Regular Meeting 03/01/89

City Council Chambers 735 Eighth Street South Naples, Florida 33940



| City of Chapties | | | |
|--|-------------|--|-----------------------|
| -SUBJECT- | Ord. No. | Res. No. | Page |
| ANNOUNCEMENTS: MAYOR PUTZELL: Welcomed all the citizens in attendance and reviewed Council's meeting procedures. CITY MANAGER JONES: Announced that the City had implemented its second phase of recycling and that the State had approved the City's Comprehensive Plan. | | | 1 |
| APPROVAL OF MINUTES: February 8, 1989, Neighborhood Town Meeting February 15, 1989, Regular Meeting | | | 1 |
| PURCHASING: -APPROVE purchase of various automobiles and trucks. -BID AWARD for one 24-hp tractor with reel mower, Community Services -BID AWARD for light duty road maintenance grader, Engineering. -APPROVE contract with McDonnell Douglas Computer to upgrade Police Department computer. | | 89–5755 89–5756 89–5757 89–5758 | 2 2 2–2 3 |
| RESOLUTIONS: -TABLE a dredge and fill request to dredge an access channel, Harbour Head. -APPROVE Interlocal Agreement for DRI reviews and issuance of building permits. -APPROVE Avion Park Assessment District for street paving. -APPROVE ranking top firms for renovation of Fire Station #2, award to John Hobart, P.A. | | 89 89-5759 89-5760 | 3-4 15 15 16 |
| ORDINANCES - First Reading: -APPROVE zoning amendments to Appendix "A" of the Code. -DENY rezone and Development Order for the Collier DRI. | 89 89 | | 7∸8 8–14 |
| ORDINANCES - Second Reading: -ADOPT voluntary annexation of identified property to the City and amend Section 1.2 of the Charter. | 39-5766 | | 4− € |
| DISCUSSION/ACTION: -APPROVAL of Implementation Recommendations in conjunction with the Corridor Management Study. | | | 14-1 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

City Council Chambers 735 Eighth Street South Naples, Florida 33940



CITY COUNCIL MINUTES
Regular Meeting

rime 9:05. a.m.

Date 03/01/89

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

M S ROLL CALL: Fresent: Edwin J. Putzell, Jr., ITEM 2 0 Mayor T C S I 0 E Kim Anderson-McDonald COUNCIL 0 E N NN William E. Barnett MEMBERS N S D 0 T Alden R. Crawford, Jr. John T. Graver Paul W. Muenzer Lyle S. Richardson, Councilmen Also Present: Franklin C. Jones, Christopher L. Holley, City Manager Community Services Dir. Steven R. Ball, David W. Rynders, . City Attorney Chief Planner Stewart K. Unangst, Mark W. Wiltsie, Assistant City Manager Furchasing Agent James L. Chaffee, Gerald L. Gronvold, City Engineer Utilities Director Ann "Missy" McKim Patricia "Trish" Heinonen, Com. Development Dir. Planner II Norris C. Ijams, Jon C. Staiger, Ph.D., Fire Chief Natural Resources Mgr. Susan Golden, Linda Cote, Planning Technician Secretary II Jodie M. O'Driscoll, George Henderson, Deputy Clerk Sergeant-At-Arms See Supplemental Attendance List - Attachment #1. Reverend Robert G. Bruce, Jr. East Naples United Methodist Church. ANNOUNCEMENTS: ITEM 3 MAYOR PUTZELL: Welcomed all the citizens in reviewed Council's attendance and meeting procedures. CITY MANAGER JONES: Announced that the City implemented its second phase of recycling utilizing the same procedures for newspapers. the day designated for horticultural service, sanitation workers will als clipping also packaged aluminum cans. Staff has received word from the State that the City's Comprehensive Plan has received final approval. Mr. Jones then commended those participated in this process. ---CONSENT AGENDA----APPROVAL OF MINUTES ITEM 4 February 8, 1989, Neighborhood Town Meeting February 15, 1989, Regular Meeting

-1-

. I C 28 COUNCIL O N E N MEMBERS N D S O

PURCHASING

ITEM 5

---RESOLUTION NO. 89-5755

Item 5-a

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS AUTOMOBILES AND TRUCKS FOR THE CITY OF NAPLES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Autos and trucks Various vendors \$277,193.27 (Total exp.)

Title not read.

Councilman Graver referred to the staff memorandum, dated February 14, 1989, which indicated on some of these purchases that funding would be procured from anticipated CIF (Capital Improvement Program) surplus funds and asked how these amounts were determined. City Manager Jones advised that several of the vehicles purchased were less expensive then expected and, therefore, created an excess of monies. If the City should exceed total amounts budgeted in the CIP, it will bring a future recommendation to Council for transfer of monies from the Contingency Fund.

The vehicles which are not used elsewhere in the fleet or traded are then held for auction by the City.

In response to Mr. Muenzer, Purchasing Agent Unangst advised that all bids were awarded to the vendor who met or exceeded City specifications.

---RESOLUTION NO. 89-5756

Item 5-b

A RESOLUTION AWARDING CITY BID NO. 89-38 FOR ONE (1) 24-HORSEPOWER TRACTOR WITH REEL MOWER FOR THE COMMUNITY SERVICES DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Neff Machinery, Inc. Ft. Myers, Florida \$15,580.50

Title not read.

---RESOLUTION NO. 89-5757

Item 5-c

A RESOLUTION AWARDING CITY BID NO. 89-41 FOR A LIGHT DUTY ROAD MAINTENANCE GRADER TO BE PURCHASED BY THE ENGINEERING DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

City Council Minutes 0 0 NEN COUNCIL. N DISO MEMBERS T H. F. Mason Equipment Corp. Ft. Myers, Florida \$36,131.00 Title not read. ******* ---RESOLUTION NO. 89-5758 Item 5-d A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MCDONNELL DOUGLAS COMPUTER SYSTEMS COMPANY UPGRADE COMPONENTS OF THE POLICE DEPARTMENT COMPUTER; AND PROVIDING EFFECTIVE DATE. McDonnell Douglas Computer Systems, Inc. Ft. Lauderdale, Florida \$36,173.00 Title not read. In response to Councilman Graver, City Manager Jones Andersonexplained that this upgrade was anticipated and would increase the programs' speed including CAD McDonald XX Barnett X X (Computer Aided Dispatch). The recommended vendor Crawford X is the sole source for this additional software. Graver X Muenzer MOTION: To APPROVE the Consent Agenda as presented. Richardson X Putzell X (7-0)----END CONSENT AGENDA---------ADVERTISED PUBLIC HEARINGS-------RESOLUTION NO. 89-ITEM 6 A RESOLUTION AUTHORIZING A DREDGE AND FILL REQUEST TO DREDGE AN ACCESS CHANNEL INTO THE MOUTH OF HARBOUR HEAD, A WATERWAY BETWEEN NELSON'S WALK AND ADMIRALTY PARADE, PORT ROYAL; AND PROVIDING EFFECTIVE DATE. Title read by City Attorney Rynders. PUBLIC HEARING: Opened: 9:13 a.m. Closed: 9:25 a.m. Natural Resources Manager Staiger explained that this request was to dredge an access channel from an existing dock to the mouth of Harbour Head to accommodate a 93-foot yacht. The channel's depth ranges from six feet at the mouth to greater than seven feet as you travel westward. Staff has recommended approval of the request inasmuch as this dredging would help flush the waterway and improve its water quality. Engineer William J. Johnson, representing petitioner, advised that spoils from this activity would be placed on vacant lots upland from the dredging; however, if the seawall dikes were topped, dredging activities would cease until the water had evaporated.

| CITY OF NAPLES, FLORIDA City Council Minutes Date 03/01/89 | | М | SE | 2 | 2 |
|--|---|------|----|------------------|--------|
| City Council Fillaces Date 05/01/05 | | T | CO | Y | |
| | COUNCIL MEMBERS | 0 10 | ND | E | N O |
| r | HEMBERS | | | | Ĕ |
| In response to Councilman Richardson, Dr. Staiger noted that adjacent property owners were aware of this request through the public notice process. | | | | | |
| Mr. Graver then asked if any samples of the spoil had been taken and, if so, what type material it consisted of. Engineer Johnson noted that it was largely a sandy, shell material. In response to Mayor Putzell, Dr. Staiger advised that affirmation by the City was indeed a prerequisite for State approval in such requests. | | | | | |
| Citizen Edwin Williams spoke in opposition to the request and said he did not believe a 100-foot wide channel sufficient to house such a large vessel. The yacht captain would have to either back the boat into the dock area or back it out, either way would impede progress of other vessels. Councilman Graver expressed concern about the boat's stern position when it is moored and if it would obstruct the ingress or egress of other vessels. Mayor Putzell said that Council and staff should be provided more information before it's asked to make such a determination. | Anderson- McDonald Barnett Crawford | х | x | xxx | |
| MOTION: To TABLE the resolution indefinitely to allow the petitioner opportunity to provide more project details to Council. | Graver Muenzer Richardson Putzell (7-0) | | | X X X X | |
| *** *** | | | | | |
| <u>ORDINANCE NO. 89-5766</u> | | | | | |
| AN ORDINANCE AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, RELATING TO THE BOUNDARIES OF THE CITY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ANNEX THE IDENTIFIED PROPERTY TO THE CITY OF NAPLES AT THE REQUEST OF THE PROPERTY OWNERS AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY. | | | | | |
| Title read by City Attorney Rynders. | | | | | |
| PUBLIC HEARING: Opened: 9:30 a.m. Closed: 10:54 a.m. | | | | | |
| City Attorney Rynders advised that at the first reading of this ordinance several parcels were withdrawn and the legal description had to be amended. He further noted that DeVoe Cadillac had not signed its Voluntary Annexation Agreement and was, therefore, not included. | | | | | |
| Councilman Muenzer expressed his desire to discuss each parcel individually. However, the City Attorney advised that should one or more of these parcels be taken out of this document and discussed separately, there was no vehicle before the Council by which to approve them. | Anderson- McDonald Barnett Crawford | | | | |
| Mr. Muenzer moved to discuss the Fleischmann properties separately. This motion was seconded by Councilman Graver. The motion failed by a vote of (2-5). | Graver Muenzer Richardson Putzell (2-5) | x | 3 | × | |
| Chief Wayne J. Martin of the East Naples Fire Department and the Department's attorney, Paul | | | | | |
| -4- | | | | | |
| | | | 1 | | |

Nuckolls presented each member of Council with a map to indicate a possible enclave which approval of these voluntary annexations might create. The Wilderness Country Club, currently partly in the East Naples Fire District, would create an enclave (which is illegal and against the basic policy of the State of Florida) if the Fleischmann property were voluntarily annexed into the City, Attorney Nuckolls contended. East Naples Fire Department would have to enter the City limits in order to service a call at the Wilderness Country Club. City Attorney Rynders, however, disagreed and said that presently they use Goodlette Road to access this area and in his opinion did not believe an enclave would be created. (See Attachment #2)

Citizen J. Sandy Scatena spoke in opposition to the ordinance and said he believed this should be sent via referendum for citizen approval. He then entered several items into the record herein included as Attachment #3. Mr. Scatena referred to 1986 building height discussions wherein Council approved a limitation on such elevations and said he believed if that issue had gone to referendum, these development agreements would not be able to exceed the 35-foot height limitation. Referring to Councilman Muenzer's position regarding the Fleischmann properties, Mr. Scatena said that he fully supported Mr. Muenzer in this matter.

Councilman Crawford took exception to Mr. Scatena's remarks regarding height limitation and also comments regarding Council's approval of the development agreements. He said that if these parcels did not agree to the requirements in those agreements and were developed according to County Code, there could be up to 35 acres of heavy commercial use and increased density with a decrease in the required setback and landscaping requirements.

Referring to both City and County Comprehensive Plans, Councilman Muenzer cited several excerpts from those documents (copies of which can be reviewed from the meeting packet in the Office of the City Clerk). He again asked that discussion regarding the Fleischmann properties be considered separately. The City's Comprehensive Plan provides that property zoned A-2 be rezoned to the newly created district, RE (rural estates), not the proposed commercial, residential mixed use as outlined in the development agreement, he said.

The City currently has 437 acres of commercial property, Mr. Muenzer said, and when this property is added at the proposed rezoning it would increase that amount considerably. He reiterated his position that these properties should come into the City designated RE as outlined in the adopted Plan. By adopting this ordinance, Mr. Muenzer continued, the City would not be in compliance with its current Comprehensive Plan.

Mr. Muenzer again asked Council to remove these properties from the voluntary annexation ordinance and consider any rezone request through the established City procedures.

| City Council Minutes Date 03/01/89 | COUNCIL MEMBERS | M O T I O N | ECOND | 2 Y E S | - 1 |
|--|---|----------------------------|-------|------------------|-----|
| Community Development Director McKim reviewed the procedures used thus far in establishing policies within the Comprehensive Plan confines. The development agreements submitted for Council's approval were thoroughly examined by staff and studied as to possible compatible uses to adjacent properties. She then distributed maps indicating existing and proposed uses for the Fleischmann and surrounding properties (Attachment #4). Referring to the map (Attachment #4), Mayor Putzell asked if there was commercially zoned property west of the Wilderness Golf Course along Goodlette Road. Mrs. McKim confirmed that there was and noted the commercial zoning in that area was part of an existing PUD (planned urban development). The conceptual plan, submitted by the Fleischmann interest, for an activity center is the type use recommended in the R/UDAT report for this particular area. It would decrease the commercial concentration on the property as well as density. At Mayor Putzell's request, Mrs. McKim detailed the proposed site plan for the Fleischmann properties as fully outlined on Attachment #4. She then pointed out that staff will have the opportunity to review and approve a GDSP (general development site plan) | | | | | |
| City Attorney Rynders spoke to the issue regarding this property's current zoning and advised that once it voluntarily annexes into the City, the property taxes would increase considerably because of the previously approved development agreement. The County has historically approved every commercial zoning request brought before it, Mr. Rynders noted. Councilman Crawford said that while he originally opposed this development agreement, he believed it would help to monitor the type use and density of those properties. The purpose of annexation, he said, is to allow the City to maintain a greater control over what is developed in and near its boundaries. Mr. Richardson concurred and said that staff would be required to review the GDSP and, | | | | | |
| should it not meet with its approval, can ask for revisions prior to final approval. Referring to his earlier statements, Councilman Muenzer reiterated his position and said he did not believe Council was complying with its adopted Comprehensive Plan if it permitted these properties to voluntarily annex into the City as proposed. Mayor Putzell asked legal counsel if the City was indeed violating its Comprehensive Plan by approving the voluntary annexation of these properties. City Attorney Rynders said it was his opinion that Council would not be violating its Plan nor creating an inconsistency as previously stated. | Anderson- McDonald Barnett Crawford | x | | XXXX | X |
| MOTION: To ADOPT the ordinance as presented at second reading. *** END ADVERTISED PUBLIC HEARINGS | Graver Muenzer Richardson Putzell (6-1) | | X | X | X |
| - 6- | | | | | |

CITY OF NAPLES, FLORIDA City Council Minutes Date 03/01/89 0 T 0 NEN N COUNCIL 0 N s o MEMBERS D T COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD

----FIRST READINGS----

--- ORDINANCE NO. 89-

ITEM 8

AN ORDINANCE AMENDING APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES BY AMENDING SECTION 3F, PROPERTY IN TWO ZONING DISTRICTS, BY PROVIDING FOR THE APPLICATION OF THE MOST RESTRICTIVE REGULATIONS WHERE PROPOSED DEVELOPMENT CROSSES A ZONE LINE; BY CREATING SECTION 5.1A "RE", RURAL ESTATES DISTRICT; BY CREATING SECTION 5.4A "R3-6", MULTIFAMILY DISTRICT; BY AMENDING SECTION 5.5 "R3-12", MULTIFAMILY DISTRICT, TO DELETE LANGUAGE IN SUBSECTION D; AMENDING DELETE LANGUAGE IN SUBSECTION D; AMENDING SECTION 5.10 "HC", HIGHWAY COMMERCIAL DISTRICT, BY ADDING A CONDITIONAL USE; AMENDING SECTION 5.11 "C1", RETAIL SHOPPING DISTRICT, SUBSECTION A, BY DELETING "ACCESSORY TO AND"; FROM SUBSECTION C; AMENDING SECTION 5.12 "C1-A", RETAIL SHOPPING DISTRICT, SUBSECTION A, BY REVISING THE DESCRIPTION OF THE CITY'S COMMERCIAL CORE, AND SUBSECTION C, BY DELETING "ACCESSORY TO AND"; AMENDING SECTION 5.21 "PS", PUBLIC SERVICE DISTRICT, BY ADDING TO SUBSECTION H. MAXIMUM HEIGHT, A PROVISION FOR EXTRA HEIGHT BEING APPROVED AS A CONDITIONAL USE FOR CERTAIN BUILDINGS; CREATING SECTION 5.22 "C", CONSERVATION ZONING DISTRICT; AMENDING SECTION 6.3 ANNEXED TERRITORY, BY PROVIDING A TABLE FOR CLASSIFYING ANNEXED PROPERTY; AMENDING SECTION 6.8, DENSITIES, MAXIMUM FERMITTED, SUBSECTION A, RELATING TO "R3-6", ZONING DISTRICT DENSITIES; AMENDING SECTION 6.8, DENSITIES, MAXIMUM PERMITTED, SUBSECTION D, DEFINING DENSITY; AMENDING SECTION 6.15 HEIGHT REQUIREMENTS, EXCEPTIONS THERETO, BY ADDING LANGUAGE RELATING TO RELIGIOUS SYMBOLS; ADDING TO SECTION 6.18, LOT COVERAGE, MAXIMUM PERMITTED, SUBSECTIONS A AND C, WITH LANGUAGE RELATING TO DISTRICT "R3-6," ADDING TO SECTION 6.18, LOT COVERAGE, MAXIMUM PERMITTED, A NEW PARAGRAPH (E) RELATING TO PUBLIC PARKING GARAGES; AMENDING SECTION 6.23(I)(10), PAR REQUIREMENTS FOR MEDICAL OFFICES CLINICS, BY DELETING THE FORMULA DOCTORS' PARKING; AMENDING SEC 6-23(I)(11), PARKING REQUIREMENTS PARKING MULTIFAMILY DWELLING UNITS BY ADDING THE "R3-6" ZONING DISTRICT; AMENDING SECTION 6.29, SIDEWALKS REQUIRED, BY ADDING AN OPTION FOR DEVELOPERS TO CONTRIBUTE TO THE SIDEWALK PROGRAM; AMENDING SECTION 6.30, SIGNS, SUBSECTION (B)(2), ROOF SIGN, BY CHANGING THE DEFINITION OF ROOF SIGN, ADDING SUBSECTION (B)(2.1) PROVIDING FOR A DEFINITION OF ROOFLINE, AMENDING SUBSECTION (C) (4) TO INCREASE CONTROL OF SIGNS IN COMMERCIAL DEVELOPMENTS, AND

| City Council | Minutes Date <u>03/01/8</u> | | COUNCIL MEMBERS | M O T I O N | SECOND | 2 Y E S | 8 z o |
|---|---|--|---|----------------------------|--------|-------------|----------|
| THE ZONING SECTION 6 ENCLOSURES THE "RE", I SECTION 6.4 ADDING BE CANTILEVERE DEFINITIONS DEFINING (EFFECTIVE I CLARIFY CEE CODE PURSUE BY THE STAF PLANNING AI Title read by C: Community Develomost of the iter housekeeping nate added as a (rural estates) changes were af Comprehensive P Local Businessmareview each ite citizens' benef out that this i earlier public and advised Mr. that meeting. I for specific que Herms declined | S.32, SWIMMING POOLS , SUBSECTION (A), BY EXCLU RURAL ESTATES DISTRICT; AMER 41(A), YARDS: ENCROACHMENTS AY WINDOWS, TRELLISES ED AWNINGS; AMENDING SECTION CLUSTERS; AND PROVIDING DATE. PURPOSE: TO AMEND RTAIN PROVISIONS OF THE ZG ANT TO THE ANNUAL REVIEW THE FF AND THE RECOMMENDATION OF DVISORY BOARD. ity Attorney Rynders. comment Director McKim explains in this Code amendment of ture. There are two new directly of annexation, she and R3-6. The remainder fected by Council's adoptic | NDING AND UDING NDING S, BY AND N 16, 11.1, AND ONING EREOF F THE ined of the were of the said, RE r of the on of the t for inted epth at an 22, 1789, attended Mr Herms ess. Mr. ones then | | | | | |
| identifies each from the City C Citizen J. Sand the record her specifically of developers to should the require no viable connection should Scatena said. recommendation approval at fire MOTION: To APP | and every change, could be lerk's Office or the public of Scatena presented some expended as Attachment proposed the section which pay into a sidewalk/biker ired sidewalk for their proposed. Annual rises in the document of the taken under considera Staff, however, supposend asked Council to | obtained library. hibits for #5. He allowed path fund ject make e cost of tion, Mr. rted its consider | Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0) | > | х | X X X X X X | |
| ORDINANCE NO | | ITEM 9 | (7-0) | | | | |
| APPROXIMATI DANFORD STI EAST SIDE (EASTERN C DESCRIBED FAMILY RES | CE REZONING A PARCEL OF ELY 50. ACRES LOCATED SOUTH REET AND BAYVIEW PARK AND OF NAPLES BAY EXTENDING TO ITY LIMITS, MORE PARTICU HEREIN, FROM "R1-15", S | H OF THE THE LARLY INGLE ANNED | | | | | |
| REZONING; CONJUNCTIO | | S IN IONAL | | | | | |

| SIGNIFICANT ENVIRONMENTAL IMPACT ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AT THE REQUEST OF THE PROPERTY OWNER; TO APPROVE DEVELOPMENT ORDERS FOR DREDGING MARINA ACCESS CHANNELS AND DEVELOPMENT OF PARK SITES AND ENVIRONMENTAL MONITORING AND MITIGATION PLANS. tle read by City Attorney Rynders. Recessed: 11:12 a.m. Reconvened: 11:23 a.m. Recessed: 1:25 p.m. Reconvened: 1:37 p.m. Closed: 2:40 p.m. | MEMBERS | N | 5 | S | 0 | T |
|---|---------|---|---|---|---|---|
| BLIC HEARING: Opened: 11:00 a.m. Recessed: 11:12 a.m. Reconvened: 11:23 a.m. Recessed: 1:25 p.m. Reconvened: 1:37 p.m. | | | | | | |
| Recessed: 11:12 a.m. Reconvened: 11:23 a.m. Recessed: 1:25 p.m. Reconvened: 1:37 p.m. | | | | | | |
| F. I. | | | | | | |
| ty Attorney Rynders reviewed the requirements for blic hearings relating to DRI (Development of gional Impact) applications. Mayor Putzell then mmarized Council's procedures for speaking and ted that the Sergeant-At-Arms was responsible for ming the proceedings. He also asked speakers not be redundant. | | | | | | |
| terprises, Inc., said he believed the proposed llages of Sabal Bay would offer the City and unty solutions to their growth problems by eating additional docking facilities. In dition, this project would also help with existing coding experienced adjacent to these properties. bal Bay is a well-planned project which takes nservation of the environment seriously, Mr. llier said. | | | | | | |
| yor Putzell noted at this point that it was cumbent upon the petitioner to prove that facts esented at this proceeding were accurate and ough to warrant approval. | | | | | | |
| . Cliff Barksdale, Vice-president of Development r Collier Enterprises, Inc., reviewed his support aff's credentials, those who have worked ligently on this project for the past four years. then showed two video presentations which tailed the project and reported estimated growth the waterways. | | | | | | |
| ter the video presentation, Mr. Barksdale ntinued by noting that the developer had agreed to nate 940 acres to the State's Natural Preserve d, additionally, would provide three waterfront rk sites open to the public. The developer has rther agreed to provide three boat slips for law forcement agencies' use, City, County and State. Barksdale then presented a package of proximately 76 letters to the Clerk for inclusion the record (copies of which can be reviewed from e meeting packet in the Office of the City Clerk). | | | | | | |
| mmunity Development Director McKim reviewed the story of this project originally submitted in 1986 d continued by the Planning Advisory Board (PAB) bruary, 1987. Since that time, the developer has configured the marina entrance channels and searched alternative sites for the marina. After | | | | | | |

| | CITY OF NAPLES, FLORIDA | | | | - | -1 | |
|--------------------------|---|--------------------|-------------|-------------|--------|----|--------|
| | City Council Minutes Date 03/01/89 | | M O T | S E C | 2 Y | 9 | SE |
| | | COUNCIL MEMBERS | 0 N | N D | E S | | N T |
| Terret seed of the total | careful consideration, both the staff and PAB have recommended approval of this project. | | | | | | |
| | Natural Resources Manager Staiger then briefly reviewed the site using visual display boards and showed where the proposed channels would be placed. The configuration of these two channels would allow for a flushing of the waterway to maintain better water quality. | | | | | | |
| | In response to Councilman Graver, Dr. Staiger advised that the State Department of Environmental Regulation (DER) was the only authority which could issue permits for destruction of mangroves. DER recently has allowed destruction of several thousand acres of mangroves in exchange for the replanting of several thousand more, Dr. Staiger explained. | | | | | | |
| | Mr. Graver expressed concern about moored boats pumping their disposables into the waterway which eventually would be flushed into Naples Bay by the incoming tide. Water quality is established by the State's Administrative Code, Dr. Staiger advised, and has been incorporated in the Development Order presented to Council at this first reading. Should the water quality deteriorate, the marina would be forced to cease operation either in part or completely, he said. | | | | | | |
| | Referring to the Rookery Bay tidal area, several members of Council expressed concern that the marina would adversely affect those waters because of the nodal point where the tide changes. Dr. Staiger said he did not believe this project would damage water quality of the Rookery Bay system. | | | | | | |
| | Mrs. Anderson-McDonald then asked about newly constructed vessels with head facilities which are unable to dump disposables, they must be pumped out. Dr. Staiger, however, noted that those vessels can install a "sea cock" which enables them to dump such waste easily. She then asked if the State had enacted a regulation prohibiting the use of copper based paint on vessels. Dr. Staiger said that he was unaware of such a law. | | | | | | |
| | Councilman Anderson-McDonald asked if the issuance of a DER permit would hold up at hearings regarding this project. Dr. Staiger noted that the DER's intent to permit was immediately challenged and must be reviewed at an administrative hearing before it can be issued. | | | | | | |
| | Referring to the hiring of a consultant to review the developers' studies, Mrs. Anderson-McDonald asked for a progress report. City Manager Jones advised that he was prepared to finalize the contract today for the consultant to proceed with that study. | | | | | | |
| | Mayor Putzell then opened the public hearing. Mr. Wheeler Conkling, along with Captain Allan P. Slaff, J. Richard Young, William R. Blaikie, Betty Van Arsdale and James P. Lennane, formed a small group representing several property owners in the Port Royal area who are strongly opposed to this project. Each spoke at great length regarding | | | | | | |
| | -10- | | | | | | |
| | | | 1 | | 1 | 1 | - |

CITY OF NAPLES, FLORIDA Date 03/01/89 City Council Minutes В T S I OY E COUNCIL ONENN DSO MEMBERS N T safety on Naples Bay, impact such a large marina would have on the quality of life in Naples, increase in boat traffic on the Bay, conservation of mangroves as a natural resource and, finally, pollution of the Bay. Captain Allan Slaff began the discussion by reciting several of his past experiences as a trained mariner. Naples Bay is overcrowded, he said, and currently has the potential for several serious accidents, the percentage of which would increase should this project be approved. He elaborated that 800 boat slips was too great an impact for this area to safely absorb. J. Richard Young then spoke regarding other marinas in southwest Florida which today are considered some of the largest in the area. If this project was approved and constructed as planned, it could qualify as the biggest marina in southwest Florida. He said he did not believe such notoriety would maintain the current quality of life which attracted most of Naples' citizens to this area. William R. Blaikie reiterated previous complaints regarding safety and added that the pollution from such a marina could adversely affect the sensitive wetland environment of this area. The "flushing experienced from tidal action would push marina pollutants into Naples Bay. Betty Van Arsdale spoke briefly regarding environmental benefits achieved from mangrove forests, like the one proposed for destruction by the petitioner. These trees help feed the plankton which in turn is food for the fish which inhabit the Bay waters. James F. Lennane gave an overhead presentation (Attachment #6) which identified pollutants that could come from the Sabal Bay Marina. He then showed two water samples from Naples Bay and added the aforementioned pollutants to one sampling which he said was like a "witches brew". Wheeler Conkling then reiterated group's the concerns and restated their opposition to proposed project. He then presented the Clerk with a petition signed by those citizens in attendance also opposing the project (a copy of which can be reviewed from the meeting packet in the Office of the City Clerk). Citizen Robert Ott concurred with comments from the Port Royal group. Mr. G.E. Williams spoke briefly regarding his naval experience and said that he believed a marina of this magnitude would adversely affect Naples' quality of life. Benedict, Director of Dr. Mark Environmental Protection for the Conservancy, spoke at great length regarding ramifications such a project could have on the environment. He noted that DER's staff had recommended denial for the intent to permit; however, it was overridden by the secretary of the Department prior to issuance. The Conservancy -11-

| CITY OF NAPLES, FLORIDA | | | | - | - | :1 |
|--|---------|------------------|-------|----|---|-----|
| City Council Minutes Date 03/01/89 | COUNCIL | M O T I | SECON | YE | | SEN |
| | MEMBERS | N | D | S | 0 | T |
| believes, he said, that the proposed marina would not be in compliance with uses designated in the Comprehensive Plan. This project could be presented in such a manner as to be less destructive to the environment, Dr. Benedict noted. | | | | | | |
| Dr. Bernard Yokel, representing the Florida Audubon Society, also spoke at great length regarding the environmental impacts this project could have on the area. It would adversely affect the habitat by polluting the water, he said. Dr. Yokel further concurred with Dr. Benedict's aforementioned statements. | | | | | | |
| In response to Mr. Graver, Dr. Yokel said that he was focusing his remarks on the marina only and not what benefits the developer could provide by improvements to the Lely Canal. | | | | | | |
| Attorney Joe Fleming, representing the Conservancy, said he did not believe it possible to prove that additional pollutants from the marina, once constructed, as responsible for contamination of the Bay. Tidal action would flush the entire marina every one or one and one-half tides, thereby, not showing any degradation of water quality in that area. He supported previous comments in opposition to the project. | | | | | | |
| Ms. Elizabeth Berg cited a few philosophical comments for the Council's consideration in opposition to the project. | | | | | | |
| Eileen Arsenault concurred with Drs. Benedict and Yokel and encouraged a more comprehensive boat study of Naples Bay be completed. | | | | | | |
| Mr. James Jones, of Naples Boat Mart, spoke to the growing community's needs and said he fully supported the petitioner. This is a much needed facility, Mr. Jones commented. | | | | | | |
| Citizen Ed Oates spoke briefly about the history of Naples and its evolution from a small fishing village to the growing community of today. He also supported the development and said he believed it would not be as detrimental to the environment if built by Collier Enterprises, Inc., then another firm. Mr. Duke Turner of Turner Marine concurred and said he believed this facility was greatly needed. | | | | | | |
| Mr. Richard A. Botthof, Chairman of the Economic Development Council (EDC), read a letter in support of the project into the record (Attachment #7). | | | | | | |
| Mr. Fred Sullivan, President of Coquina Sands Homeowners Association, advised that his group was unanimously opposed to the project and requested Council to deny this petition. | | | | | | |
| Messrs. John Van Arsdale and Ned Steckel concurred with previous remarks. Mr. Steckel noted that the Windstar Marina would provide approximately 100 slips and was located directly north of this project contiguous to Bayview Park. | | | | | | |
| -12- | | | | | | |
| | | | | | | |
| | | | 1 | | | |
| | 1 | 1 | 1 | 1 | 1 | 1 |

City Council Minutes

Date 03/01/89

0 В T S I 0 E COUNCTY. 0 NEN N N DS 0 MEMBERS T

Citizen Dan Spina reviewed the State's newly enacted laws regarding boat safety and operation. He also indicated that he was opposed to the project.

Mr. Jim Logie, Vice-president of the Collier County Marine Trade Association, spoke in support of this project and said the area was in need of those boat slips now.

Mayor Futzell closed the public hearing and made a brief statement regarding the area's environmental concerns and the impact such a marina could have upon that quality of life. He fully commended Collier Enterprises, Inc., for their presentation and cooperation with City staff; however, he could not, in good faith, support such monumental destruction of natural habitat as proposed by the developers. In addition, the proposed marina has to adversely impact the waterways because it would add as many as 800 vessels to the current boat traffic problem in the Bay, he noted.

Councilman Barnett 'said that while he originally supported the project, after presentations and discussions at this proceeding, he could not approve the addition of 800 boats to the waterways.

Mr. Richardson suggested that this project be put on hold until Council has the benefit of the consultant's study of Naples Bay, then it could be judged against that study.

Referring to his memorandum of February 22, 1989 (Attachment #8), Councilman Muenzer reiterated his concerns of funding for a patrol boat in that area and pump-out facilities for both wet and dry boat slips. In addition, he asked if there would be guaranteed parking for the public to use this facility and whether the developer would be responsible for maintaining the proposed public boardwalk as well. Mr. Cliff Barksdale assured Council that the answer to all those concerns was yes, but the developer's responsibility for park maintenance would be limited to five years.

Councilman Crawford said that he did not believe a resort community such as this appropriate for the area and, therefore, would not support approval of the project.

Mrs. Anderson-McDonald said that while she believed this to be a good project, she could not support it because of the environmental damage which must occur for the project to be viable. She further explained that her constituency was not in favor of the project and since she is a staunch supporter of environmental protection, she could not take a position in favor either.

After a brief discussion regarding the scope of work which the consultant would be asked to perform, it was the consensus of Council that a complete and thorough study be done of Naples Bay so that a master plan can be obtained.

City Attorney Rynders pointed out that the Council, regardless of today's outcome, must still hold a

| Barksdale asked that Council consider continuing this matter until that time so the consultant's study can be used to validate their project. In addition, he asked that his group be permitted to rebut some of the testimony heard at this proceeding with their experts. Attorney John R. Aurell, representing the petitioner, said he believed the best way to handle this would be to table it until the 15th then take up the first reading at such time when the consultant's study has been prepared and is ready for Council's review. MOTION: To DENY the ordinance as presented. Councilman Graver said that there would be a second public hearing on March 15, at which time the petitioner would be able to provide additional studies or analyses to the Council. He, however, at this time could not support the current proposal. Mr. Muenzer reiterated his previous remarks regarding law enforcement in that area and said he | Barksdale asked that Council consider continuing this matter until that time so the consultant's study can be used to validate their project. In addition, he asked that his group be permitted to rebut some of the testimony heard at this proceeding with their experts. Attorney John R. Aurell, representing the petitioner, said he believed the best way to handle this would be to table it until the 15th then take up the first reading at such time when the consultant's study has been prepared and is ready for Council's review. MOTION: To DENY the ordinance as presented. Councilman Graver said that there would be a second public hearing on March 15, at which time the petitioner would be able to provide additional studies or analyses to the Council. He, however, at this time could not support the current proposal. Mr. Muenzer reiterated his previous remarks regarding law enforcement in that area and said he believed at least three patrolmen would be needed; the petitioner has conceded thus far to fund only one. *** *** *** END COMMUNITY DEVELOPMENT/PAB END FIRST READINGS ITEM 10 APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR MANAGEMENT STUDY. | Barksdale asked that Council consider continuing his matter until that time so the consultant's study can be used to validate their project. In addition, he asked that his group be permitted to rebut some of the testimony heard at this proceeding with their experts. Attorney John R. Aurell, representing the petitioner, said he believed the best way to handle this would be to table it until the 15th then take up the first reading at such time when the consultant's study has been prepared and is ready for Council's review. MOTION: To DENY the ordinance as presented. Councilman Graver said that there would be a second public hearing on March 15, at which time the petitioner would be able to provide additional studies or analyses to the Council. He, however, at this time could not support the current proposal. Mr. Muenzer reiterated his previous remarks regarding law enforcement in that area and said he believed at least three patrolmen would be needed; the petitioner has conceded thus far to fund only one. **** *** END COMMUNITY DEVELOPMENT/PAB END FIRST READINGS ITEM 10 APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR ANAGEMENT STUDY. Title not read. Community Development Director McKim explained that staff was asking Council to confirm the Implementation Recommendations for the Corridor Management Study so that design guidelines and Code requirements could be correlated between the City and County governments. Councilman Richardson recommended that Council approve this and moved as such. Mr. Graver seconded the motion. However, Mr. Crawford expressed some reservation | Barksdale asked that Council consider continuing this matter until that time so the consultant's study can be used to validate their project. In addition, he asked that his group be permitted to rebut some of the testimony heard at this proceeding with their experts. Attorney John R. Aurell, representing the petitioner, said he believed the best way to handle this would be to table it until the 15th then take up the first reading at such time when the consultant's study has been prepared and is ready for Council's review. MOTION: To DENY the ordinance as presented. Councilman Graver said that there would be a second public hearing on March 15, at which time the petitioner would be able to provide additional studies or analyses to the Council. He, however, at this time could not support the current proposal. Mr. Muenzer reiterated his previous remarks regarding law enforcement in that area and said he believed at least three patrolmen would be needed; the petitioner has conceded thus far to fund only one. **** *** END COMMUNITY DEVELOPMENT/FAB END FIRST READINGS ITEM 10 APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR MANAGEMENT STUDY. Title not read. Community Development Director McKim explained that staff was asking Council to confirm the Implementation Recommendations for the Corridor Management Study so that design guidelines and Code requirements could be correlated between the City and County governments. Councilman Richardson recommended that Council approve this and moved as such. Mr. Graver seconded the motion. | City Council Minutes Date 03/01/89 | COUNCIL MEMBERS | M O T I O N | SECOND | YES | 1 |
|---|---|--|--|---|---|----------------------------|--------|------------------|---|
| | APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR MANAGEMENT STUDY. | APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR MANAGEMENT STUDY. Title not read. Community Development Director McKim explained that staff was asking Council to confirm the Implementation Recommendations for the Corridor Management Study so that design guidelines and Code requirements could be correlated between the City and County governments. Councilman Richardson recommended that Council approve this and moved as such. Mr. Graver seconded the motion. However, Mr. Crawford expressed some reservation | APPROVAL OF IMPLEMENTATION RECOMMENDATIONS IN CONJUNCTION WITH THE CORRIDOR MANAGEMENT STUDY. Title not read. Community Development Director McKim explained that staff was asking Council to confirm the Implementation Recommendations for the Corridor Management Study so that design guidelines and Code requirements could be correlated between the City and County governments. Councilman Richardson recommended that Council approve this and moved as such. Mr. Graver seconded the motion. However, Mr. Crawford expressed some reservation about the last sentence in paragraph one wherein it states that: "to assure that these regulations and guidelines are uniform for both the City and County." He suggested that it read "if possible" after the word uniform. This was acceptable to Messrs. Richardson and Graver. After a brief discussion regarding the study and areas which it affects, Council expressed reservation about a joint City/County corridor study for Airport Road. Mr. Richardson amended the motion to approve only paragraphs one and two of the | Barksdale asked that Council consider continuing this matter until that time so the consultant's study can be used to validate their project. In addition, he asked that his group be permitted to rebut some of the testimony heard at this proceeding with their experts. Attorney John R. Aurell, representing the petitioner, said he believed the best way to handle this would be to table it until the 15th then take up the first reading at such time when the consultant's study has been prepared and is ready for Council's review. MOTION: To DENY the ordinance as presented. Councilman Graver said that there would be a second public hearing on March 15, at which time the petitioner would be able to provide additional studies or analyses to the Council. He, however, at this time could not support the current proposal. Mr. Muenzer reiterated his previous remarks regarding law enforcement in that area and said he believed at least three patrolmen would be needed; the petitioner has conceded thus far to fund only one. | Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0) | x | X | X X X X | |

| City Council Minutes Date 03/01/89 | COUNCIL MEMBERS | M O T O N | SECOND | Y E S | | A B S E N T |
|---|---|-----------------------|--------|----------------------------|--------|----------------------------|
| Management Study. Mr. Graver accepted this amendment. MOTION: To APPROVE the Implementation Recommendations for the Corridor Mangement Study, excepting paragraph three. *** RESOLUTION NO. 89-5759 ITEM 11 | Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0) | х | x | X X X X X X | | |
| A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NAPLES AND COLLIER COUNTY FOR DRI REVIEWS AND ISSUANCE OF BUILDING PERMITS; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. City Attorney Rynders advised this Agreement would provide that the County be responsible for issuing Development Orders for DRI (Developments of Regional Impact) and also issue building permits and Certificates of Occupancy for the same. He further noted that he had read and approved the contract. After a brief discussion regarding the proposed 50-foot height limitation in this Agreement, Mr. Crawford asked for clarification since the Code requires a 35-foot limitation. City Manager Jones explained that because the development agreements called for 50-foot heights, staff carried that over into this Agreement. Mr. Crawford suggested that the height be limited to 35-feet as stipulated in the Code. MOTION: To APPROVE the resolution limiting the height to 35-feet. *** *** RESOLUTION ORDERING A LOCAL IMPROVEMENT, TO WIT: CONSTRUCTION OF STREET PAVING IN THE AVION PARK SUBDIVISION, HEREIN DESCRIBED AS "AVION PARK ASSESSMENT DISTRICT"; DESCRIBING THE BOUNDARIES THEREOF; AND PROVIDING AN EFFECTIVE DATE. | Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0) | x | x | X X X X X X X | | |
| Title read by City Attorney Rynders. City Attorney Rynders advised that this was the initial act in establishing an assessment district for road improvements in the Avion Fark area. He recommended that Council move forward with this request. Barbara Hansen, representing Avion Park property owners, presented their petition for such work via Alternate "A" which included one inch of asphalt on the existing road (Attachment #9). MOTION: To APPROVE the resolution as presented. *** | Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0) | x | x | . X | K K | |
| | 1 | - | 1 | 1 | 1 | |

| CITY OF NAPLES, FLORIDA | | | - | | | |
|--|---|-------------|-----|------------------|---|--------|
| City Council Minutes Date 03/01/89 | | M O T | ECO | 2 y | 9 | H S E |
| | COUNCIL MEMBERS | 0 N | | ES | | N T |
| ٢ | THE DEAD | | | | | F |
| RESOLUTION NO. 89-5761 ITEM 13 | | | | | | |
| A RESOLUTION RANKING THE TOP FIRMS IN ORDER OF PREFERENCE TO PROVIDE SERVICES RELATING TO CONSTRUCTION OF AN ADDITION AND RENOVATION OF FIRE STATION #2; APPROVING A CONTRACT WITH THE TOP RANKED FIRM OF JOHN HOBART, P.A., ARCHITECT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT; AND PROVIDING AN EFFECTIVE DATE. | | | | | | |
| City Attorney Rynders advised that he had reviewed | | | | | | |
| councilman Muenzer asked if residents' concerns in this area regarding the tower were adequately being addressed. City Manager Jones advised that he delieved they were. | Anderson- McDonald Barnett Crawford Graver Muenzer | x | x | X X X X | | |
| MOTION: To APPROVE the resolution as presented. | Richardson Putzell | | | XX | | |
| *** *** *** *** *** *** *** | (7-0) | | | | | |
| City Manager Jones announced that a short Executive Session would be held in the City Manager's Conference Room immediately following this meeting. *** *** *** *** *** *** *** | * | | | | | |
| Janet Casan City Clerk Ordin M. D. Driscoll | | | | | | |
| DEPUTY CLERK | | | | | | |
| These minutes of the Naples City Council were | | | | | | 1 |
| | | | | | | - |
| | | | | | | |
| | | | | | - | 1 |
| | | | | 1 | | 1 |
| | | | | | | 1 |
| | | | | | | - |
| | | | | | 1 | |
| | | | | | | 1 |
| | | | | | | |
| | | 1 | 1 | | 1 | 1 |

AND B

SUPPLEMENTAL ATTENDANCE LIST

Richard Botthof Cliff Barksdale Douglas McNeil Dave Armbruster Albert Frell Robert Ott Stanley Hole Eric Heald Bill Blaikie Julie Culp Sidney Swensrud Ann Doherty Craig Buchanan Olga Hieshhorn Joseph Clausen Lindsey Sagar Wendy Lindner William Harvey Betty Banks William Barton Allan Wright Walter Kenyon Cameron Tait Ralph Martin Judith Taves Ray Russell Janet Short Durbin Tabb William Frank Jay Strong R. J. Baker

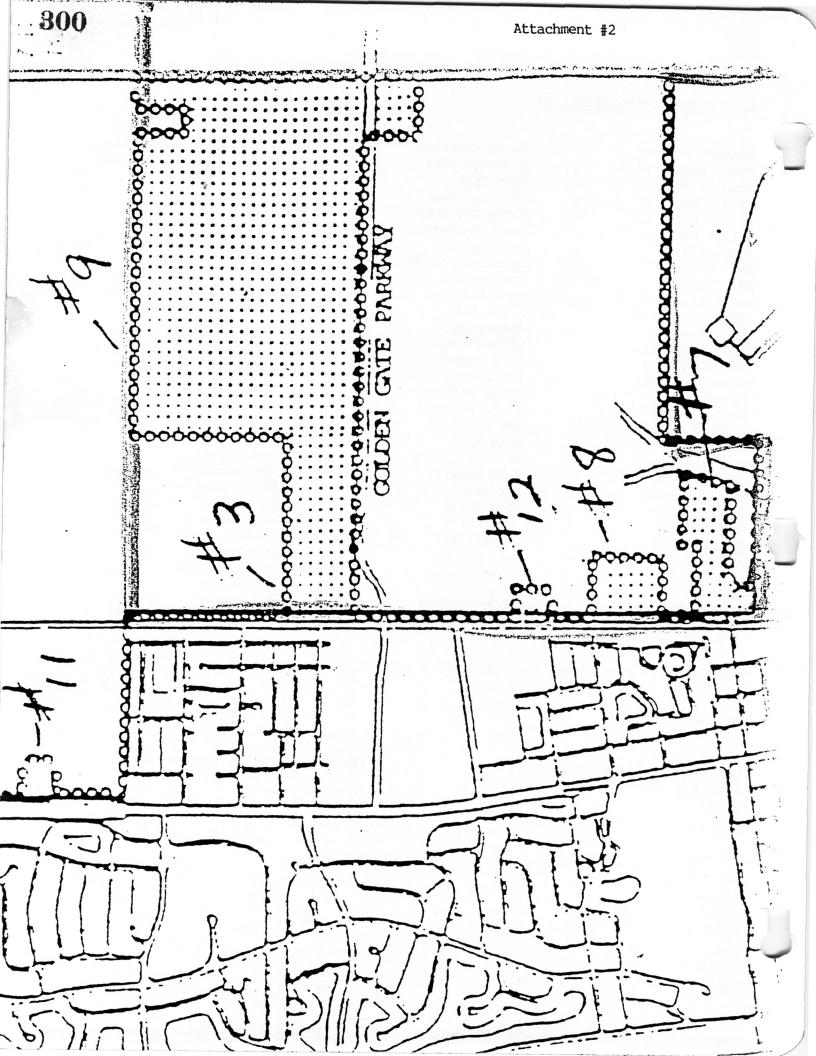
Barbara Hansen Miles Collins Egon Hill William Fader Betty Albrecht Steve Bertone Jeff Lytle Charles Andrews Dan Daniels Lura McBride Susan Gohl Arthur White Vivian Treat C. E. McBride Kim Rodgers Janne Parker W. W. Haardt Tom Missimer Jean Mutz Holland Salley John Hobart Lee Layne Dick Sykes Joe Sinero Roger Barry Mary Crosby Gaynor Layng John Crosby Harry Timmins Mardin Collins

Mr. & Mrs. John Van Arsdale Mr. & Mrs. Wheeler Conkling Mr. & Mrs. John Burnham Capt. & Mrs. Allan Slaff Mr. & Mrs. Jack Paley Mr. & Mrs. Gene Kreusch Catherine Motley Herbert Douglas F. I. McGiu Mr. & Mrs. John Hall Mr. & Mrs. Mark Butell Mr & Mrs. David Lewis Mrs. A. F. Sarosdy Mrs. J. N. Sherwin Jay Richard Young C. A. Reinboldt Mr. & Mrs. Skuman Jack W. Thompson G. E. Williams Chief Wayne Martin Michael McComas William Hardman Edith Williams Harold Fischer · Alfred Dowgiello Dr. Albert Frell George Gogarty Charles Brafford Herb Anderson Jeanne Houston Bolton Drackett

Other interested citizens and visitors.

NEWS MEDIA

Lori Darvas, Naples Daily News Alicia Callahan, WEVU-TV Bryan Hoopes, Palmer Cablevision



Voluntary annexation

questioned

BY LORI DARVAS Staff Writer

Naples City Councilman Paul Muenzer says City Council is giving at least one developer license to construct what annexation is supposed to prevent

Muenzer was speaking of two recent development agreements with Neapolitan Enterprises over agriculturally zoned land on the northeast and southeast corners of Goodlette-Frank Road and Golden Gate Parkway. The land is owned by the estate of the late Julius Fleischmann.

These agreements go against the purpose of annexation, which is supposed to give the city a chance to use its strict land-use standards to control growth, Muenzer said.

It was the most vocal criticism of annexation to date from within City Hall. The Fleischmann property is part of the city's voluntary annexation area. It is not part of the area being voted on by residents in the city and other proposed incorporation areas.

Attachment #3 -

Page 1

Muenzer declined to comment on if he favored annexation of the areas being decided by voters.

As for the Fleischmann property, Muenzer said he is concerned the city is agreeing to allow too much development in an area already plagued by traffic problems. Currently, there is a strip shopping center being built on the southeast corner, and a 100-foot tall office building is being planned for the northeast corner. If property on the other corners also is developed, motorists will be faced with absolute gridlock, Muenzer said.

"We caused it, we'll have to correct it by six-laning the roads and building another bridge to avoid another disaster like Davis Boulevard," Muenzer said.

Normally, when a property owner requests rezoning, the city must study what impact the proposed development will have on traffic, Muenzer said. He said this

Please see MUENZER, 3A

Wuenzer

was not done with Neapolitan Enterprise properties. Muenzer said he would air his concerns at Wednesday's City Council meeting, when council votes on the voluntary annexation agreements.

Mayor Edwin Putzell said Muenzer's concerns are unjustified. He said land-use impact studies will be required before any development can begin.

"Nobody's given them any approval to do any building," Putzell said. "This is purely conceptual."

Roger Barry, who represents Neapolitan Enterprises, said his company will submit a traffic study in conjunction with a site plan for the properties. If the city believes the additional traffic could cause a problem at the intersection, Barry said the company will be responsible for any road improvements, such as turn lanes into and out of the development.

Barry said the plans for the northern parcel were in greater detail, setting building heights and including limits for the number of structures. But Barry said council approved only a concept on the southern parcel, agreeing with the company's ideas for a hotel, a convention center and housing units on the property.

The city still has the right to deny development on the property if council feels the plans would cause too much traffic or would hurt the environment, Barry said. Similarly, if the property owners feel the city backed out of an agreement, they have the right to take the city to court, Barry said.

But he stressed that there is no way of predicting what will happen in the future.

"The plan is so conceptual in nature, that a whole host of details are going to have to be provided to the decision-makers of the time," he said.

The city is trying to annex 4,100 acres of land north and east of the city into city limits. Development agreements set forth land use standards for land before it is annexed. As part of the agreements, nine property owners whose land is next to the city

will be voluntarily annexed by council March 1. six days before the annexation ballots are counted.

From Page 1A

When City Council approved 12 development agreements Feb. 15, Putzell said the city was not compromising any of its standards. Instead, he said council was able to pare down many of the plans through a series of negotiations and public hearings.

According to the Neapolitan Enterprises development agreements, the northern parcel of land would allow 23 acres of shopping centers and 30 acres of condominiums and apartment buildings. The southern parcel can be developed in a mixed use of shopping centers, hotels, private housing and open space. Muenzer said the land should be annexed under its current zoning — agriculture. All planning for commercial and residential that may be built on the land should not be considered until after annexation

ine two properties currently are appraised at over \$3.3 million, according to Sam Colding, Collier County property appraiser. Colding said if the land was rezoned to allow commercial and residential development, and if developers decided to do away with the current Carribean Gardens tourist attrac-

tion, property values could quadruple.

This annoyed Muenzer. "I don't think it's up to the city to create wealth for the Fleischmann estate.

Muenzer believes the city is giving more to the landowners than the Collier County Board of Commissioners would have given. He believes the county has a rule of thumb that limits commercial highway frontage in a rezoned area to 10 percent, less than is called for in the city's development agreement.

But county planner Barbara Cacchione said the Fleischmann property is in a county activity center. Activity centers are where the county will encourage future commercial development, and allow for apartment buildings and condominiums. Cacchione said the 10 percent rule of thumb does not exist

Land rezoning disputed

Councilman opposes voluntary annexation deal

By JOHN LUNSFORD and LORI DARVAS Staff Writers

Naples City Councilman Paul Muenzer intends to turn Wednesday's meeting into a confrontation with the council majority on the wisdom of granting lucrative rezoning to one property owner in exchange for voluntary annexation.

City Council is scheduled to vote on an ordinance Wednesday that would redefine the city's boundaries to include 10 parcels of land on the outskirts of the city. The property owners have asked to be voluntarily annexed.

While Muenzer said he doesn't want to dump annexation, involuntarily or voluntarily, he said he will

ask the council Wednesday to exclude one large property, owned by the Fleischmann family, from the new city boundaries. He said the owner's land-use plans have not been properly aired, and the impact on traffic and the environment not adequately studied. City officials strenuously disagreed, promising that such concerns will be addressed when specific project plans are presented.

According to an agreement approved by the council on Feb. 15, 53 acres near the northeast corner of Golden Gate Parkway and Goodlette-Frank Road would be allowed 25 acres of highway commercial and 28 acres of multi-family residential development.

Muenzer said he will insist that the 53 acres of

Please see VOLUNTARY, Page 2A

Voluntary -

Fleischmann land come into the city under the city's equivalent to county agricultural zoning, and undergo formal public rezoning hearings. The councilman opposed inclusion of this land in the voluntary-annexation ordinance on Feb. 15, but he lost 5 to 2.

· City officials said there already have been two public hearings over the changes: one in front of the Planning Advisory Board on Jan. 31 and one before the council on Feb. 15.

Most of the parcels up for voluntary annexation, including the two parcels owned by the estate of the late Julius Fleischmann, have development agreements attached to them that set land-use standards.

Muenzer also questioned the

development agreement with the Fleischmanns for 160 acres near the southeast corner of the intersection, including Jungle Larry's, which will come into the city if annexation is accepted by voters in the city and in the area on March 7

The 160 acres, surrounding The Conservancy's Nature Center, would be a combination of residential, village shopping and transient housing, according to the conceptual agreement with the city. It would include a convention center and a seafood restaurant on Point Manatee, east of the wetlands comprising the nature center. The conceptual plan includes a tram to carry visitors to the restaurant and an observation tower.

The southern parcel cannot be

voluntarily annexed because there is an island of land in the middle of it owned by two people who have not agreed to voluntary annexation. Annexation cannot create enclaves, or areas of unincorporated land entirely surrounded by city land.

If Muenzer is successful in getting the northern parcel dropped from the voluntary annexation ordinance, another large development, owned by the Barron Collier Corp., would be dropped from the annexation plan because it would not be contiguous to the city as required by state law before voluntary annexation can occur.

He said he's hoping to round up at least four votes to delay accepting the northern Fleischmann property — the 53 acres north of Golden Gate Parkway — at least until the city can study the implications of the guaranteed rezoning.

City officials said all that will come later, and that the plan accepted by the city is more stringent than what the county would allow if the land is not annexed.

The points to be debated include:

• Muenzer said the city gave up

nothing in order to lure the Fleischmann property into the city and, in fact, the county might not be so generous.

City officials said the conditions of the agreement are much more stringent than if the county rezones the same property. They pointed out that the heights of the ment have been reduced from 70 feet to a maximum of 50 feet; that setbacks have increased from 35 feet to 55 feet; and that the amount of highway commercial development has been reduced from as much as 35 acres under the county plan to 25 acres in the city's conceptual agreement:

• Muenzer insisted that although 35 acres of the northern parcel are within what is deemed an activity center in the county comprehensive land use plan, that doesn't mean the county would automatically grant extensive rezoning.

Activity centers are areas pinpointed for commercial activity in the county's comprehensive plan. The county's chief long-term planner Charles Gauthier said, "The fact that an area is designated an activity center does not guarantee rezoning. The language in the plan says this designation makes it pos-

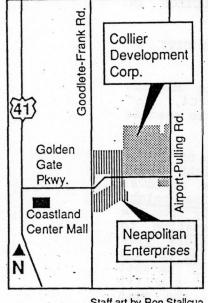
sible to apply for commercial zoning. But there is no guarantee it will be granted. That would depend on criteria in the plan and in the county zoning ordinance."

Attorney Dave Rynders said, "We're dealing with the real world here, not science fiction. What's been the history in the county? They'll get what they apply for so long as it's reasonable." He said that comprehensive plans "take the thrill out of government." The city and the county must grant zoning comparable to what's called for in the land-use plan.

 Councilman Muenzer also said that granting more than 200 acres of mixed-use zoning — heavily commercial - reduces the value of other commercial property in the city. He pointed out that while the city has said it wants to encourage redevelopment of older commercial areas - such as along U.S. 41 North — the voluntary annexation will do exactly the opposite. Property owners will be discouraged from improving present commercial buildings when more relatively inexpensive commercial land becomes available.

Mayor Edwin Putzell didn't agree: "That land eventually will be zoned commercial whether its in the city or in the county. Redevelopment is an entirely different issue."

Naples Daily News, Tuesday, February 28, 1989



Staff art by Ron Stallcup

Rezoning referendum Muenzer's ace in hole

Naples City Councilman Paul Muenzer will heft a heavy club at Wednesday's city council meeting.

- He will threaten to call for a separate referendum on rezoning approximately 200 acres owned by Neapolitan Enterprises, if the land is annexed into the city without further discussion of what will be built there.
- Muenzer said he is confident he can get the signatures of 10 per-cent of city voters to place the issue on the ballot.

Muenzer will ask fellow council members to exclude 55 acres, slated for mixed-use residential and highway commercial development, when the council establishes new city boundaries on Wednesday.

The new city boundaries would include the land regardless of the annexation vote by residents.

He also questions the conceptual agreement the city has signed with Neapolitan Enterprises for 160 acres, south of Golden Gate Parkway and including Jungle Larry's African Safari Park. The

Please see MUENZER, 2A

Vluenzer

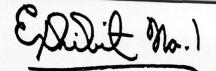
ment, when the council establishes new city boundaries on Wednesday.

The new city boundaries would include the land regardless of the annexation vote by residents.

He also questions the conceptual agreement the city has signed

From Page 1A

with Neapolitan Enterprises for 160 acres, south of Golden Gate Parkway and including Jungle Larry's African Safari Park. The conceptual plan would allow mixed-use residential, highway commercial, a convention center and a hotel.



AN ORDINANCE AMENDING SECTIONS 5.12H, 5.13H, 5.14H, 5.15H, 5.16G AND 5.9H OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES LIMITING THE BUILDING CONSTRUCTION HEIGHTS IN ZONING DISTRICTS "C2," C2A," "C3," "C4," "I," AND "HC"; AND PROVIDING AN EFFECTIVE DATE.

Attachment #3 -Page 4

PURPOSE: TO RESTRICT THE HEIGHT OF BUILDING CONSTRUCTION IN ZONING DISTRICTS "C2," "C2A," "C3," "C4," "I," AND "HC".

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

SECTION 1. That the following sections relating to maximum building heights in the "C2," "C2A," "C3," "C4," "I," and "HC" zone districts are hereby revised to read as follows:

SECTION 5.12H.

Notwithstanding the provisions of Section 14-5, the maximum height shall be limited and measured as follows: Three (3) stories up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story plus six (6) feet from said ceiling to the highest point of a flat roof, parapet wall or "mansard" detail; or six (6) feet from said ceiling to the mean distance between the eaves and the ridge of a gable, hip or gambrel roof.

SECTION 5.13H.

Notwithstanding the provisions of Section 14-5, the maximum height shall be limited and measured as follows: Three (3) stories up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story plus six (6) feet from said ceiling to the highest point of a flat roof, parapet wall or "mansard" detail; or six (6) feet from said ceiling to the mean distance between the eaves and the ridge of a gable, hip or gambrel roof; except that boat storage buildings in this , district shall be limited to a maximum height of 40 feet, measured vertically from the established 100 year flood elevation to the eave of the building. In the C2A district north of U.S. 41, all property is limited to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the top of the highest structure.

SECTION 5.14H.

Notwithstanding the provisions of Section 14-5, the maximum height shall be limited and measured as follows: Three (3) stories up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story plus

six (6) feet from said ceiling to the highest point of a flat roof, parapet wall or "mansard" detail; or six (6) feet from said ceiling to the mean distance between the eaves and the ridge of a gable, hip or gambrel roof.

SECTION 5.15H. Notwithstanding the provisions of Section 14-5, the maximum height shall be limited and measured as follows: Three (3) stories up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story plus six (6) feet from said ceiling to the . highest point of a flat roof, parapet 'wall or "mansard" detail; or six (6) feet from said ceiling to the mean distance between the eaves and the ridge of. a.gable, hip or gambrel roof, with the exception of the control tower at the airport, which shall not be limited by this ordinance.

SECTION 5.16G.

Notwithstanding the provisions of Section 14-5, the maximum height shall be limited and measured as follows: Three (3) stories up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story plus six (6) feet from said ceiling to the highest point of a flat roof, parapet wall or "mansard" detail; or six (6) feet from said ceiling to the mean distance between the eaves and the ridge distance between the eaves and the ridge of a gable, hip or gambrel roof.

SECTION 5.9H.

. Maximum Height: Maximum building height shall be as limited in accordance with the following schedule:

| Building Height | Min. Lot | Min. Lot | Min. Building |
|--------------------|---------------|----------|--|
| | Area | Width | Setback |
| 36 feet to 40 feet | 40,000 sq.ft. | 150 ft. | Front - 20 feet, plus 1 foot for each foot of building height over 35 feet. Side - 10 feet, plus 1 foot for each foot of building height over 35 feet. Rear - 25 feet, plus 1 foot for each foot of building height over 35 feet of building height over 35 feet |

Attachment #3 -Page 6

46 feet to 50 feet 60,000 sq.ft. 150 ft. same as above

SECTION 2. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 18TH DAY OF JUNE , 1986.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND SPECIAL SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 1ST DAY OF JULY , 1986.

Edwin J. Putzell, Jr.

ATTEST:

Janet Coson

Janet Cason City Clerk

APPROVED AS TO FORM AND LEGALITY BY

Minde Hyden

David W. Rynders / City Attorney

| | М | 5 | VC | TE | Λ | tall as ed light to following spi | М | S | vo | TE | A |
|---|---|---|-----------------------|----|---|---|---|---|-----------------------|-----|---|
| , First | 0 | E | | | В | Second | 0 | E | | | В |
| Reading | T | С | | | 5 | Reading | T | C | | dub | S |
| | I | 0 | Y | | Ε | Section 1 | I | 0 | Y | | E |
| COUNCIL | 0 | N | E | N | N | COUNCIL | 0 | N | E | N | N |
| MEMBERS | N | D | S | 0 | Т | MEMBERS | N | D | S | 0 | T |
| Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell (6-1) | X | X | x x x x x | х | | Anderson- McDonald Barnett Bledsoe Crawford Graver Richardson Putzell (6-0) | х | х | X X X X X | | х |

HC field Track Vaca Surab . A-2 RMF-6 center RMF-16 A-2 resides RO/PUGaydens Carribkan 1 Commons Residential 7-H RS F. - 4 ST A-2 <u>3</u>5 Golf course Monatee St Point Residential Bear's Paw Attachment #4

1

Attach Pago 1

VEDNESDAY AFTERNOON, FEBRUARY 22, 1989

Prices jump to 7.2% annual inflation rate

WASHINGTON (AP) — Consumer prices, propelled by higher costs for food, fuel and a variety of other items, rose 0.6 percent last month for the biggest jump in two years, the government reported today.

The rise in the Labor Department's Consumer Price Index followed moderate increases of 0.3 percent in both November and December.

• The January price increase, which is seasonally adjusted, would amount to an annual inflation rate of 7.2 percent if the pace for the first month of 1989 held.

Department reported that wholesale prices shot up an unexpected 1 percent in January, largely due to rising food and energy prices.

Today's report showed that at the consumer level, food costs jumped 0.7 percent in January after rising 0.3 percent in December. Energy costs overall rose 0.8 percent after a 0.3 percent decline in December.

Excluding those two volatile categories, other consumer prices rose 0.5 percent in January.

Last month's advance left the price

The Labor Department gave these other details of January price increases:

■ The increase in food prices was paced by a 1.6 percent jump in costs for meats, poultry, fish and eggs. Cereal and bakery products rose 1 percent and dairy products were up 1.1 percent.

■ Gasoline costs were up 0.9 percent during the month after dropping 1.6 percent in December.

■ Housing prices increased 0.2 percent during January after a 0.4 percent increase in December.

■ Fuel oil costs jumped 4.3 percent.

• Recession signs, Page 4B

throughout the year.

Higher prices for gasoline, poultry, fish and eggs, coupled with a sharp advance in tobacco prices, accounted for nearly all of the acceleration.

Consumer prices advanced 4.4 percent last year, the same rate as in 1987, but analysts are expecting the pace to quicken this year.

Worries about spiraling inflation intensified earlier this month after the Labor

mdex at 121.1 percent of its 1982-84 base, meaning that a hypothetical selection of goods costing \$100 during the base period would have cost \$121.10 in January, 60 cents more than in December.

Unlike other figures in the report, the overall index is not adjusted for seasonal fluctuations.

January's 0.6 percent increase in consumer prices was the biggest jump since a 0.7 percent rise in January 1987.

One of the biggest increases came in costs for tobacco and other smoking products, which jumped 4.7 percent.



Attachment #5 - Page 2

City of Naples

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

DEPARTMENT OF PLANNING

December 21, 1979

Mr. J. S. Scatena 2990 Binnacle Drive Naples, FL. 33940

Ref: Sidewalks for Duplex Development

Dear Mr. Scatena:

Mr. Patterson asked me to review our policy relative to requiring sidewalk improvements in conjunction with duplex development.

Although the duplexes in your area are located in an "R3" multi-family zone district in which we normally require sidewalks, the duplexes have been treated as single-family residences in that sidewalks have not been required.

We checked the two vacant duplex lots in your area, and concluded that it would not be appropriate to require sidewalk improvements in conjunction with the development of either lot.

Sidewalks are intended to accommodate pedestrian traffic in areas where there are generally high concentrations of people; that is, multi-family residential or commercial areas.

I hope this explanation answers your question.

Sincerely

Røger J. Barry

Director of Community Development

RJB:bd

POLLUTION FROM SABLE BAY MARINA A WITCHES BREW

.... PETROCHEMICAL

.... CLEANING SOLUTIONS

TO SOME TO SOME THE SOURCE OF THE SOURCE OF

HUMAN WASTE

Attachment #6 -

PETROCHEMICAL POLLUTION

.... AUTOMATIC BILGE PURGING

-- DIESEL

-- GASOLINE

-- POWER STEERING FLUID

-- CRANKCASE OIL AND GREASE

.... FUEL SPILLS

CLEANING SOLUTION POLLUTION

| DETERGEN | . DETERGE | N | V | | 1 | Γ. | • | i | ì | • | • | | |
|----------|-----------|---|---|--|---|----|---|---|---|---|---|--|--|
|----------|-----------|---|---|--|---|----|---|---|---|---|---|--|--|

.... BLEACHING CHLORITES

.... SOOT REMOVERS

..... DECK WASHDOWNS

Attachment #6 -

NOISE POLLUTION

.... DRY STORAGE ATTRACTS
HIGH PERFORMANCE BOATS

.... HOW LOUD IS A HIGH PERFORMANCE BOAT

--- BEACH KING AIR 72.1 dBA --- LEARJET 35 83.9 EPNdb

> --- TROJAN 12 METER 93.0 dBA --- CIGARETTE 31 98.0 dBA

... GENERAL NOISE SATURATION

HUMAN WASTE POLLUTION

- DIFFICULTY OF POLICING LIVE ABOARD RESIDENTS
 - FREQUENT DISCHARGING OF GRAY WATER (SHOWERS AND GROUND UP GARBAGE)
 - ENORMOUS INCREASE OF FLUSHABLE HEADS ON VESSELS OVER 40 FEET
 - FREQUENT DISCHARGE OF URINE AND MACERATED FECES INTO SABLE BAY AND NAPLES BAY
 - ADDITIONAL LOAD OF RAW SEWAGE TO ENTIRE SOUTHWEST GULF COAST

1989 Board of Directors

Chairman Richard A. Botthof City Executive First Union Bank

Chairman-Elect Joseph Freni, Jr. Recional Vice President C Janager T. Carlton Hotel

Pas irman J. Dudiey Goodlette, Esq. Managing Partner Cummings and Lockwood

President Ross P. Obley President Economic Development Council

Vice President Tom Garlick, Esq. Managing Partner Harter, Secrest & Emery

President Norm Hale Agent, CEO Cank Naples Vide President President Development Corporation

Director William L. Barton President Wilson, Miller, Barton, Soll & Peek

Director Beirne Brown President Cuisine Management

Corlson

It
Co-Harms General
Corlson, Inc.

Director Richard L. Cavailaro, M. D. Medical Director Naples Community Hospital

Director Timothy Hains, Esq. Managing Parmer Aspell, Hains, Doyle & Pickworth

Director Robert Hazzard President Beil Plastics, Inc.

Director Robert Moss Executive Vice President Weichert-Moss-Bennett Advertising

Director
William Price
CEO, Chairman of the
Board
First Bank of Immokalee

Director Connie Purvis Director of Marketing Holland Salley Interiors

ress by Design"



February 28, 1989

Mayor and Members of City Council City of Naples 735 Eighth Street South Naples, Florida 33940

Re: The Village of Sabal Bay

Dear Mayor and City Council Members:

The Economic Development Council of Collier County (EDC) urges the City Council to support your professional staff's recommendations and the unanimous action of your Planning Advisory Board and to approve those portions of the Village of Sabal Bay's planned development which are within its jurisdiction. As Council may recall, the purpose of the Economic Development Council is "to achieve a balanced economy, while maintaining a high quality of life" and our motto is "progress by design".

The proposed Sabal Bay Community is to be a high quality community, clearly in keeping with the tradition of Park Shore, Pelican Bay, Port Royal and other upscale Naples area communities. As such, it has the opportunity to contribute to a general upgrading of communities on the east side of Naples.

The Economic Development Council believes that Sabal Bay has gone "above and beyond" in preparing technical support for its development, has studied and resolved boat traffic issues and has moderated its original request to reflect legitimate concerns of the community and nearby property owners. Although we frequently are in agreement with and support the Conservancy and its positions, in this instance, we believe that the community will be better served by permitting this high quality development which has been determined to be in compliance with the City's and County's Growth Management Comprehensive Plans.

Lastly, but importantly, we understand that the Ladies Professional Golf Association (LPGA) considers Sabal Bay as its choice location in the competition for the relocation of its National Headquarters and Hall of Fame. To win the competition for this LPGA Headquarters facility is vital; perhaps the most important new business opportunity consistent with Naples ideals, since the founding of the Economic Development Council of Collier County in 1976. The Marina, Sabal Bay, and the LPGA National Headquarters opportunity are tied together.

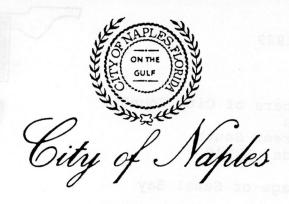
Many thanks for the opportunity to present this position in support of the Village of Sabal Bay.

Respectfully,

Richard A. Botthof, Chairman Economic Development Council

RAB/bsm





--- MEMO ---

TO:

MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

PAUL W. MUENZER, COUNCILMAN

DATE:

FEBRUARY 22, 1989

SUBJECT: SABAL CAY D.R.I.

I have previously expressed two major areas of concern regarding the Sabal Cay D.R.I. to the developer. They indicate that these are two topics which no other Council member has brought up to them in your personal discussions with them.

1. A guarantee must be made to pay for the permanent operation of a police boat to patrol the area continuously between the marina and Gordon Pass. Their commitment must include cost of boat, operation, maintenance and all salaries and fringe benefits of the personnel.

This financial commitment must be guaranteed and paid for by the developer since the City will be collecting virtually no taxes on the area included in the City, and City taxpayers should not pick up the burden.

I think that Council needs to again consider making this stretch of water a "no wake" zone.

2. Marina design must include sewer hook-ups brought out to all wet boat slips. This will help to guarantee that holding tanks will not be pumped out into the bay or the marina area when the boat operators are ready to secure their boats after a weekend usage.

They also must make available pump-out facilities for dry storage boats that they must use before being lifted from the water.

xc: Frank Jones Missy McKim

DT.TM - mA

Lui

City of Naples

Attachment #9 -Page 1

ENGINEERING DEPARTMENT

February 3, 1989

Barbara Hanson 1625 Avion Place Naples, Florida 33940

RE: Avion Park Street Assessment

Dear Mrs. Harson:

We are in the process of establishing a special assessment district for Avion Park Subdivision for street paving.

The steps we will be taking are as follows:

- 1. Resolution by Council establishing the district and defining the improvements.
- Prepare plans, specifications, estimates and tentative apportionment of cost.
- Notice of hearing.
- 4. Hearing.
- 5. Contract for work.
- Preliminary assessment roll.
- 7. Notice of hearing upon assessment roll.
- 8. Hearing and confirmation of assessment roll.
- 9. Payment of assessments Any assessment may be paid in 30 days after confirmation without interest, thereafter all assessments shall be payable in equal annual installments with interest at a rate set by the Council and may be paid up to 10 years or less as determined by Council.

PAGE #2

Barbara Hanson Avion Park Street Assessment Page 2 Attachment #9 -Page 2

Also enclosed is a preliminary cost schedule for each lot in the subdivision with three alternate paving sections. Since this area does not have sanitary sewers which may have to be installed in the near future, I would recommend that alternate "A" be installed. This alternate is just a 1" layer of asphalt on the existing road surface, without any type of drainage.

Please let us know if this procedure is acceptable to you and other residents in Avion Park.

Resolution by Council establishing the district and

Payment of assessments - Any essessment may be paid in 30 days after confirmation without interest,

annual installments with interest at a rate set by

Notice of hearing upon assessment roll.

district for Avion Park Subdivision for street

Sincerely,

Gerald L. Gronvold, P.E., P.L.S.

City Engineer

GLG: vq

xc: Frank Jones

| r | NO. | BLOCK NO.OWNER | ADDRESS | F.F. | | ALTERNATE | l lian-i |
|---|-----|----------------|------------|---------|-------------|--------------|-------------|
| | | 0.00 | | | "A" | at flid is | 20 611 40 |
| | 1 | Arnel. Char | 0 | 67.33 | \$309.98 | \$1.446.08 | 52,944,82 |
| | 2 | A | 0.11-11 | 75 | \$345.29 | \$4,611,37 | \$3,280,29 |
| | 3 | A mougher M | De Vigili | 75 | \$345.29 | \$4,544.87 | \$3,280,29 |
| | 4 | A faute my V | who tol | res 75 | \$345.29 | \$1,641,87 | \$3,280.29 |
| | 5 | AMEMBES SNO | | 75 | \$345.29 | \$1,64117 | \$3,280.29 |
| | 6 | A | | 75 | \$345.29 | \$1,511,37 | \$3,280,29 |
| | 7 | Α | | 90 | \$414.35 | \$1,933,64 | \$3,936,34 |
| | 8 | A | | 91 | \$418.96 | \$1,955,13 | \$3,980,08 |
| | 9 | A 11 | - / | 60 | \$276.23 | \$1,239.d9 | \$2,624,23 |
| | 10 | A 28 /// | / | 100 | \$460.39 | \$2,148.49 | \$4,373.71 |
| | 11 | 1 les son fred | | . 75 | \$345.29 | \$1, \$12.37 | \$3,280,29 |
| | 12 | A-TITUDE | | 75 | \$345.29 | \$1,511.37 | \$3,280,29 |
| | 13 | A Bull | 4 | 75 | \$345.29 | \$1, 511 37 | \$3,280,29 |
| | 14 | A | ansin- | 75 | \$345.29 | \$1,641 37 | \$3,280,29 |
| | 15 | A SWAA D. BE | O HIS | 75 | \$345.29 | \$1,511,37 | \$3,580 29 |
| | 16 | A Vamora Da | and a | 64.04 | \$294.83 | \$1,875,89 | \$2,800.93 |
| | 1 | B Bullet IN | 401 | 63.3 | \$291.43 | \$1,360,00 | \$2,763.56 |
| | 2 | B Sundly lift | Sahi | 75 | \$345.29 | \$1,611,37 | \$3,280!29 |
| | 3 | BU | | 75 | \$345.29 | \$1,611.37 | \$3,280.129 |
| | 4 | В | | 75 | \$345.29 | \$1,611,37 | \$3,380.29 |
| | 5 | В | | 75 | \$345.29 | \$1,611,37 | \$3,280.29 |
| | *6 | BSEE FAGE | ∺ 4 | 90 | \$414.35 | \$1 1933 64 | \$3,936.34 |
| | 7 | B-/11/2 16 | | 85 | \$391.33 | \$1,826.22 | \$3,717.66 |
| | 8 | BIDECA | 100 | 85 | \$391.33 | \$1 826 22 | \$3,717.66 |
| | 9 | B taller At 94 | Valil. | 75 | \$345.29 | \$1,611,37 | \$3,280.29 |
| | 10 | B alma R of | ove | 75 | \$345.29 | \$9 611 37 | \$3,280.29 |
| | 11 | -1 - | | 75 | \$345.29 | \$1 611 37 | \$3,280.29 |
| | 12 | B Thomas d. | 7 | 75 | \$345.29 | \$1 61 1 37 | \$3,280,29 |
| | 13 | B | 00 | 75 | \$345.29 | \$1,611.37 | \$3,280.29 |
| | 14 | B mardon la | | 60 | \$276.23 | \$1,289.09 | \$2,624.23 |
| | | | TOTAL | | \$10,500.00 | \$49,000.00 | \$99,759.00 |
| | | | TOTAL | 2280.67 | FEET | 1 | 1 |
| | | | | | | | |

ALTERNATE "A": 1" Asphalt on existing road = \$4.50 /FRONT FT.

ALTERNATE "B": 1" Asphalt on 6" base, no drainage = ALTERNATE "C": 1" Asphalt on 6" base with drainage =

-\$21-48-/FRONT-FT

-\$43-74-FRONT-FT.

AVION PARK STREET ASSESSMENT

| JT | NO. | BLOCK NO.OWNER | ADDRESS F.F. | | ALTERNATE | |
|----|-----|----------------|----------------------|-------------|--|--------------------------|
| | | | | "A" | 1377 | 1404 |
| | 1 | A | 67.33 | \$309.98 | \$ 146.68 | \$ 644 62 |
| | 2 | Α . | C 1 1. 75 | \$345.29 | 51 811/17 | 93 000 00 |
| | 3 | A mountain M | De Vigili. 75 | \$345.29 | 51.611.67 | 93, 2001 85 |
| | 4 | A Jande My V | volte Forles 75 | \$345.29 | \$1,511,87 | 93,4801 49 |
| | 5 | AME TOURS SN | 10W 75 | \$345.29 | \$1,611.7 | 33, 484. 49 |
| | 6 | A | 75 | \$345.29 | 27/21/17 | 30,480,69 |
| | 7 | λ | 90 | | 34,011149, | 33,3801 89 |
| | 8 | A | 91 | | 347 5351 94 | 83,936,87 |
| | • | •• | | \$418.96 | \$1,955,13 | 83 980 08 |
| | 9 | A M | 0/ | \$276.23 | \$1,289.d9 | 52,624 23 |
| | | A 18 1/16 | 100. | | \$2,148.49 | \$3,373,71 |
| | 11 | A Marie The | 75 | \$345.29 | \$1, \$12.37 | \$3,280,29 |
| | 12 | ye Ethnor | . 75 | \$345.29 | \$1, \$11.37 | \$3,280,29 |
| | 13 | A Birbara & | Lange 75 | \$345.29 | \$4,641,37 | \$3,280,29 |
| | 14 | | 75 | \$345.29 | \$1,641,37 | \$3,280,29 |
| | 15 | A SWAN D. AS | namy 75 | \$345.29 | \$4,511137 | \$3, 28 0 129 |
| | 16 | A James A | 64.04 | \$294.83 | \$1,875,89 | \$2,800,193 |
| | 1 | B BULLET | 441 63.3 | \$291.43 | \$2,360,00 | \$2,763,56 |
| | 2 | B () | 75 | \$345.29 | \$1 611 37 | \$3,280129 |
| | 3 | В | 75 | \$345.29 | \$1,611 37 | \$2.280 129 |
| | 4 | В | 75 | \$345.29 | \$1,611,37 | \$3,380.29 |
| | 5 | B \(\square\) | 75 | \$345.29 | \$1,611,37 | \$3,380.29 |
| | * 6 | B / Harbon | - (ERSIN OKANDAN) 90 | \$414.35 | \$1\1933.64 | 53,936.34 |
| | 7 | В | 85 | \$391.33 | \$1 826 22 | \$3,717.66 |
| | 8 | B | 85 | \$391.33 | \$1 826,22 | \$3,717.66 |
| | 9 | B. Edward H | Valle 75 | \$345.29 | \$1 611 37 | \$3,280.29 |
| | 10 | B alma R of | one 75 | \$345.29 | \$4 611 37 | \$3,280.29 |
| | 11 | B | 75 | \$345.29 | \$1,611,37 | \$3,280.29 |
| | 12 | B Thorn Z. | 75 | \$345.29 | 51/61-137 | 23.280.129 |
| | 13 | | / | \$345.29 | \$1 1611 137 | \$3,280.29 |
| | 14 | B mardon la | Den 60 | \$276.23 | \$1,289.09 | \$2.524.23 |
| | 7.4 | 5 Marcall Co | TOTAL | \$10,500.00 | \$49,000.00 | \$9,750.00 |
| | | | TOTAL 2280.67 | | The same | |
| | | | | | The Control of the Co | |

ALTERNATE "A": 1" Asphalt on existing road =

ALTERNATE "B": 1" Asphalt on 6" base, no drainage =

ALTERNATE "C": 1" Asphalt on 6" base with drainage =

\$4.60 /FRONT FT.

S21-48 /FRONT FT -\$43.74 FRONT FT.