



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – April 16, 1997– 9:00 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALL **ITEM 1**

Present: Bill Barnett, Mayor
Marjorie Prolman, Vice Mayor

Council Members:
John R. Nocera
Fred L. Sullivan (Arrived 9:09 a.m.)
Fred Tarrant
Peter H. Van Arsdale (Arrived 9:05 a.m.)

Absent: Bonnie R. MacKenzie

Also Present:

Dr. Richard Woodruff, City Manager
Kenneth B. Cuyler, City Attorney
Don Wirth, Community Services Dir.
Missy McKim, Planning Director
Tara Norman, City Clerk
Virginia Neet, Deputy City Clerk
Flinn Fagg, Planner
Ann Walker, Planner
Phil Buck, Parks and Parkways Supt.
Molly Reed, Recording Secretary
Pastor David Mallory, First Assembly
Church of God
Werner Haardt
Ralph Carter
Jim Dean
W. J. Lane

Sewell Corkran
Virginia Corkran
Paul Weber
Jim Ricca
Frank Steere
Alan Koslow
Chris Bundschu
Kim Patrick Kobza
Charles Andrews
J. Dudley Goodlette
Other interested citizens and visitors

Media:

Tara Beer, Naples Daily News
Frank Kinsman, WNOG

INVOCATION AND PLEDGE OF ALLEGIANCE (9:00 a.m.).....ITEM 2
Pastor David Mallory, First Assembly Church of God

ANNOUNCEMENTS (9:02 a.m.).....ITEM 3
City Manager Richard Woodruff read a Proclamation designating April 21-25 as "Professional Secretaries Week". Mayor Barnett read a Proclamation designating Friday, April 25, as Arbor Day in the City of Naples. He then presented special plaques to Phil Buck, Parks and Parkways Superintendent, and Vice Mayor Marjorie Prolman for their leadership in Exotic Removal Day which resulted in disposal of 200 melaluca trees. Dr. Woodruff requested thoughts and prayers for former County Commissioner Max Hasse who is very ill.

ITEMS TO BE ADDED (9:08 a.m.).....ITEM 4
None

MOTION by Van Arsdale to SET AGENDA; seconded by Sullivan and carried 6-0. (MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

CONSENT AGENDA

APPROVAL OF MINUTESITEM 5a
November 23, 1996 Skateboard Park Opening; March 5, 1997 Regular Meeting; March 31, 1997 Joint Workshop Meeting.

.....**ITEM 5b**
CONSIDER A PURCHASE ORDER FOR RENEWAL OF MICROSOFT SELECT CONTRACT (SOFTWARE LICENSING) THROUGH 3/31/99 \ Vendor: Wareforce, Inc., El Segundo, California \ Total Price: \$71,654.13 \ Funding: Information Services Maintenance Account and CIP Project #96T03.

.....**ITEM 5c**
AWARD OF BID FOR SEWER LINE VIDEO INSPECTION EQUIPMENT USED TO INSPECT, DOCUMENT, AND REPAIR CITY SEWER LINES \ Vendor: Buchen S.I.S., Inc., Chaska, Minnesota \ Price: \$18,476.00 \ Funding: CIP Project #97n06.

(Deleted from the Agenda)ITEM 5d
CONSIDER A CONTRACT WITH RISK MANAGEMENT ASSOCIATES, NOT TO EXCEED \$4,000.00, TO PROVIDE CONSULTING SERVICES IN PREPARATION OF A REQUEST FOR PROPOSAL, TO REVIEW PROPOSALS RECEIVED, AND TO ASSIST IN CONTRACT NEGOTIATION FOR RISK MANAGEMENT SERVICES.

.....**ITEM 5e**
CONSIDER APPROVAL OF THE FOLOWING SPECIAL EVENTS:

Rotary Tropical Jazz Concert - 4/18
Taste of Collier - 4/20
P.O.L.O. Street Dance - 4/26
Suncoast Rehab 4-Mile Road Race - 4/26
Gulfcoast Runners 5K Run/Walk - 5/4
Great Dock Canoe Race - 5/10

MOTION by Van Arsdale to APPROVE CONSENT AGENDA ITEMS 5a, 5b, 5c, 5e; seconded by Sullivan and carried 6-0. (MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Van Arsdale-yes, Tarrant-yes, Barnett-yes)

END CONSENT AGENDA

Mayor Barnett noted that Item 6 was scheduled for a time certain at 9:20 a.m. and would be heard at that time.

**ORDINANCE (Continued)ITEM 8
CONSIDER AMENDING SECTION 106-239 "NOISE," SUBSECTION (H) RADIOS, PHONOGRAPHS, TELEVISIONS, ETC.," OF THE CODE OF ORDINANCES IN ORDER TO PROVIDE FOR A MEASURABLE NOISE LEVEL AND PERMIT PROCESS.** Title not read. (9:10 a.m.)

City Manager Richard Woodruff reported that the City Attorney had requested this item be removed from the agenda and continued to the next Workshop when several options would be presented to Council.

**RESOLUTION 97-7946.....ITEM 9
A RESOLUTION APPROVING AN APPEAL OF A DECISION OF THE STAFF ACTION COMMITTEE ON FEBRUARY 25, 1997, TO DENY AFTER-THE-FACT APPROVAL OF EXTERIOR CHANGES TO A BUILDING LOCATED AT 670-680 FIFTH AVENUE SOUTH IN THE FIFTH AVENUE SOUTH SPECIAL OVERLAY DISTRICT; AND PROVIDING AN EFFECTIVE DATE.** Title read by City Manager Woodruff. (9:10 a.m.)

Planning Director Missy McKim, using overhead projections, described the issues with reference to the building façade in question: 1) removal of the bulkhead; and 2) top of entry is lower than that of adjacent buildings. She explained that the permit issued for work had been for interior changes and the façade had been altered without a permit. Vice Mayor Prolman said she understood that the building inspector would return the issue to the Staff Action Committee (SAC) and Ms. McKim concurred indicating, however, that this had never occurred. Council Member Van Arsdale stated that the changes conformed to structural and building codes and were, therefore, acceptable to the building inspector despite the exterior change nonconformance to the Fifth Avenue South Special Overlay District. Vice Mayor Prolman said the façade appeared different from adjoining buildings, and added that she was concerned others would be tempted to make changes without waivers from the Overlay District.

Paul Weber, representative for the petitioner, stated that in early 1995, when building approvals were given for alterations to the building, the contractor, architect and owner did not realize that SAC had to approve changes. He indicated that the addition of a door was in the original permit and a revision showing the removal of the bulkhead was approved in September 1995. He then added that the same type of façade could be seen on a Fifth Avenue building west of the address in question. Council Member Van Arsdale, however, pointed out that the revisions, which were submitted for approval, showed what had already been built.

Public Input: None (9:31 a.m.)

MOTION by Sullivan to APPROVE Resolution 97-7946; seconded by Tarrant and carried 4-2. (MacKenzie-absent, Nocera-yes, Prolman-no, Sullivan-yes, Van Arsdale-no, Tarrant-yes, Barnett-yes)

It is noted for the record that a prior motion by Van Arsdale to deny the appeal was seconded by Prolman and failed 2-4. City Manager Woodruff noted that any motion would require four affirmative votes.

**ORDINANCE 97-7934.....ITEM 6a
AN ORDINANCE AUTHORIZING THE ANNEXATION OF A 3.27 ACRE PARCEL
LOCATED WITHIN THE WILDERNESS PUD, IMMEDIATELY EAST OF THE CITY
LIMITS AND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A
SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.
Title read by City Manager Woodruff. (9:33 a.m.)**

**RESOLUTION 97-7947.....ITEM 6b
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
DEVELOPMENT AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO,
WHICH ESTABLISHES THE DEVELOPMENT RIGHTS FOR A 3.27 ACRE PARCEL
LOCATED WITHIN THE WILDERNESS PUD, MORE PARTICULARLY DESCRIBED
HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Manager
Woodruff. (9:33 a.m.)**

It is noted for the record that Items 6a and 6b were discussed concurrently.

City Attorney Cuyler explained that Council's consideration of this item was a quasi-judicial proceeding and requested that Council Members disclose any ex parte communications they may have had with the petitioner or any other party relating to this item. Disclosure is as follows: Mayor Barnett had spoken with attorneys, residents, and many others involved with the issue. Council Member Van Arsdale had received one item of correspondence, and Council Member Nocera had spoken with the petitioner. Council Member Sullivan had received written communication and had spoken with the petitioner. Vice Mayor Prolman had spoken with the petitioner once since the last meeting, and Council Member Tarrant had spoken with citizens in the Wilderness and surrounding communities. The City Clerk then administered an oath to all persons who would be speaking on Items 6a and 6b, which would be heard together.

Attorney Joseph Locker, representing the petitioner, TelTrust, Inc., clarified misunderstandings regarding this transaction by noting that his client Benjamin Mashiah was a friend of Eli Baron, however, Mr. Baron was not involved in the Wilderness transaction. Mr. Locker added that TelTrust has been under contract to purchase the land from the Frank family during all presentations to the City. He stated that the land had always been zoned commercial and the reasons for the City approval of the TelTrust voluntary annexation on the First Reading were still valid.

City Attorney Key Cuyler noted, for the record, that since this was the second hearing on this issue, all presentations, testimonies, and discussions from the prior hearing would be incorporated into this hearing.

Public Input: (9:43 a.m.)

James Ricca, representing the Wilderness Country Club Association, claimed that density issues were ignored when TelTrust altered the hotel project down to three stories since the number of guest rooms remained the same. He said the annexation process had been abused at the expense of property rights, and added that he believed the Collier County approved PUD would have to be maintained by the City.

Attorney Alan Koslow, representing Wilderness Country Club residents, questioned the quasi-judicial status of this hearing since annexation is not zoning. City Attorney Cuyler explained that in light of a number of technical issues that had been raised, he felt it best to observe quasi-judicial procedures. Mr. Koslow responded that the first hearing should have also been quasi-judicial. He then referred to his correspondence of record and said that he was not going to revisit the issues therein. He contended, however, that the Development Agreement (Item 6b) is, in fact, tantamount to a rezoning which is quasi judicial. Mr. Koslow then presented a compromise plan:

- Voluntary annexation would not be contested
- The Development Agreement would not be challenged
- The City must make TelTrust conform to the Collier County PUD process

In response to Vice Mayor Prolman, City Attorney Cuyler explained that the issues raised by Mr. Koslow were procedural and not substantive. He stated that he had reviewed every procedural point and he was satisfied that, even if the process began anew, other technical issues would continue to be brought up by Mr. Koslow. Council Member Tarrant noted that Mr. Cuyler had referred to the situation as “messy” and Mr. Cuyler responded that, since the Frank family had joined the documents of record as co-petitioner and owner of the property, many procedural questions had been eliminated. He added, however, that some issues would remain. In response to Attorney Koslow, Mr. Cuyler stated that the annexation would go into effect within ten days after adoption by the City.

Jim Dean, 1320 28th Avenue North, President of the Sun Terrace Association, expressed opposition to annexation if the development exceeds the County’s current zoning requirements. He urged Council to consider the traffic impact on the Sun Terrace neighborhood. He also expressed regret that the Wilderness Country Club residents had been alienated because of this issue. **Sewell Corkran, 213 9th Avenue South**, stated that annexation and granting permission for a hotel would violate no less than six policies within the City’s Comprehensive Plan. **Jack Lane, 106 Wilderness Drive**, said he had always favored annexation of the Wilderness development into the City, and added that in 1996 the Frank family had indicated they, too, approved. He reported that, in the interim, the Frank family had been approached to sell the land fronting Goodlette Road if it could be annexed into the City. He also said that Paul Frank had told him the City Manager would give him [Mr. Frank] anything he wanted. In response to Mayor Barnett, however, Mr. Lane confirmed that he had not been present when the City

Manager spoke with Mr. Frank. **Paul Frank, Wilderness Country Club**, reported that Dr. Woodruff had not made the statement reported by Mr. Lane.

Council Member Tarrant noted that County zoning would permit 54 hotel rooms on the site compared to 130 rooms permitted by the City, which equated to an increase in density in excess of 100% over County standards. He cited the FOCUS and Vision 2005 studies, which centered on controlling growth. Mr. Tarrant also pointed out that the prior Rock Creek attempt at voluntary annexation had been initiated because the developer preferred a development agreement with the City since it would be less restrictive than the County. He urged the Council to reject the annexation petition because of mistakes and misrepresentations and because the public had indicated they do not want increased tourism. He noted actions the Council had taken to protect citizens from excessive density, and concluded that the Wilderness annexation plan was too intense for Naples.

Council Member Van Arsdale pointed out that the proposed plans meet the standards for the City, and added that the Comprehensive Plan acknowledged the land as a commercial site conforming to the Plan.

MOTION by Van Arsdale to APPROVE Ordinance 97-7934 amended to include the following provisions:

- *All documents reflect TelTrust Inc. and the Frank family as co-petitioners*
- *The effective date of the ordinance will be ten (10) days after adoption*
- *The Annexation Agreement will be incorporated into and referenced in the ordinance, and*
- *The attendant Development Agreement is to carry a one (1) year time limit;*
- *seconded by Sullivan. After the discussion, which appears below, this motion carried 4-2. (MacKenzie-absent, Nocera-yes, Prolman-no, Sullivan-yes, Van Arsdale-yes, Tarrant-no, Barnett-yes) See discussion below.*

Council Member Sullivan requested direction from the City Attorney regarding the compromise offered by Attorney Koslow. Mr. Cuyler said he understood that the proposal required the County to rezone the property following voluntary annexation. Mr. Koslow said it would also require that TelTrust and the Development Agreement conform to the PUD process as outlined in the recorded document. Council Member Tarrant noted that the County's density level would prevail if TelTrust went through the PUD amendment process, but Mr. Koslow said the compromise would allow the County to hear all arguments and reach its own, independent conclusion.

Attorney Joseph Locker, representing the petitioner TelTrust, Inc., indicated that since the property is zoned PUD by the County, it does not have a specific density requirement. He added that the City's Comprehensive Plan should be amended to include the annexed property as a matter of City procedure. In response to Council Member Tarrant, Attorney Locker said he did not agree to the compromise proposal, and City Attorney Cuyler questioned Mr. Koslow's compromise plan by noting that once the property is annexed into the City, there is no reason to return to the County for rezoning. He noted that the process would be to annex the property into the City, pass an after-the-fact Comprehensive Plan amendment and then rezone the property.

Mr. Cuyler then requested that: 1) All documents include the Frank family and TelTrust as co-petitioners with this wording included in the motion; 2) An effective date of ten days after adoption; and 3) The annexation agreement be incorporated and referenced in the ordinance.

City Planner McKim reported that the Comprehensive Plan includes a Future Land Use Map, which denotes the Wilderness property for future annexation, thus negating the need for a formal amendment to the Comprehensive Plan. Council Member Tarrant took the position that the First Reading included many legal errors, such as the impression that TelTrust was the owner of the property.

Council Member Nocera asked that the motion include a time limit for completion of the project. Attorney Locker and petitioner representative Ralph Carter stated that a year from the effective date would be sufficient time, and Council Member Van Arsdale amended his motion accordingly. Council Member Tarrant indicated that regardless of the wording, TelTrust could sell the property to another developer and noted that there is no guarantee TelTrust will build a hotel on the property. Prior to a second on the motion, Council Member Tarrant requested that Council Member Van Arsdale include in the motion a provision requiring full financial disclosure from the developer pertaining to the completion of the project. Mr. Van Arsdale declined, but added the comments of the City Attorney to the motion.

Attorney Koslow said that under Chapter 171.062, the proper procedure was for the City to first have a Comprehensive Plan amendment and rezone prior to issuing any permits for developing the property. He added that the Development Agreement would not rezone land. City Attorney Cuyler stated that the City and Staff do not consider this a rezone issue, and he noted that the property in question is already zoned for the purposes under discussion. The law, he added, allows the Development Agreement to establish densities for the property.

Prior to the vote, the City Attorney pointed out that the public hearing covered both items (6a and 6b). There were no objections to this, and Mayor Barnett called for the vote. Council Member Tarrant, again, requested that Council Member Van Arsdale include in the motion a provision requiring full financial disclosure from the developer pertaining to the completion of the project. Mr. Van Arsdale, again, declined the request.

MOTION by Van Arsdale to APPROVE RESOLUTION 97-7947 amended to include the following provisions:

- ***The effective date of the Development Agreement will be the same as that of the annexation ordinance, and***
- ***The Development Agreement carries a one (1) year time limit; seconded by Sullivan. After the discussion, which appears below, this motion carried 4-2. (MacKenzie-absent, Nocera-yes, Prolman-no, Sullivan-yes, Van Arsdale-yes, Tarrant-no, Barnett-yes)***

Following the vote, Vice Mayor Prolman explained that the vote on the First Reading was a tentative approval of the annexation plan, and added that since that time, sufficient legal questions have caused her to vote against the majority.

Recess: 10:47 a.m. to 10:59 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

**FIRST READING.....ITEM 7
AN ORDINANCE APPROVING REZONE PETITION 97-R3, AMENDING A
PREVIOUSLY-APPROVED PLANNED DEVELOPMENT FOR THE BAYFRONT
MARKETPLACE IN ORDER TO REVISE THE DEVELOPMENT PLAN FOR THE
PROPERTY, SAID PROPERTY BEING LOCATED IN THE 400 BLOCK OF
GOODLETTE ROAD SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; AND
PROVIDING AN EFFECTIVE DATE. Title read by City Manager Woodruff (10:59 a.m.)**

Architect David Kitchens, representing the petitioner, Bayfront Marketplace, Inc., delivered a presentation to Council using architectural drawings and renderings to illustrate scale and appearance for the proposed Bayfront Marketplace. (Copies of the drawings are contained in the file of this meeting in the City Clerk's office.) During his presentation Mr. Kitchens explained that the petitioner and the Planning Advisory Board (PAB) differed only as regards the height for the penthouse areas. The PAB allowed three non-habitable architectural embellishments to extend 15 feet above the peak of the roof and the petitioner requested the extension be 20 feet since the plans called for screening penthouses and functional items on the roof at six locations in the project.

Council Member Tarrant asked whether the intensity of the project would spill over into other residential areas of the City and create more traffic. In response, Mr. Kitchens said that activity in the project was desirable and, he added, the traffic study indicated the current plan for the development would bring lower traffic counts. He noted, further, that the Comfort Inn is in scale with the project.

Council Member Van Arsdale asked about parking provisions for the Comfort Inn, and Mr. Kitchens responded that there is a lease agreement for additional parking for Comfort Inn guests on the development property. He explained that the parking area for the hotel guests would be private and separated from the retail and residential parking of the project.

City Attorney Cuyler then stated that Council's consideration of this item was a quasi-judicial proceeding and requested that Council Members disclose any ex parte communications they may have had with the petitioner or any other party relating to this item. Disclosure is as follows: Mayor Barnett said he had spoken with the petitioner and several attorneys. Vice Mayor Prolman had spoken with the petitioner as had Council Members Van Arsdale and Tarrant. Council Member Sullivan disclosed that he had spoken with the petitioner and had discussed the project at a meeting of the 41-10 Committee where he represents Council. Council Member Nocera had spoken with the petitioner, some residents and the Steering Committee for 41-10 in his role as a Council representative. The City Clerk then administered an oath to all persons speaking on Item 7, including the prior testimony of Mr. Kitchens.

Planner Flinn Fagg reviewed the recommendations of staff and the PAB, and, in response to Council Member Van Arsdale, he explained that staff's recommendation of ten feet for architectural embellishments was for consistency with City code, adding that all extensions would be for embellishment only and not for habitation.

Attorney Kim Patrick Kobza, speaking on behalf of the Comfort Inn, stated that the hotel has a 99-year ground lease for adjacent parking for guests offering immediate access to hotel property. He added that the petitioner did not have the legal right to rezone property for which there is already a ground lease and he asked Council to understand that this issue had not been resolved.

Chris Bundschu, also representing the Comfort Inn, offered support for the Bayfront Marketplace project, but asked Council to protect access and parking for the hotel facility. He explained that the proposed parking is complicated and potentially very competitive between hotel guests and the proposed facility.

Planning Director Missy McKim explained that Collier County controls Goodlette Road and, therefore, the provision for a southbound left turn lane to access the southern driveway of the property next to the Comfort Inn must meet County criteria. She also noted that the project's residential units could not be rented for a less than 30 days.

Attorney J. Dudley Goodlette, representing the petitioner, noted that the parties were working to resolve the Comfort Inn parking issue independent of City Council. City Attorney Cuyler urged that this is done prior to the second reading, and Council Member Tarrant asked whether the Comfort Inn's being first on the site would impact the problem. Mr. Goodlette responded that the matter involves a 99-year lease and, therefore, is a contractual issue between the parties. Attorney Kobza, however, stated that the issue pertains to zoning and the current site plan contemplates removal of the parking the Comfort Inn now has under the 99-year lease. He explained that as a zoning issue, the Comfort Inn is obliged to protect its rights. Planner Flinn Fagg pointed out that the petitioner has agreed to provide 30 parking spaces to the Comfort Inn with the location of these spaces to be established between the two parties. He noted, however, that the site plan appears to have provided the required spaces at secure locations adjacent to the Comfort Inn.

Vice Mayor Prolman requested that the ordinance specify underground power lines within the property. Council Member Van Arsdale suggested that the street median landscaping and project landscaping be compatible.

Public Input: None (11:47 a.m.)

MOTION by Van Arsdale to APPROVE amended to include:

- *The architectural embellishments to extend 20 feet above the peak of the roof*
- *Increase the number of permitted liquor licenses from three to five*
- *All utilities on site will be underground;*

Seconded by Nocera and carried 6-0. (MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

ORDINANCE 97-7949.....ITEM 10
AN ORDINANCE APPROVING TEXT AMENDMENT 97-T2, AMENDING SECTIONS 110-88, 110-89, 110-90, 110-91, 110-92, 110-93, and 110-94 OF THE CODE OF ORDINANCES, TO RESTRICT THE LIGHTING OF THE UPPER STORIES OF CONDOMINIUM BUILDINGS; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Manager Woodruff. (11:49 a.m.)

Planner Flinn Fagg explained that the amendment permits exterior lighting at grade and at the first habitable floor of a multi-family structure. Other changes confine the lighting to a front yard facing a public street. The ordinance, he added, prohibits lighting adjacent to another multi-family structure and the beachfront. City Manager Richard Woodruff reported to Council that several attempts were made to contact a representative at the Brittany condominium, but there had been no response to date.

Public Input: (11:51 a.m.)

Frank Steere, 250 Park Shore Drive, referred to the lighting on the Brittany as garish and objectionable. He urged Council to prohibit this type of lighting.

MOTION by Sullivan to APPROVE Ordinance 97-7949; seconded by Van Arsdale and carried 6-0. (MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

Vice Mayor Prolman stated that she was initially opposed to the creation of an ordinance as a solution to the problem at the Brittany, but she had voted with the majority because of the lack of cooperation from the Brittany.

RESOLUTION 97-7950.....ITEM 11
A RESOLUTION GRANTING CONDITIONAL USE PETITION 97-CU3 TO RANDY COOK, DOING BUSINESS AS ALL AMERICAN DANCE STUDIO, FOR A DANCE INSTRUCTION SCHOOL AT 944 FIFTH AVENUE NORTH, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE CITY CLERK TO RECORD SAID CONDITIONAL USE; AND PROVIDING AN EXPIRATION DATE AND AN EFFECTIVE DATE. Title read by City Manager Woodruff. (11:57 a.m.)

Public Input: None (11:57 a.m.)

MOTION by Nocera to APPROVE RESOLUTION 97-7950 to include the recommendations of the Planning Advisory Board; seconded by Sullivan and carried 6-0. (MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

.....**ITEM 12**
AWARD OF BID FOR ODOR AND CORROSION CONTROL FOR WASTEWATER TREATMENT PLANT (ANNUAL CONTRACT) \ VENDOR: LAKEPOINTE ENVIRONMENTAL GROUP, INC., PALM CITY, FLORIDA \ EXPENDITURE: \$104,000.00 \ FUNDING: UTILITIES MAINTENANCE OPERATING BUDGET.

***MOTION by Sullivan to APPROVE; seconded by Van Arsdale and carried 6-0.
(MacKenzie-absent, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van
Arsdale-yes, Barnett-yes)***

CORRESPONDENCE AND COMMUNICATIONS

City Manager Richard Woodruff announced that the Blue Ribbon Committee on Council salaries had completed its work and would make a formal presentation at the first workshop in May.

OPEN PUBLIC INPUT

None

ADJOURN

11:59 a.m.

Bill Barnett, Mayor

Tara A. Norman
City Clerk

Prepared by:

Molly Reed
Recording Secretary

Minutes approved: 5/7/97.