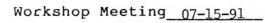
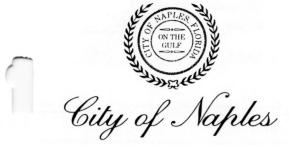
CITY COUNCIL MINUTES



City Council Chambers 735 Eighth Street South Naples, Florida 33940



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REV	VIEW OF ITEMS ON JULY 17	, 1991 REGULAR MEETING AGENDA		4
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City Council Chambers 735 Eighth Street South Naples, Florida 33940



CITY COUNCIL MINUTES

Workshop Meeting
Time 8:30 a.m.

Date July 15, 1991

ROLL CALL			-	VO	TE	
John M. Passidomo, Vice Mayor William E. Barnett R. Joseph Herms	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	
Alan R. Korest Paul M. Muenzer Fred L. Sullivan Council Members Absent: Kim Anderson, Mayor (Arrived at 9:05 a.m.) Also Present: Dr. Richard L. Woodruff, Ann (Missy) Month City Manager David W. Rynders, Jon C. Staiger City Attorney Natural Res. Norris C. Ijams, Larry Barnett Asst. City Manager Utilities Disconting City Attorney William Harrist City Attorney Finance Directly Ann Walker, Planner II Kevin Rambosk Acting Community Devices Directly Attorney Sergeant-At-Arms Maureen Byrne Marilyn McCord, Recording Secretary	v. Dir. r, Ph.D. Manager irector son, ector unity rector					
Other interested citizens and visitors.	***					
NOTE: Vice Mayor Passidomo called the medorder in the temporary absence of Anderson.	eting to					
	ITEM 1					
INTERVIEW CANDIDATES FOR APPOINTMENT CODE ENFORCEMENT BOARD AND CONTRACTO EXAMINING BOARD.						

CITY OF NAPLES, FLORIDA

City Council Minutes

Date <u>7-15-91</u>

VOTE M S A 0 E B \mathbf{T} C S Ι E 0 Y 0 E N COUNCIL N N MEMBERS N D S 0 1,

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 Mr. McLaughlin noted that as corners. beautiful as the Naplescape Median Beautification it probably is an ordinance Project is, Another example, he said, is the violation. 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.

VOTE S CITY OF NAPLES, FLORIDA E B 0 City Council Minutes Date 7-15-91 Т C S I 0 Y 0 N E COUNCIL N MEMBERS S N D 0 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. 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. Contractors Examining Board Mr. P. Knute Harmon was asked by Vice Mayor Passidomo how he perceived the Contractors Examing Board, and Mr. Harmon replied that the only negative he discerned was the large number of lawn maintenance businesses, which the Board Sometimes they are must review for licensing. the only items on the agenda he added and suggested that perhaps staff handle 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 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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Mr. Melvin Engel, a member of the Contractors Examining Board for the past four years, next addressed Council. He confirmed that approximately 90% of licensing requests had been for lawn maintenance. Mr. Engle said that in his opinion the City was broadening its horizons and that the Board in the future would become more than just advisory and play a larger role in helping to police contractors. He said he would like to see the Board interact more with the PAB (Planning Advisory Board).						
Council Member Korest asked if the County's licensing procedures were the same as those of the City. Mr. Harmon explained that the County licensing department has greater authority but that the procedures are similar.						
Vice Mayor Passidomo stated that at a time like this, Council is reminded of how lucky it is to have people of Mr. Harmon's calibre serving on the various City boards.						
City Manager Woodruff said that staff will consider the feasibility of handling some of the home maintenance licensing matters so that the Contractors Examining Board will not have to review every licensing request. Staff will report back to Council with some alternatives.						
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NOTE: Mayor Anderson arrived at 9:05 a.m. and presided over the remainder of the meeting.						
ITEM 2						
REVIEW OF ITEMS ON JULY 17, 1991 REGULAR MEETING AGENDA.				*		
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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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Naples' anchor shopping centers and he hoped not to deter future tenants while complying with the concerns of neighbors. 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. Item 13 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. Item 14 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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reuse water for irrigation. Staff will investigate tying in the reuse water line at the same time the stormwater line is installed at that location. At Mayor Anderson's request, staff will review the requirement which necessitates any development of ten acres or more to connect to the City's reuse lines. The stormwater management issue was also discussed, and the City Manager told Council that although the original development agreement called for a lake, the petitioner now wanted to replace it with a dry detention area. Item 15 Council Member Muenzer asked that staff include language in the Back Bay PD making it clear that there would be no overnight docking allowed, and specifying permitted docking hours. Mayor Anderson cautioned Council that Back Bay was proposed in a very sensitive area. Community Development Director McKim explained that the PAB had been extremely uncomfortable with it because of the inconsistencies in the petitioner's proposal and was not convinced that all conditions had been met. Item 16 Community Development Director McKim told Council that she had suggested the issue of affordable housing be discussed at the next Joint City/County Meeting. Staff will continue to pursue adding the City to the County Impact Fee Regulations for Affordable Housing, and will invite the School Board to the next Joint City/County Meeting. Item 16 dealing with the affordable housing issue will be deleted from the July 17 Council agenda. BREAK: 10:30 a.m 10:40 a.m.						

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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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CITY OF NAPLES, FLORIDA City Council Minutes Date 07-15-91	COUNCIL MEMBERS	M O T I O N	SECOZD	Y E S	E N O	A B S
ultimately developed must be one plan in order to accomplish all of the beach renourishment goals. He emphasized that Council needs to "speak very strongly" as to the need of a long-range plan. The City Manager said that the County staff and the TDC are in concert with the Beach Renourishment/Maintenance Committee. He said that the TDC should be asked for a ten-year commitment of 44% of the TDC funds for beach renourishment. Dr. Woodruff also reminded Council that Mr. Parker would need to start his project at the beginning of October, and that the TDC requests will probably not go before the County Commissioners before September. Council Member Korest pointed out that Council must realize that there is some risk to Mr. Parker's method and should reconcile the fact that this could delay beach renourishment by conventional means by up to three years. Mr. Ron Pennington, Chairman of the Beach Renourishment/Maintenance Committee, explained that the City is participating in a long-range plan which had been started by the County in 1987 and had been continually ongoing. County efforts had not stopped, he said, and State funding had been applied for. Mr. Pennington clarified that Mr. Parker had proposed to begin his project in November, so if Council chooses to proceed, it should do so in a timely manner this year or it will impact the County's long-range plan. Item 19 Assuming Item 18 is approved, the Mayor explained, Item 19 would represent the endorsement of the TDC funds for beach						
renourishment. At Council Member Muenzer's request, staff will provide to Council a breakdown of the beach						

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parking stickers as distributed to County and City residents. Item 20						
City Manager Woodruff told Council that Mr. Pennington had sent a memorandum to the member of the Beach Renourishment/Maintenance Committee who had not been attending meetings. Since there had been no response from that member indicating a desire to remain on the Committee, the resolution pertaining to Item 20 will be revised for the July 17 Council meeting.						
Item 21						
Regarding the contract with KPMG Peat Marwick, Finance Director Harrison said that the Auditor Review Committee was comfortable with recommending a fee of \$50,000 and that the City would assist in locating housing for the auditing staff.						
Vice Mayor Passidomo noted that there were certain assurances present when dealing with a "Big 6" firm. At Mayor Anderson's suggestion, staff will request a Certificate of Insurance from KPMG Peat Marwick and ascertain whether there are any encumberance on their coverage limits.						
Item 22						
Finance Director Harrison briefly reviewed the item, which deals with increased tipping fees for horticultural waste. City Manager Woodruff explained that the increased fees were due to the EPA (Environmental Protection Agency) action.						
Staff will clarify by August 14 whether the County's increased tipping fees will be applicable to horticultural waste.						
Staff will prepare two resolutions for the July 17 Council Meeting:						
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CITY OF NAPLES, FLORIDA City Council Minutes Date 07-15-91	COUNCIL MEMBERS	M O T I O N		Y E S	N O	BSI
1. To increase the fee to \$18 and wait until October to increase to \$25.						
2. To increase the fee to \$25 at this time.						
With regard to recycling, the City Manager said that if the City could find a source of disposition of materials other than the landfill, substantial money could be saved. He said that at the July 17 Council meeting graphics will be shown which will illustrate, by tons, the increase in garbage and trash. Mayor Anderson expressed hope that the City would continue to move forward on recycling, including glass.						
The Mayor asked about the type of liner used at the landfill. Staff will clarify this.						
Discussion followed with regard to unpaid utility fees. Finance Director Harrison said that revenues are up and that more customers had been added with the Park Shore annexation. Staff will provide Council with figures showing what it would take to back-collect garbage fees.						
City Manager Woodruff told Council that if some of the approved capital purchases are postponed, it would not be necessary to transfer funds from the General Fund. Staff will review those capital purchases which were approved and determine whether some can be postponed. In addition, staff will review the utility rate structure.						
Item 23						
The City Manager told Council that the Anjo Development matter was a very complicated issue. He said that in December, 1988, when the Waterfront project was initiated, City policies in place were fairly loose. The developer did violate City law by making connections to the						
water system without permits, then used City		1 1		- 1	- 1	

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water. The developer had then made some arrangements to pay with former Assistant City Manager Wiltsie, and had made two installments.						
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.						
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.						
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.						
Council Member Muenzer requested that staff provide the following:						
 Results of the fluoride test at The Waterfront site. 						
 Verification that specifications are being met. 						
3. Assurance that all drawings have been checked for accuracy.						
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.	10					
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CITY OF NAPLES, FLORIDA City Council Minutes Date 07-15-91	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	A B S
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.	rozera rozera rozera					
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.						

ADJOURN: 12:12 p.m.						
KIM ANDERSON, MAYOR And Cand JANET CASON City Clerk Marilyn McCord Recording Secretary These minutes of the Naples City Council were approved on August 7, 199/ 13						
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