



City of Naples

-SUBJECT-	Ord. No.	Res. No.	Pa
<p><u>ANNOUNCEMENTS:</u> MAYOR PUTZELL: Briefly explained the structure of City government and procedures used for conducting City Council meetings. Each member of Council then introduced himself to the audience. CITY MANAGER JONES: None.</p>			
<p><u>APPROVAL OF MINUTES:</u> October 19, 1988, Workshop Meeting October 26, 1988, Airport Authority Interviews November 2, 1988, Regular Meeting</p>			
<p><u>PURCHASING:</u> -BID AWARD for two (2) submersible sewage pumps, Utilities.</p>		88-5669	
<p><u>RESOLUTIONS:</u> -APPROVE commendation of Sergeants Ralph Cox and Ciro Dominguez and Officer Dan Crisp for medals won in 1988 International Law Enforcement Olympics. 88-5668 -APPROVE easement to Florida Power & Light Company for installation of anchors, North Carica Road. 88-5670 -APPROVE variance from CCSL to allow construction of a screened patio, 3350 Gordon Drive. 88-5671 2 -APPROVE Development Agreement for property in a proposed annexation area to allow for maximum building height of 50 feet and HC use. 88-5672 3 -APPROVE conditional use permit to allow a nursing home in C2, 777 Ninth Street North. 88-5673 -APPROVE conditional use permit to allow additions to a nursing home, 2900 - 12th Street North. 88-5674 -WITHDRAW variance to construct a three story building, sw corner of Sixth Avenue South and Second Street. 88- -APPROVE resolution awarding contract for the 1989 Traffic Study to Barr, Dunlop & Associates, Inc. 88-5675 -APPROVE resolution awarding contract for renovation work on the structural support system of the Naples Fishing Pier. 88-5676 -APPROVE rescheduling of the December 21, 1988, regular City Council meeting to December 14, 1988, at 9:00 a.m. 88-5677</p>			
<p><u>ORDINANCES - First Reading:</u> -APPROVE rezone of property, 350 Fifth Avenue South. 88- 5- -TABLE regulation of the keeping of animals in residential areas. 88- 7 -APPROVE increase in building permit fees. 88- -APPROVE increase in application fee for permit to solicit or canvass 88- -APPROVE proposed annexation of Park Shore Units 2 and 5. 88- 10- -APPROVE proposed annexation of areas 3 through 9. 88- 11</p>			
<p><u>DISCUSSION/ACTION:</u> -Local bills to be presented to the Public Hearing of the Collier County Legislative Delegation. -Comprehensive Plan discussion regarding State's comments.</p>			

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



Time 9:00 a.m.

Date 11/16/88

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,
Assistant City Manager
Gerald L. Gronvold,
City Engineer
Ann "Missy" McKim
Com. Development Dir.
Norris C. Ijams,
Fire Chief
Ciro Dominguez,
Police Sergeant
Dan Crisp,
Police Officer
Jodie M. O'Driscoll,
Deputy Clerk

Christopher L. Holley,
Community Services Dir.
Frank "Bill" Hanley,
Finance Director
Mary Kay McShane,
Personnel Director
James L. Chaffee,
Utilities Director
Jon C. Staiger, Ph.D.,
Natural Resources Mgr.
Paul Sireci,
Police Captain
Ralph Cox,
Police Sergeant
George Henderson,
Sergeant-At-Arms

See Supplemental Attendance List - Attachment #1.

*** **

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

*** **

ANNOUNCEMENTS: ITEM 3

MAYOR PUTZELL: Briefly explained the structure of City government and procedures used for conducting City Council meetings. Each member of Council then introduced himself to the audience.

CITY MANAGER JONES: None.

*** **

---RESOLUTION NO. 88-5668 ITEM 4

A RESOLUTION COMMENDING SERGEANT RALPH COX, SERGEANT CIRO DOMINGUEZ AND OFFICER DAN CRISP OF THE NAPLES POLICE DEPARTMENT WHO WERE MEDAL WINNERS IN THE 1988 INTERNATIONAL LAW ENFORCEMENT OLYMPICS; AND PROVIDING AN EFFECTIVE DATE.

Resolution read in its entirety by Mayor Putzell.

City Manager Jones asked each of the participants to come forward for recognition, then briefly described their background and physical training.

MOTION: To APPROVE the resolution as presented.

*** **

COUNCIL MEMBERS	VOTE			B S E N N T
	M O T I O N	S E C O N D	Y E S	
Anderson-McDonald		X		X
Barnett			X	X
Crawford				X
Graver				X
Muenzer				X
Richardson				X
Putzell				X
(7-0)				

COUNCIL MEMBERS

VOTE		A B S E N T
M O T I O N	S E N S E	
	1	

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

APPROVAL OF MINUTES

ITEM 5

October 19, 1988, Workshop Meeting
 October 26, 1988, Airport Authority Interviews
 November 2, 1988, Regular Meeting

*** **

PURCHASING

---RESOLUTION NO. 88-5669

ITEM 6

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) SUBMERSIBLE SEWAGE PUMPS FROM A PREVIOUSLY-AWARDED BIDDER FOR THE UTILITIES DEPARTMENT; WAIVING THE REQUIREMENTS FOR COMPETITIVE BIDS THEREON; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Ellis K. Phelps & Company
 Ft. Myers, Florida
 \$15,168.00 (2 units)

Title not read.

In response to Councilman Graver, Utilities Director Chaffee explained the bid was let last year and the low bidder has agreed to extend his price until the end of this month. Staff has recommended the requirement for competitive bids be waived.

*** **

---RESOLUTION NO. 88-5670

ITEM 7

A RESOLUTION APPROVING AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION OF ANCHORS ON THEIR SUB-STATION AT THE NORTH CARICA ROAD WATER STORAGE TANK; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To APPROVE the Consent Agenda as presented.

*** **

Anderson-
 McDonald X X
 Barnett X
 Crawford X
 Graver X
 Muenzer X
 Richardson X
 Putzell X
 (7-0)

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

-----ADVERTISED PUBLIC HEARINGS-----

---RESOLUTION NO. 88-5671

ITEM 8

A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO ALLOW CONSTRUCTION OF A SCREENED PATIO ALONG THE WEST SIDE OF AN EXISTING SINGLE FAMILY RESIDENCE AT 3350 GORDON DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	VOTE	A B S E N T

PUBLIC HEARING: Opened: 9:22 a.m.
Closed: 9:22 a.m.

No one present to speak for or against.

Natural Resources Manager Staiger advised the petitioner had requested permission to construct a screened patio landward of the State's Coastal Construction Setback Line (CCSL) but gulfward of the City's CCSL. There were no objections noted from adjacent property owners.

Referring to proposed architect drawings of the site, several members of Council said it appeared the structure would be gulfward of the State's CCSL as well. However, Dr. Staiger explained that the drawing was not correct; he had visited the site and was convinced the proposed construction would be landward of the State's line.

MOTION: To APPROVE the resolution as presented.

Mrs. Anderson-McDonald said she would support this resolution since the matter regarding the drawing had been cleared up.

*** **

-----END ADVERTISED PUBLIC HEARINGS-----

COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES
PLANNING ADVISORY BOARD

---RESOLUTION NO. 88-5672 ITEM 9

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED ON THE EAST SIDE OF U.S. 41 BETWEEN HIGH POINT DRIVE AND RIDGE STREET TO ALLOW FOR HIGHWAY COMMERCIAL USES AND A MAXIMUM BUILDING HEIGHT OF 50 FEET; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:25 a.m.
Closed: 9:54 a.m.

City Attorney Rynders advised this item was continued from a previous meeting, November 2, 1988, and had been reviewed and approved by him prior to this meeting. Mayor Putzell noted that all additions or changes to the Development Agreement had been underlined.

Referring to differences between City and County Zoning ordinances, Councilman Crawford noted that the only difference, excepting height, was the landscaping requirements. The City requires a 20-foot setback which can be used only for landscaping and the County requires a 25-foot setback; 5-foot of which must be landscaped, the remainder can be used for parking. Mr. Crawford suggested the Agreement be amended to require an additional 25-foot setback thereby requiring a total setback of 45-feet.

Anderson-McDonald
Barnett
Crawford
Graver
Muenzer
Richardson
Putzell
(7-0)

	X
X	X
	X
	X
X	X
	X

COUNCIL MEMBERS	MOTION	VOTE			ABSENT
		YES	NO	OT	
				13	
Anderson-McDonald		X	X		
Barnett					X
Crawford	X		X		
Graver			X		
Muenzer			X		
Richardson					X
Putzell					X
(4-3)					
Anderson-McDonald			X		
Barnett	X		X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson		X	X		
Putzell			X		
(7-0)					

Councilman Barnett pointed out that the petitioner could construct his building without this additional setback if he chose to remain in the unincorporated area.

Referring to Mr. Crawford's previous suggestion, Mayor Putzell asked the petitioner if there would be adequate parking behind the building if this additional setback was required. Petitioner Dennis Lynch said that he believed so, but reminded Council the plans for the building have not yet been designed.

RECESS: 9:30 a.m to 9:40 a.m. for class changes.

The Mayor then reiterated his previous remarks regarding the structure of City government and procedures used to conduct a City Council meeting.

Petitioner Lynch further indicated that he was not sure whether the additional setback would cause economic hardship inasmuch as the building footprint has not yet been determined. Councilman Muenzer referred to other projects Mr. Lynch has been involved in which have parking in front and asked if he had anticipated doing the same with this project. The petitioner said that at the present time he expected parking to be placed on the west side of the building; however, if the setback is increased that could change.

Councilman Graver referred to page 4 of the Agreement and asked for clarification of a statement which indicates the City would change its Comprehensive Plan and Zoning Code to accommodate this development. City Attorney Rynders explained that a variance from the Code would be needed to allow additional building height and perhaps an amendment to the land use designation of the Comprehensive Plan.

Mr. Barnett moved to approve the resolution as presented. Mr. Richardson seconded the motion.

However, after a brief discussion, Councilman Crawford moved to amend the motion to include an additional setback of 25-feet for a total setback of 45-feet. Mrs. Anderson-McDonald seconded the motion.

The petitioner was advised that he would be able to utilize the additional setback area for parking and did not have to make a decision regarding acceptance of this amendment immediately. His acceptance or denial would be so indicated upon execution of the Agreement.

MOTION: To APPROVE the resolution as presented with an amendment to the Agreement of an additional 25-foot setback thereby increasing the total setback to 45-feet.

COUNCIL MEMBERS

M O T I O N	S E C O N D	Y E S	N O	VOTE

---ORDINANCE NO. 88---

ITEM 10

AN ORDINANCE REZONING PROPERTY LOCATED AT 350 FIFTH AVENUE SOUTH FROM "C1-A", RETAIL SHOPPING, AND "R3-12", MULTIFAMILY RESIDENTIAL, TO "PD" PLANNED DEVELOPMENT, FOR A BRANCH OFFICE OF SUN BANK, WITH DRIVE THROUGH BANK TELLER FACILITIES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE PROPERTY OWNER'S REQUEST TO ALLOW A BRANCH OFFICE OF SUN BANK.

Title read by City Attorney Rynders.

City Attorney Rynders pointed out that at the second reading of this ordinance, Council would have to take action on the variance request first.

Community Development Director McKim said that both the staff and Planning Advisory Board (PAB) recommended approval subject to conditions outlined in the City Manager's memorandum dated November 3, 1988, herein included as Attachment #2. Staff will recommend an amendment to the Comprehensive Plan to accommodate use of the adjacent parking lot for drive-through banking facilities. Although adjacent uses are single-family residential, this proposed project is more sensitive to the neighborhood than other commercial uses.

Referring to landscape plans displayed at the meeting, Councilman Crawford suggested Section 1 of the ordinance be amended to include a reference to the landscape drawings, dated October 28, 1988. Mrs. McKim asked Council to also indicate that the petitioner not be held to the specific landscaping noted, but to landscaping of the same quality and quantity.

Attorney J. Dudley Goodlette of Cummings & Lockwood, representing the petitioner, reviewed the rezone and variance process which his client has followed thus far to bring this request before Council.

Landscape Architect Ellin Goetz assured Council that material used would be Florida Grade No. 1. Referring to the petitioner's proposed use of mahogany trees, Councilman Muenzer asked if another type tree could be utilized inasmuch as mahogany loses its leaves for approximately four weeks out of the year and is not very attractive. Ms. Goetz noted that black olive could be used in its place. Community Development Director McKim reminded Council and petitioner that the landscape final design would have to be approved by staff prior to implementation.

Regarding the project's deficient parking spaces, Councilman Muenzer asked if the kiosks could be used to help meet parking requirements. Mrs. McKim explained that parking requirements are calculated on total square footage of the building. Perhaps in situations such as this, Mrs. McKim said, exceptions to the requirements might be allowed. Council directed staff to study current requirements for parking and advise of any recommendations of change it might have.

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 11/16/88

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

Mr. Crawford asked if the City needed public input to designate traffic flow in an alley one-way. City Attorney Rynders said the City was not obligated to notify adjacent property owners of such a designation. Mayor Putzell noted that this request could set a precedent for one-way alleys.

MOTION: To APPROVE the ordinance at first reading with reference to landscape drawings, dated October 28, 1988 in Section 1.

*** **

---RESOLUTION NO. 88-5673 ITEM 11

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A NURSING HOME IN "C2", GENERAL COMMERCIAL, ZONING, AT 777 9TH STREET NORTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim advised that the nursing homes had been at this location for many years; however, it does not conform to current Code requirements and is in need of a conditional use permit. Staff and Planning Advisory Board (PAB) both recommended approval subject to landscaping improvements and a dumpster enclosure.

MOTION: To APPROVE the resolution as presented.

*** **

---RESOLUTION NO. 88-5674 ITEM 12

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW ADDITIONS TOTALLING 6,236 SQUARE FEET TO AN EXISTING NURSING HOME, THE LAKESIDE PLANTATION FACILITY, LOCATED AT 2900 12TH STREET NORTH, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim advised that the existing nursing home plans to expand its facility from 99 to 120 beds. Staff recommended approval subject to additional landscaping requirement and another handicapped parking space.

Mayor Putzell suggested Section 1 of the resolution include the requirement of additional landscaping as approved by the City staff.

MOTION: To APPROVE the resolution with an amendment requiring additional landscaping to be approved by the City staff.

*** **

CITY OF NAPLES, FLORIDA

City Council Minutes

Date 11/16/88

COUNCIL MEMBERS	MOTION	S	E	Y	VOTE		A B S E N T
					N	O	

compliance with County Code and to enable the Animal Control Officer to enforce these laws within City limits. In response to Mayor Putzell, Mrs. McKim noted that staff has received numerous complaints regarding bees as a nuisance near Lake Park Elementary School.

Councilman Anderson-McDonald said that while she did not oppose the ordinance, she believed that a requirement for vaccinations and licenses to be more important.

Dr. Brandon Mills of St. Francis Animal Clinic, representing Collier County Veterinary Association, advised that his group was not opposed to the ordinance; however, they are concerned with the limitation to three dogs. He reiterated staff's suggestion of grandfathering those individuals with more than three animals, especially in the proposed unincorporated, annexation areas. Mayor Putzell asked Dr. Mills his opinion regarding limitation of only dogs and Dr. Mills responded that felines were more difficult to control and could not be fenced like canines.

Citizen Glenn MacKay spoke in support of the ordinance; however, he believed it needed to be more restrictive and include other forms of wildlife such as monkeys, unaltered skunks, and the like. He supported regulations for cats inasmuch as Naples has been declared a bird sanctuary as outlined in the Code of Ordinances. Another suggestion made by Mr. MacKay was the implementation of a Blue Ribbon Committee comprised of a representative from Jungle Larry's, Collier County Veterinary Association, Council and Animal Control to discuss this proposed ordinance.

Referring to County ordinance adopted by the City, Councilman Crawford said he thought the Council should "let sleeping dogs lie" and continue enforcing County Code with regard to animal control. City Attorney Rynders pointed out that approximately ten years ago, the City repealed its animal control ordinance and adopted the County's to maintain consistency. Since that time, it has become necessary for the City to adopt certain regulations to maintain that conformity, thus the purpose for this proposed ordinance.

After a brief discussion regarding possible amendments to this ordinance, City Attorney Rynders said that this has been drafted very carefully and any additions or amendments should be thoroughly reviewed to maintain continuity with the County's Code.

MOTION: To TABLE this item until staff has had an opportunity to confer with Council at a workshop meeting taking into consideration comments and suggestions made by both the citizenry and members of Council.

-----END COMMUNITY DEVELOPMENT/PAB-----

-----FIRST READINGS-----

Anderson-McDonald							
Barnett	X						
Crawford							
Graver							
Muenzer							X
Richardson						X	
Putzell						X	
(6-1)							

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	

---ORDINANCE NO. 88---

ITEM 15

AN ORDINANCE AMENDING SUBSECTION (a) OF SECTION 8-3 AND ADDING SUBSECTION (e) TO SECTION 8-3 OF THE CODE OF ORDINANCES RELATING TO AMENDMENTS TO STANDARD BUILDING CODE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO INCREASE THE FEE FOR BUILDING PERMIT APPLICATIONS AND TO INSTITUTE A FEE FOR IN-HOUSE WATER MANAGEMENT REVIEW WHEN REQUIRED FOR BUILDING PERMITS.

Title read by City Attorney Rynders.

City Manager Jones explained this request is to allow an increase for building permit application fees which would help fund the computerized input system of site plans, specifications, and the like. The additional monies would also fund three new positions: data entry clerk, permit clerk and building inspector.

Referring to the onset of this administration, Mayor Putzell pointed out that it has been Council's main objective to computerize all important City records to facilitate permitting procedures.

In response to Councilman Graver, Community Development Director McKim advised that the data entry clerk would be used primarily to bring the department up to speed once the computerized system was installed.

MOTION: To APPROVE the ordinance as presented at first reading.

Anderson-McDonald X X
 Barnett X X
 Crawford X
 Graver X
 Muenzer X
 Richardson X
 Putzell X
 (7-0)

---ORDINANCE NO. 88---

ITEM 16

AN ORDINANCE AMENDING SUBSECTION 10 OF SECTION 17-3 OF CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, RELATING TO THE APPLICATION FEE FOR A PERMIT TO SOLICIT OR CANVASS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO INCREASE THE APPLICATION FEE FOR A PERMIT TO SOLICIT OR CANVASS TO \$25.00 TO COVER THE ACTUAL COSTS TO THE CITY IN CONDUCTING BACKGROUND INVESTIGATIONS.

Title read by City Attorney Rynders.

City Manager Jones noted that the City did not receive many requests for permits to solicit or canvass; however, the nominal \$5 fee is not adequate to cover cost of personnel in the Police Department for review of the applications.

MOTION: To APPROVE the ordinance as presented at first reading.

Anderson-McDonald X
 Barnett X
 Crawford X
 Graver X
 Muenzer X
 Richardson X
 Putzell X
 (7-0)

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	

ITEM 17

---ORDINANCE NO. 88-

Item 17-a

AN ORDINANCE PROPOSING THE ANNEXATION OF PARK SHORE UNITS 2 AND 5 NORTH TO A LINE EXTENDING PINE RIDGE ROAD WEST TO THE GULF, MORE PARTICULARLY DESCRIBED HEREIN; AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; PROVIDING FOR A REFERENDUM OF SAID ANNEXATION ON MARCH 7, 1989; PROVIDING FOR A BALLOT QUESTION; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ANNEX PARK SHORE UNITS 2 AND 5 NORTH TO A LINE EXTENDING PINE RIDGE ROAD WEST TO THE GULF TO THE CITY OF NAPLES AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY.

Title read by City Attorney Rynders.

Mayor Putzell reviewed the guidelines and State laws regarding annexations of contiguous territories to the City's boundaries. In most cases, property owners in the area to be annexed, as well as those within City limits, vote their preferences by referendum. If a majority of the voters in both areas desire annexation into the City, then steps can be taken to do so. The voluntary method of annexation occurs when a small area presents a petition of all property owners to the City indicating its desire to be annexed; this can be done without referendum. Council has established a policy wherein only areas contiguous to the City and within its water/sewer district, bounded by Airport-Fulling Road to the east and Pine Ridge Road to the North, are earmarked for possible annexation.

City Manager Jones commented that these two areas were not contiguous to one another and therefore had to be handled separately.

Citizen J. Sandy Scatena read a brief statement into the record herein included as Attachment #3. He noted the ordinances indicate a election will be held on March 7, 1988, instead of 1989. Mayor Putzell advised Council had previously directed staff to correct the error; however, there was not time enough to change the packet information prior to this session.

Referring to the City's cable franchise with Palmer, Mr. Graver asked if those companies servicing the Park Shore area would also have to execute such an agreement with the City. Staff advised that they would. After further discussion, it was noted that those individuals with satellite dish antennas in the annexed areas would have vested rights to keep those apparatus but would be subject to the City's conditional use requirement should it be expanded or changed.

Councilman Crawford expressed concern regarding the accelerated pace of annexation. He said that it is important police and fire departments are comfortable with the increased territory and whether existing manpower would be sufficient. Mayor Putzell said that there were some practical and good theoretical reasons for proceeding at this speed.

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	

The golf courses along Goodlette Road are a prime example of property which could benefit the City by providing more green space, another plus for annexation. If the City were to annex each of the 11 territories separately, costs would be phenomenal for those 11 single elections.

Referring to the proposed election date, Mr. Richardson said it was important to keep in mind that the electorate must be educated as to benefits of annexation and encouraged to support this endeavor. City Manager Jones noted that staff anticipates the election will be a "mail-in" ballot which would greatly reduce costs.

City Manager Jones gave a brief report concerning staff progress thus far relating to annexation. Previously, Council had authorized a contract with Florida Atlantic University Joint Center of Urban and Development Problems to begin a study of the effect of annexation on various City departments and government operation. They will also provide an analysis of costs to the City for annexation and the financial impact of annexation on that area. The County has not taken an official position regarding such annexations, but definitely will experience a reduction of certain services to those areas as well as offsetting expenses.

Citizen Gil Weil discussed the "run-down" condition of certain areas west of Goodlette-Frank Road. He cited an ordinance imposed in Shaker Heights, Ohio wherein yearly home inspections are conducted to ensure upkeep and maintenance of area houses. Mr. Weil suggested staff study the possibility of such an ordinance in this area by contacting the Shaker Heights community. Council directed the City Attorney to study this matter and come back with his recommendation at an early date.

MOTION: To APPROVE the ordinance with the corrected election date of March 7, 1989, at first reading.

Anderson-
McDonald
Barnett
Crawford
Graver
Muenzer
Richardson
Putzell
(7-0)

	X	X
		X
		X
		X
		X
		X
	X	X
		X

Councilman Crawford asked if this item would appear again at the December 7, 1988, regular meeting. Staff advised that it indeed would.

---ORDINANCE NO. 88- Item 17-b

AN ORDINANCE PROPOSING THE ANNEXATION OF AREAS 3 THROUGH 9 AS OUTLINED ON THE ATTACHED EXHIBIT "A", SAID AREA BEING BOUNDED ON THE NORTH BY SEAGATE DRIVE AND PINE RIDGE ROAD, BOUNDED ON THE EAST ALONG AIRPORT-PULLING ROAD, BOUNDED ON THE SOUTH BY THE GOLDEN GATE CANAL, FOLLOWING THE GORDON RIVER SOUTH TO THE CITY BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN: AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; PROVIDING FOR A REFERENDUM OF SAID ANNEXATION ON MARCH 7, 1989; PROVIDING FOR A BALLOT QUESTION; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ANNEX AREAS 3 THROUGH 9 AS OUTLINED ON THE ATTACHED EXHIBIT "A", AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY.

COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
			21		

Title read by City Attorney Rynders.

Citizen J. Sandy Scatena read a prepared statement herein included as Attachment #4. Mr. Scatena expressed concern that the City would not receive any tax monies from annexed areas until 1991. City Manager Jones, however, disagreed and pointed out that the user surcharge implemented on those unincorporated properties in lieu of ad valorem taxes would immediately cease, but property taxes could be collected for the next budget year (10/01/89 to 9/30/90) providing the property is annexed before that time.

In response to Councilman Graver, Mr. Jones commented that the City would be responsible for police and fire protection ten days following a favorable election. Mayor Putzell pointed out that franchise fees charged to City residents would also be applicable to any properties annexed into the City.

MOTION: To APPROVE the ordinance with the corrected election date of March 7, 1989, and to also include areas 10 and 11 for annexation at first reading.

*** **

-----END FIRST READINGS-----

ITEM 18

---RESOLUTION NO. 88-5675 Item 18-a & 18-b

A RESOLUTION RANKING THE TOP THREE FIRMS IN ORDER OF PREFERENCE TO PROVIDE ENGINEERING SERVICES FOR THE 1989 TRAFFIC STUDY; APPROVING A CONTRACT WITH THE TOP RANKED FIRM OF BARR, DUNLOP & ASSOCIATES, INC. FOR SAID SERVICES; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Engineer Gronvold advised that this request was a result of recommendations by the Consultant Selection Committee for selection of Barr, Dunlop & Associates, Inc. to conduct the 1989 traffic study. In response to Mayor Putzell, Mr. Gronvold advised that source of funds could be found in the 1989 Capital Improvement Program (CIP). The Mayor asked if the firm could consider the Fifth Avenue South traffic problem as its first priority conditioned on establishing an office in Naples.

Referring to content and legality of the contract, City Attorney Rynders confirmed that he had indeed read and agreed with it.

MOTION: To APPROVE the resolution as presented.

*** **

Anderson-McDonald	X		X
Barnett			X
Crawford			X
Graver			X
Muenzer			X
Richardson	X		X
Putzell (7-0)			X

Anderson-McDonald			X
Barnett	X		X
Crawford			X
Graver			X
Muenzer			X
Richardson	X		X
Putzell (6-0)			X

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	

ITEM 19

---RESOLUTION NO. 88-5676 Item 19-a & 19-b

A RESOLUTION RANKING THE TOP FIRMS IN ORDER OF PREFERENCE TO PROVIDE ENGINEERING SERVICES FOR RENOVATION WORK ON THE STRUCTURAL SUPPORT SYSTEM OF THE NAPLES FISHING PIER; APPROVING A CONTRACT WITH THE TOP RANKED FIRM OF JAMES E. HIRST AND ASSOCIATES, INC.; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Services Director Holley advised that this request was a result of recommendations by the Consultant Selection Committee for selection of James E. Hirst and Associates, Inc. to provide engineering services for renovation work on the structural support system of the Naples Fishing Pier. In response to Councilman Crawford, Mr. Holley noted that the contract amount was for \$6,000.

Referring to content and legality of the contract, City Attorney Rynders confirmed that he had indeed read and agreed with it.

MOTION: To APPROVE the resolution as presented.

*** **

Anderson-McDonald X X
 Barnett X X
 Crawford X X
 Graver X X
 Muenzer X X
 Richardson X X
 Putzell X X
 (7-0)

ITEM 20

DISCUSSION/ACTION WITH REFERENCE TO LOCAL BILLS TO BE PRESENTED TO THE PUBLIC HEARING OF THE COLLIER COUNTY LEGISLATIVE DELEGATION.

City Manager Jones advised that the public hearing of the Collier County Legislative Delegation was to be held on November 30, 1988, relating to local bills. Staff has proposed a couple of items to be presented at this hearing: taxation relating to fire districts and some proposed language concerning water/sewer district agreements between municipalities. Council supported going forward with the aforementioned items to the Delegation.

No official action was taken concerning this item.

*** **

---RESOLUTION NO. 88-5677 ITEM 21

A RESOLUTION RESCHEDULING THE DECEMBER 21, 1988, REGULAR CITY COUNCIL MEETING TO DECEMBER 14, 1988, AT 9:00 A.M.; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To APPROVE the resolution as presented.

*** **

Anderson-McDonald X X
 Barnett X X
 Crawford X X
 Graver X X
 Muenzer X X
 Richardson X X
 Putzell X X
 (7-0)

COUNCIL MEMBERS

			VOTE	
M	S	23	A	
O	E		B	
T	C		S	
I	O		E	
O	N		N	
N	D		O	
	S		T	

CORRESPONDENCE AND COMMUNICATIONS:

Community Development Director McKim handed out a copy of the State's comments concerning the City's Comprehensive Plan. This item will come before Council once staff addresses the State's recommendations and comments. There will be a workshop with Council regarding the Plan after its December 7, 1988, regular meeting.

ADJOURN: 12:30 p.m.



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 _____.

SUPPLEMENTAL ATTENDANCE LIST

W. W. Haardt
Dennis Lynch
Lee Layne
Egon Hill
Kevin Hale
Brandon Mills, DVM
Gilbert Weil
Ray J. DeAngelis
Steven W. Casolini

Jack Sturgis
J. Dudley Goodlette
Robert Schroer
Wayne Martin
John Hobart
Glenn MacKay
Scott Salley
Bill Godley
Pamela S. Mackie

Robert Galloway
Attorney Don Pickworth
Willie Anthony
Ellin Goetz
Gregory C. Roberts
J. Sandy Scatena
Jack Barr
Rickey I. Sykes

Other interested citizens and visitors.

NEWS MEDIA

Lori Darvas, Naples Daily News
Kevin Gwin, WEVU-TV
Tim Hass, WBBH-TV

Stephen DiPietro, Palmer TV-10
Pat Wasson, WNOG

11/16/88



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 88-V25 and Rezone Petition 88-R15

Petitioner: Holland T. Salley (Kevin Hale, Agent)
 Location: 350 Fifth Avenue South

DATE: November 3, 1988

Request: This is a request for a variance from Section 12.A of the Zoning Ordinance, which requires a minimum of 40,000 square feet of land area to be considered for rezoning, in order to rezone a 31,000 square foot parcel from C1-A, Retail Shopping, and R3-12, Multifamily Residential, to "PD", Planned Development, in conjunction with a specific site plan for a branch office of Sun Bank, with drive-through bank teller facilities.

Background: The proposed site is currently two parcels, separated by an alley, which include: a commercial building and on-site parking, zoned C1-A, and an off-site parking lot to the south of the building, zoned R3-12. The placement of the drive-through kiosks in the off site parking lot would create a commercial use of the parking lot.

On September 1, 1988, the Planning Advisory Board heard a variation of this petition. The previous site plan noted the location of the drive-up windows in the parking lot to the west of the building with a curb cut on Fifth Avenue. PAB advised the petitioner to develop an alternate site plan without the curb cut on Fifth Avenue South and the public hearing was continued.

In 1982, the petitioner also requested a variance from the Zoning Ordinance and the expansion of a non-conforming use to allow the expansion of the commercial building by the construction of a two-story addition to the west side of the existing building. Staff and PAB

recommended denial of the petition, and Council denied the petition.

Issues: Under the City's interpretation, the parking lot to the south of the building is noncommercial. The current Comprehensive Plan's Future Land Use Element does not include the off-site parking lot within the ultimate limits of the Fifth Avenue South Shopping District. Drive-through facilities located in this parking lot would create a commercial parking lot and would require a Comprehensive Plan Amendment.

The current Plan and the proposed revision of the Plan state that financial institutions should be encouraged on Fifth Avenue. At this time, there is no mechanism to encourage these uses, since accessory drive-through facilities create special problems in redevelopment situations. The draft Plan also states that additional growth should be vertical, but adds that building heights should not be increased before the creation of an overall master development plan for the Fifth Avenue Shopping District.

The PD rezone affords the City control over the proposed redevelopment and any future development at that site. The zoning violations within the PD request are relatively minor in the context of impact to the Fifth Avenue Shopping District. These violations include: the parking lot plan to the west of the building does not meet Section 6.23.(G)(6) of the Zoning Ordinance which requires 24 feet for the access aisle; the parking lot does not comply with Section 17.(3)(a)6 which requires minimum landscaping of five (5) feet in dimension and thirty (30) square feet in planted area adjacent to interior property lines on any parcel providing off-street parking; the project has a parking deficiency of two (2) loading spaces and one (1) parking space; the existing two-story building on the northern parcel covers approximately 50% of the lot and Section 5.11(J) of the Zoning Ordinance permits a maximum lot coverage by all buildings in the "C1-A" district of 45%; and the westernmost kiosk encroaches into the side yard setback (abutting the adjacent parking lot), violating Section 5.6 F(2) of the Zoning Ordinance.

The Holland Salley furniture showroom is shown on the site plan, however, Sun Bank intends to move into that area at the end of the Holland Salley one year lease. This would be the second phase of the PD project, and create an additional shortage of parking spaces (3).

Staff Recommendation: Staff recommends conditional approval of Variance Petition 88-V25 and Rezone Petition 88-R15 with the stipulation that the following conditions be met:

- A. Revision to the proposed draft of the Comprehensive Plan which includes the following language:

"The City recognizes that the parking areas directly south of the 300 block of Fifth Avenue South are tied to the adjacent commercial uses. Since their uses as parking lots must remain to fill the parking requirements of the adjacent commercial areas, a residential zoning designation appears inappropriate. However, the existence of single family zoning, R1-7.5, on the southern boundary of the parking lots creates a sensitive land use issue. In recognizing the need to protect the residential neighborhood and the necessity for the parking areas, the City recommends that the portion of this block zoned R3-12 be rezoned to C1-A to acknowledge the connection to Fifth Avenue commercial area.

"The uses in this area shall be limited to the existing uses and to accessory uses which are subordinate to the adjacent commercial uses and which are small scale in nature and compatible with the adjacent residential neighborhood. The existing uses are non-commercial parking areas, which serve the Holland Salley Building and the Landmark Building, and a motel. A drive-through bank facility is approved for the parking lot parcel adjacent to the Holland Salley Building. All new development will be tightly controlled through the General Development and Site Plan review and approval process. Any proposed development must demonstrate that it will be compatible with the adjacent residential area and that it has mitigated any potential negative impacts. Since traffic on the alley must contend with the narrow width of the alley adjacent to the motel, any redevelopment of the motel site should include provisions to widen the alley."

- B. The Future Land Use Map shall be revised to designate this area as Limited Commercial.
- C. No Certificate of Occupancy shall be permitted before the revised Comprehensive Plan is adopted.
- D. Northernmost 10 feet of the off-site parking area shall be dedicated to the City as a public alley. This alley will be one-way, eastbound.

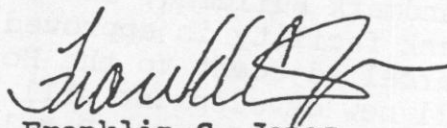
- E. A landscaped buffer is necessary along the residential boundary of Sixth Avenue South. Landscaping also is required within the parking area and adjacent to the west and east property lines. The landscaping plan submitted for approval and implemented must meet the Zoning Ordinance requirements. In addition, staff recommends that the plan be a best effort in quality and quantity of plant material to provide the best site design and to limit the impact on the adjacent residents.

In summary, Staff concludes that although the revised Comprehensive Plan proposes research and changes relating to the Fifth Avenue Shopping District, there is no policy available at this time to approve this petition unless the referenced conditions are met. A "PD" designation affords the City more control in the creation of a development which is beneficial to the area as well as the entire City. Staff feels strongly that meeting the prescribed conditions would be the only way an approval could be recommended.

Public Input: There was no public input at this time.

PAB Vote/Comments: After discussion on the specific details of this request, the Planning Advisory Board unanimously recommended approval of Variance Petition 88-V25 and Rezone Petition 88-V15 with the conditions recommended by staff.

Respectfully submitted,



Franklin C. Jones.
City Manager

Prepared by: Trish Heinonen
Trish Heinonen, Planner II

Reviewed by: Missy McKim
Missy McKim, Community Development Director

City Council MEETING - WEDNESDAY, NOVEMBER 16, 1988

For the record: My name is J. Sandy Scatena and I reside at 2990 Pinnacle Driv. I want to thank you, Mr. Mayor for making it possible for concerned citizens like myself to review the City Council Agenda and Packet at the Public Library in the City of Naples. In my case, it is more convenient for me to go there than to City Hall when I need copies of certain Agenda Items. Also, the Library charges 10¢ per page while the City Clerk charges 15¢ per page.

Mr. Mayor and members of the City Council. As a concerned citizen and established member of the business community - owner for the past 13 years of a women's apparel shop - Clothes Rack on 5th Avenue So., I am here today at this Public Hearing to discuss the first reading of these Ordinances 17A and 17B. However, these ordinances 17A and 17B as presently written are illegal. Therefore, before you, Mr. Mayor and the City Council continue to consider passing these ordinances, I respectfully request that you correct these ordinances to make them legal. I was extremely surprised, shocked and disappointed that you, Mr. Mayor, the Vice Mayor and other members of the City Council did not see these egregious mistakes when you reviewed these Ordinances 17A and 17B before the start of this Regular City Council meeting today, Wednesday, November 16, 1988. I truly hope that in the future, a more careful review will be given to proposed ordinances by our City Attorney, Mr. Pynders, the City Manager, Mr. Jones, before they are presented to the public.

Fortunately, Mr. Mayor, you and the members of the City Council can now correct these mistakes before you pass these Ordinances 17A and 17B at this First Advertised Public Hearing.

I will now place into the record of this Public Hearing the following Exhibits to support the statements that I have just made. NO. 1
A 2 page Memo from City Manager Franklin C. Jones dated November 10, 1988, Subject: Annexation Referenda in which our City Manager recommends that the City Council Approve the attached Ordinances 17A and 17B on the First Reading
and Exhibit NO. 2 and Exhibit NO. 3 - the first pages of Agenda Item 17A and 17B dated November 16, 1988 - Section 3 - which state that A referendum election shall be held on March 7, 1988 to determine whether or not their Area shall be Annexed to the City of Naples. Simply stated Mr. Mayor and Council Members, Section 3 makes this proposed Ordinance illegal, as it is impossible to hold a referendum election on March 7, 1988.

AGENDA ITEMS #17-a & 17-b

11/16/88



City of Naples

Exhibit NO. 1

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: ANNEXATION REFERENDA

DATE: NOVEMBER 10, 1988

BACKGROUND: For some time now we have been working on our annexation program in order to have all the necessary data and reports ready to support a vote on sections within our proposed annexation area.

At last week's workshop we discussed the existing plan for the future development of the Gulf Shore Boulevard, North, area that is not now within the City. We have had very strong expressions of interest from residents within that area and the first of the two ordinances you will consider would schedule a vote on that annexation.

Defining the other areas to be scheduled for vote has been a little more of a dilemma. We have had requests from neighborhoods throughout those areas and have also been conducting discussions with larger property owners concerning voluntary annexation or development agreements for their properties.

ANALYSIS: Because of the widespread support, and because the mechanics of the State Statutes for scheduling elections on these areas might make it difficult to progress in an orderly manner over a period of years, I am recommending to the Council that we schedule a referendum for the balance of the annexation area exclusive of Gulf Shore Boulevard, North, and the small section near Royal Harbor that was being considered.

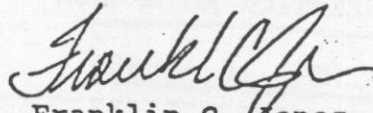
This seems to be the best strategy for the City in implementing our annexation policy and would be the most efficient use of our resources in developing the information for property owners and in developing an effective plan for the City to begin providing services in the annexation areas.

Mayor and Council
November 10, 1988
Page 2

CONCLUSIONS & RECOMMENDATIONS: We are bringing these ordinances to you now because certain notice requirements for various activities specify as much as 90 days before the election, which we have tentatively set for March 7. Work by the people from the FAU/FIU Joint Center is proceeding on schedule and we should have information on the fiscal impact of the annexations in time to be considered at the second reading of these ordinances.

→ I recommend, therefore, that the Council approved the attached ordinances on First Reading.

Respectfully submitted,


Franklin C. Jones
City Manager

FCJ/tan

ORDINANCE NO. _____

AN ORDINANCE PROPOSING THE ANNEXATION OF PARK SHORE UNITS 2 AND 5 NORTH TO A LINE EXTENDING PINE RIDGE ROAD WEST TO THE GULF, MORE PARTICULARLY DESCRIBED HEREIN; AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; PROVIDING FOR A REFERENDUM OF SAID ANNEXATION ON MARCH 7, 1989; PROVIDING FOR A BALLOT QUESTION; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO ANNEX PARK SHORE UNITS 2 AND 5 NORTH TO A LINE EXTENDING PINE RIDGE ROAD WEST TO THE GULF TO THE CITY OF NAPLES AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY.

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

SECTION 1. That Park Shore Units 2 and 5 north to a line extending Pine Ridge Road west to the Gulf, more particularly described in the attached Exhibit "A", is hereby annexed to the City of Naples, and Section 1.2 of the Charter of the City of Naples is hereby amended to read as follows:

Sec. 1.2 BOUNDARIES.

The boundaries of the city hereby shall be as follows:

(see Exhibit "B" attached hereto and incorporated herein).

SECTION 2. This ordinance shall not take effect until approved by the separate vote of the registered electors of the City of Naples and the area proposed to be annexed.

SECTION 3. A referendum election shall be held on March 7, 1988 to determine whether or not their area shall be annexed to the City of Naples.

SECTION 4. The result of such election shall be determined by a majority of the qualified electors in the City of Naples and the area proposed to be annexed.

SECTION 5. Mail ballots are hereby authorized for such election, pursuant to Sections 101.6101 through 101.6107, Florida Statutes, and the ballot title shall appear on the official ballot in the following form: .

Annexation of Park Shore Units 2 and 5:

For annexation of property described in ordinance number 88-_____ of the City of Naples. _____

Against annexation of the property described in ordinance number 88-_____ of the City of Naples. _____

SECTION 6. Absentee paper ballots may be used by qualified electors of the City of Naples for voting on this question for any reason set forth and prescribed in the Florida Statutes. The form of such absentee ballot shall be in accordance with the requirements prescribed by the election laws of Florida and shall have printed thereon the substance hereinabove set forth.

ORDINANCE NO. _____

AN ORDINANCE PROPOSING THE ANNEXATION OF AREAS 3 THROUGH 9 AS OUTLINED ON THE ATTACHED EXHIBIT "A", SAID AREA BEING BOUNDED ON THE NORTH BY SEAGATE DRIVE AND PINE RIDGE ROAD, BOUNDED ON THE EAST ALONG AIRPORT-PULLING ROAD, BOUNDED ON THE SOUTH BY THE GOLDEN GATE CANAL, FOLLOWING THE GORDON RIVER SOUTH TO THE CITY BOUNDARY, MORE PARTICULARLY DESCRIBED HEREIN; AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; PROVIDING FOR A REFERENDUM OF SAID ANNEXATION ON MARCH 7, 1989; PROVIDING FOR A BALLOT QUESTION; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO ANNEX AREAS 3 THROUGH 9 AS OUTLINED ON THE ATTACHED EXHIBIT "A", AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY.

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

SECTION 1. That areas 3 through 9 as outlined on the attached Exhibit "B", said area being bounded on the north by Seagate Drive and Pine Ridge Road, bounded on the east along Airport-Pulling Road, bounded on the south by the Golden Gate Canal, following the Gordon River south to the City boundary, more particularly described in the attached Exhibit "B", are hereby annexed to the City of Naples, and Section 1.2 of the Charter of the City of Naples is hereby amended to read as follows:

Sec. 1.2 BOUNDARIES.

The boundaries of the City hereby shall be as follows:

(see Exhibit "C" attached hereto and incorporated herein).

SECTION 2. This ordinance shall not take effect until approved by the separate vote of the registered electors of the City of Naples and the area proposed to be annexed.

SECTION 3. A referendum election shall be held on March 7, 1988, to determine whether or not their area shall be annexed to the City of Naples.

SECTION 4. The result of such election shall be determined by a majority of the qualified electors in the City of Naples and the area proposed to be annexed.

SECTION 5. Mail ballots are hereby authorized for such election, pursuant to Sections 101.6101 through 101.6107, Florida Statutes, and the ballot title shall appear on the official ballot in the following form:

Annexation of areas 3 through 9:

For annexation of property described in ordinance number 88-_____ of the City of Naples. _____

Against annexation of the property described in ordinance number 88-_____ of the City of Naples. _____

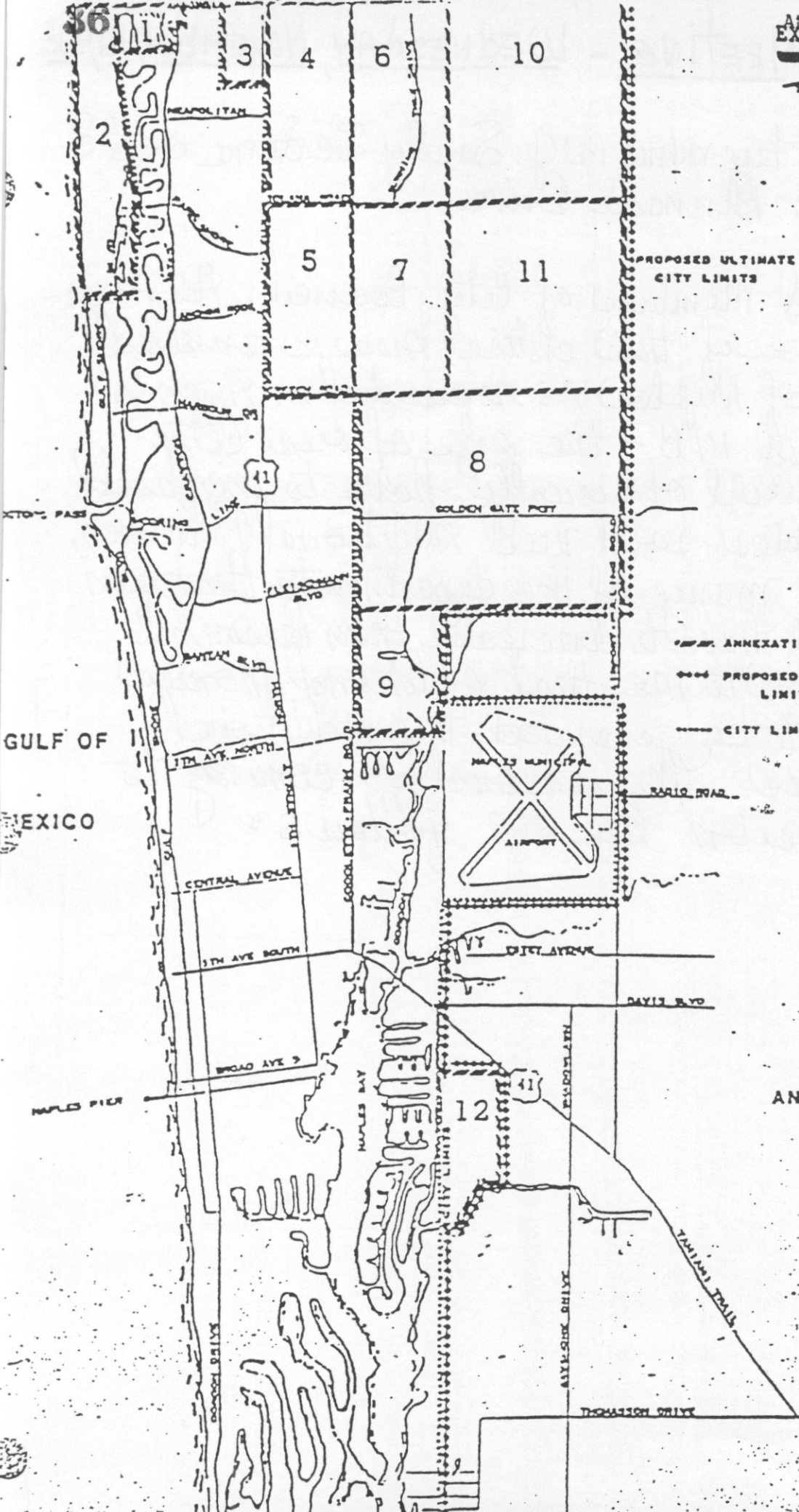
SECTION 6. Absentee paper ballots may be used by qualified electors of the City of Naples for voting on this

CITY COUNCIL MEETING - WEDNESDAY, NOVEMBER 16, 1994

For the record: My name is J. Sandy Scotena and I reside at 2990 Dunwoode Drive.

Mr. Mayor and Members of City Council: As a concerned citizen - if this entire area is annexed into the City of Naples as requested in Agenda Items 17A and 17B - the size of our City Government will obviously have to increase. The City of Naples will need additional Policemen, Firemen and many of the departments that run our City will have to increase their personnel. Thus, it seems to me, that additional monies will have to be generated by additional property taxes. My reasons for coming to this conclusion are as follows:

EXHIBIT NO. 4



ANNEXATION STUDY AREAS
 PROPOSED ULTIMATE CITY LIMITS
 CITY LIMITS

CITY OF NAPLES ANNEXATION STUDY MAP

