

MINUTES OF THE REGULAR MEETING OF NAPLES CITY COUNCIL HELD IN JOINT PUBLIC HEARING WITH THE NAPLES PLANNING ADVISORY BOARD IN THE PARKS & RECREATION BUILDING, NAPLES, FLORIDA, WEDNESDAY, NOVEMBER 1, 1978, AT 9:05 A.M.

Present: R. B. Anderson
Mayor

C. C. Holland
Wade H. Schroeder
Randolph I. Thornton
Edward A. Twerdahl
Kenneth A. Wood
Councilmen

Absent: James F. McGrath
Councilman

Planning Advisory Board:

Present: Clayton Bigg, Chairman
Roger Billings
Donald Boyes
Eugene Pratt

Absent: Lawson Adams

Also Present: George M. Patterson, City Manager
David W. Rynders, City Attorney
Roger Barry, Planning Director
Bradley Estes, Assistant to the City Manager
William Savidge, Public Works Director
Franklin Jones, Finance Director
Randy Davis, Parks & Recreation Director
Garry Lester, Traffic Engineer

Reverend Harold S. Brown
Charles Long
Clyde Roth
Robert F. Weinig
Hal Yegge
Joseph Rice
Richard N. Adams
Mr. & Mrs. Francis Smaltz
Jack Sims
Lloyd Taylor
Arndt Mueller
Ben Anderson
Robert Russell
William Shearston
William Quisenberry
Charles Andrews
Walter Keller
Mr. Blackwell
Joanne Cohen

News Media: John Robinson, Jerry Pugh, Ray McNally, TV-9
Allen Bartlett, Fort Myers News Press
Kent Weissinger, WRGI
Frank Rinella, Naples Daily News
Bella English, Miami Herald
Tom Lowe, WBBH-TV
Harold Waters, WEVU-TV

Other interested citizens and visitors

Mayor Anderson called the meeting to order; whereupon Reverend Harold S. Brown, Jr. of the East Naples Methodist Church of Naples gave the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. Approval of minutes.

Mayor Anderson called Council's attention to the minutes of the Regular Meeting of October 18, 1978. Motion was made by Mr. Twerdahl to accept these minutes as presented, seconded by Mr. Holland and carried by consensus.

AGENDA ITEM 4. JOINT PUBLIC HEARING: City Council and Naples Planning Advisory Board.

Chairman Bigg organized the Planning Advisory Board and noted that Lawson Adams was absent.

AGENDA ITEM 4-a. Off-site Parking Request No. 78-P1, appeal from Section 6.17 (F) of the Zoning Ordinance pertaining to off-site parking. Petitioner: Multiple Enterprises, Inc. Property is located at northwest corner of 6th Avenue South and 11th Street South.

Mayor Anderson opened the Public Hearing at 9:10 a.m.; whereupon City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING OFF-SITE PARKING AT THE NORTHWEST CORNER OF 6TH AVENUE SOUTH AND 11TH STREET SOUTH TO PROVIDE ADDITIONAL PARKING REQUIRED FOR CONSTRUCTION OF AN OFFICE BUILDING ON PROPERTY BOUNDED BY U.S. 41, 12TH STREET SOUTH, 6TH AVENUE SOUTH AND 11TH STREET SOUTH, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Walter Keller, architect for the proposed project, addressed Council noting the presence of Mr. Blackwell, Mr. Taylor, Mr. Sims, Mr. Rice and himself to answer any questions anyone may have. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:11 a.m. Mr. Billings moved that the Planning Advisory Board recommend approval of Off-site Parking Request No. 78-P1, seconded by Mr. Pratt and carried unanimously. Mr. Thornton moved to accept the recommendation of the Planning Advisory Board to approve Off-site Parking Request No. 78-P1 (Resolution 3122) seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 4-b. Special Exception No. 78-S14, permission for 30" high fence in required front yard. Petitioner: Clyde C. Roth, 1052 Spyglass Lane.

Mayor Anderson opened the Public Hearing at 9:14 a.m.; whereupon City Attorney Rynders noted that the Public Hearing was advertised in the October 17, 1978 issue of the Naples Daily News. Mr. Robert F. Weinig addressed Council noting no basic objections to the petition, but citing conditions requested by a petition from neighbors which he read into the record. (Attachment #1) Mr. Roth, the petitioner, responded to the conditions, noting that they were to be complied with under the terms of the Special Exception petition. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:30 a.m. Mr. Pratt moved that Special Exception No. 78-S14 be recommended for approval, seconded by Mr. Boyes and carried unanimously. Mr. Thornton moved to accept the recommendation for approval of Special Exception No. 78-S14, seconded by Mr. Wood and carried on roll call vote, 6-0.

AGENDA ITEM 4-c. Rezone Petition No. 78-R4, request for change of zone from "HC" to "R3-12". Petitioner: Barnett Bank/Design Concepts & Development. Location of property: Part of Block "B", Moorings Unit No. 7, adjacent to Binnacle Drive.

Mayor Anderson opened the Public Hearing at 9:32 a.m.; whereupon City Attorney Rynders noted that the Public Hearing had been advertised in the October 17, 1978 issue of the Naples Daily News. Mr. Francis Smaltz addressed Council to ask for more particulars about this proposed development. Mr. Roger Barry, Planning Director, noted that the zoning ordinance would govern the size and density of the project. Mr. Richard Adams, President of Design Concepts, responded to these inquiries stating that although there were no actual architect's plans as yet, the proposed project would be 32 units with three or four entrances and exits on Binnacle and they would utilize landscaping for screening purposes. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:42 a.m. Mr. Boyes moved that Rezone Petition No. 78-R4 be recommended for approval, seconded by Mr. Billings and carried unanimously. Mr. Twerdahl moved to accept the recommendation for approval, seconded by Mr. Holland and carried on roll call vote, 6-0.

Mayor Anderson excused the Planning Advisory Board at 9:48 a.m.

AGENDA ITEM 5. PUBLIC HEARING: Second reading of ordinance. An ordinance rezoning Lot 3, Block "N", Coquina Sands, Unit No. 2, as recorded in plat book 3, pages 53 and 54, public records of Collier County, Florida, from "R1-10", Single Family Residential, to "HC", Highway Commercial; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone above described property at request of owner.

Mayor Anderson opened the Public Hearing at 9:51 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 9:52 a.m. Mr. Twerdahl moved adoption of Ordinance 3123, on Second Reading, seconded by Mr. Holland and carried on roll call vote, 6-0.

AGENDA ITEM 6. First reading of ordinance. An ordinance amending Section 23-15(b) of the Code of Ordinances of the City of Naples, Florida, relating to rates for on-street parking meters, providing for an increase in the rates for two-hour meters; and providing an effective date. Purpose: To allow existing one-hour parking meters to be converted to two-hour meters without a loss of revenue. Requested by Parking Authority.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 7. Action on the following ordinance, deferred from Regular Meeting of October 4, 1978: An ordinance amending Chapter 8 of the Code of Ordinances of the City of Naples, Florida, by amending Section 8-3 thereof, relating to amendments to the Standard Building Code, by adding a new Paragraph (c) to Section 105.2 of the Standard Building Code, 1976 edition, requiring a time schedule prior to the issuance of a building permit for construction which will exceed eighteen months; further, by amending Section 8.5 thereof, providing a time limitation on building permits; and providing an effective date. Purpose: To require a time schedule prior to the issuance of a building permit for construction which will exceed eighteen months and to provide a time limitation on building permits.

City Attorney Rynders reported that the sale of The Towers is progressing but has not been closed. Mr. Holland moved that this item be removed from the Agenda until the first meeting in December, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 8. Presentation and request for support of proposed health maintenance organization by Southwest Florida Health Care, Inc., represented by M. Daniel Sasso. Deferred from Regular Meeting of October 18, 1978.

Mr. William Quisenberry and Ms. Joanne Cohen, representing Southwest Florida Health Care, Inc., made a presentation to Council pertaining to the background and offerings of a Health Maintenance Organization (HMO). Mayor Anderson asked that they present their information in writing for further analysis.

** (as per correction made at the November 15, 1978 Regular Meeting) Consensus of Council was that Council meetings were not the proper forum for this type of presentation.

AGENDA ITEM 9. Resolution authorizing the purchase of a site for raw water re-pumping station. Requested by City Manager.

City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE PURCHASE OF TRACT 135, UNIT #10 GOLDEN GATE ESTATES, CONSISTING OF 4.48 ACRES, FOR THE SUM OF \$7500.00, TO BE USED AS THE SITE FOR RAW WATER REPUMPING STATION #1; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved to adopt Resolution 3124, seconded by Mr. Thornton and carried on roll call vote, 6-0.

AGENDA ITEM 10. Resolution authorizing City to exercise option on Carver Site. Requested by City Manager.

City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXERCISE THE CITY'S OPTION TO PURCHASE THE REMAINING PORTION OF THE CARVER SITE FOR THE SUM OF \$240,000.00, PURSUANT TO AMENDED AGREEMENT AND OPTION TO PURCHASE, DATED MAY 9, 1978, BETWEEN THE CITY OF NAPLES AND THE SCHOOL BOARD OF COLLIER COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schroeder moved adoption of Resolution 3125, seconded by Mr. Twerdahl and carried on roll call vote, 6-0.

AGENDA ITEM 11. Authorization to establish an imprest checking account to be used as a petty cash fund by the Parks & Recreation Department retail enterprises. Requested by Finance Director.

Council considered the below titled resolution.

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN IMPREST CHECKING ACCOUNT FOR THE PARKS AND RECREATION DEPARTMENT FOR OPERATION OF THE CITY DOCK, FISHING PIER AND VENDING MACHINES; AND PROVIDING AN EFFECTIVE DATE.

Discussion ensued on the designation of the depository and signatories. Consensus of Council was to approve the resolution subject to the clarification by the bank regarding the designation of the depository and signatories. Mr. Holland moved adoption of Resolution 3126, as amended, seconded by Mr. Schroeder and carried on roll call vote, 6-0.

AGENDA ITEM 12. Resolutions in support of or in opposition to various proposed constitutional amendments. Requested by City Manager.

Mr. Thornton moved that this item be removed from the Agenda, seconded by Mr. Holland and carried on roll call vote, 5-1, with Mr. Schroeder voting no.

CORRESPONDENCE & COMMUNICATIONS

City Manager Patterson noted a request from the owner of the property at 1201 Third Street South to put in a brick sidewalk at owner's expense. Mr. Patterson suggested that this could be permitted with a condition that it meet the approval and specifications of the City Engineer and he also suggested that wording to cover this type of situation be incorporated in the appropriate ordinance in the event that other such requests were received. Mr. Charles Long, representative of the property owner, addressed Council in support of this request. Consensus of Council was to approve this request on the condition that the owner maintain the sidewalk for five years and subject to the approval of the City Manager and City Engineer. Mr. Long agreed to these conditions.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 11:00 a.m.

R. B. Anderson

 R. B. Anderson, Mayor

Janet Davis Cason

Janet Davis Cason
 City Clerk

Ellen P. Marshall

Ellen P. Marshall
 Deputy City Clerk

These minutes of the Naples City Council were approved on 11-15-78

October 30, 1978

Mr. Clayton E. Bigg, Chairman
Naples Planning Advisory Board

Re: Special Exception Petition
No. 78-S14

Members of City Council of Naples, Florida

Gentlemen:

We, the undersigned owners of property adjacent to, opposite from, or in close proximity to 1052 Spyglass Lane, hereby respond to the above Special Exception Petition.

We have no objection to the construction of the proposed 30" high post and rail cypress fence on Lot 46 and the adjoining one-half of Lot 47 of the Spyglass Island Section of Port Royal, Naples, Florida, subject to the following conditions:

- 1) That the fence be located on the property line parallel to the street.
- 2) That the fence be covered with suitable shrubs.

Signed:

Name

Address

_____	_____
_____	_____
<i>Clarence A. West</i>	<i>1025 Spyglass Lane</i>
<i>Martha B. Reedy</i>	<i>" " "</i>
<i>J. G. Schmeidler</i>	<i>1055 Spyglass "</i>
<i>E. W. Wheaton</i>	<i>1026 " "</i>
<i>Elizabeth L. Schmeidler</i>	<i>1055 Spyglass "</i>
<i>John H. Waring</i>	<i>1030 Spyglass Lane</i>
<i>Calherine W. Waring</i>	<i>1030 Spyglass Lane</i>
<i>John E. Cundown M.D.</i>	<i>1070 Spyglass Lane</i>