



City Council Chamber
735 Eighth Street South
Naples, Florida 33940

City Council Regular Meeting - October 20, 1993 - 9:00 a.m.

Mayor Muenzer called the meeting to order and presided.

ROLL CALL

ITEM 2

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

Council Members:
Kim Anderson
R. Joseph Herms
Alan R. Korest
Ronald M. Pennington
Peter H. Van Arsdale

Also Present:
Dr. Richard L. Woodruff, City Manager
Kevin Rambosk, Assistant City Manager
Maria J. Chiaro, City Attorney
Missy McKim, Comm. Development Director
Dan Mercer, Utilities Director
Mark Thornton, Community Services Director
Ann Walker, Planner II
George Henderson, Sergeant At Arms
Katie Gibson-Jones, Administrative Asst.
Marilyn McCord, Deputy City Clerk

Michael Boyd
Other interested citizens and visitors

News Media:
Eric Staats, Naples, Daily News

ITEM 1

INVOCATION AND PLEDGE OF ALLEGIANCE

ITEM 3

ITEMS TO BE ADDED

City Manager Woodruff requested that Item 27 be added: Contract for engineering services at the City Dock.

MOTION: To add Item 27 to the Agenda.

Anderson			A
Hermes	S	Y	
Korest		Y	
Pennington		Y	
Sullivan	M	Y	
VanArsdale		Y	
Muenzer		Y	
(6-0)			
(VOTE BY ACCLIMATION)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

ITEM 4

ANNOUNCEMENTS

Mayor Muenzer and City Manager Woodruff announced the City's participation in Red Ribbon Week. Representatives from schools participating in Red Ribbon Week were as follows:

Sea Gate Elementary

Eddie Johnson
Corrina Loomis
Evan Austin
Chris Seiberth
Ashleigh Bamrick

Lake Park Elementary

Justin Bolton
Kathy Steady
Tommy Jeffries

St. Anne's Catholic School

Gale McLean

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Principal of Sea Gate Elementary School Mrs. Masterson and Police Officers Brian Wingo and Joseph Whitehead accompanied the students. The Mayor read the proclamation which was presented to each student. (A copy of that proclamation is included as Attachment #1). Each of the students presented a red ribbon to each of the Council Members.

City Manager Woodruff announced that a new program was beginning in Naples to address teenage consumption of alcohol and general drug abuse. Vice Mayor Sullivan and other community leaders will be involved in the program.

Dr. Woodruff reported that speed bumps will be added soon at Lowdermilk Park.

*******CONSENT AGENDA*******

ITEM 16

APPROVAL OF MINUTES

City Council Workshop Meeting	October 4, 1993
City Council Regular Meeting	October 6, 1993

ITEM 20

AWARD OF ANNUAL CONTRACT FOR GASOLINE AND DIESEL FUEL (COLLIER COUNTY BID 93-2075R/UTILITIES/EQUIPMENT SERVICES)

ITEM 21

AWARD OF ANNUAL CONTRACT FOR INSECTICIDES, FUNGICIDES, HERBICIDES, ETC. (BID 94-08/COMMUNITY SERVICES/PARKS & PARKWAYS)

ITEM 22

**AWARD OF ANNUAL CONTRACT FOR FRONT LOADING REFUSE
CONTAINERS (BID 94-12/SOLID WASTE/COMMUNITY SERVICES)**

ITEM 24

INSTALLATION OF CARPET AND TILE (BID 94-14/POLICE)

ITEM 25

**AUTHORIZATION TO EXTEND ANNUAL CONTRACT FOR LOCAL
AREA NETWORK (LAN) COMPUTER MAINTENANCE (BID 93-
21/POLICE)**

ITEM 26

**AUTHORIZATION TO PARTICIPATE IN RED RIBBON WEEK
ACTIVITIES**

MOTION: To **APPROVE** the consent agenda,
consisting of Items 16, 17, 20, 21, 22, 24,
25, and 26.

Anderson		A
Hermes		Y
Korest		Y
Pennington	M	Y
Sullivan	S	Y
VanArsdale		Y
Muenzer		Y
(6-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

RESOLUTION NO. 93-

ITEM 17

AUTHORIZATION TO EXECUTE AN AMENDMENT OF PROPOSAL TO PROVIDE ADDITIONAL CONSULTING WORK IN CONJUNCTION WITH A FEASIBILITY STUDY OF PROVISION OF RAW WATER TO FLORIDA CITIES WATER COMPANY AND SOUTHERN STATES UTILITIES.

NOTE: THIS ITEM WAS REMOVED FROM THE AGENDA AT THE REQUEST OF STAFF.

ORDINANCE NO. 93-

ITEM 5

AN ORDINANCE AMENDING SUBSECTION 2-3, "DEFINITIONS", SUBSECTION 3-84-1, "DEFINITION; PURPOSE; GENERAL REQUIREMENTS (FOR EXPANDING, ENLARGING OR CHANGING A NONCONFORMITY", AND SUBSECTION 9-2-8, "GUEST HOUSES", OF THE COMPREHENSIVE DEVELOPMENT CODE BY CHANGING THE TERMINOLOGY FROM "GUEST HOUSE" TO "GUEST UNIT"; AMENDING THE DEFINITION OF SUCH UNITS; ALLOWING FOR THE CONSTRUCTION OF GUEST UNITS ON SINGLE FAMILY RESIDENTIAL LOTS SMALLER THAN 30,000 SQUARE FEET WITH CITY COUNCIL APPROVAL; FURTHER LIMITING THE SQUARE FOOTAGE OF GUEST UNITS; PERMITTING THE RENTAL OF GUEST UNITS WHICH MEET CERTAIN CRITERIA; ALLOWING THE RENOVATION OF NONCONFORMING GUEST UNITS; AND PROVIDING FOR THE DEMOLITION AND REBUILDING OF A PRINCIPAL RESIDENCE WHILE RETAINING THE RIGHT TO THE GUEST UNIT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Community Development Director Missy McKim reviewed the item, describing the proposed changes. She answered Council's questions about the ordinance language. In response to Council

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Member Van Arsdale's question, Mrs. McKim said that very few formal complaints about guest houses had been received. A few complaints have been received about the size of guest houses. Mrs. McKim told Council that staff had not been aggressive in its enforcement of guest house regulations, and that it would continue to be difficult to control those regulations.

Public Input:

Lodge McKee, 53 Broad Avenue South

Mr. McKee commended the City for attempting to undertake the guest house issue. He hoped whatever action was taken at this meeting would stay in effect for at least a while. Mr. McKee said that the guest house issue was both a building issue and a spatial perception problem. He told Council that if the proposed ordinance is adopted, it will have a significant effect on the density of certain neighborhoods and will encourage a different use of the land. Mr. McKee expressed his hope that Council would accept the proposed definition of "guest house" since it was a good one and an important part of the ordinance. Mr. McKee went on to point out parts of the ordinance which he questioned and told staff that the conditional use criteria was not specific and could cause future problems. He went on to say, "It's time for us to recognize that people do rent guest houses and the only way to control it is to say there are rentals." Mr. McKee requested, "Keep in mind standards of land use and density." Mr. McKee stressed the need for a review of the spatial perception ordinance.

Council Member Korest suggested that Council approve the ordinance today, with review in one year. Then at that time any needed changes can be made.

MOTION: To **ADOPT** the ordinance at second reading.

Council Member Van Arsdale commented that the rental issue is abuse of the law and that this ordinance would accomplish nothing relative to the size of guest houses. He said, "This is a terrible ordinance. It's not based on reality and does not fix anything. It's full of loopholes." Council Member Anderson said that although she had been prepared to vote in favor of the ordinance, she still had concerns and was voting in the negative. Mrs. Anderson noted that in her opinion the ordinance did not define Council's concerns. Council Member Herms remarked that he too was uncomfortable with the ordinance language. Staff will continue to work on the ordinance and reschedule for future Council discussion.

Anderson		N
Herms		N
Korest	M	Y
Pennington	S	Y
Sullivan		N
VanArsdale		N
Muenzer		Y
(3-4)		

M=Motion S=Second
Y=Yes N=No A=Absent

RESOLUTION NO. 93-7038

ITEM 6

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE FORM ATTACHED HERETO, BETWEEN COMMUNITY HEALTH CARE, INC., THROUGH (BUT NOT LIMITED TO) NAPLES COMMUNITY HOSPITAL AND NORTH COLLIER HOSPITAL, AND THE CITY OF NAPLES, FOR MANAGED HEALTH CARE SERVICES RENDERED TO CITY OF NAPLES EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Human Resources Director Mary Kay McShane and Finance Director Bill Harrison reviewed the item. The proposed contract offers the following benefits to the City:

- Freezing the billing rates of hospital charges to the level in effect during the past year, for a period of one year.
- Provides for cost savings on areas of medical service not provided at Naples Community Hospital through contracts for tertiary service at Lee Memorial Hospital and Shands Teaching Hospital.
- Establishes group rates for medical screening and wellness programs.
- Provides for a 2% discount on all billings from the Hospital if payment is made within fifteen business days.

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City Manager Woodruff emphasized the fact that this contract is mutually beneficial to both parties.

Edward A. Morton, Naples Community Hospital Chief Operations Officer, answered Council's questions about the contract, noting that it represents a first step to the most efficient hospital care. Mr. Morton said that many efficiencies can be achieved by the City and the Hospital working together.

Public Input: None.

MOTION: To **APPROVE** the resolution as presented.

Anderson	S	Y
Hermes		Y
Korest		Y
Pennington		Y
Sullivan	M	Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

BREAK: 10:55 a.m. - 11:10 a.m.

ORDINANCE NO. 93-7039

ITEM 7

AN ORDINANCE AMENDING SUBSECTION 2-3, "DEFINITIONS," OF THE COMPREHENSIVE DEVELOPMENT CODE BY ADDING THERETO A DEFINITION OF "SUBSTANTIAL CHANGE" FOR THE PURPOSE OF CLARIFYING INTERPRETATIONS OF THE ZONING ADMINISTRATOR; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Public Input: None.

MOTION: To **ADOPT** the ordinance at second reading.

Anderson	S	Y	
Hermes		Y	
Korest			A
Pennington	M	Y	
Sullivan		Y	
VanArsdale		Y	
Muenzer		Y	
(6-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

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RESOLUTION NO. 93-7040

ITEM 8

A RESOLUTION APPROVING ALLEY VACATION PETITION 93-AV1 VACATING THE 225 FOOT EAST-WEST ALLEY LOCATED IMMEDIATELY SOUTH OF 136 GULF SHORE BOULEVARD SOUTH, AND 20 FIRST AVENUE SOUTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

City Manager Woodruff and Planner Ann Walker reviewed the alley vacation petition. Ms. Walker verified that staff did notify the abutting property owners. Dr. Woodruff clarified, for the record, that water and sewer lines are already installed on the property in question. Staff recommended approval subject to the retention of the utility easements. Mr. Gary Carlson, representing the petitioner, answered Council question's about the easement

Public Input: None.

MOTION: To **APPROVE** the resolution based on retaining the utility easements.

Anderson		Y
Hermes		Y
Korest	M	Y
Pennington		N
Sullivan	S	Y
VanArsdale		N
Muenzer		Y
(5-2)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

RESOLUTION NO. 93-7041

ITEM 9

A RESOLUTION WAIVING THE DISTANCE REQUIREMENTS BETWEEN LIQUOR LICENSEES IN ORDER TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES AT *THE CUTTING EDGE*, LOCATED IN GRAND CENTRAL STATION WITHIN 500 FEET OF EXISTING LICENSEES, THE GROUPE HOUSE AND GRAND BAY; AND

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PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

City Manager Woodruff reviewed the request for waiver of distance requirements and told Council that the previous tenants of this space have had liquor licenses and no conflicts were reported.

Public Input:

Patricia Kissell, 203 Silverado Drive

Ms. Kissell urged Council to approve the request for waiver of distance requirements, noting that there have been no problems on the site.

MOTION: To **APPROVE** the resolution as presented.

Anderson		Y
Hermes		Y
Korest		Y
Pennington	M	Y
Sullivan	S	Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

LUNCH RECESS: 11:55 a.m. - 1:45 p.m.

NOTE: Deputy City Clerk Marilyn McCord replaced Administrative Assistant Katie Gibson-Jones as recording secretary at this point in the meeting. Roll call was taken after the lunch recess; Council Members Anderson and Van Arsdale were not present at that time.

ORDINANCE NO. 93-

ITEM 10

AN ORDINANCE AMENDING SECTIONS 18-73(b) and (d), 18-74, 18-75(a) (b) and (e)(2), AND DELETING SECTION 18-75(c) OF THE CODE OF ORDINANCES, CITY OF NAPLES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Title read by City Manager Woodruff .

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City Manager then reviewed the ordinance and the changes in the Firemen's Pension Plan which would result with its adoption.

Public Input: None.

MOTION: To **APPROVE** the ordinance at first reading.

Anderson			A
Herms	M	Y	
Korest		Y	
Pennington		Y	
Sullivan	S	Y	
VanArsdale			A
Muenzer		Y	
(5-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

ORDINANCE NO. 93-

ITEM 11

AN ORDINANCE AMENDING SUBSECTION 8-9-11 AND ADDING SUBSECTION 11-1-9 TO THE COMPREHENSIVE DEVELOPMENT CODE OF THE CITY OF NAPLES, FLORIDA, REVISING REGULATIONS REGARDING ENFORCEMENT AND FEES CHARGED FOR VIOLATIONS OF EXCESSIVE GROWTH OF GRASSES AND WEEDS ON LOTS (UNOCCUPIED AS WELL AS OCCUPIED) WITHIN THE CITY; PROVIDING A SEVERABILITY CLAUSE; A REPEALER PROVISION AND AN EFFECTIVE DATE.

Title read by City Manager Woodruff.

City Manager Woodruff then reviewed the proposed changes to the ordinance pertaining to lot mowing. Community Services Director Mark Thornton said that the notification process will be changed; there will be an annual notification in January of each year listing all inspection dates and the dates by which the lots must be in compliance.

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NOTE: Council Member Anderson arrived at 2:00 p.m.

Council concurred that the language of the ordinance will reflect "occupied properties" as well as "vacant properties" and will also include reference to an administrative fee of \$75.00 per mowing.

MOTION: To **APPROVE** the ordinance at first reading, with the requested changes in language.

NOTE: Council Member Van Arsdale arrived at approximately 2:05 p.m.

Anderson		Y	
Herns		Y	
Korest	M	Y	
Pennington	S	Y	
Sullivan		Y	
VanArsdale			A
Muenzer		Y	
(6-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

ORDINANCE NO. 93-

ITEM 12

AN ORDINANCE AMENDING SUBSECTION 8-9-5 AND SUBSECTION 11-1-8 OF THE COMPREHENSIVE DEVELOPMENT CODE OF THE CITY OF NAPLES, FLORIDA, TO AMEND THE REGULATIONS FOR COLLECTION OF SOLID WASTE WITHIN THE CITY OF NAPLES AND TO AMEND THE FEES CHARGED FOR THE COLLECTION OF SOLID WASTE; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

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City Manager Woodruff reviewed the proposed ordinance, noting that it does not require the bagging of garbage by residential customers. Council discussed at length the illegal dumping of horticultural material which occurs on vacant lots. Council Member Herms commented that this minor issue may result in many angry residents. Council Member Korest described this as "another example of an ordinance that's not perfect."

MOTION: To **APPROVE** the ordinance at first reading, with the inclusion of a \$150.00 fine for illegal dumping.

Anderson	S	Y
Herms		Y
Korest		Y
Pennington	M	Y
Sullivan		Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

RESOLUTION NO. 93-

ITEM 13

**A RESOLUTION ESTABLISHING GUIDELINES FOR THE USE OF THE
NAPLES BANDSHELL AT CAMBIER PARK; AND PROVIDING AN
EFFECTIVE DATE.**

**NOTE: IT WAS THE CONCURRENCE OF COUNCIL THAT THIS WOULD BE AN
ADMINISTRATIVE POLICY; NO RESOLUTION IS NECESSARY.**

Title read by City Attorney Chiaro.

City Manager Woodruff explained that the City had never established policy for the rental of the Cambier Park bandshell. Community Services Director Thornton informed Council that criteria for rental would be added to the Special Events Committee responsibilities.

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Dr. Woodruff reported that this function could be made an administrative function to avoid the necessity of Council consideration for every rental request.

Public Input: None.

MOTION: That the rental of the Cambier Park bandshell be an administrative function.

Anderson	S	Y
Hermes		Y
Korest		Y
Pennington		Y
Sullivan	M	Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

ITEM 27 (ADDED ITEM)

AUTHORIZATION TO CONTRACT FOR ENGINEERING SERVICES

City Manager Woodruff reviewed the background of this request, which would include the issuance of purchase orders to Suboceanic Consultants, Inc. for the following projects:

- Depth survey profiles at the City Dock for a not-to-exceed amount of \$1,500.00.
- Conduct tidal elevation and current amplitude study at the City Dock on October 25, 1993 for a not-to-exceed amount of \$675.00.

Public Input: None.

MOTION: To **APPROVE** contracting for engineering services with Suboceanic Consultants, Inc. for depth survey profiles and tidal elevation and current amplitude study at the City Dock.

Anderson	M	Y
Hermes		Y
Korest		Y
Pennington		Y
Sullivan	S	Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

ITEM 23

**AUTHORIZATION TO ISSUE A PURCHASE ORDER TO OVERHAUL
AERIAL TRUCK (FIRE)**

City Manager Woodruff and Training Chief Glen Chesebrough reviewed the request for overhaul of the aerial truck. Dr. Woodruff stated, "City Council has given very clear direction to staff that you want our equipment maintained. In our opinion, the life of the truck is substantially extended if you can refurbish."

Chief Chesebrough answered Council's questions about the use of the truck in question. Council Member Pennington commented, "When we have people's lives at stake, we should err on the side of caution."

MOTION: To **APPROVE** issuance of a purchase order for the overhaul of the 95-foot aerial truck.

Anderson	M	Y
Herns		N
Korest		Y
Pennington		Y
Sullivan	S	Y
VanArsdale		N
Muenzer		Y

(5-2)
M=Motion S=Second
Y=Yes N=No A=Absent

RESOLUTION NO. 93-

ITEM 19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER NO. EIGHT, IN SUBSTANTIALLY THE FORM ATTACHED HERETO, BETWEEN HOLE, MONTES AND ASSOCIATES, INC. AND THE CITY OF NAPLES, FOR CONSULTING WORK ASSOCIATED WITH THE RELOCATION OF A SIX INCH REUSE WATER LINE AT U. S. 41 AND PARK SHORE DRIVE; AND PROVIDING AN EFFECTIVE DATE.

NOTE: At the request of staff, this item was withdrawn from the agenda.

Prior to leaving the meeting at 3:00 p.m., Mayor Muenzer confirmed that the Special Meeting

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of November 1 with Airport Authority representatives was not for the purpose of judging anyone. He stated that the purpose of the Special Meeting is to give representatives of the Airport an opportunity to respond to Council's questions. Because some of the items may involve researching records, the Airport Authority will have until December 17 to respond. Council Member Anderson stressed the importance of adhering to the five minute time limit for comments at the November 1 meeting.

ITEM 14

**APPROVAL OF A TEMPORARY USE PERMIT FOR STREET CLOSURE -
"DANCING UNDER THE STARS," THIRD STREET SOUTH, NOVEMBER
4, 1993, FEBRUARY 3, 1994, AND MARCH 3, 1994.**

City Manager Woodruff reviewed the temporary use permit. Third Street Association Marketing Director, Peggy Sealfont, described the proposed events. Both dance sites will be tented, she said, in order to retain noise within a specific area.

Public Input: None.

MOTION: To **APPROVE** the temporary use permit for street closure.

Anderson	M	Y
Herns		Y
Korest		Y
Pennington	S	Y
Sullivan		Y
VanArsdale		Y
Muenzer		A
(6-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

ITEM 18

**BUDGET AMENDMENT TO FUND THIRD STREET SOUTH
IMPROVEMENT PROJECT PHASE II.**

City Manager Woodruff reviewed those items requested by the Third Street South Association, those recommended by staff for approval, and the source of funds. The project would be financed using uncommitted funds.

Although five bike racks had been requested, Dr. Woodruff recommended three, noting that Council may want to consider installing additional racks depending upon usage. Staff agreed that twelve trash receptacles should be installed and funded by the Sanitation Contingency Fund.

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Resurfacing of certain streets had been discussed at a previous meeting, and Dr. Woodruff said that with the implementation of the five cent gasoline tax, revenues for road resurfacing should be available. Drainage improvements will be added on 12th and 13th Avenues South. Requests for DOT signs and remote signs were discussed.

NOTE: Council Member Van Arsdale left the meeting at 3:30 p.m.

Council discussed the fact that the City's participation in Third Street area improvements could set a precedent and that other areas in the City may make similar requests. Dr. Woodruff reminded everyone that last year Council had made a policy decision to help protect the tax base through public improvements.

Public Input: None.

MOTION: To **APPROVE** staff's recommendations relative to the requests from the Third Street Association.

Anderson	M	Y	
Herns		Y	
Korest	S	Y	
Pennington		Y	
Sullivan		Y	
VanArsdale			A
Muenzer			A
(5-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

ORDINANCE NO. 93-

ITEM 15-a

AN ORDINANCE GOVERNING THE PROCEDURES AND STANDARDS FOR THE REGULATION OF CABLE TELEVISION RATES PURSUANT TO THE RULES OF THE FEDERAL COMMUNICATIONS COMMISSION AND THE CABLE TELEVISION CONSUMER PROTECTION AND COMPETITION ACT OF 1992; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Assistant City Manager Kevin Rambosk reviewed the legislation pertaining to cable television.

Public Input: None.

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MOTION: To **APPROVE** the ordinance at first reading.

Anderson		Y	
Hermes	S	Y	
Korest	M	Y	
Pennington		Y	
Sullivan		Y	
VanArsdale			A
Muenzer			A
(5-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

ORDINANCE NO. 93-

ITEM 15-b

AN ORDINANCE GOVERNING THE PROCEDURES AND STANDARDS FOR THE REGULATION OF CABLE TELEVISION RATES PURSUANT TO THE RULES OF THE FEDERAL COMMUNICATIONS COMMISSION AND THE CABLE TELEVISION CONSUMER PROTECTION AND COMPETITION ACT OF 1992; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Public Input: None.

MOTION: To **APPROVE** the ordinance at first reading.

Anderson		Y	
Hermes		Y	
Korest	S	Y	
Pennington	M	Y	
Sullivan		Y	
VanArsdale			A
Muenzer			A
(5-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

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RESOLUTION NO. 93-7042

ITEM 15-c

A RESOLUTION APPROVING THE SUBMISSION OF A CABLE PROGRAMMING SERVICE RATE COMPLAINT (FORM 329) TO THE FEDERAL COMMUNICATIONS COMMISSION (FCC) AND DIRECTING THE CITY MANAGER TO MAIL THE COMPLETED FORM 329 TO THE FCC; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Public Input: None.

MOTION: To **APPROVE** the resolution as presented.

Anderson	M	Y
Hermes		Y
Korest	S	Y
Pennington		Y
Sullivan		Y
VanArsdale		A
Muenzer (5-0)		A
M=Motion S=Second		
Y=Yes N=No A=Absent		

ORDINANCE NO. 93-7043

ITEM 15-d

A RESOLUTION ESTABLISHING AN AD HOC ADVISORY COMMITTEE FOR EVALUATION OF FRANCHISE/CABLE TELEVISION ISSUES; AND PROVIDING AN EFFECTIVE DATE.



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Title read by City
Attorney Chiaro.

Assistant City
Manager
Rambosk
explained what
the duties of the
advisory
committee will
be. City Manager
Woodruff

Anderson	S	Y	
Hermes		Y	
Korest		Y	
Pennington	M	Y	
Sullivan		Y	
VanArsdale			A
Muenzer			A
(5-0)			

M=Motion S=Second
Y=Yes N=No A=Absent

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Convened 9:00 a.m. / Adjourned 4:40 p.m.

suggested that the committee consist of a cross-section of people. The focus of the committee will be to determine what the public wants to view on television.

Public Input: None.

MOTION: To **APPROVE** the resolution as presented.

CORRESPONDENCE AND COMMUNICATIONS

None.

PUBLIC INPUT

Michael Boyd from Signs and Things informed Council that he had a client with a signage problem. He asked that the sign ordinance be amended to allow an additional color on signs. City Manager Woodruff explained how signage plans are reviewed and permitted. The City's Code does not allow for the color which was requested in this situation. Dr. Woodruff suggested that Mr. Boyd direct his comments to the City Attorney so that she can address the property owner involved.

ADJOURN: 4:40 p.m.

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PAUL W. MUENZER, MAYOR

Janet Cason
City Clerk

Katie Gibson-Jones
Administrative Assistant

Marilyn McCord
Deputy City Clerk

These minutes of the Naples City Council were approved on November 3, 1993.

ADJOURN19
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