



# City of Naples

City Council Minute:

Regular Meeting 06/01/88

City Council Chamber  
735 Eighth Street South  
Naples, Florida 339

-SUBJECT-	Ord. No.	Res. No.	F
<p><u>ANNOUNCEMENTS:</u> MAYOR PUTZEL: None. CITY MANAGER JONES: None.</p>			
<p><u>APPROVAL OF MINUTES:</u> May 11, 1988, Workshop Meeting May 18, 1988, Regular Meeting</p>			
<p><u>RESOLUTIONS:</u> -TABLE vacation of a portion of a 20 x 400 foot utility easement. -TABLE vacation of utility easement, Naples Community Hospital. -APPROVE variance to allow pick-up and delivery of passengers, E. Turner &amp; Sons, Inc. -APPROVE Agreement with A. Gail Boorman &amp; Associates, P.A., Corridor Mangement Plan. -APPROVE Agreement with State for reimbursement of funds for dredging of Doctors Pass, joint County. -APPROVE joint Agreement with State DOT for median beautification. -APPROVE Agreement with school board to provide buses for summer recreation program. -APPROVE ranking of firms for sewer assessment district, Bailey Ln. -APPROVE change order #1 to Youngquist Brothers, Inc., East Golden Gate wellfield. -APPROVE rescind Resolutions 3501 and 85-4665 pertaining to sewer main extensions.</p>		<p>88-_____ 88-_____ 88-5549 88-5550 88-5551 88-5552 88-5553 88-5554 88-5555 88-5556</p>	
<p><u>ORDINANCES - First Reading:</u> -WITHDRAW ordinance to finance cost of improvements to waterways within the Special Taxing Districts.</p>	88-_____		
<p><u>ORDINANCES - Second Reading:</u> -ADOPT rezone of Sea Gate subdivision.</p>	88-5557		
<p><u>DISCUSSION/ACTION:</u> -Revocation of Residence Versailles, Inc., conditional use permit.</p>			
<p><u>CORRESPONDENCE AND COMMUNICATIONS:</u> -Next workshop have a discussion with the Parks and Recreation Advisory Board and a representative from the Collier County School Board regarding possible use of school park facilities. -Proposed budget for the Beach Parking Program to be discussed in-depth at the June 8, 1988, workshop.</p>			

Time 9:00 a.m.

Date 06/01/88

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Mayor Putzell called the meeting to order and presided as Chairman:

ROLL CALL: Present: Edwin J. Putzell, Jr., ITEM 2  
Mayor

William E. Barnett  
Alden R. Crawford, Jr.  
John T. Graver  
Paul W. Muenzer,  
Councilmen

Absent: Kim Anderson-McDonald  
Lyle S. Richardson,  
Councilmen

Also Present:  
Franklin C. Jones, Christopher L. Holley,  
City Manager Community Services Dir.  
David W. Rynders, Steven R. Ball,  
City Attorney Chief Planner  
Mark W. Wiltsie, Frank W. Hanley,  
Assistant City Manager Finance Director  
Gerald L. Gronvold, James L. Chaffee,  
City Engineer Utilities Director  
Ann "Missy" McKim, Jon C. Staiger, Ph.D.,  
Com. Development Dir. Natural Resources Mgr.  
Jodie M. O'Driscoll, George Henderson,  
Deputy Clerk Sergeant-At-Arms

See Supplemental Attendance List - Attachment #1.

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INVOCATION: Fr. Thomas Goggin ITEM 1  
St. Ann's R.C. Church

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ANNOUNCEMENTS: ITEM 3

MAYOR PUTZELL: None.

CITY MANAGER JONES: None.

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APPROVAL OF MINUTES ITEM 4

May 11, 1988, Workshop Meeting  
May 18, 1988, Regular Meeting

MOTION: To APPROVE the minutes as presented.

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COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES  
PLANNING ADVISORY BOARD

---RESOLUTION NO. 88- ITEM 5

A RESOLUTION VACATING AND ABANDONING TWO  
20 BY 100 FOOT SECTIONS OF A 20 BY 400  
FOOT UTILITY EASEMENT LOCATED BETWEEN 13TH  
AND 14TH AVENUES SOUTH AND GULF SHORE  
BOULEVARD AND GORDON DRIVE; AND PROVIDING  
AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:05 a.m.  
Closed: 9:07 a.m.

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson-McDonald					
Barnett			X	X	
Crawford				X	
Graver	X			X	
Muenzer				X	
Richardson					
Putzell (5-0)				X	





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COUNCIL MEMBERS	MOTION	SECTION	VOTE	
			YES	NO
Anderson-McDonald				
Barnett			X	X
Crawford				X
Graver			X	X
Muenzer				X
Richardson				
Putzell				X
(5-0)				

---RESOLUTION NO. 88-5549

ITEM 7

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6-23I(2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO ALLOW PASSENGERS OF CHARTER BOATS AT E. TURNER & SONS, INC. TO BE DELIVERED AND PICKED UP BY PUBLIC CONVEYANCE (BUS OR VAN), SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim explained that this was a request to review a previously approved variance for another one year period in which to allow passengers of charter boats at E. Turner & Sons, Inc., to be delivered and picked up by public conveyance. Staff has recommended approval subject to certain conditions as outlined in the resolution.

Mayor Putzell asked if the staff inspects this area to determine compliance with the variance to which Mrs. McKim responded that the zoning officer frequents the area to check for unusual happenings. City Attorney Rynders added that charter boat competitors also keep the City informed of any noncompliance.

In response to several members of Council, Mr. Rynders advised that the Code specifically provides that if a business has a permanent or branch location in the City, it must obtain an occupational license. However, case-in-point, if a charter boat from Marco Island should pick up passengers at Turners, the City cannot require an occupational license unless it is a continuous, regular pick-up. A review of the charter boat's revenue, logs, etc., would have to be made before such determination could be established.

Referring to complaints received by citizens, Mayor Putzell asked if anything could be done to require a setback from the street for the parking of boat cradles at the Turner site. City Manager Jones advised that while the Code does not provide for such a restriction, staff could discuss the possibility of increased landscaping with the owners of the marina.

**MOTION:** To APPROVE the resolution with an amendment to Section 1(3) that reads: "E. Turner & Sons, Inc., shall maintain a list of all charter boats operating out of the marina and ensure that each..."

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---RESOLUTION NO. 88-5550

ITEM 8

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN COLLIER COUNTY, THE CITY OF NAPLES AND A. GAIL BOORMAN & ASSOCIATES, P.A., FOR PROFESSIONAL SERVICES RELATING TO THE CORRIDOR MANAGEMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.



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COUNCIL MEMBERS	MOTION	SECTION	VOTE	
			YES	NO

---ORDINANCE NO. 88---

ITEM 10

AN ORDINANCE OF THE CITY OF NAPLES PROVIDING FOR THE ACQUISITION OF CERTAIN IMPROVEMENTS TO THE CANALS AND WATERWAYS WITHIN THE AREAS OR BOUNDARIES OF THE MOORINGS BAY SYSTEM SPECIAL TAXING DISTRICT AND THE EAST NAPLES BAY SPECIAL TAXING DISTRICT; AUTHORIZING THE BORROWING OF \$800,000 FOR THAT PURPOSE; AUTHORIZING THE DELIVERY OF A PROMISSORY NOTE TO EVIDENCE OF THE OBLIGATION OF THE CITY TO PAY SAME FROM AD VALOREM TAXES NOT TO EXCEED ONE-HALF (1/2) MILL TO BE LEVIED UPON ALL REAL AND TANGIBLE PERSONAL PROPERTY VALUED AT JUST VALUE WITHIN EACH OF THE DISTRICTS; FIXING THE FORM, DATE, MATURITY, AND INTEREST RATE WITH RESPECT TO SUCH NOTE; AUTHORIZING FURTHER OFFICIAL ACTION IN CONNECTION WITH THE DELIVERY OF SUCH NOTE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO FINANCE THE COST OF IMPROVEMENTS TO THE CANALS AND WATERWAYS WITHIN THE AREAS OR BOUNDARIES OF THE MOORINGS BAY SYSTEM SPECIAL TAXING DISTRICT AND THE EAST NAPLES BAY SPECIAL TAXING DISTRICT.

Title read by City Attorney Rynders.

City Attorney Rynders asked that this item be withdrawn from the agenda until he could meet with the City's bond counsel to discuss some questionable language in the ordinance. City Manager Jones added that a verbal commitment has been obtained from Barnett Bank regarding a continuation of its bid proposal to extend to the second meeting in July.

Referring to the cost estimate supplied by Coastal Engineering, Mr. Graver asked if it was sufficient to complete the project. Mr. Jones responded that it was; however, prior to the contract being let, the figures would be more firm.

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---END FIRST READINGS---

---RESOLUTION NO. 88-5551

ITEM 11

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FLORIDA BOATING IMPROVEMENT PROGRAM PROJECT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF NATURAL RESOURCES, COLLIER COUNTY AND THE CITY OF NAPLES REGARDING THE REIMBURSEMENT TO THE CITY BY THE COUNTY OF FUNDS FOR DREDGING OF DOCTORS PASS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Assistant City Manager Wiltsie advised that the work was completed on November 29, 1987. The County had previously committed to reimburse the City \$10,000 towards the cost of the project. This Agreement will accomplish that by transferring funds









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COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald	X		X		X
Barnett			X		
Crawford			X		
Graver		X	X		
Muenzer			X		
Richardson					X
Putzell			X		
(5-0)					
Anderson-McDonald	X		X		X
Barnett			X		
Crawford			X		
Graver		X	X		
Muenzer			X		
Richardson					X
Putzell			X		
(5-0)					

Utilities Director Chaffee advised that this change order was necessitated by unexpected field conditions and unit price extensions for material quantities unknown at the time of bid.

In response to Mayor Putzell, Mr. Chaffee explained that the City's current water production was 21-million gallons; however, the City has a treatment capacity of 30-million. Mayor Putzell then asked about complaints received from Gordon Drive residents regarding low water pressure to which Mr. Chaffee noted that his department was installing sewer boots in that area.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 88-5556 ITEM 16

A RESOLUTION RESCINDING COUNCIL RESOLUTIONS 3501 AND 85-4665 PERTAINING TO SEWER MAIN EXTENSIONS; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Utilities Director Chaffee advised that these resolutions were required by the Department of Environmental Regulation (DER) until the City's new wastewater treatment plant was constructed. Since construction has been completed, staff has recommended that the Council rescind these resolutions and revert back to Section 11-3.2 "Manager Authorized to Approve Extensions". In response to Mr. Muenzer, Mr. Chaffee explained that only those requests within the City's franchise area could be accepted.

Councilman Graver asked if this resolution related directly to the Sea Gate subdivision. Mr. Chaffee reiterated that only those areas within the City's service area, north to Pine Ridge Road, east to Airport-Pulling Road and within the City limit lines, could accommodate new hook-ups.

MOTION: To APPROVE the resolution as presented.

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---ADVERTISED PUBLIC HEARINGS---

---ORDINANCE NO. 88-5557 ITEM 17

AN ORDINANCE REZONING THE SEA GATE SUBDIVISION FROM "R1-15" SINGLE FAMILY RESIDENTIAL TO "R1-10" SINGLE FAMILY RESIDENTIAL; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE THE RECENTLY ANNEXED SEA GATE SUBDIVISION, AT THE REQUEST OF THE CITY, INTO A ZONING DESIGNATION THAT CLOSELY MATCHES THE FORMER COUNTY DESIGNATION.

Title read by City Attorney Rynders.

CITY OF NAPLES, FLORIDA

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Date 06/01/88

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson-McDonald					X
Barnett	X		X		
Crawford			X		
Graver		X	X		
Muenzer			X		
Richardson					X
Putzell (5-0)			X		

PUBLIC HEARING: Opened: 10:10 a.m.  
Closed: 10:11 a.m.

No one present to speak for or against.

MOTION: To ADOPT the ordinance as presented at second reading.

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CORRESPONDENCE AND COMMUNICATIONS:

Councilman Muenzer suggested that the next workshop discussion include the Parks and Recreation Advisory Board and a representative from the Collier County School Board to discuss the City's possible use of school facilities which could help alleviate its park deficiency in relation to the Comprehensive Plan.

City Manager Jones presented Council with a proposed budget for the Beach Parking Program to be discussed in-depth at the June 8, 1988, workshop.

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ADJOURN: 10:15 a.m.

*[Signature]*  
EDWIN J. PUTZELL, JR., Mayor

JANET CASON  
CITY CLERK

*[Signature]*  
JODIE M. O'DRISCOLL  
DEPUTY CLERK

These minutes of the Naples City Council were approved on June 15, 1988.

SUPPLEMENTAL ATTENDANCE LIST

Ruth Richmond  
Fr. Thomas J. Goggin  
Gilbert Weil

C. A. Reinbolt  
C. C. Holland  
Sarah Sauer

Egon Hill  
Jack Sturgis  
Robert Galloway

Other interested citizens and visitors.

NEWS MEDIA

Jeff Reble, Palmer Cablevision  
Tim Hass, WBBH-TV

Marty Bonvechio, Naples Daily News  
Lori Rosza, Miami Herald

*[Faint, illegible handwritten notes or signatures]*