinance as presented on second reading.			X		

---RESOLUTION NO. 86-5081					
					ITEM 17
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE TWO (2) CONTRACTS RELATING TO THE PLANT CONSTRUCTION AND DISTRIBUTION SYSTEM FOR THE EFFLUENT REUSE SYSTEM; AND PROVIDING AN EFFECTIVE DATE.					
Title read by City Attorney Rynders.					
City Manager Jones explained that the City was entering the final phases of the wastewater treatment plant expansion bidding process to present to the State for approval. The original plan was to have an open irrigation system to provide for the final treatment of wastewater at the City plant, then run through a canal near Goodlette Road, and then placed in the lakes at the golf courses. This idea was abandoned because of complaints from the Environmental Protection Agency and the golf courses. The City still has a viable program, however, Mr. Jones explained because it can store the reused water and then pump to the golf courses when needed.					
Mr. Louis Marcello, of Camp, Dresser & McKee, Inc., advised that part of the program that has been applied for provides a variance from the State to pump into the Gordon River. In response to Mayor Putzell, he advised that the effluent would not contaminate the River. The City has an alternative, he said; namely to utilize a deep well for reuse water storage, but water could not be retrieved once stored. In response to Mr. Bledsoe, Mr. Marcello explained that the water pumped into the Gordon River would be treated and the phosphorus would be removed.					
Mr. Graver and Mr. Richardson expressed concerns about the deep well element of the program. Mr. Marcello advised that the size of the deep well could possibly be reduced to decrease the cost.					
Mayor Putzell also questioned the \$2,000,000 additional cost and Mr. Marcello advised that the increase was due partly to a change in the cost of the effluent storage tank and the effluent pump. The other increases had to do with the time of the financing and how it was actually carried out, he said. Finance Director Hanley advised that when the bonds were sold, the proceeds were less than \$13,500,000 and they incurred additional costs such as \$750,000 for pumping stations, \$600,000 for storage capacity, and \$400,000 for additional engineering costs, which makes up the bulk of the \$2,000,000.					
Mr. Marcello reviewed the State's approval process for such applications. In response to Mayor Putzell, Mr. Marcello advised that the effluent					

Anderson-McDonald			X		
Barnett				X	
Bledsoe				X	
Crawford				X	
Graver				X	
Richardson			X		
Putzell				X	
(7-0)					

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	

system would essentially be in effect in October of 1987. Mr. Bledsoe asked if the golf course effluent systems would begin at staggered times. Mr. Marcello reiterated that construction will take place at various periods and three golf courses will not allow work to be done during the winter months.

Mr. Crawford was concerned about discrepancies with regard to the bids. Mr. Marcello assured him that the chief estimator from the County had checked the bids and the numbers quoted.

Mr. Graver asked if there were other systems like this being used and accepted by the State. Mr. Marcello advised that there were similar systems in St. Petersburg and other areas of the state and in response to Mayor Putzell, Mr. Marcello confirmed that there were penalties involved for not meeting construction deadlines.

City Manager Jones spoke on the subject of refunding bond issues. Generally the savings and debt service requirements would allow the City to add debt service to the new issue.

Mayor Putzell reviewed the contracts presented for approval.

MOTION: To ADOPT the resolution as presented.

MOTION: To AUTHORIZE contacting the City Bond Counsel as indicated in the last paragraph of Me. Jones' letter dated August 28, 1986 (Attachment #5).

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

---DISCUSSION/ACTION ITEM 21

DISCUSSION/ACTION WITH REFERENCE TO CITY MANAGER'S SALARY. PURSUANT TO COUNCIL WORKSHOP OF SEPTEMBER 2, 1986.

Title read by City Attorney Rynders.

Mr. Bledsoe referred to the Mayor's memo dated September 3, 1986 (Attachment #6). Mr. Graver expressed concern that Council was effecting an across-the-board increase in contrast to that given to the City's other personnel. Mrs. Anderson-McDonald suggested a 4.0% increase instead of 6.9%.

MOTION: To APPROVE the City Manager's pay increase of 6.9%.

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CORRESPONDENCE AND COMMUNICATIONS

Mrs. Anderson-McDonald expressed concern over the bid letting process for the City's health benefits. She said that the health benefits should be bid every three years with at least 60 days notice. The bid was let this time in less than 30 days which was not enough time for many companies to respond, she said.

Anderson-McDonald			X		
Barnett	X		X		
Bledsoe			X		
Crawford			X		
Graver			X		
Richardson	X		X		
Putzell (7-0)			X		
Anderson-McDonald			X		
Barnett			X		
Bledsoe			X		
Crawford			X		
Graver	X		X		
Richardson	X		X		
Putzell (7-0)			X		
Anderson-McDonald					X
Barnett	X		X		
Bledsoe	X		X		
Crawford			X		
Graver			X		
Richardson					X
Putzell (5-2)			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	

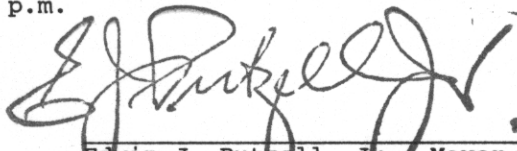
City Manager Jones replied that the pre-bid conference is intended to allow any bidders the opportunity to alert the City to any problems that they might have in meeting the time frame.

Mrs. Anderson-McDonald stated, however, that she had received a letter from one of the bidding companies complaining that there was not enough time to bid the health benefits properly. Mayor Putzell suggested that in the future more time be given for insurance bids.


City Manager Jones explained that in the bid packets were names of people to contact and that they had used the advice of an insurance consultant.

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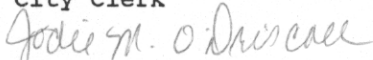
ADJOURN: 8:22 p.m.



Edwin J. Putzell, Jr. Mayor



Janet Cason
City Clerk



Jodie O'Driscoll
Deputy Clerk

These minutes of the Naples City Council were approved SEP 17 1986

SUPPLEMENTAL ATTENDANCE LIST

Reverend Rick Morrell
Donald Flock
Robert Schroer
Allen Hoppenstedt
Gil Weil

Mr. Gilman
Jerry Lanterman
Scott Browne
Peter Takos

Marlene Chaffee
Charles Andrews
Mario LaMendola
Robert G. Hines

NEWS MEDIA

Chuck Curry, Naples Daily News
Chris Wallace, TV-9

Racheal Kearns, Naples Star
Bill Upham, Naples Times



**COLLIER COUNTY BUILDERS
AND CONTRACTORS ASSOCIATION**

3227 HORSESHOE DRIVE SOUTH
NAPLES, FLORIDA 33942
813 / 774-5754

Re: Item #18
ATTACHMENT #2-Page 1

September 2, 1986

Mayor Edwin J. Putzell
Members of City Council
City of Naples



Dear Mayor Putzell and Council Members,

Regarding an ordinance amending Chapter 9 of the code of Ordinances of the City of Naples incidental to adoption of the 1985 edition of the National Fire Protection Association Code and Standards:

A Code Review Committee consisting of a cross - section of the building industry - including an architect, mechanical contractor, fire sprinkler contractor, and general contractor - has met several times for the purpose of reviewing the proposed code changes. Considerations of public safety as well as economics have been very much in our minds. We wish to express our sincere appreciation to Fire Chief Norris Ijams, Fire Marshall Wayne Martin, and other members of the Fire Department, for the outstanding cooperation and participation received.

The Code Review Committee does wish to convey to City Council it's concerns with one aspect of the proposed code revisions and. That is the section (Section 6, Sub Section 9-17) that deals with fire sprinklers. We wish to make the following points:

1.) Naples is a community that is approximately 90% built-up. Requiring fire sprinklers of the remaining possible new structures (10%) is of questionable value and no need has been shown for this added protection. Our efforts need to be directed toward code revisions that would not only improve fire protection in new construction, but address the major issue of our city's 90% existing structures.

2.) The new Standard Building Code and NFPA Life Safety Code, both recently adopted by the City Council, incorporates many new building construction requirements that were not present when most of the existing structures were built in Naples. The new codes provide for many fire prevention and life safety specifications.

3.) The Southern Building Congress, sponsors of the Standard Building Code, meets once a year to review changes and additions. That organization has not seen fit to adopt code changes as far-reaching as are proposed locally.

4.) Naples property owners are continually remodeling and up-dating many of the older buildings in the City. Additional fire protection methods are incorporated in the updating process. The fire department currently reviews plans for their requirements at issuance of building permits.

5.) The existing Building Code now has several requirements for fire sprinkler systems. The present code allows many trade-offs. For example, an architect may use a different type of construction material and eliminate the need for a sprinkler system. The proposed Fire Code would not allow projects this flexibility. Accordingly, construction costs would be arbitrarily increased.

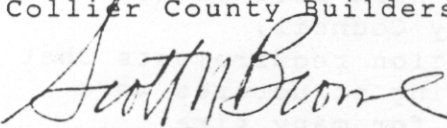
6.) The mandatory requirement for sprinkler systems does not take into account the many new innovations in construction techniques that include fire resistant walls, ceilings and other materials - as well as the existing requirements for smoke detectors, fire alarms, stand-pipes and the installation of a fire hydrant within 500 feet of new structures. We also have an excellent fire fighting department. This mandatory requirement unnecessarily adds a new burden of cost to an already high construction cost.

7.) Only one community in Florida, which is on an island, has a mandatory Fire Sprinkler requirement. This indicates that we are not facing a dilemma and there is no need for an excessive requirement. The high cost of construction today is caused, in part, by excessive code requirements.

It is our recommendation that City Council approve the proposed ordinance with the total deletion of Section 6 Subsection 9-17.

Thank you for your consideration.

Sincerely,
Collier County Builders and Contractors Association, Inc.


Scott N. Browne
President

SNB:tn

The City Council (has received) a letter from the committee that initiated the petition to submit the commercial (building) heights matter to a vote of the citizens this fall. Before reading it into the record, let me make a brief statement:

The Planning Advisory Board and City Staff worked hard and responsibly in developing and recommending revisions to the height aspects of the zoning ordinance as it relates to commercial zones (in) the city. Their proposed changes were adopted unanimously by the City Council and are now binding law.

However, there remains a difference of opinion as to the propriety of the permissible height of buildings in the highway commercial zone on the North Trail, north of Eighth Avenue North and on Tenth Street. I truly believe this difference of opinion is between a group of well-intentioned citizens, all dedicated to the (proper) future (development) of the City. It exists among individuals, like members of this Council and myself, who have no personal or financial interest in the outcome--only desiring to do what each of us believes is best for this City in the years that lie ahead. Thus, it is recognized in many quarters that the height issue is becoming seriously divisive, with real potential damage to the city's long-range development.

Reducing the difference between the two groups of well-intentioned citizens to its minimum, I see it as the difference of nine feet.

(It has been stated as the difference between three and five storied buildings, but) if one examines closely the presently unanimously adopted ordinance, he will see that in substance the difference between the acceptable Crayton Cove, Naples Bay overall height and the present overall height commercial height north of Eighth Avenue North on the Trail, which is unacceptable to the petition signers, is nine feet.

-more-

(20--NAPPET2)

It is therefore with a feeling of sympathetic understanding that I read the letter:

* * * * *

Thus, the committee (that initiated the petition) has indicated its acceptance of the (Crayton) Cove and Naples Bay height as satisfying its concerns. Architects and businessmen have reacted similarly. So, I would hope and now recommend that the Council accept the letter with appreciation and transmit it in accordance with established practice, to the Planning Advisory Board for prompt review and reporting back to Council with recommendations for action.

Were the Council then to act affirmatively to amend the present ordinance, the necessity for an initiative vote with strong emotional feelings on both sides would be alleviated, the (very) real threat of confrontation and bitter divisiveness eliminated, and all the people of Naples could go forward together in planning for and making a better Naples.

Thank you.

July 16, 1986

The Honorable Mayor and Members
of the City Council
735 8th Street South
Naples, Florida 33940



Dear Mr. Mayor and Members of the City Council:

The undersigned members of the committee responsible for collecting and submitting the signatures on the petition to limit heights throughout the City to three (3) stories up to a maximum of 35 feet, hereby advise you of the following: This committee is in complete consensus and agreement that the adoption of a height limiting ordinance which would extend the height limitations recently imposed upon the C2, C2A, C3, C4 and I zone districts by ordinance 86- 5029 into the HC zoning district would constitute adoption of the petitioned for ordinance without substantive change. We reached this agreement and consensus by virtue of the fact that the limitation of heights throughout the City in all commercial zones would be uniform and not substantively different from the "three (3) stories up to a maximum of 35 feet" requested in the petition.

Very truly yours,

Addison Brown
Addison Brown

Alden R. Crawford, Jr.
Alden R. Crawford, Jr.

Gordon R. Glorch
Gordon R. Glorch

Fritz H. Hediger
Fritz H. Hediger

B. A. Thielges
B. A. Thielges

James R. Weigel
James R. Weigel



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: FRANKLIN C. JONES, CITY MANAGER
SUBJECT: AWARD OF BIDS FOR THE EFFLUENT REUSE SYSTEM
DATE: AUGUST 28, 1986

BACKGROUND

The City, by consent order with the Florida Department of Environmental Regulation, is required to discontinue discharging the effluent into the Gordon River. In order to accomplish this goal, the City has elected to go to reuse of it's effluent to irrigate several golf courses in the Naples area. On July 31, 1986, bids were received for this project. Because the project involved two different construction trades, the project was broken into two contracts; Contract A was for the plant construction and Contract B was for the distribution system.

ANALYSIS

The City received two bids for the construction of the plant (Contract A) and six bids for the construction of the distribution system (Contract B). The consulting engineer, Camp Dresser & McKee, Inc., has reviewed the bids and the background of the low bidders in each phase. The low bid for Contract A was submitted by SEU Construction, Inc., for \$7,033,400 and the low bid for Contract B was submitted by T.A. Forsberg, Inc., for \$2,792,795. Attached are the summaries for the bids and the letters of recommendation by CDM, the consulting engineer.

A complete financial summary is prepared for your review on attachment "A". This presentation reflects that \$2,000,000 in additional funds are needed to complete the project. The reason for this is that in the conceptual design it was anticipated that our effluent would be pumped on a 24 hour basis, an open system, to the lakes on the various golf courses. This method of disposal was disallowed by DER, thereby requiring us to provide for additional storage of effluent as it can only be pumped during the evening hours, a closed system. Original estimates were put at \$6,600,000 for the reuse system plus \$2,000,000 in unknown but estimated contingencies. This put the total reuse system estimate at \$8,600,000. Our low bid puts the current cost for the system at \$9,800,000. The additional costs for storage is \$600,000 and the cost for the pumping stations and mains is \$750,000, while additional engineering is \$400,000.

Our 1984B Bond Issue authorized \$15,000,000 in bonds, however, only \$13,500,000 were sold. Annual debt service on an additional \$1,500,000 would be \$150,000. I am requesting Council to authorize the sale of the remaining \$1,500,000 1984B Bonds. These funds will not be needed until June of 1987. Conversations with our financial advisor indicate that if rates continue to drop another $\frac{1}{2}$ percentage point, it would be advantageous to us to refinance our 1984B Bonds. It is anticipated that rates should be favorable for refinancing between now and the first of next year. Should this happen as expected, annual savings would equal the additional debt service of \$150,000. I am therefore requesting Council to authorize the refinancing of our 1984B Bonds. Should the refinancing plan not materialize, we will have earned enough


in additional interest from the construction fund to pay a full year's debt service. Either of these financing measures will insure that sewer service rates will not be affected during the current two-year rate period now in effect.

CONCLUSION AND RECOMMENDATION

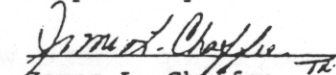
Based upon the above, I respectfully request authorization to award the contracts to the low bidders for each contract, subject to the Florida Department of Environmental Regulation approving the contracts, as they are providing a \$3,000,000 grant to help in the project.

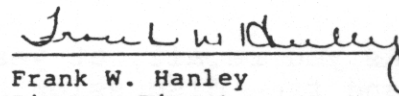
I also request authorization to contact our bond counsel and financial advisor in order to begin appropriate proceedings for the refinancing of our 1984B Bonds and to sell the remaining \$1,500,000 in 1984B Bonds.

Respectfully submitted,


Franklin C. Jones,
City Manager

Prepared by:


James L. Chaffee
Utilities Director


Frank W. Hanley
Finance Director

JLC/FWH/lch
A: BIDAWARD.RWW



City of Naples

MEMO

TO: City Council Members
FROM: Edwin J. Putzell, Jr., Mayor
DATE: September 3, 1986
SUBJECT: City Manager's Compensation

As you recall, at yesterday's workshop there was a full and free discussion by all members of the City Council concerning the recommended increase in salary for the City Manager for the coming fiscal year.

After listening to all members observations and recommendations, I am proposing that the City Manager's salary be increased from an annual rate of \$58,000, to an annual rate of \$62,000, as he asked for.

This is to advise you in advance, so that appropriate action can be taken at tonight's Council meeting.

xc: City Manager

6.9%