



*City of Naples*

City Council Minutes  
Regular Meeting 08/17/88

City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	P
<p><u>ANNOUNCEMENTS:</u></p>			
<p>MAYOR PUTZELL: Announced that Mr. James Lavin, branch manager of Naples AAA, had presented the City with a plaque, "1987 Pedestrian Safety Citation", for its record of no pedestrian fatalities.</p>			
<p>CITY MANAGER JONES: Noted that there would be an Executive Session of Council immediately following this regular meeting to discuss Fraternal Order of Police (FOP) labor negotiations.</p>			
<p><u>APPROVAL OF MINUTES:</u> July 13, 1988, Special Meeting July 20, 1988, Regular Meeting August 3, 1988, Regular Meeting</p>			
<p><u>PURCHASING</u></p>			
<p>-BID AWARD for two wooden beach walkovers at Lowdermilk Park.</p>		88-5594	
<p>-BID AWARD for one 300 h.p. electric motor.</p>		88-5595	
<p><u>RESOLUTIONS</u></p>			
<p>-DENY variance to permit a six foot wooden fence, 187 Ninth Avenue, South.</p>		88-	
<p>-APPROVE record plat for Wharfside, 810-840 River Point Drive.</p>		88-5596	
<p>-APPROVE matching funds for historic district ordinance project.</p>		88-5597	
<p>-APPROVE application for funding, HUD Bloc Grant Program.</p>		88-5598	6
<p>-APPROVE nine month extension of a conditional use permit for Naples Community Hospital.</p>		88-5599	
<p>-APPROVE consultant selection committee appointment for city-wide traffic study.</p>		88-5600	
<p>-APPROVE highway lighting agreement with FDOT.</p>		88-5601	
<p>-APPROVE joint project agreement for engineering services for water main project on Airport Road.</p>		88-5602	8
<p>-APPROVE appointment of a City physician, Dr. Edmund Weidner.</p>		88-5603	
<p><u>ORDINANCES - First Reading</u></p>			
<p>- DENY rezone of property from R3-12 to PD, block of Eighth Street South, Borad Avenue South, Ninth Street South and 11th Avenue South.</p>		88-	
<p>-APPROVE rezone of property from PD to O, Seventh Avenue North and Goodlette -Frank Road.</p>		88-	4

CITY COUNCIL MINUTES  
Regular Meeting

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940



Time 9:00 a.m.

Date 08/17/88

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

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

Kim Anderson-McDonald  
William E. Barnett  
Alden R. Crawford, Jr.  
John T. Graver  
Paul W. Muenzer  
Lyle S. Richardson,  
Councilmen

Also Present:

Franklin C. Jones,  
City Manager  
David W. Rynders,  
City Attorney  
Mark W. Wiltsie,  
Asst. City Manager  
Gerald L. Gronvold,  
City Engineer  
Frank "Bill" Hanley,  
Finance Director  
Ann Walker,  
Planner I  
Jodie M. O'Driscoll,  
Deputy Clerk

James L. Chaffee,  
Utilities Director  
Stewart K. Unangst,  
Purchasing Agent  
Ann "Missy" McKim,  
Community Dev. Dir.  
Jon C. Staiger, Ph.D.,  
Natural Resources Mgr.  
Mary Kay McShane,  
Personnel Director  
Susan Matthews,  
Planning Technician  
George Henderson,  
Sergeant-At-Arms

See Supplemental Attendance List - Attachment #1.

\*\*\* \*\*

INVOCATION: Reverend H. Peter Lyberg ITEM 1  
Shepherd of the Glades Lutheran

\*\*\* \*\*

ANNOUNCEMENTS ITEM 3

Mayor Putzell: Announced that Mr. James Lavin, branch manager of Naples AAA, had presented the City with a plaque, "1987 Pedestrian Safety Citation", for its record of no pedestrian fatalities.

City Manager Jones: Noted that there would be an Executive Session of Council immediately following this regular meeting to discuss Fraternal Order of Police (FOP) labor negotiations.

\*\*\* \*\*

-----CONSENT AGENDA-----

APPROVAL OF MINUTES ITEM 4

July 13, 1988, Special Meeting  
July 20, 1988, Regular Meeting  
August 3, 1988, Regular Meeting

Councilman Muenzer asked that his vote on Item 6 be corrected; he was not in favor of tabling discussion for a slow down - minimum wake designation in Naples Bay.

\*\*\* \*\*

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	
Edwin J. Putzell, Jr., Mayor					
Kim Anderson-McDonald					
William E. Barnett					
Alden R. Crawford, Jr.					
John T. Graver					
Paul W. Muenzer					
Lyle S. Richardson, Councilmen					



CITY OF NAPLES, FLORIDA

City Council Minutes

Date 08/17/88

	COUNCIL MEMBERS	MOTION	SECTION	VOTE		A E S E N T
				Y E S	N O	
Title not read.	Anderson-McDonald		X	X		
	Barnett			X		
	Crawford			X		
	Graver			X		
	Muenzer	X		X		
	Richardson			X		
	Putzell (7-0)			X		
***		***				
-----END CONSENT AGENDA-----						
<u>COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES PLANNING ADVISORY BOARD</u>						
---ORDINANCE NO. 88- <span style="float: right;">ITEM 6</span>						
<p>AN ORDINANCE REZONING THE PROPERTY LOCATED AT THE BLOCK BOUNDED BY EIGHTH STREET SOUTH, BROAD AVENUE SOUTH, NINTH STREET SOUTH AND 11TH AVENUE SOUTH FROM "R3-12", MULTIFAMILY RESIDENTIAL, TO "PD", PLANNED DEVELOPMENT DESIGNATED FOR MULTIFAMILY RESIDENTIAL USES IN ORDER TO CONSTRUCT 36 UNITS ON A 128,000 SQUARE FOOT PARCEL; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE THE PROPERTY AT THE REQUEST OF THE PROPERTY OWNER.</p>						
Title read by City Attorney Rynders.						
<p>Community Development Director McKim explained that the petitioner has completed construction of five out of six buildings for this site and is now requesting the property be rezoned to Planned Development (PD) to allow construction of one additional unit in the last building. Staff recommended approval because it believed it important to have all six buildings uniform in design. The Planning Advisory Board (PAB), however, recommended denial since the request had not met criteria for a PD.</p>						
<p>Councilman Crawford reiterated his comments about similar requests and said the petitioner should have been aware of any problem prior to construction of the first unit. That was the time to ask for a PD, he said.</p>						
<p>Petitioner Harry F. Bedinghaus explained he was not aware the project could have been built as a PD. The owners of the other five buildings have signed a petition asking Mr. Bedinghaus to request approval of an additional unit. In response to Mayor Putzell, the petitioner advised that this building's exterior would be different from the other structures.</p>						
<p>Referring to PD criteria, Mr. Graver expressed concern that approval of this request might set a precedent inasmuch as density requirements had not been met. Continuity of building design is not enough to warrant approval, he said. Councilman Crawford concurred.</p>						
<p>MOTION: To DENY the ordinance as presented at first reading.</p>						
***						
<p>Anderson-McDonald</p> <p>Barnett</p> <p>Crawford</p> <p>Graver</p> <p>Muenzer</p> <p>Richardson</p> <p>Putzell (7-0)</p>						
			X	X		
				X		
				X		
		X		X		
				X		
				X		
				X		

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 08/17/88

COUNCIL MEMBERS	MOTIONS	SECTION	VOTE		ABSENT
			Y	N	
	---ORDINANCE NO. 88-				
	AN ORDINANCE REZONING THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SEVENTH AVENUE NORTH AND GOODLETTE-FRANK ROAD FROM "FD", PLANNED DEVELOPMENT DESIGNATED FOR MULTIFAMILY RESIDENTIAL USES, TO "PD", PLANNED DEVELOPMENT DESIGNATED FOR OFFICE USES, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE THE PROPERTY AT THE REQUEST OF THE PROPERTY OWNER TO UTILIZE IT FOR A BUSINESS AND MEDICAL OFFICE CENTER.				
	Title read by City Attorney Rynders.				
	Community Development Director McKim advised that the Comprehensive Plan has addressed this particular property, previously, as commercial and, currently, as multi-family. Both the Planning Advisory Board (PAB) and staff recommend approval of the ordinance.				
	Attorney Robert A. Rosillo of Harter, Secrest and Emery and Mr. Scott Cameron, both representing the petitioner, were available to address any questions.				
	Councilman Richardson noted that Goodlette Road was a part of the Corridor Management Study and suggested the ordinance be approved with the condition that landscaping conform to the Corridor Study. Mrs. McKim concurred as well as did both representatives of the petitioner.				
	Referring to lot coverage percentages, Mr. Crawford asked for clarification. Mrs. McKim commented that lot coverage is determined by building size and does not take into consideration the parking lot. She suggested that at the next workshop meeting, during the discussion of building heights, this subject could be discussed.				
	Mr. Graver noted that there was a shortage of apartment buildings in that area and asked if the sale of this property was contingent upon approval for commercial use. Mr. Cameron advised that the property was not under contract for sale and, further, the owners were developers who planned to construct some sort of profitable development on the site. Mr. Crawford said he did not believe area condominium owners would favor a commercial structure in lieu of multi-family dwellings.				
	There will be one curb cut along Goodlette Road for egress use only. City Engineer Gronvold advised that this was acceptable to his department.				
	<b>MOTION:</b> To APPROVE the ordinance with the stipulation that the landscaping would conform to that recommended by the Corridor Management Study for Goodlette Road.				
	Mrs. Anderson-McDonald advised that she was voting in favor of this ordinance based on staff and PAB recommendations; however, she pointed out that there was a lack of multi-family, affordable housing in the area.				
Anderson-McDonald			X		
Barnett		X	X		
Crawford			X		
Graver					X
Muenzer			X		
Richardson		X	X		
Putzell			X		
(6-1)					

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 08/17/88

Mr. Graver voted negatively because he said he believed there was a need for multi-family housing in the area.

\*\*\* \*\*

---RESOLUTION NO. 88- ITEM 8

A RESOLUTION GRANTING A VARIANCE FROM SECTIONS 6.11 AND 6.39 OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT THE CONSTRUCTION OF A SIX FOOT WOODEN FENCE IN A FRONT YARD SETBACK AREA ON A CORNER LOT LOCATED AT 187 NINTH AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim explained that there were no unique circumstances pertaining to the property to warrant a variance and noted that both the Planning Advisory Board (PAB) and staff recommended denial.

MOTION: To DENY the resolution as presented.

Mr. Muenzer referred to a similar request at the August 3, 1988, regular meeting and asked if the petitioner had removed that portion of the fence in violation. Mrs. McKim explained that the petitioner had since been out-of-town, but had assured staff that it would be done upon her return.

\*\*\* \*\*

---RESOLUTION NO. 88-5596 ITEM 9

A RESOLUTION APPROVING THE RECORD PLAT FOR WHARFSIDE, LOCATED AT 810-840 RIVER POINT DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim commented that the preliminary subdivision plat for this project had previously been approved by Council. The only item which must be added to the plat is a "Prepared By" statement, she said.

Referring to parking problems, Mr. Graver asked if they would be addressed. City Engineer Gronvold advised that such items could be discussed when the site plan has been submitted.

MOTION: To APPROVE the resolution as presented.

\*\*\* \*\*

-----END COMMUNITY DEVELOPMENT DEPT./PAB-----

---RESOLUTION NO. 88-5597 ITEM 10

A RESOLUTION AGREEING TO MATCH \$15,000, CONSISTING OF \$5,000 IN STAFF TIME AND \$10,000 IN CASH, TOWARDS A GRANT FOR THE HISTORIC DISTRICT ORDINANCE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald			X		
Barnett			X		
Crawford			X		
Graver			X		
Muenzer		X	X		
Richardson	X				X
Putzell (6-0)			X		
Anderson-McDonald			X		
Barnett	X		X		
Crawford		X	X		
Graver			X		
Muenzer			X		
Richardson			X		
Putzell (7-0)			X		

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 08/17/88

COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
	Title read by City Attorney Rynders.				
	Staff recommended approval and noted that the grant would require hiring a consultant to draft the ordinance and complete implementation strategy. Naples Historic District has approximately 102 contributing structures.				
	Mrs. Anderson-McDonald asked where funds for this project would come from. City Manager Jones explained that the contingency fund would supply \$10,000 in cash; however, the remaining \$5,000 for staff participation would be funded from that department's budget.				
	Councilman Muenzer referred to Ms. Gladys Cook, who had previously spoken in-depth regarding the benefits of such a historic district, and suggested that she be invited to make a presentation at a workshop session for the benefit of all Council members?				
	Mr. Lodge McKee, representing Collier County Historic District, urged Council to consider appropriation of matching funds needed to proceed with implementation of a historic district. The preservation of such historic districts are an important part of any community's heritage, he said.				
	Referring to previous expenditures for this project, Mr. Crawford asked if there would be any additional monies needed. Community Development Director McKim advised that only by way of staff time to revise the Code relating to the historic district.				
	<b>MOTION:</b> To <u>APPROVE</u> the resolution as presented.				
	***	***	***		
	---RESOLUTION NO. 88-5598				
					ITEM 11
	A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT PROGRAM IN THE AMOUNT OF \$118,000 TO DEVELOP A HOUSING REHABILITATION PROGRAM FOR LOW TO MODERATE INCOME CITIZENS CONCENTRATED PRIMARILY EAST OF U.S. 41; AND PROVIDING AN EFFECTIVE DATE.				
	Title read by City Attorney Rynders.				
	PUBLIC HEARING: Opened: 9:58 a.m. Closed: 10:07 a.m.				
	Community Development Director McKim advised that the City receives approximately \$110- to \$120,000 from the Department of Housing and Urban Development (HUD) each year for low to moderate income housing. This year staff has proposed to develop a loan program by which eligible homeowners can apply for a home improvement loan.				
	Referring to the non-profit housing corporation, Affordable Housing of Southwest Florida, Mayor Putzell asked if the City would compensate them for				
Anderson-McDonald		X	X		
Barnett			X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson	X		X		
Putzell (7-0)			X		





CITY OF NAPLES, FLORIDA

City Council Minutes

Date 8/17/88

COUNCIL MEMBERS	MOTION	SECTION	VOTE	
			YES	NO
Anderson-McDonald			X	
Barnett	X		X	
Crawford			X	
Graver		X	X	
Muenzer			X	
Richardson			X	
Putzell			X	
(7-0)				
<p>will provide traffic counts and supply appropriate data to the engineering company awarded the bid.</p> <p>Referring to the Scope of Work for the study (Page 2, Item 2), Mr. Crawford suggested the formula for determining traffic flow on U.S. 41 could be updated. Mr. Richardson recommended that Page 2, Item 3, of the Scope of Work be amended by deletion of subsections a, b and c. Such deletions would enable the Committee to draw its own conclusions and recommendations, he said.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the resolution as presented.</p> <p>***</p> <p>---RESOLUTION NO. 88-5601</p> <p style="text-align: right;">ITEM 14</p> <p>A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A HIGHWAY LIGHTING AGREEMENT FOR THE ADJUSTMENT, RELOCATION AND/OR INSTALLATION OF A CERTAIN LIGHTING SYSTEM WITHIN THE RIGHT-OF-WAY LIMITS HEREAFTER DESCRIBED; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>City Engineer Gronvold noted this agreement would be with the Federal Department of Transportation (FDOT) to maintain those street lights which lie within the City limits. Staff has recommended two changes be made to the agreements as outlined in the resolution.</p> <p>In response to Mr. Graver, Mr. Gronvold advised that if the City wanted to upgrade the type of street lights installed, it could do so but would be responsible for any additional costs incurred. Mr. Crawford suggested Paragraph 6 include the same language as staff recommended for Paragraph 5.</p> <p><u>MOTION:</u> To <u>APPROVE</u> the resolution with the aforementioned amendment to the Agreement.</p> <p>***</p> <p>---RESOLUTION NO. 88-5602</p> <p style="text-align: right;">ITEM 15</p> <p>A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A JOINT PROJECT AGREEMENT WITH COLLIER COUNTY IN CONJUNCTION WITH ENGINEERING SERVICES FOR THE DESIGN OF THE WATER AND SEWER FORCE MAIN PROJECT ON AIRPORT ROAD; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Utilities Director Chaffee said the County was to begin redesign of Airport-Pulling Road during the same period of time which the City anticipated to make sewer force main improvements; therefore, staff has recommended this joint project agreement which could save money.</p>				
Anderson-McDonald			X	
Barnett		X	X	
Crawford			X	
Graver			X	
Muenzer			X	
Richardson	X		X	
Putzell			X	
(7-0)				

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 08/17/88

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson-McDonald			X		
Barnett			X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson			X		
Putzell (7-0)	X				
Anderson-McDonald					X
Barnett					X
Crawford					X
Graver					X
Muenzer					X
Richardson					X
Putzell (7-0)	X				

Mayor Putzell asked if the City Attorney had reviewed and approved the agreement to which City Attorney Rynders advised that he had.

MOTION: To APPROVE the resolution as presented.

\*\*\* \*\*

---RESOLUTION NO. 88-5603 ITEM 16

A RESOLUTION APPOINTING A PHYSICIAN TO PROVIDE MEDICAL SERVICES FOR CITY EMPLOYEES PERTAINING TO JOB-RELATED INJURIES, DETERMINATION OF PHYSICAL ABILITY TO PERFORM DUTIES, ELIGIBILITY FOR DISABILITY RETIREMENT AND PRE-EMPLOYMENT PHYSICALS, PURSUANT TO SECTION 2.12 OF THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones advised that Dr. Edmund Weidner has been the City physician for the past five years and has just recently requested an increase in fees. This prompted staff to contact ten area physicians and request a proposal for medical services to the City, two responses were received. Upon review of the proposals, it was staff's recommendation to appoint Dr. Weidner as City physician. Dr. Karla Seibert will act as alternate should Dr. Weidner not be available.

MOTION: To APPROVE the resolution as presented.

\*\*\* \*\*

CORRESPONDENCE AND COMMUNICATIONS:

Mayor Putzell adjourned the meeting and Council retired to an Executive Session to discuss Fraternal Order of Police (FOP) labor negotiations.

\*\*\* \*\*

ADJOURN: 10:35 a.m.

*Edwin J. Putzell Jr.*  
EDWIN J. PUTZELL JR., Mayor

*Janet Cason*  
JANET CASON  
CITY CLERK

*Jodie M. O'Driscoll*  
JODIE M. O'DRISCOLL  
DEPUTY CLERK

These minutes of the Naples City Council were approved on September 7, 1988.

SUPPLEMENTAL ATTENDANCE LIST

George Batchelder  
C. A. Reinbolt  
Harry Bedinghaus  
Saul Gottlieb  
Mr. & Mrs. Finch

Robert Rosillo  
W. W. Haardt  
Scott Cameron  
Rev. Peter Lyberg  
C. Lodge McKee

Charles Andrews  
Egon Hill  
Mr. & Mrs. Sauer  
Robert Schroer  
Willie Anthony

Other interested citizens and visitors.

NEWS MEDIA

Marty Bonvechio, Naples Daily News  
Jerry Pugh, Palmer Cablevision