

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,  
NAPLES, FLORIDA, ON WEDNESDAY, JUNE 17, 1981, AT 9:05 A.M.

Present: R. B. Anderson  
Mayor

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

Also present: David W. Rynders, City Attorney  
Reid Silverboard, Chief Planner  
John McCord, City Engineer  
Norris Ijams, Fire Chief

Father Thomas Goggin  
Mr. & Mrs. Bernard Turner  
William Brown  
Frank Lynch  
Vince McConville  
Mel Hult  
Charles Andrews  
William Rishel  
Mr. & Mrs. Ralph Conway  
Mr. Jackson  
William Shearston  
Frank Edwards  
Gordon Reeves  
E. Daniel Spina  
C. Bob Davis  
Lloyd Sarty  
Arndt Mueller  
Michael Zewalk  
Sam Aronoff  
William Vines  
Edward Hannam  
Miles Scofield  
Gilbert Weil  
William Southgate  
Jeff Hoffman  
Danny Schryver  
Scott Foster  
Arthur Gould  
Chuck Zwemer  
Bill Klohn  
John Turner  
Mr. Smallwood  
Brad Estes  
Lyle Richardson  
Elton W. Luckhart  
John Conroy  
Gina Hahn  
William Ryan

Father William O'dwyer  
 Dwight Williams  
 Bill Mox  
 Bob Upton  
 Dennis Lynch  
 Norman Turner  
 June Singer  
 George Patt  
 Bruce Shannon

News Media: Ned Warner, TV-9  
 Chad Hautmann, Naples Star  
 Dory Owen, Miami Herald  
 Jerry Arnold, WRGI  
 Brad Rittner, WBBH-TV  
 Susan Ornstein, News Press  
 Tom Lowe, WEVU-TV  
 Skip Moses, Naples Daily News

Other interested citizens and visitors.

Mayor Anderson called the meeting to order at 9:05 a.m.; whereupon Father Thomas Goggin of St. Ann Catholic Church delivered 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 June 3, 1981; whereupon Mr. Thornton moved approval as submitted, seconded by Mr. Wood and carried by consensus.

AGENDA ITEM 4. PUBLIC HEARING to consider request for permit relating to proposed dredging activities within Venetian Bay for private dock, DR81-4. Owner: Raymond DeAngelis. Agent: Bruce Green, P.E. Lot 8, Block 18, Unit 3, Park Shore, 302 Turtle Hatch Road.

Mayor Anderson opened the Public Hearing at 9:07 a.m.; whereupon Bruce Green, agent for the petitioner, presented himself to Council to answer questions regarding the proposed dredging. He noted that application for building a dock would be made after the building permit for the principal structure was obtained. John McCord, City Engineer, explained the reasons for his suggesting that this request not be granted inasmuch as he felt there was no need for the dredging. Mr. Green pointed out the owner's anticipated problem of launching his small craft at low tide and the precedent that had been set by other similar docks in the area. Mr. Wood expressed his opinion that the dredging may be too close to the sea wall. Miles Scofield, contractor for the dredging, explained how it is done and spoke in support of the petition. William Southgate, a resident of the area, noted that at low tide, he had difficulty in launching his small craft but that he did it in advance of using it, when the tide was at an appropriate level. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:37 a.m. Mr. Thornton moved approval of the request, seconded by Mr. Holland and carried on roll call vote, 6-1 with Mr. Wood voting no. City Attorney Rynders noted that he would have a resolution to that effect prepared for Council to consider later in the meeting. (See page 4)

AGENDA ITEM 5. PUBLIC HEARING to consider the establishment of restricted boating areas, to be designated "NO WAKE - IDLE SPEED ONLY", at the following locations: The Moorings Bay, Hurricane Bay, Pelican Bay and the east side of Venetian Bay (to include all of the waterways within the City of Naples connected to the Gulf of Mexico by Doctor's Pass); and all of the Gordon River within the City of Naples north of the U.S. 41 bridge.

Mayor Anderson opened the Public Hearing at 9:39 a.m.; whereupon City Attorney Rynders read the below titled resolution by title for consideration by Council.

A RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF MARINE RESOURCES, TO DESIGNATE CERTAIN AREAS WITHIN NAVIGABLE WATERWAYS OF THE CITY OF NAPLES AS RESTRICTED ZONES FOR THE PURPOSE OF REGULATING BOAT SPEEDS AND WAKES IN SUCH AREAS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Rothchild noted that there was no background material in the packet with this proposed resolution to which City Attorney Rynders responded that much of the material had been in a previous packet. E. Daniel Spina of the Moorings Property Owners Association spoke in support of this resolution. Jeff Hoffman, County resident who lives adjacent to the Gordon River north of U. S. 41 asked Council not to include that portion of waterway so he could continue to use that area for a water ski slalom course. Arthur Gould, resident of Mariner's Cove condominium located in the City adjacent to this waterway, indicated that the present Board of Directors at the condominium were not in favor of the continued use of the water ski slalom course. Bill Klohn, also a resident of Mariner's Cove, stated that a previous Board of Directors had condoned the use of this portion of the Gordon River for the ski course. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:10 a.m. Mr. Rothchild repeated his objection to the lack of background material. Mr. Holland moved adoption of Resolution 3790, as written, seconded by Mr. Twerdahl and carried on roll call vote, 6-1 with Mr. Rothchild voting no.

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

AGENDA ITEM 6-a. Recommendation of the Planning Advisory Board to approve: Special Exception Petition No. 81-S6 Petitioner: Bruce Mumm Location: 1009 - 29th Avenue South Request to permit two (2) five foot high wooden fences, approximately 25 feet in length, in portions of the required front yard setback area where fences are usually limited to three feet in height.

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

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF TWO 5 FOOT HIGH FENCES IN THE FRONT YARD SETBACK AREA AT 1009 29TH STREET NORTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Holland moved adoption of Resolution 3791, seconded by Mr. Rothchild and carried on roll call vote, 7-0.

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Let the record show that Mayor Anderson recessed the meeting at 10:15 a.m. and reconvened it at 10:25 a.m. with the same members of Council present.

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RETURN TO AGENDA ITEM 4.

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

A RESOLUTION AUTHORIZING DREDGING ACTIVITIES WITHIN VENETIAN BAY AT 302 TURTLE HATCH ROAD; AND PROVIDING AN EFFECTIVE DATE.

Mr. Twerdahl moved adoption of Resolution 3792, seconded by Mr. Schroeder and carried on roll call vote, 6-1 with Mr. Wood voting no.

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Mayor Anderson noted the number of people present because of their interest in Agenda Item 10 and he asked Council's indulgence to go ahead to that item. It was the consensus of Council to do this.

AGENDA ITEM 10. Discussion/action relative to terminus of Crayton Road and West Blvd. at Seagate Drive. Requested by Councilman Thornton.

At Mayor Anderson's request, Mr. Thornton outlined the background of the traffic problem and suggested taking the actions in the letter from Bruce Green dated June 9, 1981 (Attachment #1). Mr. Rothchild noted his objections to taking any preemptory action at this time without waiting to see what actions the County was going to take. Wilbur Trueblood said he was speaking for the Board of Directors of the Moorings Property Owners Association and was in favor of taking action now to curtail the traffic on Crayton Road. Elton Luckhart, Gilbert Weil, Gina Hahn, Dave Nemore and Charles Andrews spoke in favor of some type of limitation on the traffic coming onto Crayton Road from Seagate and eventually Pelican Bay. Frank Lynch of the Park Shore Association indicated that their Board's study (Attachment #2) reflected that any controls suggested so far would cause more problems than they would solve. Dwight Williams, Grant Halloran, Bill Mox and Bob Upton, residents, noted that they did not think the suggested solutions would be beneficial in general. Mike Zewalk and Father William O'Dwyer, County residents, spoke against the proposed solutions. Mr. Thornton moved that City officials be instructed to proceed with Item c. Option 2 in Mr. Green's letter, seconded by Mr. Schroeder. After further discussion, Mr. Schroeder withdrew his second and the motion died for lack of a second. At the suggestion of Mr. Twerdahl and Mayor Anderson, Mr. Thornton moved to proceed with Item c. Option 2 in a temporary manner, making Crayton one way and right turn only at the north end, not making it permanent, seconded by Mr. Schroeder and carried on roll call vote, 6-1 with Mr. Rothchild voting no. Mayor Anderson asked City Engineer John McCord to draw up a proposal for Council to review stating the problem with the idea of asking for opinions from Traffic Consultant, John Barr.

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Let the record show that Mayor Anderson recessed the meeting at 11:50 a.m. and reconvened it at 11:55 a.m. with the same members of Council present.

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Mayor Anderson noted the number of people present to discuss Agenda Item 9 and asked Council if that could be taken up at this time. It was the consensus of Council to do so.

AGENDA ITEM 9. Discussion of ordinance relative to hours of sale of alcoholic beverages within the city limits on Sunday. Requested by Henry B. Watkins, Jr., Charles B. Zwemer and Cloyd Pate, Jr.

Mayor Anderson recognized Attorney M. W. Danny Schryver who spoke on behalf of the owners of restaurants who had been cited for serving alcoholic beverages on Sunday because he and they felt the existing ordinance was vague and not clearly worded. After a lengthy discussion, it was the consensus of Council that an amendment to the existing ordinance be drafted prohibiting serving alcoholic beverages from 2:00 a.m. Sunday morning until Sunday noon and to have the proposed amendment circulated among the various property owners' associations. Charles Zwemer, owner of the Dock and the Riverwalk Ale House, noted that Council's offer of a belated interpretation of the existing ordinance could be of help to the restaurant owners in question regarding the administrative proceedings they may have to have with the Alcoholic Beverage Control. June Singer, President of the Collier County Restaurant Association thanked Council for their interest and the proposed action to solve this problem.

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City Attorney Rynders noted that William Ryan of Cablevision had been in the audience to speak to Agenda Item 8 but could not wait and had asked to be taken off the Agenda and put on again for the next meeting. It was the consensus of Council to do so.

AGENDA ITEM 8. Presentation by William Ryan, Vice President for Cable Television, Palmer Communications, Inc., regarding the activities of Palmer Cablevision and its future plans.

Removed by consensus until July 1, 1981.

RETURN TO REGULAR AGENDA

AGENDA ITEM 6-b. Recommendation of the Planning Advisory Board to deny: Variance Petition No. 81-V8 Petitioners: James J. Lieb and Charles Cannon Location: 657 Gulf Shore Boulevard North Appeal from Section 5.2(E) of the Zoning Ordinance which required a minimum lot width of 100 feet in the "R1-15", Single-family Residential district, in order to facilitate the proposed subdivision of a parcel of land into three lots - two of which will have a lot width of 95 feet.

City Attorney Rynders noted petitioner's request to withdraw this from the Agenda; whereupon Mr. Schroeder moved to remove this item from the Agenda, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 6-c. First Reading of ordinance and Planning Advisory Board recommendation to approve: Rezone Petition No. 81-R4 Petitioner: Grace Lutheran Church Location: 859 Banyan Blvd. Request for a Change of Zone from "R1-15", Single-family Residential, to "PS", Public Service; in order to re-establish the Grace Lutheran Church as a conforming use in an appropriate zoning district, and to accommodate a proposed expansion to the church facility.

An ordinance rezoning Lots 85, 86 and 87, Unit #1, Coquina Sands, and vacated Pine Court lying south of Banyan Boulevard, from "R1-15", Single-family Residential, to "PS", Public Service; directing that the zoning atlas be revised accordingly; and providing an effective date. Purpose: To rezone the within described property at the request of the property owner, Grace Lutheran Church, Inc.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading; whereupon Mr. Schroeder moved approval of this ordinance on First Reading, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 6-d. First Reading of ordinance and Planning Advisory Board recommendation to approve: Change In Text Petition No. 81-3 Petitioner; City of Naples. Amendments to Appendix "A" - Zoning, of the Code of Ordinances of the City of Naples, changing the the zoning designation of the "R3T-15", Multi-family district to "R3-15", Multi-family district; establishing a new "R3-18", Multi-family Residential zoning district, and providing district purposes, uses, and regulations relative thereto; and amending the Supplementary District Regulations to conform therewith.

An ordinance amending Appendix "A" - Zoning of the Code of Ordinances of the City of Naples by amending Section 5.7 to provide for the "R3T-15" zoning classification to be redesignated "R3-15" and to delete references to transient lodging uses and facilities; adding a new Section 5.8a, entitled "R3-18" Multi-family District; amending Section 6, "Supplementary District Regulations", and Section 14, "Definitions", by deleting references to "R3T-15" and adding "R3-15" and "R3-18" where applicable; and providing an effective date. Purpose: To change the "R3T-15" zoning classification to "R3-15" and eliminate transient lodging uses by special exception in said district; to establish a new "R3-18" Multi-family District in which transient lodging facilities would not be permitted.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading; whereupon Mr. Schroeder moved approval of this ordinance on First Reading, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 6-e. Discussion and annual review of the Comprehensive Plan of the City of Naples.

Mayor Anderson noted comments from Mr. Holland and Mr. Schroeder that they had numerous question about this matter and the Mayor received a consensus from Council to reschedule this item for a workshop session for a thorough discussion by Council members, tentatively for the June 30 workshop. Bernard Turner, owner of Walden University, Mrs. Turner and their architect, William Brown, addressed Council concerning the proposed rezoning of their property which would prevent them from completion of their planned expansion. Mr. Schroeder pointed out that their planned expansion was three stories high and would not be allowed under the new zoning. It was noted that if the Turners' obtained their building permit prior to any action by Council, the argument would be moot.

AGENDA ITEM 6-f. Discussion regarding proposed changes in the Zoning Ordinance relative to real estate signs.

Mayor Anderson recognized George Patt, executive vice-president of the Naples Area Board of Realtors, who addressed Council regarding changing the ordinance to allow a realtor's name and address and phone number on a "For Sale" sign and allowing one "Open House" sign to be used during the actual open house time. It was the consensus of Council that City Attorney Rynders draft an amendment to the ordinance allowing the name, address and telephone number of the listing realtor to be on one "For Sale" sign per house and to allow the use of one "Open House" sign for the duration of the open house. The City Attorney noted that the Board of Realtors should apply for a Change in Text. Charles Andrews, spoke in opposition to allowing any more signs.

AGENDA ITEM 7. First reading of ordinances.

AGENDA ITEM 7-a. An ordinance relating to the salaries of the Mayor and City Councilmen; amending Section 2.5 of the Charter of the City Naples; and providing an effective date. Purpose: To provide for an increase in the salary of the Mayor from \$8400.00 per year to \$15,000.00 per year, and the salary of each Councilman from \$6000.00 to \$12,000.00. (Pursuant to Council action at Regular Meeting of June 3, 1981.)

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Mayor Anderson asked that Mr. Holland expand on his suggested action as outlined in the proposed ordinance. Mr. Holland outlined the history of the increases Council has received in the past and ended up by asking to change the amounts in the proposed ordinance to \$9,000 a year for Councilmen and \$12,000 per year for the Mayor. Scott Foster, resident spoke in support of an increase for Council and Mayor. Mr. Schroeder suggested that the increase become effective in February 1982. Mr. Holland moved approval of the ordinance as amended to \$9,000 for Councilmen and \$12,000 for the Mayor on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 6-1 with Mayor Anderson voting no.

AGENDA ITEM 7-b. An ordinance relating to fires on the beaches with the City of Naples; amending the Code of Ordinances by adding a new Section 16-31, prohibiting fires on the beaches; providing exceptions thereto; and providing an effective date. Purpose: To prohibit fires on any beach within the City except in Lowdermilk Park on cooking grills provided by the City. Requested by Fire Chief.

City Attorney Rynders read the above referenced ordinance by title for consideration by Council on First Reading; whereupon Mr. Thornton moved approval on First Reading, seconded by Mr. Wood. In answer to Mayor Anderson's question, Fire Chief Norris Ijams responded that this ordinance was to make the present ordinance more clear so it could be more readily enforced. Mr. Schroeder noted his objection to literally forcing more people in the Lowdermilk Park area. Bruce Shannon, beach resident, spoke in support of this proposed ordinance. Motion carried on roll call vote, 6-1 with Mr. Schroeder voting no.

CORRESPONDENCE AND COMMUNICATIONS.

Mr. Schroeder asked City Attorney Rynders for a status report on the new Carver Complex. The City Attorney reported that the person in charge of qualifying the residents for the new facilities had stated that if she is allowed occupancy by June 30, she will have people moved in by July 1. He noted that there may be vacancies in the River Park Apartments or the Gordon River Apartments for some people who are not qualified for the Carver Complex. He also added that they were able to put some of the single occupants together in two-bedroom units. He further noted that the City had permission from the McDonald family to destroy the shacks at an earlier date than originally agreed on, if they were empty.

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Mayor Anderson noted the resignation of Alan Rude from the Airport Authority but added that there was no urgent need to find a replacement as he would be willing to serve a reasonable length of time before someone else is appointed.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 2:37 p.m.

*R. B. Anderson*

R. B. Anderson, Mayor

*Janet Cason*  
Janet Cason  
City Clerk

*Ellen P. Marshall*  
Ellen P. Marshall  
Deputy Clerk

These minutes of the Naples City Council were approved on 27-01-81

RESOLUTION OF PARK SHORE ASSOCIATION DEFINING  
TRAFFIC CONTROL POLICY IN THE PARK SHORE AREA

The Board of Directors and the members of the Park Shore Association believe that the best interests of Collier County, and the City of Naples, will be served by a traffic control policy which will preserve and maintain the residential characteristics of the street and roadway system as now established within the Park Shore area. The Association is opposed to any proposal, decision, or action which would have the effect of materially or unreasonably increasing the flow of vehicular traffic through any residential street or roadway system of the Park Shore area. The Association may support certain traffic control proposals, decisions or actions which are believed will prevent unreasonable increase in the flow of vehicular traffic through any streets of the Park Shore Area. To this end, the Board of Directors is hereby authorized to implement the expressed policy of the Association by representative appearances before agency meetings or hearings and take any other appropriate action believed to be necessary to preserve and maintain the present residential characteristics of the Park Shore area.

The foregoing statement of policy was unanimously adopted by the Board of Directors of the Park Shore Association on June 11, 1981.

Over 150 man-hours have been expended by the board members in order to determine the present need and impact of the McCord proposals set forth in Engineering Report to the Naples City Council (#81-40) recommending restrictive changes in the traffic flow of Crayton Road, Neapolitan Way, and Whispering Pine Lane.

The survey and substantial evidence developed by this effort over the last six weeks was sufficient to convince a majority of the board that the McCord proposals are PREMATURE and would impose impediments in the flow of traffic in Park Shore areas that are not justified NOW by any established evidence, ordinances, or approved authorizations that have resulted in, or will cause any "unreasonable increase in the flow of vehicular traffic" through any streets of the Park Shore area within the meaning of the adopted policy statement of the Association.

ATTACHMENT #1

BRUCE GREEN & ASSOCIATES, INC.

ENGINEERING, LAND SURVEYING, PLANNING  
600 FIFTH AVENUE SOUTH  
NAPLES, FLORIDA 33940  
TELEPHONE (813) 262-7525



June 9, 1981

Mr. John McCord  
City Engineer  
City of Naples  
735 8th Street S.  
Naples, Florida 33940

Dear Mr. McCord:

Pursuant to your request, herewith are construction cost estimates including engineering fees for the following items:

- a. Cul-de-Sac Neapolitan Way on the West side of West Blvd. \$14,400.00 ←
- b. Cul-de-Sac North end of Crayton Road on the South side of Seagate Drive (Option 1) 12,500.00
- c. North end Crayton Road at Seagate Drive single lane outlet to Seagate Drive (Opt. 2) 14,000.00 ←

I trust this information meets your present requirements.

Very truly yours,

BRUCE GREEN & ASSOCIATES, INC.

*Bruce D. Green*  
Bruce D. Green

BDG:mcm