



# City of Naples

City Council Minutes  
Regular Meeting 09/02/87

City Council Chambers  
735 Eighth Street South  
Naples, Florida 339

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS:</u> VICE-MAYOR RICHARDSON: None. CITY MANAGER JONES: None.			1
<u>APPROVAL OF MINUTES:</u> August 11, 1987, Workshop Meeting August 12, 1987, Workshop Meeting August 19, 1987, Regular Meeting August 19, 1987, Workshop Meeting			1
<u>PURCHASING:</u> -BID AWARD annual requirements for drainage materials. -BID AWARD for a high speed copy machine, City Hall. -BID AWARD annual requirements for motor oils and lubricants. -APPROVE purchase of items for resale, Community Services. -BID AWARD for recreational improvements, River Park.		87-5352 87-5353 87-5354 87-5355 87-5356	2 2 2 3 3
<u>RESOLUTIONS:</u> -APPROVE acceptance of Lake Park right-of-way from School Board. -APPROVE dredging activities, portion of Hurricane and Moorings Bays, 1725 Crayton Road. -APPROVE action by Mayor issuing a change order for an emergency stand-by generator for Naples Police Department. -APPROVE amendment to Classic Carriage Rides d/b/a Naples Horse and Carriage Company franchise agreement, allowing one additional carriage. -APPROVE permit to construct a manmade lake, 2340 Gordon Drive. -APPROVE policy for support and legal defense of City Council members, City Manager, management staff and City Attorney. -APPROVE change order #4 to T. A. Forsberg in conjunction with the reclaimed water distribution system.		87-5351 87-5357 87-5359 87-5360 87-5361 87-5362 87-5363	2 3-4 6 6-7 7 8 8
<u>ORDINANCES - First Reading:</u> -APPROVE requiring connection of land ten acres or more in size to the City's water reuse system. -APPROVE permit of the sale of alcoholic beverages on Sunday, November 8, 1987, Southwest Florida's Fantasy in Flight.	87- 87-		5 6
<u>ORDINANCES - Second Reading:</u> -ADOPT amendment to the City's organizational chart, abolishing the Equipment Management department and making it a division of Utilities.	87-5358		4
<u>DISCUSSION/ACTION:</u> -It was the consensus of Council to increase the City Manager's salary by 7%. -The agenda for the workshop which would convene in approximately five minutes was reviewed.			8-9 9

Time 9:00 a.m.

Date 09/02/87

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Vice-Mayor Richardson called the meeting to order and presided as Chairman:

**ROLL CALL:** Present: Lyle S. Richardson ITEM 2  
 Vice-Mayor

Kim Anderson-McDonald  
 William E. Barnett  
 William F. Bledsoe  
 John T. Graver  
 Councilmen

Absent: Edwin J. Putzell, Jr.  
 Mayor  
 Alden R. Crawford, Jr.  
 Councilman

Also Present:

Franklin C. Jones, City Manager	Christopher L. Holley, Community Services Dir.
David W. Rynders, City Attorney	Roger J. Barry, Community Devlpmt. Dir.
Mark W. Wiltsie, Assistant City Manager	Stewart K. Unangst, Purchasing Agent
Gerald L. Gronvold, City Engineer	James L. Chaffee, Utilities Director
Mary Kay Palmer, Personnel Director	Steven R. Ball, Chief Planner
Jon C. Staiger, Ph.D., Natural Resources Mgr.	George Henderson, Sergeant-At-Arms
Jodie M. O'Driscoll, Deputy Clerk	

See Supplemental Attendance List - Attachment #1.

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**INVOCATION:** Reverend Robert Bruce (Absent) ITEM 1  
 East Naples United Methodist Church.

Councilwoman Kim Anderson-McDonald  
 then gave the invocation.

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**ANNOUNCEMENTS** ITEM 3

VICE-MAYOR RICHARDSON: None.

CITY MANAGER JONES: None.

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

**APPROVAL OF MINUTES** ITEM 4

August 11, 1987, Workshop Meeting  
 August 12, 1987, Workshop Meeting  
 August 19, 1987, Regular Meeting  
 August 19, 1987, Workshop Meeting

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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	

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

--RESOLUTION NO. 87-5351 ITEM 5

A RESOLUTION ACCEPTING A RIGHT-OF-WAY FOR STREET PURPOSES FROM THE SCHOOL BOARD OF COLLIER COUNTY IN BLOCK "M" OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

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PURCHASING ITEM 6

---RESOLUTION NO. 87-5352 Item 6-a

A RESOLUTION AWARDING THE BIDS FOR THE CITY'S ANNUAL REQUIREMENTS FOR DRAINAGE MATERIALS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Various Vendors  
\$40,000.00 annual estimate

Title not read.

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---RESOLUTION NO. 87-5353 Item 6-b

A RESOLUTION AWARDING THE BID FOR A HIGH SPEED COPY MACHINE AT CITY HALL; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Alpha Omega Business Systems  
Naples, Florida  
\$25,239.68

Title not read.

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---RESOLUTION NO. 87-5354 Item 6-c

A RESOLUTION AWARDING THE BID FOR THE CITY'S ANNUAL REQUIREMENTS FOR MOTOR OILS & LUBRICANTS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Flamingo Oil Company  
Miami, Florida  
\$ 9,371.74

Title not read.

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COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald			X		
Barnett	X		X		
Bledsoe		X	X		
Crawford					X
Graver			X		
Richardson			X		
Putzell					X
(5-0)					

---RESOLUTION NO. 87-5355 Item 6-d

A RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FOR RESALE; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AND PROVIDING AN EFFECTIVE DATE.

Various Vendors

Title not read.

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---RESOLUTION NO. 87-5356 Item 6-e

A RESOLUTION AWARDING THE BID FOR RECREATIONAL IMPROVEMENTS AT RIVER PARK; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Cornerstone General Contractors, Inc.  
Naples, Florida  
\$26,889.00

Title not read.

MOTION: To APPROVE the Consent Agenda as presented.

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

---ADVERTISED PUBLIC HEARINGS---

---RESOLUTION NO. 87-5357 ITEM 7

A RESOLUTION AUTHORIZING DREDGING ACTIVITIES IN THE HURRICANE BAY PORTION OF THE MOORINGS BAY SYSTEM AND CONSTRUCTION OF A WOODEN DOCK AT 1725 CRAYTON ROAD, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:06 a.m.  
Closed: 9:06 a.m.

No one present to speak for or against.

Natural Resources Manager Staiger explained that the property owner was requesting a permit to dredge a portion of Moorings Bay and construct a wooden dock. The proposed dock encroaches upon the southwest setback area, therefore, the dock must be shifted to the north. This action would diminish the amount of material which needs to be dredged, he said. Neighboring property owners have also expressed interest in dredging their waterways, however, such action must be handled individually by resolution. Vice-Mayor Richardson expressed concern that the resolution would need to be changed as the material to be dredged would be reduced.

In response to Mr. Graver, Engineer William J. Johnson, representing the petitioner, advised that the area would be dredged to a depth of -6 NGVD

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

(National Geodetic Vertical Datum) and, further, the owner intends to dredge a slip which would provide access only to the dock front.

Mr. Graver then asked about the position of the dock and Mr. Johnson stated that it was dictated by the owner's desire to dock two boats, but he assured Council that the dock would be located farther north to achieve the appropriate setbacks. Mr. Graver also inquired whether the dock would impede the southern property owner's view and said that the northern portion of the property would be a more appropriate site. Dr. Staiger pointed out that if the dock were moved from the encroached setback area, it would have to be centered on the property. Mr. Graver then suggested that the owner work out an amicable plan with his southern neighbors.

In response to Council's concern regarding the placement of the dock, Natural Resources Manager Staiger advised that a permit could not be issued for a relocated dock unless new plans were submitted.

Dr. Staiger also noted that some of the intertidal sand near the proposed dock is inhabited by sea life and the dock has therefore been extended to retain that area, per the Department of Environmental Regulation (DER) requirements.

MOTION: To APPROVE the resolution as presented.

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-----SECOND READING OF ORDINANCES-----

---ORDINANCE NO. 87-5358 ITEM 8

AN ORDINANCE AMENDING SECTION 1A-27 AND SECTION 1A-28 AND REPEALING SECTION 1A-29 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:15 a.m.  
Closed: 9:15 a.m.

No one present to speak for or against.

City Manager Jones explained that this procedure allows the City to consolidate two administrative management functions by placing Equipment Management under the direction of the Utilities Director.

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

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

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	X		
Barnett			X		
Bledsoe			X		
Crawford					X
Graver	X		X		
Richardson			X		
Putzell					X
(5-0)					

-----FIRST READINGS-----

---ORDINANCE NO. 87- ITEM 9

AN ORDINANCE CREATING SECTION 26A-12 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES REQUIRING CONNECTION OF CERTAIN PARCELS OF LAND TEN ACRES OR MORE IN SIZE TO THE CITY'S WATER REUSE SYSTEM, WHEN AVAILABLE; PROVIDING CONDITIONS; PROVIDING FOR RATES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones said that this ordinance had been drafted at Council's request, to require properties consisting of ten acres or more to connect to the effluent reuse system where available. The rate, he said, would be six cents per 1,000 gallons of reuse water; the City would bear the burden of connection costs.

Although the most effective use of this system, Mr. Jones noted, is for golf course irrigation, other developments may be able to use the system advantageously.

Mr. Bledsoe asked if the staff had identified the properties which would be affected and Mr. Jones advised that some properties on Gordon Drive, south of 22nd Avenue, the Fleischmann property on Goodlette Road, The Collier Corporation property on Airport Road, and a few additional parcels on Airport Road would be included. Mr. Bledsoe then inquired if this had been discussed with property owners; Mr. Jones said that it had not but pointed out that it would be a requirement in order to connect a property to the City water/sewer service.

Mrs. Anderson-McDonald recommended that property owners who would be affected be notified prior to the second reading.

Mr. Graver asked if the County should be apprised and City Attorney Rynders said this was not necessary. The language in the ordinance, he said, states: "where the City offers to extend this service..." which allows the City some discretion as to where lines for the system will go.

Mrs. Anderson-McDonald pointed out that water reuse was implemented for water conservation and other environmental reasons and Vice-Mayor Richardson said that this was the first step in extending the life of fresh water aquifers.

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

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--ORDINANCE NO. 87- ITEM 10

AN ORDINANCE PERMITTING THE SALE OF ALCOHOLIC BEVERAGES ON NOVEMBER 8, 1987, BETWEEN THE HOURS OF 11:00 A.M. TO 7:00 P.M. BY THE COLLIER COUNTY HOTEL/MOTEL ASSOCIATION OR ITS AUTHORIZED AGENTS AT THE "SOUTHWEST FLORIDA'S FANTASY IN FLIGHT" FUNDRAISING EVENT HELD AT THE NAPLES MUNICIPAL AIRPORT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

This request was similar to last year's, City Manager Jones explained. There were no major problems to speak of, he said, and the few which had occurred last year were addressed.

Mr. Steve Wheeler, representing the petitioner, thanked the City for its support.

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

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

---RESOLUTION NO. 87-5359 ITEM 11

A RESOLUTION CONFIRMING THE ACTION BY THE MAYOR AND AUTHORIZING THE ISSUANCE OF A CHANGE ORDER TO FORSYTHE, HUMPHREY & ASSOCIATES AND SOUTHERN GULF WEST CONSTRUCTION IN CONJUNCTION WITH THE PURCHASE OF AN EMERGENCY STAND-BY GENERATOR FOR NAPLES POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones advised that this resolution is to confirm action taken by the Mayor between Council meetings. When the current emergency stand-by generator for the Police Department was in early stages of reconditioning, it was determined that it could not withstand the necessary load in power outages.

In response to Mr. Graver, Assistant City Manager Wiltsie advised that the contractor had obtained three competitive quotes.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5360 ITEM 12

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT TO THE FRANCHISE AGREEMENT BETWEEN THE CITY OF NAPLES AND CLASSIC CARRIAGE RIDES D/B/A/ NAPLES HORSE AND CARRIAGE COMPANY TO PROVIDE FOR THE OPERATION OF ONE ADDITIONAL CARRIAGE RIDE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald			X		
Barnett	X		X		
Bledsoe			X		
Crawford					X
Graver	X		X		
Richardson			X		
Putzell (5-0)					X
Anderson-McDonald		X	X		
Barnett			X		
Bledsoe	X		X		
Crawford					X
Graver			X		
Richardson			X		
Putzell (5-0)					X

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Assistant City Manager Wiltsie advised that currently Classic Carriage Rides d/b/a Naples Horse and Carriage Company has a franchise agreement for two carriages. They are now requesting the one additional carriage permitted by Ordinance No. 87-5341 which limits the total amount of horse-drawn carriages in operation.

Mr. Graver asked if there had been any discussions with the pedicab franchisee and Mr. Wiltsie said there had not.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5361 ITEM 13

A RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO CONSTRUCT A MANMADE LAKE AT 2340 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Engineer Gronvold stated that the lake would be approximately 0.35 acres and part of the owner's landscaping plan. Mr. Graver asked how large the overall property was; Mr. Gronvold estimated it to be 200 feet wide. Mr. Gronvold also pointed out that there were similar lakes to the north of this site and that this lake would not be detrimental to drainage.

Mr. Bledsoe confirmed with Mr. Gronvold that it would present no problems for adjoining properties.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5362 ITEM 14

A RESOLUTION SETTING FORTH THE POLICY OF THE CITY COUNCIL WITH REGARD TO THE SUPPORT AND LEGAL DEFENSE OF CITY COUNCIL MEMBERS, CITY MANAGER, MANAGEMENT STAFF AND CITY ATTORNEY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders explained that Mayor Putzell had asked him to review a similar County resolution that provides legal support for the Commission and staff. This resolution was drafted in that form.

In response to Vice-Mayor Richardson, Mr. Rynders advised that this policy would provide City funded defense for employees' managerial decisions and actions thereon. The need for such a policy, he said, has only occurred once for this Council when the Troy case named all City Council members as defendants. The Troys, however, voluntarily withdrew that action.

COUNCIL MEMBERS	MOTION	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	X		
Richardson			X		
Putzell (5-0)					X
Anderson-McDonald			X		
Barnett		X	X		
Bledsoe	X		X		
Crawford					X
Graver			X		
Richardson			X		
Putzell (5-0)					X



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Vice-Mayor Richardson asked if such a policy was common and City Attorney Rynders stated that it was a good policy to adopt so that Council and policy-making personnel feel confident about their decisions.

Mr. Bledsoe referred to the Troy case and said he believed that previous Council members were covered. Mr. Rynders said that they were, but future Councils may decide not to pay for the defense of a prior Council member. This policy would be something which people could rely upon. It creates a basis for solace, he added.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 87-5363 ITEM 15

A RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 4 TO T. A. FORSBERG, INC., OF FLORIDA IN CONJUNCTION WITH THE RECLAIMED WATER DISTRIBUTION SYSTEM PIPELINES AND BOOSTER PUMPING STATIONS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones referred to his memo dated August 27, 1987, and advised that the Department of Environmental Regulation (DER), not the Department of Natural Resources (DNR), required this work be done.

Several years ago, he said, Bear's Paw and the City entered into an Agreement which asserted that Bear's Paw would be on-line for the effluent reuse system by 1988. This change order would help accomplish that.

In response to Mr. Graver, Mr. Jones advised that the City pays connection costs for the system and the golf courses are charged an annual fee of \$25 per acre. Vice-Mayor Richardson noted that the golf courses do, however, bear the expense of connection within their property.

Mr. Bledsoe asked if there were inquiries from other golf courses to connect. Mr. Jones said that Bear's Paw was the last course within the City's sewer service to go on-line. Mr. Bledsoe said that he believed golf courses in the County would also be interested in this service.

MOTION: To APPROVE the resolution as presented.

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ITEM 16

DISCUSSION/ACTION WITH REFERENCE TO CITY MANAGER'S SALARY.

It was the consensus of Council to increase the City Manager's salary by 7%.

COUNCIL MEMBERS	MOTIONS	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald		X	X		
Barnett	X		X		
Bledsoe			X		
Crawford					X
Graver			X		
Richardson			X		
Putzell (5-0)					X
Anderson-McDonald			X		
Barnett			X		
Bledsoe	X		X		
Crawford					X
Graver		X	X		
Richardson			X		
Putzell (5-0)					X

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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	X		
Barnett			X		
Bledsoe	X		X		
Crawford					X
Graver			X		
Richardson			X		
Putzell (5-0)					X

Mrs. Anderson-McDonald noted that the average increase for 1986-87 Naples employees was 7.3% for non-managerial and 8.2% for management employees.

MOTION: To INCREASE the City Manager's salary by 7%.

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CORRESPONDENCE AND COMMUNICATIONS:

Mr. Richardson reviewed the agenda for the workshop which would convene in approximately five minutes.

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ADJOURN: 9:45 a.m.

\_\_\_\_\_  
LYLE S. RICHARDSON, Vice-Mayor

JANET CASON  
CITY CLERK

JODIE M. O'DRISCOLL  
DEPUTY CLERK

These minutes of the Naples City Council were approved on \_\_\_\_\_.

SUPPLEMENTAL ATTENDANCE LIST

Steve Wheeler	Dr. & Mrs. Richard Sauer	Charles Andrews
Herb Anderson	Mr. & Mrs. Rupert Old	Don Snyder
W. W. Haardt	Ed Beekman	Red Holland
W. J. Johnson		

Other interested citizens and visitors.

NEWS MEDIA

Kevin Parks, News-Press	Terry Cerchio, Palmer TV-10
Pete Scovill, Palmer TV-10	Marty Bonvechio, Naples Daily News
William Upham, Naples Times	Beverly Cameron, WINK-TV
Ronald Rauch, WEVU-TV	