



City of Naples

CITY COUNCIL MINUTES

Workshop Meeting 03/04/91

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-

PAGE

DISCUSSION OF FEASIBILITY OF ALLOWING THE PLACEMENT OF A MARBLE BENCH
IN MEMORY OF SHAWN MITCHELL, KILLED IN A CAR ACCIDENT LAST DECEMBER.

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DISCUSSION OF NAPLES DAILY NEWS ARTICLE RELATIVE TO UTILITY DEPOSITS.

3

REVIEW OF ITEMS ON MARCH 6, 1991, REGULAR MEETING AGENDA.

5

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Date 03/04/91

ROLL CALL: Present: Alden R. Crawford, Jr.,
Mayor

Absent: Kim Anderson
William E. Barnett,
Councilmen

Rand-Scott Coggan, Acting City Manager
David W. Rynders, City Attorney
Mark W. Wiltsie, Assistant City Mgr.
Christopher L. Holley, Com. Svc. Dir.
Ann "Missy" McKim, Com. Dev. Dir.
Gerald L. Gronvold, City Engineer
George Henderson, Sergeant-At-Arms
Jodie O'Driscoll, Recording Secretary

W.W. Haardt
Sidney Frizzell

Traci Griffith, WNOG
Tim Engstrom, News-Press

DISCUSSION OF FEASIBILITY OF ALLOWING THE
PLACEMENT OF A MARBLE BENCH IN MEMORY OF
SHAWN MITCHELL, KILLED IN A CAR ACCIDENT
LAST DECEMBER.

Community Services Director Holley advised that he and Mayor Crawford had previously met with Mrs. Sidney Frizzell, mother of a car accident victim. He continued that Mrs. Frizzell has asked the City to allow her to place a marble bench in memory of her son at the 13th Avenue South beach end. There

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have been other memorial projects in the City, such as the placement of plaques on trees in Cambier Park in memory of a loved one. Staff has further recommended approval of this request, Mr. Holley said.

Mayor Crawford said that he believed the City should have a policy in place which would limit the number, type, and location of memorials. He further noted that the Naples Parks and Recreation Advisory Board should prepare such a policy for Council's consideration.

Councilman Sullivan asked if the Naples Parks and Recreation Advisory Board had reviewed this matter. Community Services Director Holley replied that it had not.

In response to Councilman Herms, Mr. Holley pointed out that the bench would replace an existing wood bench at 13th Avenue South and would be situated so that it faced westward between the curb and sand dune.

Councilman Muenzer suggested that the Naples Parks and Recreation Advisory Board should review this request and the suggested inscription prior to its placement at 13th Avenue South.

Councilman Sullivan said that he believed this request could provide a basis upon which the Naples Parks and Recreation Advisory Board could prepare a recommended policy. Community Services Director Holley, however, pointed out that the Board has expressed some concern dealing with beach matters inasmuch as those areas are not technically considered "parks."

In response to Mayor Crawford, City Attorney Rynders advised that the Naples Parks and Recreation Advisory Board could, in fact, review this proposal without any ramifications.

It was the consensus of Council that the Naples Parks and Recreation Advisory Board should review the foregoing memorial request, and then prepare a memorial policy for Council's consideration.

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Acting City Manager Coggan asked Council if it wanted this item to come back to them once again after the Naples Parks and Recreation Advisory Board has considered the matter. It was the consensus of Council that once the Naples Parks and Recreation Advisory Board has reviewed the matter, plans for placement of a marble bench at 13th Avenue South in memory of Shawn Michael Mitchell could proceed.

Community Services Director Holley advised that this item would be placed on the Naples Parks and Recreation Advisory Board's agenda of March 12, 1991.

DISCUSSION OF NAPLES DAILY NEWS ARTICLE
RELATIVE TO UTILITY DEPOSITS.

Councilman Sullivan asked that this item be discussed prior to Agenda Item 2. He said that he was very surprised and concerned to learn of this situation through the newspaper instead of City staff. Mr. Sullivan further asked staff to arrange for the City Auditor Ron Wood, ex-City Manager Jones, and ex-Finance Director Hanley to attend a workshop session so that Council could ask them questions relative to this matter and others.

Acting City Manager Coggan apologized that Council was not made aware of the previous use of utility deposits, that information was documented in the preliminary audit not yet distributed, but still subject to public disclosure laws. The Naples Daily News printed the attached article as a result of the draft audit (See Attachment #1). Mr. Coggan said that the article was incomplete and did not include what the City has done thus far to rectify the situation.

Councilman Sullivan said that he believed it was important to have those people involved with the City's financial condition available to answer Council's questions. Mr. Sullivan continued that he had grave concerns relative to the information

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provided to Council during the last budget discussions, and he wanted answers to those concerns.

Mayor Crawford pointed out that it might be more productive to wait until after MBIA (Municipal Bond Investors Assurance) has completed their investigation before summoning Mr. Wood and others before Council, representatives from MBIA will be here Thursday and Friday of this week. After numerous discussions with MBIA, Mayor Crawford continued, they have agreed to allow the City to prepare an internal audit. The normal procedure would be to bring an outside auditor in to go through the entire auditing process.

Acting City Manager Coggan concurred with the Mayor and suggested that Council could schedule a discussion with those individuals previously involved with this situation at the March 18, 1991, workshop. Council should have MBIA's comments by that time and any unanswered questions can then be asked at the workshop.

Councilman Muenzer asked if the City's bond counsel was aware of the staff policy which utilized customer's utility deposits to finance water and sewer improvements. City Attorney Rynders advised that he was uncertain, but would call Attorney Jack McWilliams to find out if any such correspondence existed. Mr. Muenzer directed the City Attorney to obtain copies of any correspondence to or from the City during Spring, 1989, to present from Mr. McWilliams for Council's review. Councilman Herms directed Acting City Manager Coggan to obtain whatever correspondence existed between ex-City Manager Jones, ex-Finance Director Hanley, City Auditor Ron Wood, and Attorney McWilliams also for Council's review.

Referring to the staff policy to utilize customer deposits for water and sewer improvements, Councilman Sullivan said that he did not believe it was staff's responsibility to implement policies or procedures. The establishment of policies or procedures was purely the

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responsibility of Council, not department heads, he said.

Discussion then ensued as to how such information could be withheld from Council. Acting City Manager Coggan said that he would be very surprised if the use of customer deposits to fund water and sewer improvements had not been included in the City's Annual Budget. It might not have been highlighted for Council discussion, he said, but it most probably was included properly in the Budget.

Councilman Sullivan asked staff to review previous years' budgets to determine if, in fact, such items as the use of customer deposits was delineated therein and report his findings to Council prior to the March 18, 1991, workshop session.

Acting City Manager Coggan further pointed out that the City had engaged Camp Dresser & McKee (CDM) to prepare an independent audit of the City's unaccounted for water and the process by which it was determined.

There being no further discussion relative to this matter, Mayor Crawford moved onto the next agenda item.

ITEM 2

REVIEW OF ITEMS ON MARCH 6, 1991,
REGULAR MEETING AGENDA.

Councilman Herms referred to the proposed software/hardware purchase and asked if the City's Efficiency Committee had an opportunity to review said purchase. Assistant City Manager Wiltsie advised that they had.

Acting City Manager Coggan distributed a memorandum dated March 1, 1991, relative to the

CITY OF NAPLES, FLORIDA

March 4, 1991

City Council Minutes

Date _____

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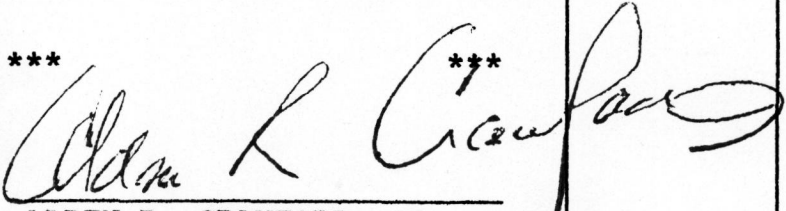
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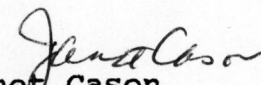
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City Manager applicants' interview schedule
(Attachment #2).

ADJOURN: 9:45 a.m.


ALDEN R. CRAWFORD, JR.,
Mayor


Janet Cason
City Clerk

Jodie O'Driscoll
Recording Secretary

These minutes of the Naples City Council were
approved on March 20, 1991.

NAPLES DAILY NEWS

Sun., March 3, 1991 3A

Fund: '90 audit shows \$2.6 million water, sewer debit

Continued from 1A

source is property taxes. Most of the fund is used to pay employee salaries.

The 1990 audit shows that with additional internal loans, the water and sewer fund owes about \$2.6 million to the general fund and other city accounts.

Wiltzie said it was about in 1989 that the city began financing from within rather than borrowing from outside. Naples officials were waiting for the right market to refinance the \$13.5 million in utilities bonds.

By not borrowing more money, Naples appeared stronger financially at a time when it was trying to convince several thousand voters living just north of Naples to join the city.

But Wiltzie said annexation had nothing to do with the city deciding to loan itself money. At the time, and given the unfavorable market, it seemed the best thing to do, he said.

But now the practice has landed Naples in technical default.

The city's rotten financial state depends on that refinancing to help clean it up. Without that financial transaction, Coggan said the city will not have the money to replenish its accounts.

By not borrowing more money, Naples appeared stronger financially at a time when it was trying to convince several thousand voters living just north of Naples to join the city.

But city officials say they don't think it will come to that and they remain optimistic.

Representatives from MBIA will travel to Naples this week to try and work out a way for the city to refinance those bonds. Coggan said he expects to do so by March 14.

"After talking with us, MBIA told us they have a higher level of comfort about the whole thing," Coggan said. MBIA discovered the default after probing into the city's financial records.

"Just the fact that they're coming down shows a desire for this thing to work on their part."



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RAND-SCOTT COGGAN, ACTING CITY MANAGER
SUBJECT: UPDATE FROM BOB MURRAY
DATE: MARCH 1, 1991

Pursuant to conversations with Bob Murray from Ralph Andersen & Associates, the following schedule has been finalized:

1. Tuesday, April 30, 9:00 a.m. to 12:00 p.m.

Mr. Murray will be here to meet with Council in a workshop setting to review his recommendations for finalists. We will need to allow 2-3 hours for this session.

2. Friday, May 10, starting at 8:00 a.m.

Final interviews (approximately 1 hour each).

3. Saturday, May 11, starting at 9:00 a.m.

Back up day for additional interviews (if necessary) or to bring back any candidates from Friday if Council desires.

Please contact me if you have any questions.

Sincerely,

Rand-Scott Coggan
Acting City Manager