



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS:</u>			
Presentation of POW/MIA flag by Collier County Veteran Service Department.			1
Chairman Richardson: None.			1
City Manager Jones: Announced that the second budget hearing would be held on Friday, September 23, 1988, at 5:30 p.m.			1
<u>APPROVAL OF MINUTES:</u> September 7, 1988, Regular Meeting September 8, 1988, Special Meeting			1
<u>PURCHASING</u>			
-BID AWARD for City's communications equipment, Utilities.		88-5619	2
-BID AWARD for turf care products, Community Services.		88-5620	2
<u>RESOLUTIONS</u>			
-APPROVE variance to allow a fence and archway at the entry gate, 3034 Gordon Drive.		88-5621	2-
-APPROVE variance to permit two ground signs, Park Shore Resort Hotel, 600 Neapolitan Way.		88-5622	4
-APPROVE variance to allow a fence, Mimosa Club, 1900 Alamanda Dr.		88-5623	4-
-APPROVE appointment of Consultant Selection Committee relating to the Historic District Ordinance Project.		88-5624	5
-APPROVE appointment of Consultant Selection Committee relating to structural renovation of the Naples Fishing Pier.		88-5625	5-
-WITHDRAWN request to hold Annual Swamp Buggy Days Parade.		88-	6
-APPROVE permit to fill a pond, 2800 Gordon Drive.		88-5626	6
-APPROVE an emergency dredge and fill permit for seawall repairs, 210 Mooringline Drive.		88-5627	6-
<u>CORRESPONDENCE AND COMMUNICATIONS:</u>			
-ACCEPT the addition of an emergency seawall repair request to the Agenda.			6

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 09/21/88

COUNCIL MEMBERS

MOTION

SECTION

VOTE
YES
NO

---RESOLUTION NO. 88-5619 Item 5-a

A RESOLUTION AWARDED THE BID FOR A TWO-YEAR MAINTENANCE CONTRACT ON THE CITY'S COMMUNICATIONS EQUIPMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Goff Communications, Inc.
Naples, Florida
\$17,811.60 (Est. Annual)

Title not read.

---RESOLUTION NO. 88-5620 Item 5-b

A RESOLUTION AWARDED CITY BID #89-05 FOR THE CITY'S ANNUAL REQUIREMENTS FOR TURF CARE PRODUCTS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Various vendors
\$68,000.00 (Est. Annual)

Title not read.

In response to Mr. Graver, City Manager Jones explained that there wasn't sufficient space to store these materials; however, the City has been studying the possibility of storing such items at the Public Works facility.

MOTION: To APPROVE the Consent Agenda as presented.

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-----END CONSENT AGENDA-----

COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES PLANNING ADVISORY BOARD

---RESOLUTION NO. 88-5621 ITEM 6

A RESOLUTION GRANTING A VARIANCE FROM SECTIONS 6.11, 6.13 AND 6.41(A)(2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT A 5'6" HIGH FENCE, A NONHABITABLE, DECORATIVE GATE HOUSE, AND A 13'8" HIGH ARCHWAY ABOVE AN ENTRY GATE AT 3034 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim pointed out that the petitioner was requesting a variance from three separate sections of the Zoning Code to allow a fence higher than 3 feet in the setback area, a gate house to encroach upon the setback area, and an archway. Staff has recommended denial because it does not believe the petition meets all criteria for a variance. The Planning Advisory Board (PAB),

Anderson-
McDonald
Barnett
Crawford
Graver
Muenzer
Richardson
Putzell
(5-0)

X X
X
X X
X

COUNCIL MEMBERS

MOTION	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

however, determined that the lake on the property provided a special circumstance and recommended approval, excepting the gate house which could not encroach upon the 20 foot setback limits. City Attorney Rynders pointed out that the resolution was designed to approve all three of these requests.

Council expressed concern that the arch would be prohibitive to emergency vehicles. Mr. John Dyehouse, agent for the petitioner, said that he did not think it difficult to increase the arch height to allow such vehicles access. He further advised that plans call for the height to be 14'8".

Mr. Crawford said he did not believe the gate house or archway encroachment necessary as it did not meet criteria established for a variance and might set a precedent for future requests. He did, however, support approval of the fence. Agent Dyehouse agreed that large structural arches were not desirable; however, this would be an exception inasmuch as it would be a wire arch to hold landscaping.

Councilman Crawford moved to approve the variance from Section 6.11 of the Code to allow a fence within the setback limits. The motion died for lack of a second.

Referring to the adjacent property, Councilman Muenzer asked how this fence would tie into that property. Mr. Dyehouse explained the fence would connect to that hedge and, further, pointed out the aesthetic qualities of a decorative fence versus a thick, large hedge. The proposed gate house would house mechanical equipment and would not be used for habitation.

Mr. Graver said that he did not believe the subject property indicated a hardship and did not support approval of these requests.

MOTION: To APPROVE the resolution as presented with the deletion of the gate house encroachment. It must not encroach upon the 20 foot setback.

Mrs. Anderson-McDonald explained that she made this motion to maintain consistency of the properties on Gordon Drive and, also, if the fence were moved back 20 feet, it would be necessary to fill in a portion of the lake.

Councilman Crawford reiterated his concern about a possible precedent and voted no. Mr. Graver concurred and said that if this type structure was desirable, it should be so addressed in the Code.

Mr. Muenzer agreed with Councilman Anderson-McDonald and said the arch, as designed, was an attractive addition to the landscaping.

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Anderson-McDonald	X	X		X
Barnett				
Crawford				X
Graver				X
Muenzer	X	X		
Richardson		X		
Putzell (3-2)				X

CITY OF NAPLES, FLORIDA

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Date 09/21/88

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

---RESOLUTION NO. 88-5622

ITEM 7

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6.30(F)(1)(f) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT TWO GROUND SIGNS FOR A PARCEL WHICH HAS NO STREET FRONTAGE AT THE PARK SHORE RESORT HOTEL, 600 NEAPOLITAN WAY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim pointed out that this property was unique inasmuch as it is landlocked access only via easements from U.S. 41 and Neapolitan Way. Staff and the Planning Advisory Board (PAB) have both recommended approval of the variance.

Petitioner Charles Alexander of the Park Shore Resort Hotel explained that the original owners of the property were allowed to place a 30 s.f. sign on Tamiami Trail; however, with the completion of Barnett Financial Center, the hotel was requested to remove that sign. The Montgomery Eye Center which fronts on Neapolitan Way has given permission for the hotel to use part of its signage rights.

In response to Councilman Crawford, Mr. Alexander said he has been working on this project for the past two years with little or no results. It is impossible for a sign to be placed on U.S. 41 because Barnett has utilized all its signage rights; however, there is a directional sign located on the Trail which was permitted by staff. Mr. Crawford further pointed out that the proposed signs would be blocked by existing island landscaping to which Mr. Alexander advised his group had planned to remove any obstructive plantings.

Mr. Graver asked what information would be found on the sign. Mr. Alexander commented it would contain the resort logo, Island Club logo and an arrow to indicate the entrance. The bottom portion of the sign would be constructed of decorative cedar material.

Referring to left hand turns from the resort, Mr. Richardson asked if the hotel had any solutions to this traffic problem. Mr. Alexander said that he would be willing to meet with staff and area property owners associations to come up with a viable solution.

MOTION: To APPROVE the resolution as presented.

---RESOLUTION NO. 88-5623

ITEM 8

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6.11 OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO PERMIT A FOUR FOOT HIGH FENCE IN A PORTION OF THE FRONT YARD SETBACK AT THE NAPLES MIMOSA CLUB, 1900 ALAMANDA DRIVE; AND PROVIDING AN EFFECTIVE DATE.

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

Title read by City Attorney Rynders.

This request was submitted by the petitioner to comply with insurance requirements to enclose a pool with a four foot fence. The Zoning Code allows up to three feet without a variance, Community Development Director McKim explained. Both the staff and Planning Advisory Board (PAB) recommended approval of the resolution.

Mr. Earl Burns, President of the Mimosa Club, advised his group would prefer to construct a chain link fence because the cost would be less prohibitive; however, both the staff and PAB have denied that request. Councilman Anderson-McDonald asked why that type fence was unacceptable. Mrs. McKim pointed out the Code restricts use of such material in a front yard setback area.

MOTION: To APPROVE the resolution as presented.

-----END COMMUNITY DEVELOPMENT/P.A.B.-----

---RESOLUTION NO. 88-5624 ITEM 9

A RESOLUTION APPOINTING A CONSULTANT SELECTION COMMITTEE IN CONJUNCTION WITH THE HISTORIC DISTRICT ORDINANCE PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To APPROVE the resolution as presented.

---RESOLUTION NO. 88-5625 ITEM 10

A RESOLUTION APPOINTING A CONSULTANT SELECTION COMMITTEE RELATIVE TO SECURING PROFESSIONAL ENGINEERING SERVICES FOR THE RENOVATION OF THE STRUCTURAL SUPPORT SYSTEM OF THE NAPLES FISHING PIER; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones explained that a preliminary study has been completed on the structural support system of the Pier to determine which pilings should be replaced due to deterioration. Staff has recommended that a consultant be retained to complete the final design and that funding for construction be secured from the Capital Improvement Program (CIP).

Mr. Muenzer pointed out that there would only be four members on this committee and asked if another should be appointed. These committees work on a consensus basis, Mr. Jones explained, and, therefore, would not require an odd number of members to break a tie vote.

In response to Councilman Crawford, City Manager Jones advised the report does sound grim; however,

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 09/21/88

COUNCIL MEMBERS	MOTIONS	S	E	VOTE		A
				Y	N	
Anderson-McDonald	X	X				X
Barnett	X	X				X
Crawford		X				
Graver		X				
Muenzer		X				
Richardson		X				
Putzell (5-0)						X
Anderson-McDonald	X	X				
Barnett		X				
Crawford		X				
Graver		X				
Muenzer	X	X				
Richardson		X				
Putzell (5-0)						
Anderson-McDonald		X				
Barnett		X				
Crawford		X				
Graver	X	X				
Muenzer		X				
Richardson		X				
Putzell (5-0)						

this procedure is completed every five to six years, whereby, the structural integrity of the Pier is never jeopardized. In the event of a hurricane, the structure would be lost no matter what precautions have been taken to maintain it.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 88- ITEM 11

A RESOLUTION AUTHORIZING SWAMP BUGGY DAYS, INC. TO HOLD ITS ANNUAL PARADE IN THE CITY ON SATURDAY, OCTOBER 29, 1988; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

This item was withdrawn from the agenda.

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---RESOLUTION NO. 88-5626 ITEM 12

A RESOLUTION GRANTING A PERMIT TO FILL A POND AT 2800 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Engineer Gronvold explained that the petitioner believed the pond located on his property to be a nuisance and hazard to his children. It takes the permission of City Council to fill a lake; he said. The Natural Resources Manager and City Engineer both recommend approval with the stipulation that a low volume artesian well, which overflows into the pond, be capped and all wildlife removed prior to filling.

In response to Council, Mr. Gronvold noted that the lake would not adversely affect water retention in that area.

MOTION: To APPROVE the resolution as presented.

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CORRESPONDENCE AND COMMUNICATIONS

City Attorney Rynders explained that the City has received a request for emergency seawall repairs; however, because this is not on the Agenda, Council must vote to determine if it wants to hear the matter at this meeting.

MOTION: To ACCEPT the addition of an emergency seawall repair request to the Agenda.

---RESOLUTION NO. 88-5627

A RESOLUTION AUTHORIZING AN EMERGENCY DREDGE AND FILL PERMIT TO EFFECT EMERGENCY REPAIRS TO A FAILED SEAWALL IN THE MOORINGS BAY SYSTEM LOCATED AT 210 MOORINGLINE DRIVE; DECLARING AN EMERGENCY OF THE GRANTING OF THE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	

Title read by City Attorney Rynders.

The City Attorney briefly outlined events leading up to this seawall failure. It will be necessary to construct a rock revetment by which to hold the existing seawall in place and to prevent further failure during reconstruction, he said.

Mr. Rick Mayor of Scofield Marine, representing the petitioner, advised the seawall was inspected approximately two years ago with no problems noted; however, with tremendous rains which the area has experienced recently, back pressure of the wall was created which pushed the wall out and, thus, created the failure.

MOTION: To APPROVE the resolution as presented.

Anderson-McDonald			X		
Barnett			X		X
Crawford		X	X		
Graver			X		
Muenzer	X		X		
Richardson			X		
Putzell (5-0)					X

ADJOURN: 10:05 a.m.

William E. Barnett
WILLIAM E. BARNETT, Vice-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 10/05/88.

Attachment #1

SUPPLEMENTAL ATTENDANCE LIST

W. W. Haardt	Charles Andrews	Lee Layne
Mrs. Sarah Sauer	Brett Moore	Nelson Chambers
Dave Bennett	Charles Alexander	Chuck Bruce
John K. Dyehouse	Bob Galloway	Lew Schulz,
Donald Tallon,	Arthur Davis,	American X-POW
American X-POW	American Legion	Rick Mayor,
Richard Chamberlain,	Rev. & Mrs. Michael Durning	Scotfield Marine
Marine Corps Legion		

Other interested citizens and visitors.

NEWS MEDIA

Lori Darvas, Naples Daily News
Jerry Pugh, Palmer Cablevision
Pat Wasson, WNOG

Blank
Sheet
Janet Case

Attachment #1

SUPPLEMENTAL ATTENDANCE LIST

W. W. Haardt	Charles Andrews	Lee Layne
Mrs. Sarah Sauer	Brett Moore	Nelson Chambers
Dave Bennett	Charles Alexander	Chuck Bruce
John K. Dyehouse	Bob Galloway	Lew Schulz,
Donald Tallon,	Arthur Davis,	American X-POW
American X-POW	American Legion	Rick Mayor,
Richard Chamberlain,	Rev. & Mrs. Michael Durning	Scofield Marine
Marine Corps Legion		

Other interested citizens and visitors.

NEWS MEDIA

Lori Darvas, Naples Daily News
Jerry Pugh, Palmer Cablevision
Pat Wasson, WNOG

Blank Sheet
Jesse Cason