



*City of Naples*

CITY COUNCIL MINUTES

Workshop Meeting 07-15-91

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

-SUBJECT-	PAGE
INTERVIEW CANDIDATES FOR APPOINTMENT TO CODE ENFORCEMENT BOARD AND CONTRACTORS EXAMINING BOARD	1
REVIEW OF ITEMS ON JULY 17, 1991 REGULAR MEETING AGENDA	4

Workshop Meeting  
Time 8:30 a.m.

Date July 15, 1991

Vice Mayor Passidomo called the meeting to order and presided.

## ROLL CALL

John M. Passidomo, Vice Mayor

William E. Barnett  
R. Joseph Herms  
Alan R. Korest  
Paul M. Muenzer  
Fred L. Sullivan  
Council Members

## COUNCIL MEMBERS

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Absent: Kim Anderson, Mayor  
(Arrived at 9:05 a.m.)

Also Present:

Dr. Richard L. Woodruff, City Manager	Ann (Missy) McKim, Community Dev. Dir.
David W. Rynders, City Attorney	Jon C. Staiger, Ph.D. Natural Res. Manager
Norris C. Ijams, Asst. City Manager	Larry Barnett, Utilities Director
Gerald Gronvold, City Attorney	William Harrison, Finance Director
Ann Walker, Planner II	Kevin Rambosk, Acting Community Services Director
George Henderson, Sergeant-At-Arms	Maureen Byrne, Administrative Asst.
Marilyn McCord, Recording Secretary	

Other interested citizens and visitors.

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NOTE: Vice Mayor Passidomo called the meeting to order in the temporary absence of Mayor Anderson.

**ITEM 1**

**INTERVIEW CANDIDATES FOR APPOINTMENT TO  
CODE ENFORCEMENT BOARD AND CONTRACTORS  
EXAMINING BOARD.**

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Code Enforcement Board

Candidate James McLaughlin told Council that he had been a member of the Code Enforcement Board since its inception and that it had been a very rewarding, albeit sometimes frustrating, experience. He said that certain ordinances were not clear, for instance references to visibility at corners. Mr. McLaughlin noted that as beautiful as the Naplescape Median Beautification Project is, it probably is an ordinance violation. Another example, he said, is the situation at the City Dock. Mr. McLaughlin stressed however that these problems had nothing to do with the present Council.

On the positive side, Mr. McLaughlin pointed out that it had never been necessary for the State Attorney to prosecute a case which had initiated with the Code Enforcement Board. A typical Board agenda may cite twenty cases but have only four left for action at meeting time, he said. People know that the Board will be hard on them, so they correct the cited locations. He told Council that City Attorney David Rynders, Zoning Enforcement Inspector Gil Sherburne and Legal Assistant Pat Rambosk had been very helpful to the Board.

Council Member Korest expressed his appreciation to Mr. McLaughlin for serving and agreed that the visibility matter should be reviewed. City Manager Woodruff told Council that staff would review the ordinance dealing with visibility at corners and examine any discrepancies between recommendations from the Engineering and Community Development Departments.

Council Member Muenzer told Mr. McLaughlin that he had never heard a complaint about the Code Enforcement Board being unfair, but only that certain ordinances were not descriptive enough. He suggested that the Board conduct a workshop to discuss these ordinances and then communicate back to Council which ordinances are ambiguous or in need of strengthening.

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Vice Mayor Passidomo also stressed that there must be communication between the Board, the staff, and the Council.					
Candidate James Adams next addressed Council and reiterated Mr. McLaughlin's statements. Mr. Adams said that he would fully endorse the recommendation to schedule a Code Enforcement Board workshop so that ambiguities could be cleared up and recommendations presented to Council.					
Vice Mayor Passidomo thanked both candidates on behalf of Council.					
City Manager Woodruff commented that staff had experienced difficulty in seeking an architect for the Board, but that letters had been written to architects in the area announcing the vacancy.					
<u>Contractors Examining Board</u>					
Mr. P. Knute Harmon was asked by Vice Mayor Passidomo how he perceived the Contractors Examining Board, and Mr. Harmon replied that the only negative he discerned was the large number of lawn maintenance businesses, which the Board must review for licensing. Sometimes they are the only items on the agenda he added and suggested that perhaps staff handle such requests. Mr. Harmon however told Council that he appreciated the opportunity to participate in civic work as a member of the Board.					
Council Member Muenzer suggested that the Contractors Examining Board also meet once a year and workshop any suggestions to improve the Board, then report to Council. Council Member Korest indicated agreement, and thanked Mr. Harmon for his service to the City.					



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			Y E S	N O	

Items 7a and 7b

Mayor Anderson noted that a large discrepancy existed between the projected amount for the water main relocation and the amount of the actual bid. City Engineer Gronvold explained that the estimate for water main relocation had been made last year without any knowledge of exactly which would be necessary. Staff had checked five projects of the recommended bidder, Manatee Underground, Inc., and had received favorable comments.

City Manager Woodruff told Council that at a later date staff would be presenting a budget amendment policy that states, in order to transfer an expenditure from one line item to another, it must go through a formal process.

With regard to the City's use of asbestos cement water mains, Mayor Anderson told Council that there had been questions from the public and that research had been done relative to their safety. Staff will be prepared to answer questions at the July 17 Council Meeting with regard to the safety of asbestos cement water mains.

Item 11

City Manager Woodruff told Council that Item 11 with regard to Naples Mobile Home Park had been removed from the agenda since the petitioner could not be present. The item will be rescheduled for the August 7 meeting.

Item 12

Community Development Director Missy McKim pointed out that some of the property owners adjacent to the Naples Shopping Center were still not satisfied.

The City Manager said that staff would have a video presentation of the Naples Shopping Center available at the July 17 Council Meeting. Dr. Woodruff also pointed out that this was one of

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			Y E S	N O	

At Council Member Muenzer's request, staff will prepare a drawing identifying the various Naples Shopping Center buildings as well as the apartments behind the Shopping Center. The drawing will include the dates those structures were built. Staff will also clarify the intent of the Moorings Property Owners Association's letter of June 11, 1991 to the PAB.

Community Development Director McKim explained what signage the petitioner, Gateway Shopping Center, had requested. Council Member Korest pointed out that the variance request should have been made at the time of PD (Planned Development) review.

Vice Mayor Passidomo suggested exploring an amendment to the PD. Staff will explore the possibility of continuing the variance request for up to 120 days while reviewing a possible amendment to the PD. Staff will discuss such an amendment with the petitioner.

Community Development Director McKim said that staff was asking for Council's review, guidance, and input at its July 17 meeting, but asked that Council continue its final vote to the August 7 meeting.

The vacant lot on 22nd Avenue North next to Naples High School was discussed. The City Manager said that ground rules should be set so that the School Board could proceed with its work, but that the financial implications should be worked on at the same time.

Council Member Muenzer mentioned that the School Board had expressed an interest in utilizing



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			Y E S	N O	

Item 17

Natural Resources Manager Staiger explained the various requests for Tourist Development Tax Funds. With regard to the dredging of Doctors Pass, City Manager Woodruff asked for Council's concurrence that should the invoice come payable prior to the City receiving TDC (Tourist Development Council) funds, the City would pay. He said that he did not want to get into a situation of the TDC having to pay back the Moorings Bay Taxing District.

Dr. Staiger told Council that the Army Corps of Engineers was still discussing the dredging of approximately 60,000 cubic yards. Mayor Anderson asked what would be done with unused TDC funds and Council Member Korest, also a member of the TDC, said that this was not currently provided for. The City Manager explained that similar to other State and Federal grants, surplus funds would probably go back to the TDC.

Item 18

Dr. Staiger told Council that the Beach Renourishment/Maintenance Committee is recommending that Council enter into a contract for the Parker Sandweb Method, including a performance bond.

City Manager Woodruff said that staff needed Council direction and clear parameters on this sole-source project and questioned whether research and development was in fact a function of local government. However, the TDC was very supportive of devising a comprehensive approach to beach renourishment, he added.

Council Member Korest noted that the only way in which a major project such as beach renourishment could be handled is through a long-range plan. He said further that the County is working on such a plan for beach renourishment, and the City is working on a plan to renourish some of the beaches. Somehow, he said, the plan that is



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COUNCIL MEMBERS	MOTION	SECOND	VOTE		ABSENTEE
			YES	NO	



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<p>water. The developer had then made some arrangements to pay with former Assistant City Manager Wiltsie, and had made two installments.</p> <p>Mrs. Maureen Byrne, Administrative Assistant in the Utilities Department, reviewed the background of the Anjo matter, and Utilities Director Larry Barnet displayed a chart to further illustrate.</p> <p>City Manager Woodruff said that there was no doubt in his mind that the developer was substantially wrong, but also no doubt that the City's systems had not been properly taken care of.</p> <p>Mrs. Byrne explained that the first of the developer's two payments was for those units with Certificates of Occupancy (CO's) and had nothing to do with those units under construction. The problem arose when the City realized the developer was actually hooked to water. When the developer paid the final of the two payments, it was for only those additional units already issued CO's. When the developer made that final payment on June 1, she said, he did not say that thirteen more units had been approved for occupancy. Mrs. Byrne said she had told the developer that should the City find he was using additional water, he would owe triple damages.</p> <p><u>Council Member Muenzer requested that staff provide the following:</u></p> <ol style="list-style-type: none"> <li><u>1. Results of the fluoride test at The Waterfront site.</u></li> <li><u>2. Verification that specifications are being met.</u></li> <li><u>3. Assurance that all drawings have been checked for accuracy.</u></li> <li><u>4. Track whether any City materials were used by the developer at the Waterfront project and if so prepare to bill the developer for those materials.</u></li> </ol>					

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It was the consensus of Council to delay Item 23 until the August 7 Council Meeting. Staff will provide Council with a written, factual report of the events involved.

Item 24

City Manager Woodruff explained that Item 24 was a presentation of the Waterfront District Study and that no action by Council was requested.

Item 25

Acting Community Services Director Rambosk had found that it had been some time since concession fees had been updated and had submitted a list of both current and proposed prices for Council's consideration.

Item 26

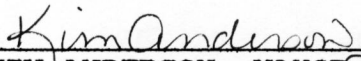
City Manager Woodruff told Council that the Fire Department would be prepared to give a 15-to-20 minute presentation at the July 17 Council Meeting with regard to staffing.


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ADJOURN: 12:12 p.m.

  
KIM ANDERSON, MAYOR

  
JANET CASON  
City Clerk

  
Marilyn McCord  
Recording Secretary

These minutes of the Naples City Council were approved on August 7, 1991.