

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,  
NAPLES, FLORIDA, ON WEDNESDAY, FEBRUARY 18, 1981, AT 9:07 A.M.

Present: R. B. Anderson  
Mayor

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

Also present: George M. Patterson, City Manager  
David W. Rynders, City Attorney  
Roger Barry, Community Development Director  
John McCord, City Engineer  
Reid Silverboard, Chief Planner  
Edward C. Smith, Assistant to the City Manager  
Mark Wiltsie, Purchasing Agent  
Norris Ijams, Fire Chief  
George T. Smith, Assistant Fire Chief  
Franklin Jones, Finance Director  
Nat Hooper, Senior Engineering Technician

Dr. Stephen Sapp  
Gilbert Weil  
Paul Rothery  
Paul Hockwalt  
Mr. & Mrs. Baxter B. Kelly  
Ed Ranney  
Mr. & Mrs. Wm. Hibbard  
Cliff Wenzel  
Elizabeth Sita  
Mr. & Mrs. Glen MacKay  
Ben Anderson  
Kenneth Humiston  
M. W. Schryver  
Robert Russell  
Dennis Lynch  
William Shearston  
Lyle Richardson  
Daniel Dean  
Mr. & Mrs. Jos. Carnevale  
Maynard Reuter  
Jack Maquire  
Thad Forbes  
Mr. & Mrs. Edwin Giles  
William Fredericks  
Russell Dougherty  
Lisa El-Kerdi  
Norman Turner  
Dick Pierce  
Mr. Silverman

Charles Andrews  
Mr. & Mrs. Wm. Brandt  
Joseph Dietzel  
Mr. & Mrs. Harold Cram  
James Willis  
Mr. & Mrs. Ken Lees  
Kenneth Ross  
Clayton Bigg  
Florence Menzel  
Robert E. Lee Hall  
Lloyd Sarty  
Kenny Schryver  
Harold Yegge  
Stanley Hole  
Earle V. Johnson  
Jack Miller  
Lanny Newell  
Alex Minella  
Jill Carnevale  
Mr. & Mrs. J. M. Warren  
Bud Hardin  
John C. Greco  
Chester Hughes  
Mrs. Calvert Erickson  
Mrs. Howard Styron  
Edward Chlumsky  
Cliff Gordon  
Donald Hashagen

News Media: Susan Gardner, TV-9  
 Ed Warner, TV-9  
 James Moses, Naples Daily News  
 Jerry Arnold, WRGI  
 Brian Blanchard, Miami Herald  
 Allen Bartlett, Fort Myers News Press  
 James Lockhart, Naples Daily News  
 Bob Barber, TV-9  
 Brad Rittner, WBBH-TV  
 Tom Lowe, WEVU-TV

Other interested citizens and visitors

Mayor Anderson called the meeting to order at 9:07 a.m.; whereupon the Reverend Dr. Stephen Sapp of the Moorings Presbyterian Church delivered the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. APPROVAL OF MINUTES

Mayor Anderson called the Council's attention to the minutes of the Workshop Meeting of February 3, 1981 and the Regular Meeting of February 4, 1981; whereupon Mr. Thornton moved approval of both sets of minutes as presented, seconded by Mr. Twerdahl and carried by consensus.

AGENDA ITEM 4. PUBLIC HEARING to consider a request for permit relating to proposed dredging activities in unnamed manmade canal (File No. DR 81-2), located south of Tuna Court at Kingfish Road (undeveloped corner lot). Owner: Cardinal Farms, Herb Lamberson, Partner.

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

A RESOLUTION AUTHORIZING DREDGING ACTIVITIES IN AN UNNAMED MANMADE CANAL, SOUTH OF TUNA COURT AT KINGFISH ROAD, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Kenneth Humiston, agent for the petitioner, presented himself to address Council and he requested a change in the condition regarding the limitation of 60 feet of dredging. Discussion of the request followed because of the maneuverability of the boat. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:25 a.m. City Engineer John McCord responded to a question from Mayor Anderson that he had no problem with increasing the limitation of dredging to 70 feet from 60 feet. Mr. Thornton moved adoption of Resolution 3719 as amended, seconded by Mr. Wood and carried on roll call vote, 7-0. Mr. Rothchild expressed his feeling that a building permit for the main structure should be obtained prior to the proposed dredging and dock building.

AGENDA ITEM 5. PUBLIC HEARING to consider variance request, coastal control line (City setback and State line) for proposed porch addition to private residence located at 4348 Gordon Drive. Owner: Clarke Swanson.

Mayor Anderson opened the Public Hearing at 9:26 a.m., whereupon City Attorney Rynders read the below captioned resolution by title for Council's consideration.

A RESOLUTION GRANTING A VARIANCE FROM THE MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO ALLOW CONSTRUCTION OF A PORCH ADDITION TO THE RESIDENCE LOCATED AT 4348 GORDON DRIVE, NAPLES; AND GRANTING THE CITY'S APPROVAL FOR ENCROACHMENT OF THE FACILITY GULFWARD OF THE STATE'S COASTAL CONTROL LINE, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Stanley Hole, agent for the petitioner, made his presence known in order to answer any questions any one may have. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:29 a.m. Mr. Thornton moved adoption of Resolution 3720, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 6-b. Naples Planning Advisory Board recommendation to approve: Variance Petition No. 80-V15. Petitioner: Lisa G. El-Kerdi. Location: 2575 Lantern Lane. Request to permit construction of a 5 foot high green vinyl-coated chain link fence in portions of the required front yard areas.

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

A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF SECTION 6(8) OF APPENDIX "A" - ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, TO PERMIT CONSTRUCTION OF A FIVE FOOT HIGH CHAIN LINK FENCE IN PORTIONS OF THE REQUIRED FRONT YARD AT 2575 LANTERN LANE, NAPLES, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Lisa El-Kerdi, petitioner, stated that there would be landscaping to conceal the fence. Mr. Wood moved adoption of Resolution 3722, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 6. Community Development Department/Naples Planning Advisory Board:

PUBLIC HEARING and second reading of ordinance.

AGENDA ITEM 6-a. Amendment to a previously-approved Development Plan No. 80-R13. Petitioner: M. W. Schryver, Trustee. Location: West side of U.S. 41, adjacent to north and west side of Park Shore Plaza and south of Neapolitan Way. An ordinance amending the development plan previously approved for the Park Shore Subdivision to provide for the development of the Park Shore Resort Club and Office Complex in accordance with the development plan described herein; and providing an effective date. Purpose: To permit significant changes in an approved development plan pursuant to Section 5.19(G) of Appendix "A" - Zoning of the Code of Ordinances of the City of Naples. (Continued from Regular Meeting of January 21, 1981.)

Mayor Anderson opened the Public Hearing at 9:30 a.m.; whereupon City Attorney Rynders read the above referenced ordinance by title for consideration by Council on Second Reading. He noted the amendments to the ordinance as reflected in his memorandum dated February 16, 1981 (Attachment #1). M. W. Schryver addressed Council stating that he had no further information other than what was in the packet. John McCord, City Engineer, stated that the portion of the cost for the channelization at the exit onto Neapolitan Way to be requested from the developer was \$6,700. Mr. Schryver stated that he could agree to that. Earle V. Johnson, Chairman of the Planning Advisory Board, spoke to Council and noted that he, personally, was not in favor of interval ownership at this location. Gilbert Weil, Baxter Kelly, Mary Brandt, Harold Cram and William Brandt, citizens, spoke in opposition to interval ownership and the exit onto Neapolitan Way. Paul Hockwalt, President of the Park Shore Association, reviewed the various votes taken by the Association regarding this project, noting the trend which seemed to be against it. Mayor Anderson asked Mr. Schryver if he would agree to having the functional use description, which was part of the plan,

amended to remove the possible use of interval ownership to which he agreed. At City Attorney Rynders' request, Mayor Anderson recessed the meeting at 11:01 a.m. so that the City Attorney and Mr. Schryver could agree on the terminology to be used to amend the functional use description that would be part of the plan which the ordinance would approve. The Mayor reconvened the meeting at 11:33 a.m. at which time City Attorney Rynders read the terminology agreed to by Mr. Schryver and himself, which was to add, "Notwithstanding any of the above, no use of the project shall be made on the basis of any time-share estate as defined in Chapter 78-328, Sec. 1, Laws of Florida, 1978", to the Functional Use Description as attached to the plan. Mr. Rothchild stated that he would like to see the addition in writing rather than hear it read and asked that the matter be continued until he could study it. Mr. Weil and Attorney Brandt made similar statements. There being no one else to speak for or against, the Mayor closed the Public Hearing at 11:39 a.m. After further discussion by Council, Mr. Schroeder moved adoption of Ordinance 3721 on Second Reading with the conditions as amended and the plan as amended, seconded by Mr. Twerdahl and carried on roll call vote, 6-1 with Mr. Rothchild voting no. Mr. Rothchild stated he did not understand the amendment to the Functional Use Description as presented.

AGENDA ITEM 6-c. Naples Planning Advisory Board recommendation to approve: Special Exception Petition No. 80-S18. Petitioner: The Eatery Restaurant. Location: 1200 Fifth Avenue South, Old Marine Market Place. Request to permit "staged entertainment" at the Eatery Restaurant in the Old Marine Market Place, located in the "C2-A", Water-front Commercial zone district.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT STAGED ENTERTAINMENT IN THE EATERY RESTAURANT, LOCATED AT 1200 FIFTH AVENUE SOUTH, IN THE OLD MARINE MARKET PLACE, NAPLES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood moved adoption of Resolution 3723, seconded by Mr. Schroeder. After a brief discussion motion carried on roll call vote, 7-0.

AGENDA ITEM 7. First reading of an ordinance. An ordinance amending Section 8-17 of the Code of the City of Naples, Florida, relating to storage tanks for flammable liquids, by adding a new paragraph (d) thereto providing that the storage of flammable or combustible liquids shall not be permitted in or on the premises of any single-family or multi-family residence or on any vacant property in any residentially zoned district of the City; providing exceptions thereto; and providing an effective date. Purpose: To prohibit the storage of flammable liquids on residential property with certain exceptions. Requested by Fire Chief.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. Council members questioned Fire Chief Norris Ijams about various aspects of this ordinance and its ramifications. After further discussion it was the consensus of Council that more study of the situation would be recommended and they thanked Chief Ijams for his work on the matter and his interest. Mr. Thornton moved that this item be removed from the Agenda, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 8. Presentation regarding ambulance service. Requested by Jack M. Maguire, President, American Ambulance, Inc.

Jack Maguire, president of American Ambulance, Inc., addressed Council and offered his comments on the recent events in the company's contract dispute with the Board of County Commissioners of Collier County. He stated that he did not believe the media had presented both sides of the issue sufficiently and that he just wanted Council to be apprised of his views on the matter.

AGENDA ITEM 9. Acceptance of quitclaim deed - water main, Boca Ciega Village. Requested by Engineering Department.

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

A RESOLUTION ACCEPTING A BILL OF SALE FOR A WATER SYSTEM TO SERVE BOCA CIEGO VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3724, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 10. A resolution confirming Resolution No. 3527, relating to construction of a water main and extension of the City water system to provide water service on Coach House Lane, being "Water System Improvement Assessment District No. 2", and providing an effective date. (Action deferred from Regular Meeting of February 4, 1981.)

City Attorney Rynders read Resolution 3527 for purposes of discussing the proposed resolution. City Manager Patterson noted that Nat Hooper, Senior Engineering Technician, had performed a telephone survey apprising all but two of the property owners in the area that this action would involve approximately \$1000 per acre assessment to be paid in 10 annual installments at 9% to which he received 19 "yes" replies; 7, "noes" and 2 abstentions. Mr. Twerdahl moved adoption of Resolution 3725, seconded by Mr. Wood. City Attorney Rynders then read the above captioned resolution by title for consideration by Council, noting that the blanks would read "10 equal annual installments" and "at 9% per annum" on page 2. Lanny Newell, property owner, noted that he had been given a lower estimated figure for this work than the \$1000/acre, to which Mayor Anderson responded that that person should bid on the work at the proper time. In response to an inquiry by Mr. Rothchild, City Attorney Rynders explained that since all property will receive potential benefit and increased value, everyone would have to pay the assessment, but those who did not wish to tap into the water would not have the expense of the tapping charges and water meter. Motion carried on roll call vote, 7-0.

AGENDA ITEM 11. Discussion of existing City policy regarding restoring on-street parking surfaces with the public right-of-way in curb lawn areas. Requested by City Manager.

Mayor Anderson noted City Manager Patterson's memo date February 12, 1981 (Attachment #2) and stated that he concurred with the conclusions in it. Jack Miller, property owner, suggested a pre-construction conference prior to any other projects of this nature. The City Manager explained that letters had been sent to all property owners prior to beginning this work and that he felt this letter notified everyone of the City's plans. Dick Pierce of the Bonnie Breeze Apartments acted as spokesman for several of the other apartment-motel owners. He pointed out the problems he and they had encountered during this project. Mr. Silverman of the Linda Apartments spoke in the same vein. City Manager Patterson pointed out that most of the parking had been grandfathered-in and since the owners had not made other arrangements for replacing their parking during the construction, they would have to do it now in whatever manner they could. He added that some had availed themselves of the services of the company asphaltting the road while the equipment was there. It was the consensus of Council to concur with the City Manager's memo.

AGENDA ITEM 12. Purchasing:

AGENDA ITEM 12-a. Bid award - Annual - electrical services

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

A RESOLUTION AWARDDING BID FOR PROVIDING ELECTRICAL SERVICES TO THE CITY; AUTHORIZING EXECUTION OF A CONTRACT THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mark Wiltsie, Purchasing Agent, answered questions of Council members responding that this was the first time the City had contracted for this type of electrical service and the fees would be charged only for the time the individual was on the job. Mr. Thornton moved adoption of Resolution 3726, seconded by Mr. Schroeder. Mr. Holland questioned whether or not a City employee could perform these services. Mr. Rothchild stated his belief that any expenses to the City incurred because of this company's inability to perform should be charged back to the company. Motion carried on roll call vote, 5-2 with Mr. Holland and Mr. Rothchild voting no.

AGENDA ITEM 12-b. Bid award - hydrolic sewer rodder - Wastewater Collection Div. - Public Works Dept.

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

A RESOLUTION AWARDDING BID FOR A HYDRAULIC SEWER RODDER; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3727, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 12-c. Bid award - five rear-view cameras and monitors - Sanitation Division - Public Works Dept.

City Attorney Rynders read the below captioned resolution by title for consideration by Council.

A RESOLUTION AWARDDING BID FOR FIVE (5) REARVIEW CAMERAS AND MONITORS TO BE INSTALLED ON GARBAGE TRUCKS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3728, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 12-d. Contract renewal - lot mowing

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

A RESOLUTION AUTHORIZING RENEWAL OF THE CONTRACT WITH PRO TURF AND GROUNDS MAINTENANCE AFFILIATED OF NAPLES RELATIVE TO LOT MOWING SERVICES; AND PROVIDING AN EFFECTIVE DATE.

In response to a question from Mayor Anderson, Franklin Jones, Finance Director, noted that the City had a good percentage of collection for the lot mowing for the past couple of years and if there was no payment, a lien was placed on the property so that eventually it would be 100% collection. Mr. Thornton moved adoption of Resolution 3729, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 13. Discussion/action commending Golf Drive Residence for service provided to the community. Requested by Councilman Holland.

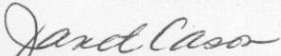
Mr. Holland made note of the fact that the Golf Drive Nursing Home had improved their services and had received some public comment from citizens. He felt that it would be appropriate for Council to note their good services also, and that Council could include the other nursing home in Naples. Mr. Thornton felt it would be improper for Council to do this since they were private enterprise facilities. Mr. Rothchild wanted to be sure that all nursing homes in the City were included. Mayor Anderson responded that he, as Mayor, could write a letter of commendation to these places and that he would do so.


CORRESPONDENCE AND COMMUNICATIONS.

None.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 1:26 p.m.

  
R. B. Anderson, Mayor

  
Janet Cason  
City Clerk

  
Ellen P. Marshall  
Deputy Clerk

These minutes of the Naples City Council were approved on 03/04/81



# City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

OFFICE OF THE CITY ATTORNEY

February 16, 1981

M E M O

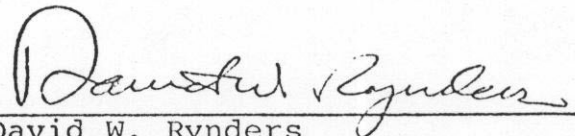
TO: Hon. Mayor and Members of Council

FROM: David W. Rynders, City Attorney

RE: Amendment to Previously Approved Development  
Plan for the Park Shore Subdivision  
(Park Shore Resort Club)

The attached ordinance has been revised since adoption at first reading to conform with the most recent recommendation of the Planning Advisory Board. Paragraph (e) relating to the relocation of the lobby and office has been deleted as this condition has been satisfactorily resolved. Also, a sentence has been added to paragraph (f), providing for payment of the petitioner's contribution towards signalization upon submission of the plans for a building permit.

If the Council desires to adopt this proposed ordinance at second reading, it should be adopted "as amended".

  
\_\_\_\_\_  
David W. Rynders  
City Attorney

DWR:bh



AN ORDINANCE AMENDING THE DEVELOPMENT PLAN PREVIOUSLY APPROVED FOR THE PARK SHORE SUBDIVISION TO PROVIDE FOR THE DEVELOPMENT OF THE PARK SHORE RESORT CLUB AND OFFICE COMPLEX IN ACCORDANCE WITH THE DEVELOPMENT PLAN DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PERMIT SIGNIFICANT CHANGES IN AN APPROVED DEVELOPMENT PLAN, PURSUANT TO SECTION 5.19(G) OF APPENDIX "A"-ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES.

WHEREAS, a public hearing has been held by the Planning Advisory Board to consider a development plan for the Park Shore Resort Club and Office Complex, the same being an amendment to a previously approved development plan; and

WHEREAS, following said public hearing, the Planning Advisory Board has recommended approval of said development plan, subject to the conditions and stipulations hereinafter provided; and

WHEREAS, taking into consideration the recommendation of the Planning Advisory Board and staff, and comments of interested parties, the City Council has determined that the plan should be approved as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

SECTION 1. That the development plan previously approved for the Park Shore Subdivision is hereby amended to provide for the development of the Park Shore Resort Club and Office Complex on U.S. 41 and Neapolitan Way in accordance with the development plan submitted by the applicant, prepared by Victor E. Dekonschin & Associates, marked "Naples Planning Department Official File Copy" which shall be on file in the Community Development Department, subject to a reduction in density from 16.3 units per acre to 12 units per acre, utilizing 13.00 acres of the site, and subject to the following stipulations:

- a) That the developer provide three fire hydrants at locations to be approved by the Fire Department.
- b) That the proposed covered passageway (porte cochere) must have a twelve (12) foot minimum clearance and a clear distance between support columns of at least sixteen (16) feet.
- c) That a utility easement will be provided for the maintenance and repair of an existing sewer line on the subject property, (and if necessary, relocation of the line ), which sewer line serves the Park Shore Shopping Center.
- d) That lighting for the tennis/handball courts will be oriented away from the residential area to the west; hours of operation for said courts shall be limited to 8:00 a.m. through 10:00 p.m.; and use thereof shall be limited to the exclusive use of tenants of the complex and their guests; and a landscaping plan indicating more than the minimum landscaping requirements for the west and south sides of the court area shall be submitted for staff review and approval prior to issuance of building permits.

ORDINANCE NO. \_\_\_\_\_

PAGE TWO

Previous (e) deleted

- (e) That the petitioner shall agree in writing prior to issuance of the building permits to provide appropriate driveway interconnections with the undeveloped property to the north, in the event such interconnections are required as part of the City's approval of the development plan for that vacant property.
- (f) That the petitioner shall comply with the stipulations required by the Engineering Department set forth in Memo #80-96, dated July 30, 1980, and the supplement thereto, dated August 28, 1980, and with the staff notations on the Planning Division file copy of the originally submitted site plan, together with all such stipulations relative to traffic control, including deceleration lanes, right-turn only channelization at Neopolitan Way, etc. Copies of said memos are attached hereto and incorporated herein. Contribution towards signalization must accompany building plans when submitted for building permits.

SECTION 2. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 15th DAY OF October, 1980.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1981.

R. B. Anderson  
R. B. Anderson

Mayor

ATTEST:

Janet Cason  
City Clerk

APPROVED AS TO FORM AND LEGALITY BY \_\_\_\_\_

David W. Rynders, City Attorney



# City of Naples

735 EIGHTH STREET, SOUTH - STATE OF FLORIDA 33940

OFFICE OF THE CITY MANAGER

M E M O

TO: Honorable Mayor and Members of City Council

FROM: George M. Patterson, City

SUBJECT: On-street Parking in Curb Lawn Areas

DATE: February 12, 1981

As you know, the City has rebuilt Fourth Avenue South, along with other streets in our current capital improvement program. Incidental to this street improvement, it was necessary to grade the curb lawn and swale areas along the street on both sides. As a result of this grading work, some on-street parking areas in the street right-of-way that had been improved by abutting property owners have been removed. In some instances, these parking areas consisted of compacted gravel installed by abutting property owners for the parking needs and convenience of their motel customers.

The City has, in the past, issued permits for this type of improvement for parking in the public right-of-way, but this permitting practice has been discontinued because of the resulting drainage problems, safety problems and possible added public expense at the time of street improvement. Property owners are now required to provide ample off-street parking. Our position, however, is that we continue to permit previously used right-of-way areas.

Several of the motel owners on Fourth Avenue have asked the City to restore their on-street parking areas at City expense. Our response has been to provide these abutting property owners several options: namely, (1) The City will sod the area consistent with our established practice and treatment of curb lawns at no expense to the property owner; or

(2) The property owner may restore the parking area himself by use of private contractors and the City will defray a part of that expense in an equivalent amount (13¢/sq. ft.) to the cost of sodding the area - which is the City's standard treatment of these areas.

Telephone conversations with several of the motel owners in this area indicate that they may wish to address the City Council on this matter.

Respectfully submitted,

*George M. Patterson*

George M. Patterson  
City Manager