



City of Naples

City Council Minutes

Special Meeting 12/27/89

City Council Chamber
735 Eighth Street South
Naples, Florida 33950

-SUBJECT-	Ord. No.	Res. No.	Page
<u>RESOLUTIONS:</u>			
-APPROVE use of computer election system.		89-6017	2
-APPROVE appointment of election clerks and inspectors.		89-6018	2
-APPROVE Wage and Benefit Plan for non-bargaining unit.		89-6020	4
<u>ORDINANCES - Second Reading:</u>			
-ADOPT rate schedule for transferring horticultural material to the County landfill.	89-6019		3
<u>DISCUSSION/ACTION:</u>			
-Local bills to be presented to the public hearing of the Collier County Legislative Delegation.			5

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 12/27/89

---RESOLUTION NO. 89-6017

ITEM 1

A RESOLUTION AUTHORIZING THE USE OF A COMPUTER ELECTION SYSTEM FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON FEBRUARY 6, 1990; APPROVING THE FORM AND CONTENT OF THE BALLOT FOR SAID ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders noted that City Clerk Cason had distributed copies of the ballot (Attachment #1) in its proposed form for Council's perusal. Mr. Rynders further advised that he had reviewed and approved its contents.

MOTION: To APPROVE the resolution as presented.

---RESOLUTION NO. 89-6018

ITEM 2

A RESOLUTION APPOINTING ELECTION CLERKS AND INSPECTORS TO SERVE AT THE VOTING PRECINCTS DURING THE GENERAL MUNICIPAL ELECTION ON FEBRUARY 6, 1990; AUTHORIZING THE CITY CLERK TO APPOINT ALTERNATES IF NECESSARY; AND PROVIDING AN EFFECTIVE DATE.

Title read by Mayor Putzell.

City Attorney Rynders pointed out that City Clerk Cason had also distributed a list (a copy of which can be reviewed from the meeting packet in the Office of the City Clerk) of those persons who would work at the polls on election day.

In response to Mayor Putzell, City Attorney Rynders explained the pollworkers are to be compensated at the current minimum wage rate. There will be an upcoming Charter amendment to ensure that the pollworkers will receive compensation at that rate, he noted. Mayor Putzell then asked if it would not be appropriate

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
Crawford,					X
Graver			X		
Muenzer		X	X		
Richardson	X		X		
Putzell			X		
(5-0)					

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 12/27/89

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			Y E S	N O	
Anderson-McDonald			X	X	
Barnett					X
Crawford					X
Graver				X	
Muenzer			X	X	
Richardson	X		X	X	
Putzell			X		
(5-0)					
Anderson-McDonald			X	X	
Barnett					X
Crawford					X
Graver				X	
Muenzer			X	X	
Richardson	X		X	X	
Putzell			X		
(5-0)					

to indicate that the workers would be compensated at the minimum wage rate in this resolution. City Attorney Rynders replied negatively and said that would be addressed in the Charter amendment.

MOTION: To APPROVE the resolution as presented.

---ORDINANCE NO. 89-6019

ITEM 3

AN ORDINANCE AMENDING SECTION 10-9 OF THE CODE OF ORDINANCES BY ADDING SUBSECTION (3) TO SECTION (C); AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ESTABLISH RATES TO COVER THE COSTS OF TRANSFERRING HORTICULTURAL MATERIAL TO THE COUNTY LANDFILL.

Title read by City Attorney Rynders.

Councilman Richardson asked if staff had received any input relative to this proposed ordinance. Utilities Director Chaffee replied negatively and added that the only public input received to date was during those informal discussions about the impending landfill closing.

In response to Councilman Graver, Mr. Chaffee advised that this program would be effective as of January 1, 1990. Staff has printed booklets of tickets for this program which are to be prepaid at the office prior to dumping material at this transfer site.

Mrs. Anderson-McDonald suggested that Section 1 (3)(d) be amended for clarification purposes to read: "Trailers 'ten' feet and longer....".

MOTION: To ADOPT the ordinance with the foregoing amendment to Section 1 (3)(d).

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 12/27/89

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. 89-6020

ITEM 4

A RESOLUTION ADOPTING THE WAGE AND BENEFIT PLAN FOR NON-BARGAINING UNIT EMPLOYEES FOR 1990; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

Assistant City Manager Wiltsie explained that each year the Wage and Benefit Plan for non-bargaining unit employees is reviewed prior to the general and merit performance increases in January. The proposed pay plan includes a general increase of 4.5% with up to a 4% merit increase; a clearer definition of the grievance procedure has been provided; language has been added to provide alternatives to current sick leave and vacation leave policies; and additional language has been inserted to require reimbursement of college level course work payments if an employee voluntarily resigns.

In response to Councilman Graver, Mr. Wiltsie noted that the average performance increase percentage has been approximately 3.2%. The cost-of-living increases are verified through a number of resources, he continued, and the proposed 4.5% seems reasonable.

Mayor Putzell asked for clarification on page 28, Section 12, Working Out-Of-Class. He noted that this was Section appeared to be open-ended. It should indicate when the higher rate of pay to an employee working out-of-class would cease, he said.

Referring then to Sections 3.07 and 4.05, Mayor Putzell expressed concern wherein it states that: "The City Manager reserves the exclusive right to alter....". This language does not provide for Council review of any such amendments to the pay plan, he said. Assistant City Manager Wiltsie advised that staff has been working on some alternatives to the current system and included that language for latitude to implement those

CITY OF NAPLES, FLORIDA

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

programs. Mayor Putzell contended that the proposed language should be amended so as not to deny Council the opportunity to review those alternatives.

MOTION: To APPROVE the resolution amending Section 12 to provide clarification regarding compensation for working out-of-class and to include under Sections 3.07 and 4.05, language which would provide for Council's review.

ITEM 5

DISCUSSION/ACTION WITH REFERENCE TO LOCAL BILLS TO BE PRESENTED TO THE PUBLIC HEARING OF THE COLLIER COUNTY LEGISLATIVE DELEGATION.

Assistant City Manager Wiltsie advised that Representative Mary Ellen Hawkins asked all agencies of local government and interested parties to submit, prior to January 4, 1990, any proposals for local bills to her office. The Aqualane Shores Property Owners Association and the Waterways Council have requested that a bill restricting commercial fishing in man-made canals be submitted to the Legislative Delegation. Staff has prepared a draft bill compiled from existing laws in Cape Coral and Marco Island (Attachment #2).

Discussion then ensued relative to the requirement of such a bill being put to a referendum. City Attorney Rynders noted that the Legislature required Cape Coral to place this issue on the ballot and could require the City to do the same.

Councilman Richardson referred to previous communications from Representative Hawkins' office requesting that the groups proposing this bill meet with the commercial fishing interest to discuss the problem. Natural Resources Manager Staiger pointed out that such a discussion has not

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 12/27/89

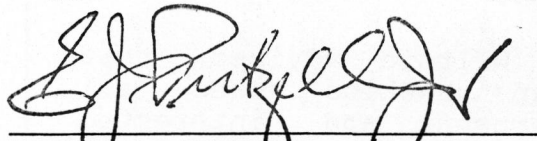
COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

yet taken place nor was scheduled for the immediate future.

It was the consensus of Council that staff should contact the two groups (Aqualane Shores/Waterways Council and the commercial fishing interest), set up a joint meeting, and report its findings to Council at its next session. If the draft bill is still desired, then it can be submitted to Representative Hawkins after Council's January 3, 1990 meeting. Councilman Richardson also suggested that the language requiring this issue go to referendum be left out if the bill is to be submitted to the Legislature.

CORRESPONDENCE AND COMMUNICATIONS: None

ADJOURN: 9:45 a.m.


EDWIN J. PUTZELL, JR., Mayor

JANET CASON
CITY CLERK

JODIE O'DRISCOLL
RECORDING SECRETARY

These minutes of the Naples City Council were approved on February 7, 1990.

P3

**Official Ballot
GENERAL ELECTION
City of Naples, Florida - February 6, 1990**

**FOR MAYOR
(VOTE FOR ONE)**

ALDEN R. "RUDD" CRAWFORD, JR.	44 →
JOHN T. GRAVER	45 →
LYLE RICHARDSON	46 →

FOR A 2 YEAR TERM

**FOR COUNCIL
(VOTE FOR ONE)**

JOHN M. PASSIDOMO	51 →
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GO TO NEXT PAGE

3
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P4A

Official Ballot
GENERAL ELECTION
City of Naples, Florida - February 6, 1990

FOR A 4 YEAR TERM

FOR COUNCIL
(VOTE FOR THREE)

FERN AITCHISON	64 →
KIM ANDERSON-McDONALD	65 →
JOE HERMS	66 →
CRAIG "RED" HOLLAND	67 →
CAROL LYNN KENDALL	68 →
JOHN F. (JACK) STANLEY	69 →
FRED L. SULLIVAN	70 →
FREDERICK J. VOSS	71 →
FRITZI WILKIE-RYAN	72 →

STYLE #1

4
01
001

P5

**OFFICIAL BALLOT
GENERAL ELECTION
City of Naples, Florida - February 6, 1990**

**AUTHORIZATION FOR TAX LEVY NOT TO EXCEED
ONE-HALF MILL WITHIN THE PARK SHORE
SPECIAL TAXING DISTRICT**

ARE YOU IN FAVOR OF AUTHORIZING AN AD VALOREM TAX LEVY OF UP TO ONE-HALF (1/2) MILL ON REAL AND TANGIBLE PERSONAL PROPERTY WITHIN THE PARK SHORE UNIT 2 AND UNIT 5 SPECIAL TAXING DISTRICT FOR THE PURPOSE OF MAINTENANCE DREDGING IN THE CANALS AND WATERWAYS WITHIN THE DISTRICT, MAINTENANCE OF NECESSARY AIDS TO NAVIGATION, INSPECTION OF SEAWALLS, SURVEILLANCE OF SURFACE WATER POLLUTION, MAINTENANCE DREDGING OF DOCTORS PASS AND MAINTENANCE OF THE JETTIES AT DOCTORS PASS?

YES 93 →

NO 94 →

STYLE 99

5
98
110

ATTACHMENT

=====

An Act, relating to the City of Naples, Collier County; prohibiting commercial fishing and collecting of certain marine life in man-made canals in the City of Naples at certain times; providing a penalty; providing for a referendum; providing an effective date.

Be it enacted by the Legislature of the State of Florida:

Section 1. It is unlawful for any person to fish for commercial purposes, whether by net, trap, or other means, within any man-made canal located in the City of Naples between the hours of 11:00 P.M. and 6:00 A.M.

Section 2. The violation of the provisions of Section 1 is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Section 3. This Act shall take effect only upon its approval by a majority vote of those qualified electors of the City of Naples voting in a referendum to be held by the governing body of the City of Naples in conjunction with the next election, in accordance with the provisions of law relating to elections currently in force in the City of Naples; except that this section shall take effect upon becoming a law.