



City Council Chamber
735 Eighth Street South
Naples, Florida 33940

City Council Workshop Meeting - December 18, 1995 - 9:00 a.m.

Mayor Muenzer called the meeting to order and presided.

ROLL CALL

ITEM 1

Present:

Paul W. Muenzer, Mayor
Alan R. Korest, Vice Mayor

Council Members:

Ronald M. Pennington
Marjorie Prolman
Fred L. Sullivan (arrived at 9:10 a.m.)
Fred Tarrant
Peter H. Van Arsdale

Also Present:

Dr. Richard L. Woodruff, City Manager
Maria J. Chiaro, City Attorney
Missy McKim, Planning Director
Mark Thornton, Comm. Services Director
Dr. Jon Staiger, Natural Resources Mgr.
Dan Mercer, Utilities Director
Virginia Neet, Deputy City Clerk
George Henderson, Sergeant-at-Arms
Don Hunter, Collier County Sheriff
Werner Hardt
Charles Andrews
Bonnie MacKenzie
Bob Larson
Dave Pfaff
Louis Amato

Phil Savko
Joe Bawduniak
Edwin Putzell
Tom Taylor
Dr. Ron Benson
Bob Crawford

Other interested citizens and visitors.

Media:

Michael Cote, Naples Daily News
David Taylor, Continental Cablevision

ITEMS TO BE ADDEDITEM 2

Council Member Pennington requested that the following item be added to the agenda:

Item 7 - Council discussion regarding suspension of enforcement of noxious plant ordinance

**.....ITEM 3
STATUS REPORT BY NAPLES AIRPORT AUTHORITY (9:05 a.m.)**

Former Mayor Edwin Putzell invited the Council Members to a presentation and luncheon to be held at the airport after the Workshop Meeting. Mr. Putzell described the airport's development as impressive and positive and reported that a self-fueling facility was in place. He also stated that the Airport Authority was comfortable with the airport's management. In response to Council, Mr. Putzell explained that since the parcel of land parallel to the airport is non-aviation, he has asked the Master Plan consultants to research possible commercial use of the parcel.

It is noted for the record that Council Member Sullivan arrived at the meeting at 9:10 a.m.

Mr. Putzell then reported that the airport does not use any local taxes and operates on lease revenues, fuel sales, and grants from the Federal and State government.

Council Member VanArsdale commented on how the change in airport policy has stimulated activity and stated that a well-run airport is an asset to the City. Mayor Muenzer asked that the presentation include information relating to the new Collier County Airport Authority. City Manager Richard Woodruff publicly thanked the Airport Authority for their assistance during the recent flooding.

**.....ITEM 4
UPDATE ON FISHING PIER CONSTRUCTION PROGRAM BY SUBOCEANIC
CONSULTANTS (9:18 a.m.)**

Community Services Director Mark Thornton showed Council a video of the Fishing Pier to illustrate construction progress. Mr. Thornton reported that a beach walkway had been opened beneath the pier and the remaining work was primarily around the concession buildings. He described the workmanship on the handrails and boards as excellent and also reported on the progress of the restroom renovation. City Manager Woodruff stated that from the land to the concession area, all of the pier's piles and pile caps were in place; however, the pier could not be completed by Christmas as anticipated.

Consulting Engineer Bob Crawford described some of the problems experienced by the contractor since his last report to Council at the October 16th Workshop Meeting. Mr. Crawford explained how mechanical difficulties and unanticipated buried debris has slowed the contractor's progress and

relayed one instance where 13 pile stubs had to be removed in order to install one pile. He then detailed the remaining construction schedule and estimated that the pier would be substantially completed by January 31, 1996. Mr. Crawford stated that the contractor is doing everything possible to speed up the work and commented that the quality of workmanship is beyond what is required. Dr. Woodruff then noted that the contractor also encountered bags of concrete which were buried three to four feet under the sand near the bait house. Referring to the penalty clause of the construction contract, Mr. Crawford suggested that some consideration be given to the amount of debris that had to be removed.

Council Member Tarrant questioned why an experienced marine contractor did not anticipate buried debris. Council Member VanArsdale, however, remarked that the contractor was working diligently and giving the City a good product. In response to Council inquiries regarding the construction specifications, Dr. Woodruff stated, for the record, that the specifications were in excess of that previously on the pier.

.....**ITEM 5**
DISCUSSION OF ENGAGING THE SERVICES OF DR. HERB MARLOWE AS
FACILITATOR FOR THE COMPREHENSIVE PLANNING PROCESS. (9:44 a.m.)

Planning Director Missy McKim referred to Council's prior approval to hire a facilitator during the comprehensive planning process and stated that she, Council Member Sullivan, and City Manager Woodruff had interviewed three individuals identified as most qualified in this field. Based on these interviews, Ms. McKim recommended hiring Dr. Herbert H. Marlowe, Jr. as the facilitator because of his extensive experience in Florida and adaptability to the community's needs. She then relayed staff's request for authorization to develop a contract with Dr. Marlowe based on the scope of services formulated by the staff. (A copy of this material is contained in the file for this meeting in the City Clerk's Office.) Dr. Woodruff suggested that Dr. Marlowe's services be utilized for general guidance and higher profile issues and estimated that his fee may total \$10,000 which could be set up as a flat rate or an hourly rate.

Council Member Tarrant stated, for the record, that he opposes hiring an out of town facilitator or consultant and Council Member VanArsdale questioned why the Planning Advisory Board was not involved in the selection of the facilitator. Further Council discussions focused on the qualifications and experience of the three applicants and Council Member Sullivan noted that Dr. Marlowe was the most experienced in putting a plan into effect. Vice Mayor Korest commented that implementation is the most difficult aspect of planning and asked staff to contact Dr. Marlowe's references to determine the extent of his success at implementation.

.....**ITEM 7**
DISCUSSION REGARDING SUSPENSION OF ENFORCEMENT OF NOXIOUS PLANT
ORDINANCE (Requested by Council Member Pennington)

Referring to Ordinance 95-7488, Council Member Pennington relayed instances of the ordinance's misuse by citizens requesting the removal of trees, specifically Australian Pines, from their neighbors property. Since Council did not intend for the ordinance to be used by one neighbor to "harass" another, Council Member Pennington suggested suspension of the ordinance's enforcement

until Council can further define its intent.

MOTION by Pennington to SUSPEND ENFORCEMENT OF ORDINANCE 95-7488 UNTIL COUNCIL CAN CLARIFY ITS INTENT; seconded by VanArsdale.

After the discussion which appears below, this motion carried 7-0 (Korest-yes, Pennington-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, VanArsdale-yes, Muenzer-yes).

Council Member Prolman suggested that this issue be discussed in a workshop setting to which City Manager Richard Woodruff recommended the January 8, 1996 Workshop Meeting. Natural Resources Manager Jon Staiger then relayed instances where neighbors had used the ordinance as a vehicle to harass other neighbors into removing trees on their property and stated that one complaint is pending with the Code Enforcement Board.

.....**ITEM 6**
REVIEW OF ITEMS ON 12/20/95 REGULAR MEETING AGENDA (10:30 a.m.)

Item 13 - (Municipal Service Taxing Unit) - City Manager Richard Woodruff reported that the Collier County Board of Commissioners would possibly reject the M.S.T.U. concept at their next meeting due to a State ruling permitting the Sheriff's budget to be separated on the ad valorem tax bills. Collier County Sheriff Don Hunter addressed Council and confirmed that Collier County Commissioner John Norris would withdraw the M.S.T.U. issue from the Board's next meeting agenda. In response to recent discussions regarding the Sheriff's budget and level of services to the City of Naples, Sheriff Hunter reviewed the responsibilities of the Collier County Sheriff's Department and their relationship to the services provided by the City's Police and Emergency Services Department. He specifically noted how the Sheriff's responsibilities extend into the City limits. Sheriff Hunter then stated, for the record, that he could no longer support the M.S.T.U. ordinance as proposed due to issues which have remained unanswered and clarified that the City funds \$5.6 million of the Sheriff's budget, not \$8 million as previously reported. He also wanted the record to reflect that the Sheriff's office will provide the level of service that the City requires and wants to be responsive to these requirements. Council Member Pennington suggested that an interlocal agreement would better define the services provided by the Sheriff's Department to the City. Council Member VanArsdale commented that part of the problem has been identifying what the City pays for these services. Mayor Muenzer requested that Assistant City Manager William Harrison provide Council with a summary to illustrate how the City's portion of the Sheriff's budget is determined. Council Member Tarrant mentioned, for the record, that the Mayor of the City of Everglades correctly identified that the proposed M.S.T.U. may raise the millage rate and that Collier County Commissioner John Norris proposed the M.S.T.U. in order for the taxpayers to understand how their taxes were allocated to County-wide Sheriff's operations.

Break 10:58 a.m. - 11:09 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

Item 21 - (Award of Contract for Wastewater Treatment Plant Construction) - In response to Council, City Manager Richard Woodruff explained how the specifications for the wastewater treatment plant were developed by Hole-Montes & Associates, Inc. Tom Taylor, of Hole-Montes & Associates, Inc., then described how the low bidder for this project was evaluated and responded to Council inquiries regarding the financial stability and past projects of the low bidder. When

comparisons were made to the delays in the Collier County School Board's construction projects, Dr. Woodruff clarified that the low bidder for the wastewater treatment plant was not involved in any of the Collier County School Board's construction projects and referred to the construction company's references. **Item 28 - (Comprehensive Planning Facilitator)** - Council Member VanArsdale requested that this item be removed from the Consent Agenda for separate discussion. **Item 27 - (Resolutions in Support of Proposed Legislation)** - Council Member Pennington requested that this item be removed from the Consent Agenda for separate discussion. **Item 29 - (Crowdstopper, Inc.)** - Vice Mayor Korest requested that this item be removed from the Consent Agenda for separate discussion and asked for additional information regarding Crowdstopper, Inc. Council Member Pennington recommended that the word "trolley" be deleted since the vehicle is technically not a trolley. **Item 25 - (Appointments to the City of Naples Public Employees Relations Commission)** - Council Member Prolman requested that she be notified of any openings on advisory boards. **Item 30 - (Relocation of Various Potable and Reclaimed Water Lines in Conjunction with Golden Gate Parkway Six-Laning)** - Council Member Pennington requested clarification on the amount of water lines affected. **Item 35 - (Approval of Wage Adjustment for Non-Bargaining Unit Employees for Calendar Year 1996)** - Council Member Pennington requested that this Item be removed from the Consent Agenda for separate discussion. Council Member Sullivan requested discussion in a Workshop Meeting regarding the methodology used to prepare ordinances and resolutions and agreed that this workshop could take place after the new Council has been seated.

Item 7 - (Key Island Development) - Vice Mayor Korest requested clarification on beach access issues. City Attorney Chiaro clarified that, although the City is required to discuss beach access, it is not within the City's jurisdiction to make a determination. **Item 22 - (Naples Landing)** - Council Member Prolman requested information regarding the modifications to Naples Landing. **Item 10 - (Comprehensive Development Code Amendment)** - Council Member Sullivan requested additional clarifying language to specify "salaried full-time employee".

CORRESPONDENCE / COMMUNICATIONS (11:56 a.m.)
None.

ADJOURNED
11:57 a.m.

Paul W. Muenzer, Mayor

Tara A. Norman
Chief Deputy City Clerk

Virginia A. Neet
Deputy City Clerk

Minutes approved: 1/3/96.



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Convened 9:02 a.m. / Adjourned 11:57 a.m.

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