



# City of Naples

City Council Minute  
Special Meeting <sup>157</sup> 09/08/88

City Council Chamber  
735 Eighth Street South  
Naples, Florida 339

-SUBJECT-	Ord. No.	Res. No.	Page
<u>RESOLUTIONS</u> -APPROVE tentative millage rate for 1988. -APPROVE tentative budget for the fiscal year 1988-89.		88-5615 88-5616	
<u>ORDINANCES - First Reading</u> -APPROVE the fixing of the 1988 tax levy and millage rate. -APPROVE the budget and appropriate funds for the fiscal year 1988-89.	88-5617 88-5618		1 1

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Time 5:30 p.m.

Date 09/08/88

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

ROLL CALL: William E. Barnett,  
Vice-Mayor

Kim Anderson-McDonald  
Alden R. Crawford, Jr.  
Paul W. Muenzer  
Lyle E. Richardson,  
Councilmen

Absent: Edwin J. Putzell, Jr.,  
Mayor

John T. Graver,  
Councilman

Also Present:

Franklin C. Jones, City Manager  
David W. Rynders, City Attorney  
Frank "Bill" Henley, Finance Director  
Christopher W. Holley, Community Dev Dir  
James L. Chaffee, Utilities Director  
Ralph LaDivita, Chief Accountant  
Ann "Missy" McKin, Community Dev Dir  
George Henderson, Sergeant-At-Arms  
Jodie M. O'Driscoll, Deputy Clerk

Elizabeth Berg  
Thomas Ehrenner  
Phillip Mancini  
Phillip & Henry Barnes

and Naples, Naples Bell News

PUBLIC HEARING

ITEM 1

---RESOLUTION NO. 88-5615

Item 1-a

A RESOLUTION ADOPTING A TENTATIVE MILLAGE RATE FOR 1988; AND PROVIDING AN EFFECTIVE DATE.

---RESOLUTION NO. 88-5616

Item 1-b

A RESOLUTION ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR 1988-89; AND PROVIDING AN EFFECTIVE DATE.

---ORDINANCE NO. 88-5617

ITEM 2

AN ORDINANCE DETERMINING AND FIXING THE 1988 TAX LEVY AND MILLAGE RATE FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE GENERAL FUND OPERATIONS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO FIX THE 1988 TAX LEVY AND MILLAGE RATE.

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

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 09/08/88

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. 88-5618

ITEM 3

AN ORDINANCE ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 1988-89 AND APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF NAPLES FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY, INCLUDING UTILITIES, AND FOR CONTRIBUTING TO THE SINKING FUNDS OF THE CITY TO PAY INTEREST ON AND PROVIDE FOR THE RETIREMENT OF THE OUTSTANDING BONDS AND OTHER FIXED OBLIGATIONS OF THE CITY AND UTILITY TAX FUND FOR AND DURING THE FISCAL YEAR 1988-89; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ADOPT THE BUDGET AND APPROPRIATE FUNDS FOR THE FISCAL YEAR 1988-89.

Titles read by City Attorney Rynders.

PUBLIC HEARING: Opened: 5:33 p.m.  
Closed: 5:57 p.m.

City Manager Jones explained that the budget presented for Council's approval was in compliance with the Truth in Millage (TRIM) bill which provides for public input throughout the budget processes. The final budget, he said, would be ready for adoption at the September 23, 1988, special meeting.

Referring to the millage rate, Mr. Jones noted that the special taxing districts have made consultation of the rollback rate a little confusing. State Statutes require that revenues from special taxing districts be included as part of general revenues when computing the rollback rate. The increase in millage rate will be approximately 1.42%; however, no individual would have to pay that much of an increase with the exception of those residents in the special taxing districts.

Vice-Mayor Bennett opened the public hearing.

Mr. Attilio Marconi of 570 9th Avenue South, objected to his proposed tax bill stating that the taxes had increased approximately \$400. Finance Director Hanley pointed out his City taxes would only increase \$39 and, further, suggested Mr. Marconi discuss the remainder of his increase with County officials. Councilman Richardson noted that, if he believed his property assessment too high, he could appeal it to Sen Colding, the property appraiser.

Ms. Elizabeth Berg of 13 High Point Circle, North, read a prepared statement into the record (Attachment #1) regarding protection of brown pelicans. She suggested a wildlife officer be hired and stationed at the Pier to help with the untangling of these birds from fishing leaders and hooks. City Manager Jones explained that the City and Conservancy had combined efforts to place signs at the Pier to help educate fishermen, tourists, citizens and the like, on the art of removing such hooks from pelicans bills. There are approximately

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 09/08/88

COUNCIL MEMBERS

MOTION	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

100 occurrences of hooked seabirds per year in this area. Mr. Jones said.

MOTION: To APPROVE both the resolutions as presented and the ordinances as presented at first readings.

\*\*\* ADJOURN: 6:00 p.m. \*\*\*

*William E. Barnett*  
WILLIAM E. BARNETT, Vice-Mayor

*Janet Cason*  
JANET CASON  
CITY CLERK

*Jodi M. O'Driscoll*  
JODIE M. O'DRISCOLL  
DEPUTY CLERK

These minutes of the Naples City Council were approved on 9/21/88

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

X		X		
		X		
		X		
		X		
	X	X		



August 25, 1988

Mayor Edwin J. Putzell  
City of Naples  
735 8th St. S.  
Naples, Florida 33940



161  
xc: 7J

Dear Mayor Putzell:

Attached to this letter is an article from The Conservancy's summer newsletter regarding the plight of the pelicans at the municipal fishing pier.

I certainly applaud the placement of signs requesting the public's cooperation in respecting these animals, but I feel that this measure is grossly inadequate to the problem at hand. We all know that there are people who will not bother to cooperate and others who will deliberately abuse these birds. Moreover, the proper removal of hooks and leader from pelicans is a job for an expert and not for somebody who has never done it before. Further, the placement of signs instructing people on how to remove hooks and leader fails to address the problem of the pelicans' getting hooked in the first place.

It seems to me that if the City constructs and maintains a fishing pier which constitutes a danger of the cruelest kind to wildlife, it has a responsibility -- a moral responsibility -- to do everything possible to protect the wildlife from that danger.

I therefore wish to propose to you that the City should employ a "wildlife security officer" or "pelican patrolman" (or call him what you will) to provide the necessary supervision of the fishermen and to undertake the necessary rescue operations of the pelicans at the fishing pier (including deliveries to The Conservancy when special treatment is needed).

I realize that this would require a considerable and on-going expenditure on the part of the City, especially since, if we are in fact to do "everything possible," a guard should be stationed 7 days a week from dawn to dusk (perhaps this could be handled by several part-time people).

Yet, surely, a dollar (or two) from each of the City's 18,000 citizens would provide a good part of the necessary funds and would not be too much to ask. Perhaps The Conservancy and the County could chip in as well. Perhaps a 25¢ toll-gate at the pier could help. I wonder whether there might not even be some state or federal "matching funds" available for complying with animal anti-cruelty laws and/or for protecting endangered wildlife.

Surely, the City employs many people to do many things of much

more dubious value. Surely, this item in the City's budget would be relatively very small. I would even think that this "job description" might be one that Naples could "show off" and set as an example to other communities.

The Conservancy's article indicates that part of the problem at the pier is due to hand-outs to the birds and to food stolen by them. Perhaps the security guard could prohibit hand-outs and make sure that bait boxes and coolers are kept closed. Individuals who might be uncooperative in this or other respects could be evicted. Any birds who might seem to have already become incapable of fending for themselves ("the birds become dependent on humans for food and may never learn to dive for fish themselves") could perhaps be put to sleep by The Conservancy (this would be kinder than letting them starve or than putting them through the rescue ordeal time after time: "Denham says some pelicans have been hooked and brought to The Conservancy so many times ...").

Also attached to this letter is an article from the March 1988 Humane Society newsletter which tells of a couple of tourists who were found waving their arms right in the middle of the "four-corners" traffic, looking for help for four injured pelicans on the beach (at what should probably read 3rd St. S. rather than N.). These birds likely received their injuries at the pier, and it should not be necessary for tourists to have to go to such lengths to get help, nor should it be necessary for the birds to end up in such a condition -- "one with a broken wing, three others wound in various stages of fishing tackle."

I note that a public hearing on the City's 1988-89 budget will be held on September 8, and I am ready, if necessary, to make the proposal I have made in this letter at that hearing. Obviously, if the item I have proposed could be included in the proposed draft of the budget before that time, I would be grateful to be spared the need to get up in front of all those people and plead this case. However, I repeat that I will gladly do so if it would be helpful or necessary. Would it be possible, Mr. Mayor, for you to grant me a brief personal interview in the meantime so that I can get your thoughts and find out a little bit what to expect? I will call your office to request an appointment.

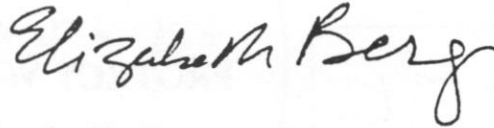
I thank you, sincerely and hopefully, for all the attention you can give to this problem, which, I'm sure you will agree, cries out for the maximal solution that can possibly be brought to it.

I am sending a copy of this letter to The Conservancy, in hopes that they might be able to lend support to my proposal (and perhaps even refine it, as I am sure that they, and Ms. Denham in particular, know better than I how exactly the wildlife

officer might best handle the problem). But I am addressing my proposal to you, since I believe that this problem is primarily the responsibility of the City, which owns and operates the fishing pier.

Thank you again.

Sincerely,



Elizabeth Berg  
13 High Point Circle N.  
Naples, FL 33940

- cc: The Conservancy
- Mrs. John W. Dearholt, Chairman
  - Toivo Tammerk, President
  - Sara Denham, WARC Supervisor



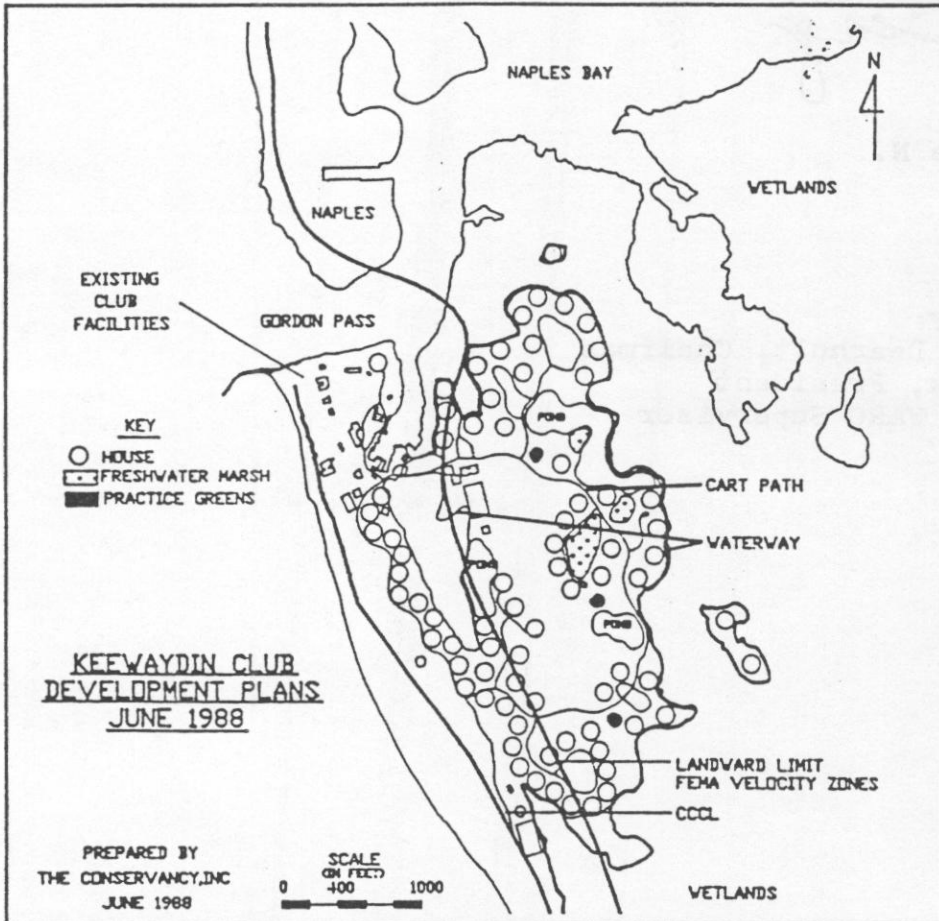


# UNION

Volume 18, No. 5

Summer 1988

24 years of land preservation, environmental protection, ecological research, and nature education in Southwest Florida



Schematic depicting the number and intensity of the proposed Keewaydin Club development facilities, the proximity of residential structures to the eroding shoreline, and the number of residential units to be located within the Federal Emergency Management Agency's (FEMA) designated storm velocity zones.

## CITY STAFF RECOMMENDS DENIAL OF KEY ISLAND DEVELOPMENT

### Petition Called Deficient; Conservancy Reaffirms Its Opposition To Barrier Island Project

At its June 29 meeting, the City of Naples Planning Advisory Board continued its public hearing on the controversial Key Island development proposal until August 5. This action was taken after receiving a recommendation for denial from the City planning staff and testimony

from interested parties.

Conservancy President Toivo Tammerk, who has termed the project "ill-advised", said that the City's professional assessment reflected contemporary scientific knowledge and sound planning standards

(Continued on page 2)

## EDUCATE MAN TO PROTECT WILDLIFE

### Conservancy and City Cooperate to Install Signs at Pier to Help Hooked Birds

Studies show that four out of five brown pelicans bear the scars of encounters with fish hooks and monofilament line. To address this problem, which has become a major cause of death for the familiar Florida seabird, The Conservancy and the city of Naples have joined together to provide two new signs at the city of Naples pier with instructions on how to remove hooks and leader from pelicans.

Brown pelicans are federally and state protected and it is illegal to abuse them. Nevertheless, they are often found ensnared with fish hooks and line and dead from starvation, with the dangling line caught in trees below. It may be that these hooks and line are the greatest threat to brown pelicans, as hundreds of the birds die needlessly each year of starvation, strangulation, drowning, and infection, as a result of being caught.

The pelican has learned to associate humans with food. Anglers will often feed filleted or unwanted fish to the seabirds, thinking they are doing the bird a favor. But this can cause many problems. The birds become dependent on humans for food and may never learn to dive for fish themselves. They often choke to death on catfish and filleted fish bones. The dependent pelican will also steal food from bait boxes and coolers while looking for dinner, but unfortunately does not know how to avoid hooks and line.

The new signs at the pier contain easy-to-follow instructions regarding removal of hooks and line from pelicans. If you see

(Continued on page 6)





Brown Pelicans awaiting "handouts" from fishermen and others at the Naples Pier. The problem of hooked birds at the pier is growing and The Conservancy, together with the city of Naples, have installed signs to provide help for the seabirds.

## NEW INITIATIVE

Continued from page 5

to decomposition), a volume reduction is achieved similar to that enjoyed via incineration—but at an attractive price and with little environmental effect.

Another change that has taken place is the requirement in the State of Florida that all new landfills have double liners and a treatment system for leachate. This requirement goes a long way to providing groundwater protection from landfill leakage. While the liners only have a guaranteed lifetime of 20 years, landfill mining offers the potential to mine down to the liner to investigate its integrity and then, if it is leaking, replace it with a new liner.

These developments will significantly alter the way that solid wastes are disposed of and, since The Conservancy has been involved in their evolution, they have provided the opportunity for us to develop an expertise that may have value to other communities. A new division has been formed at The Conservancy, called the Technical Services Division, and its efforts will be directed toward consulting on solid waste disposal techniques, helping to implement landfill mining projects and designing integrated waste management systems. These integrated systems will consist of an optimum mix of recycling, composting, landfilling, landfill mining, and incineration.

Northern vacationers have an excellent opportunity to advise solid waste departments in their hometown areas about this new opportunity to solve their solid waste problem. Contact Ed Johanson at The Conservancy, 262-0304, for a brochure.

## PELICAN SIGNS

Continued from page 1

an ensnared pelican, gently reel in the bird. If you are on the pier you will need to walk him to shore. Cover him with a towel, grab his bill and fold his wings to secure him. Remove the line, then cut the barb and back the hook out. You will very likely be saving the pelican's life.

The new, large signs are being installed in visible areas on the pier in an effort to teach fishermen and the general public to help take responsibility for the overwhelming problem afflicting pelicans. The Conservancy's Wild Animal Rehabilitation Clinic (WARC) is one of the few clinics to accept wild animals locally, but the organization does not have the staff nor the equipment to retrieve each hooked pelican. WARC Supervisor Sara Denham urges the public to read the signs and learn how they can do their part to help.

Denham says some pelicans have been hooked and brought to The Conservancy so many times, they return to the clinic as soon as they're ensnared as if it were their emergency room. "Our policy is to release pelicans near the beach and away from the pier. But they inevitably make their way back to the pier where they know they can find dinner. Our banding program indicates that many of the hooked pelicans flying in on their own have been here many times before."

Brown pelicans are still fixtures in Florida but have nearly died out in Texas and Louisiana. They are part of our Florida heritage and both anglers and concerned citizens need to recognize that man's steady encroachment is threatening this familiar seabird.

approximately 50% of the native upland habitats on the site will be destroyed or significantly altered. This intensity of native habitat impact is not compatible with the current city comprehensive plan's "Conservation/Limited Development" designation for this parcel.

2. The current city comprehensive plan makes the presumption that development taking place in Vital or conservation/Limited Development Areas will cause significant environmental impacts. For this reason, the burden of proof lies with the developer/owner who must submit a Development of Significant Environmental Impact (DSEI) assessment for review by the city. To be approved the DSEI must demonstrate that the proposed uses or activities are compatible with and will not diminish the natural resources of the site or the surrounding area. Activities not meeting this test can not be approved unless they are clearly demonstrated to be in the public interest.

The DSEI assessment submitted with the Keewaydin Club proposal does not provide sufficient information to rebut the Comprehensive Plan's presumption of "significant environmental impact." The assessment:

- does not adequately assess or even present data regarding the potential adverse water quality impacts of the development.
- does not address the impacts of development support activities such as increased mosquito spraying, boat traffic, and barging operations.
- does not adequately evaluate the impacts of the development on the Rookery Bay State Aquatic Preserve.

3. Extremely high rates of shoreline erosion have occurred on the part of the island proposed for development. Recent studies have documented that an average of 45 feet of shoreline is lost per year. One of The Conservancy's founders and former owner of the island, said in 1977, "Fifty feet of beachfront has been lost in the last six months . . . along several stretches of Key (Keewaydin) Island . . . It just seems to be getting worse." (The Miami Herald, 1/27/77).

The current Coastal Construction Control Line (CCCL) was established in the mid-1970s and is clearly out-of-date for North Key Island. A hearing on a revised

(Continued on page 7)

The HUMANE SOCIETY Newsletter is published four times a year. We mail approximately 5000. Shouldn't you be reaching these people? Our rates are quite reasonable. Give us a try, see what we can do for you.

## RATES

\$10	business card size	1 time
\$35	business card size	4 times
\$35	1/2 page	1 time
\$110	1/2 page	4 times
\$60	1 page	1 time
\$200	1 page	4 times

We do request that your ad be camera ready. May we hear from you, please?



We need some good volunteers who will help promote this most important part of our work...HUMANE EDUCATION. Call the shelter at 643-1555...do it now so that you don't forget. WE NEED YOU !

SPEAKING OF ADDRESS LABELS....would you please do us a very special favor? We are trying to up-date and correct our mailing list, please check your address and advise us of any errors or corrections we need to make. Also, if you have a friend or neighbor who might be interested in receiving a newsletter or interested in humane work, won't you please give us his or her address? Only thru growth can we bring our goals to the attention of the majority of Collier County. Thank you.



....OF PECANS & PELICANS (or a left over Christmas story!)

Some days are more mixed up than others! Friday there were pecans to deliver. Michele and volunteer Bea loaded the van, studied the list of addresses and started out.

5th Ave. was the first stop. Traffic was heavy, the light turned green at the corner where the Trail (Rt. 41) turns north and the van moved ahead slowly. Right square in the middle of the street, a man stands waving his arms in all directions. It was a case of stopping or running him down!

Michele asked what the problem was and he announced that he needed some help; there were 4 pelicans on the beach at 3rd St. N. One with a broken wing....3 others wound in various stages of fishing tackle.

The pecans now took second place; critters needed help and isn't that what we are all about? Upon arrival at the beach, Michele learned that this caring man and a gal (both tourists) had been trying to get some help....the help had now arrived! Michele knew that the Conservancy would take the birds, so they were loaded into the van...pecan deliveries would wait...and took them to the Conservancy. A HUMANE GOOD DEED FOR THE DAY!

By the way, the pecans did get delivered!



Kaku Otsuji

HIS TALENTS ARE MANY, his dedication is exemplary and the Humane Society is very fortunate to have this young man. He is a volunteer of the first order! Kaku Otsuji has lived in Naples for 5 years. He is at the shelter every day either walking or bathing the dogs. He even cleans runs when staff is off duty. He plays with the cats, helps with pick ups, is on duty at Bingo. Kaku says, "I just want to see that all the animals are happy". We say, we need more like him!

Kaku was referred to us through the League Club's Volunteer Services for Collier Co. He was a salesman in Japan, a former chef at Fujyama Steak House as well as having been employed at the Mole Hole.

Calm, pacific & wonderful, he is all of them! We salute this young man!