



City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

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**City Council Workshop Meeting - March 1, 1993 - 9:00 a.m.**

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Mayor Muenzer called the meeting to order and presided.

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**ROLL CALL**

**ITEM 2**

**Present:** Paul W. Muenzer, Mayor  
Fred L. Sullivan, Vice Mayor

**Council Members:**

Kim Anderson (Present for morning session only)  
R. Joseph Herms (Present for morning session only)  
Alan R. Korest  
Ronald M. Pennington  
Peter H. Van Arsdale

**Also Present:**

Dr. Richard L. Woodruff, City Manager	Werner W. Haardt
Maria J. Chiaro, City Attorney	Tom O'Riley
Mark Thornton, Comm. Services Dir.	Robert Rier
John Cole, Chief Planner	Mary Morgan
Dan Mercer, Public Works Director	Mr. & Mrs. Fred Tarrant
David M. Lykins, Recreation & Enterprise Superintendent	Dudley Goodlette
Nicholas E. Long, Dock Master	Charles Rhoades
Terry L. Fedelem, Parks & Parkways Superintendent	Fern Aitchison
	Armando Diaz
	Michael Kennedy
Rebecca Couchman, Recycling Coordinator	Joseph O'Shaughnessy
Sylvester Cotton, Trash Operations Supervisor	Justyna Ford
George Henderson, Sergeant-At-Arms	<b>Media:</b>
Marilyn McCord, Deputy City Clerk	Eric Staats, Naples Daily News
	Traci Griffith, WNOG

**ITEM 1**

**ITEMS TO BE ADDED**

None.

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**ITEM 2**

**COMPARISON STUDY OF CONCESSION SERVICES FOR THE PIER  
AND LOWDERMILK PARK. CONTINUED FROM DECEMBER 14, 1992  
WORKSHOP.**

City Manager Woodruff began review of the issue of privatizing concession services, which staff has been working on at Council's direction.

Dock Master Nick Long explained that staff had been directed to review the Lowdermilk Park concession services. Mr. Long commented that in his opinion Lowdermilk Park was over-staffed. He would recommend expanding the Park's hours so that the concession stand will be open several days a week during sunset.

Repair and maintenance at both Lowdermilk Park and the Pier have been nonexistent, said Mr. Long. The CIP (Capital Improvement Program) could purchase additional equipment and make improvements to make Lowdermilk Park a more attractive location. Mr. Long told Council that staff's goal was to provide better quality food at reasonable prices.

The Community Services Board reviewed proposals from staff and the Request For Proposal Committee and discussed the issue for each option. The Board and staff recommended privatizing the concessions at Lowdermilk Park and keeping the Pier concessions in-house. It was recommended that this action be taken for a period of two years in order to review both operations, then determine which method will best serve the needs of the community.

Mr. Long and Mr. Armando Diaz demonstrated the type of computer now in use at the City Dock, which staff hopes to install at the Pier and Lowdermilk Park. The computer generates daily, weekly and monthly reports. This allows for close cash controls, said Mr. Diaz, whether or not the concessions are privatized. In response to Vice Mayor Sullivan's inquiry, the City Manager pointed out that Council can make proper accounting a part of the privatization contract. Mr. Sullivan stated

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that level of service standards should also be included in the contract. He went on to say, "Today we have a control system in place and management in place. It's only fair to give people an opportunity to be able to take hold of the new system, which is, 'We do the best we can at whatever we're doing.'

I would also submit that the people we have employed do want to do the best job they can. There are time when we just don't appreciate their efforts. I like the idea of a two year trial; that's sufficient time to be able to get a good measurement of what's happening."

With respect to the Pier, Mr. Long reported, "I've been aggressive with the numbers at the Pier. I know we could do better. I've also considered the possibility of leasing a part of the Pier that's under utilized now, being more aggressive in food and concession sales." Council Member Pennington commented that perhaps the City's final goal should not necessarily be a profit at Lowdermilk Park since it is a recreational facility for the citizens and visitors. He said, however that in his opinion the Pier should be a full-fledged enterprise operation with a portion of its profits going into maintenance, so that the Pier would be self sustaining.

Mr. Joseph O'Shaughnessy, who had submitted the recommended Request For Proposal, told Council that he would welcome the opportunity to operate the concessions services at Lowdermilk Park. He described his plans for an improved menu.

Responding to Vice Mayor Sullivan's question, Dr. Woodruff said that anyone who wanted to submit a proposal was free to do so. Approximately thirty Requests For Proposal were sent out; only three were submitted. It was the consensus of Council that staff should finalize the concession services contract for Lowdermilk Park and present the contract to Council for final bid award. Pier concessions will remain an in-house operation. This action will be taken for a period of two years in order to review both operations.

Community Services Advisory Board Chairman Bob Rier invited Council to the next Board Meeting, to be held on March 9, 1993 at 9:00 a.m. At that time outgoing Board Member Willie Anthony will be honored. "I wish he could stay on the Board forever," said Mr. Rier.

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**BREAK: 10:05 a.m. - 10:25 a.m.**

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City Manager Woodruff introduced the new Government Liaison for the Naples Area Chamber of Commerce, Justyna Ford. Ms. Ford will be attending the City's media orientation.

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**ITEM 3**

**DISCUSSION OF RESIDENTIAL AND COMMERCIAL RECYCLING  
PROGRAM AND CURRENT IN-HOUSE PROCESSING COSTS VERSUS A  
PRIVATIZATION PROGRAM.**

Community Services Director Mark Thornton announced that only the residential recycling program would be reviewed at this meeting. Mr. Thornton said that staff discovered the commercial recycling program to be much larger than originally anticipated.

Recycling Coordinator Rebecca Couchman told Council that three firms had been interested in bidding on the recycling program; Waste Management was the low bidder, bidding an annual total of \$146,039.04. Bids were opened on February 17, 1993.

Mr. Thornton explained that a present staff concern was the fact that the City's current operation was excessive in manual labor and would require the purchase of new equipment. The present budget would allow for one new vehicle. Waste Management has sufficient equipment to allow for broken-down equipment. Mr. Thornton reviewed the program comparisons, including trucks available, backup equipment, cost containment and replacement personnel. Dr. Woodruff suggested that this was an opportune time to consider privatization because the City currently has no investment in equipment. Staff would recommend processing material at a materials handling area in Fort Myers rather than on site within the City.

With respect to personnel, Dr. Woodruff informed Council that Ms. Couchman will continue to be a City employee. Her duties will be to monitor the contract as well as visiting schools and businesses to encourage people to recycle. The City presently has two employees working on the recycling program; they have agreed to accept positions in the Solid Waste Division.

Mr. Thornton said that staff is recommending that the recycling program be awarded to Waste Management to include recycling of plastics 1 and 2, clear glass, aluminum and newspaper. In addition to the curbside pick-up, the contractor will also have two drop sites for large multi-compartment recycling containers for office paper, greenbar paper and newspaper.

The contract with Waste Management will be on the agenda for the March 3, 1993 Regular Meeting.

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At that Meeting, staff will compare the City's recycling fees per pick-up, with fees charged by other municipalities.

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**BREAK: 11:15 a.m. - 11:25 a.m.**

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### **ITEM 5**

#### **REVIEW OF AGENDA ITEMS FOR WEDNESDAY, MARCH 3, 1993 REGULAR COUNCIL MEETING.**

##### **#10/Review of City Election Laws**

Attorney Dudley Goodlette, Chairman of the Ad Hoc Election Advisory Committee, reviewed what the Committee had accomplished since its establishment in June, 1992. Procedures relating to elections were reviewed by the Committee, which also focused on the Canvassing Board and procedures for protesting elections. Attorney Goodlette advised Council that Supervisor of Elections Mary Morgan had offered input with regard to her opinions of the issue. Mrs. Morgan brought attention to the Charter's lack of clarity and the need for precision with respect to some of the election procedures. There is a need, said Mrs. Morgan, to amend the Charter and adopt the Florida Election Code for procedures to be used in City elections.

City Attorney Chiaro stated that the Charter allows for City elections and ballots to be approved by Council. It also allows for election of the top three highest vote getters. The Division of Elections states, said Attorney Chiaro, that when there is a question of interpretation of the City Charter, the decision is to be made by the chief legal office of the municipality, not by the Supervisor of Elections.

Attorney Goodlette next addressed the Canvassing Board issue. He said that the Committee recommended that the Board's composition be changed and be comprised of the City Clerk, the person responsible for supervising the elections, and the Mayor or someone else designated by Council if the Mayor is a candidate for a Council seat. Attorney Goodlette pointed out that although the State Statute is very clear with respect to what a county canvassing board can do, it lacks clarity with respect to what a municipal canvassing board can do. City Attorney Chiaro noted that problems exist when two canvassing boards have different opinions on a particular ballot. Decisions will probably have to be made on a case-by-case basis, since issues always come up. Attorney

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Chiaro said that the proposed ordinance clarifies the terms of responsibilities of the Canvassing Board. Discussion ensued with regard to the necessity of having two canvassing boards. Attorney Goodlette commented that should Council desire to have the Elections Office continue to conduct City elections, it was important to clarify the responsibilities.

Vice Mayor Sullivan commented that the lack of specificity is precisely what causes problems in procedural matters. Attorney Goodlette agreed, adding that this entire issue was a complex one and does need attention. Mr. Sullivan said that the City Charter should be as consistent with State regulations as possible, although not necessarily 100% consistent. Council Member Korest remarked that there was merit to having some leeway within the Charter.

In reply to Council Member Van Arsdale's question, Attorney Goodlette said that what the Committee found most lacking in the Charter was specificity, the composition of the Canvassing Board and the need for some additional procedures within the Charter to specifically annunciate procedures that candidates or constituents could follow if they chose to file a petition contesting an election. Attorney Goodlette assured Council that any suggested language changes will be discussed with Mrs. Morgan, to be sure she agrees.

Attorney Goodlette, speaking for the Committee, thanked Council for its continuing confidence in their work.

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**LUNCH RECESS: 12:30 p.m. - 1:50 p.m.**

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**ITEM 4**

**DISCUSSION OF HORTICULTURAL DEBRIS DISPOSAL PROCEDURES.**

City Manager Woodruff told Council that there had been a reduction in tipping fees at the County Landfill. During 1992 the City's total tipping fees were \$145,000.00. Approximately \$80,000.00 was saved by burning horticultural waste, using the incinerator, after Hurricane Andrew.

Community Services Director Thornton reported that Waste Management was relocating its processing site. That will allow more room for horticultural debris handling on the City's site.

Recycling Coordinator Couchman and Trash Operations Supervisor Sylvester Cotton provided a slide presentation of the incinerator process. Mr. Cotton expressed his appreciation to the other City Departments and to Council for their support after the hurricane.

Ms. Couchman provided samples of cured chipped material, which is different, she explained, from

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the City's chipped material. It is anticipated that once the City can produce a good quality mulch, staff can utilize at least 4,000 tons per year. Representatives of Jungle Larry's have informed staff that they would take all the mulch that the City can provide. Another option would be to allow City residents to pick up whatever mulch is leftover from City projects.

Parks and Parkways Supervisor Terry Fedelem reviewed the current horticultural debris program and proposed options. He compared options III and IV, both pertaining to chipping. City Manager Woodruff informed Council that staff is recommending that the City discontinue any process that results in trucking of material. Even though the incineration process was successful, he said, for long-term usage staff does not believe it is the proper solution.

Council discussed the tub grinder procedure. Dr. Woodruff asked for Council's concurrence to contact Mr. Pulling and negotiate an extended lease for use of his property. Staff will proceed to draft a proposal, using options III and IV.

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**ITEM 5**

**REVIEW OF AGENDA ITEMS FOR WEDNESDAY, MARCH 3, 1993  
REGULAR COUNCIL MEETING (continued)**

**#5/Real Estate "For Sale" Sign Regulations**

Council Member Korest asked that staff ascertain which Naples subdivisions in addition to Port Royal have deed restrictions with respect to real estate signs. Mr. Korest said, "It seems as though, instead of just doing this in Port Royal, it seems there's a real interest to do this on a community-wide basis." City Manager Woodruff noted that by implementing the new regulation into one subdivision, the City would gain some experience as to whether or not it is a good idea.

**#27/Bid Award - Oil Changes, Lubrications and Preventive Maintenance**

Public Works Director Dan Mercer explained that K-Mart, the recommended bidder, guaranteed that work would be accomplished in twenty minutes or less. K-Mart has no authority to make repairs without City permission, said Mr. Mercer.

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**ANNOUNCEMENTS/CORRESPONDENCE/COMMUNICATIONS**

Chief Planner John Cole announced that last week's "Dancing Under The Stars" in the Third Street area had been cancelled because of rain. Council agreed that March 5, 1993 was acceptable as a rain

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**ADJOURN: 4:00 p.m.**

**PAUL W. MUENZER, MAYOR**

Janet Cason  
City Clerk

Marilyn McCord  
Deputy City Clerk

These minutes of the Naples City Council were approved on April 7, 1993.



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**March 1, 1993**  
**Convened 9:00 a.m. / Adjourned 4:00 p.m.**

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