



# City of Naples

City Council Minutes

Regular Meeting 10/18/89

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS:</u>			
MAYOR PUTZELL: Read proclamation regarding Red Ribbon Week.			1
CITY MANAGER JONES: Commended two City employees for certification received, Mike Bryant and Wayne McDowell			1
<u>APPROVAL OF MINUTES:</u> October 4, 1989, Regular Meeting			2
<u>RESOLUTIONS:</u>			
-APPROVE agreement to install sign on S.R. 45.		89-5963	2
-APPROVE alley vacation, 851 Fifth Avenue North.		89-5969	11
-DENY conditional use permit for restaurant with drive up windows (2), Fifth Avenue North and Goodlette.		89-_____	12
-APPROVE conditional use to permit a real estate school, Grand Central Station.		89-5970	12
-DENY variance from rear yard setback for a pool, 41 Fifth Street North.		89-_____	13
-WITHDRAW variance request, 178 Second Avenue South.		89-_____	13
-CONTINUE nonconformity petition, 178 Second Avenue So.		89-_____	13
-APPROVE conditional use permit for Red Cross facility.		89-5971	14
-APPROVE contract with T & S Utilities, Inc., water line relocation.		89-5972	18
-APPROVE purchase of additional telemetry equipment.		89-5973	19
-APPROVE sanitary sewer improvement district.		89-5974	19
-APPROVE appointment of Egon Hill and J. Dudley Goodlette to Sales Tax Committee.		89-5975	20
<u>PURCHASING:</u>			
-BID AWARD for drainage improvements for Goodlette roadside park.		89-5964	2
-BID AWARD for vehicle shelter, Utilities.		89-5965	3
-APPROVE purchase of new telephone system for City Hall and Police Department.		89-5966	3
<u>ORDINANCES - First Reading:</u>			
-APPROVE rezone of property from R3-12 to PS, Library.	89-_____		15
-APPROVE UDC regulations for the City of Naples.	89-_____		16
<u>ORDINANCES - Second Reading:</u>			
-ADOPT Park Shore Unit 2 and Unit 5 Special Taxing District.		89-5967	4
-ADOPT amendment to Public Service Tax Revenue Bonds, Series 1983, ordinance.		89-5968	5
<u>ORDINANCES - First Reading (PUBLIC HEARING):</u>			
-FAILED boat dock moratorium on certain property in the inland waterway system, including the Bays.	89-_____		6
<u>DISCUSSION/ACTION:</u>			
-Presentation of 1989 Traffic Study by Barr, Dunlop and Associates, Inc.			20
-Consensus to reconsider denied variance request for an encroachment.			21

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			Y E S	N O	

CITY MANAGER JONES: Recognized two employees in the Utilities Department, Wayne McDowell and Mike Bryant, for achieving certifications in the water distribution and wastewater treatment operations. Mr. McDowell is a Class "C" Water Distribution Technician and Mr. Bryant is a Class "C" Wastewater Technician.

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

APPROVAL OF MINUTES

ITEM 4

October 4, 1989, Regular Meeting

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---RESOLUTION NO. 89-5963

ITEM 5

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NAPLES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PROVIDING FOR INSTALLATION AND MAINTENANCE OF A "WELCOME TO NAPLES" SIGN INTO THE HIGHWAY MEDIAN OF THAT PORTION OF STATE ROAD 45 FROM TRAIL TERRACE DRIVE NORTH TO COSTELLO DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

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PURCHASING

ITEM 6

---RESOLUTION NO. 89-5964

Item 6-a

A RESOLUTION AWARDING CITY BID 89-20 FOR PROVIDING DRAINAGE IMPROVEMENTS FOR THE FUTURE GOODLETTE ROADSIDE PARK; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH MITCHELL & STARK CONSTRUCTION CO., INC.; AND PROVIDING AN EFFECTIVE DATE.



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Mitchell & Stark  
Construction Company, Inc.  
Naples, Florida  
\$187,364.35

Title not read.

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---RESOLUTION NO. 89-5965

Item 6-b

A RESOLUTION AWARDED CITY BID 89-67 FOR  
ENCLOSING AN EXISTING VEHICLE SHELTER  
LOCATED IN THE WASTEWATER TREATMENT  
PLANT COMPLEX; AUTHORIZING THE CITY  
MANAGER TO ISSUE A PURCHASE ORDER  
THEREFOR; AND PROVIDING AN EFFECTIVE  
DATE.

Mallory Construction, Inc.  
Naples, Florida  
\$32,445.00

Title not read.

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---RESOLUTION NO. 89-5966

Item 6-c

A RESOLUTION AUTHORIZING THE PURCHASE OF  
A TELEPHONE SYSTEM WITHIN CITY  
GOVERNMENT; WAIVING THE REQUIREMENT FOR  
COMPETITIVE BIDDING THEREON; AUTHORIZING  
THE CITY MANAGER TO DISPOSE OF THE CITY  
HALL AND POLICE DEPARTMENT TELEPHONE  
SYSTEMS THROUGH THE SEALED COMPETITIVE  
BID METHOD; AND PROVIDING AN EFFECTIVE  
DATE.

United Telephone System  
Fort Myers, Florida  
\$46,383.00

Title not read.

In response to Councilman Crawford, Purchasing  
Agent Unangst advised that there would be



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approximately \$35,000 in savings to the City once this system has been in operation for five years. Those savings would be a direct result of eliminated tie lines between City Hall and the Police Department as well as the deletion of trunk charges for those same facilities.

Councilman Graver asked when the new system would be operational. Mr. Unangst said that he believed it would be in place sometime around the holidays.

MOTION: To APPROVE the Consent Agenda as presented.

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

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

---ORDINANCE NO. 89-5967

ITEM 7

AN ORDINANCE CREATING THE PARK SHORE UNIT 2 AND UNIT 5 SPECIAL TAXING DISTRICT; DEFINING THE AREA OR BOUNDARIES OF THE DISTRICT; PROVIDING A PURPOSE AND A GOVERNING BODY; PROVIDING FOR FUNDING THROUGH AN AD VALOREM TAX NOT TO EXCEED ONE-HALF MILL ONLY UPON APPROVAL BY A MAJORITY VOTE OF THE QUALIFIED ELECTORS IN THE DISTRICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO CREATE A SPECIAL TAXING DISTRICT FOR THE PURPOSE OF IMPROVING THE WATER QUALITY AND NAVIGABILITY OF THE WATERWAYS IN THE DISTRICT.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:17 a.m.  
Closed: 9:17 a.m.

No one present to speak for or against.

City Manager Jones advised that this area was not a part of the City when the Moorings Bay Special Taxing District was approved. Since it would

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

X

X

X  
X  
X  
X  
X  
X

X

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			Y E S	N O	
Anderson- McDonald					X
Barnett	X		X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson		X	X		
Putzell			X		
(6-0)					

benefit from the dredging of Moorings Bay and Doctors Pass, staff has suggested the establishment of another district. This would be placed on the February referendum for consideration by the residents.

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

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---ORDINANCE NO. 89-5968

ITEM 8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN MUNICIPAL IMPROVEMENTS WITHIN THE CITY; AUTHORIZING THE REFUNDING OF ALL PRESENTLY OUTSTANDING PUBLIC SERVICE TAX REVENUE BONDS, SERIES 1983, OF THE CITY; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,700,000 PUBLIC SERVICE TAX REFUNDING REVENUE BONDS, SERIES 1989, IN ORDER TO FINANCE THE COST OF SAID MUNICIPAL IMPROVEMENTS AND OF SAID REFUNDING; PROVIDING FOR THE PAYMENT OF SAID BONDS FROM THE PROCEEDS OF THE PUBLIC SERVICE TAX; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SAID BONDS; PROVIDING FOR CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF CERTAIN MUNICIPAL IMPROVEMENTS AND THE REFUNDING OF THE CITY'S OUTSTANDING PUBLIC SERVICE TAX REVENUE BONDS, SERIES 1983.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:19 a.m.  
Closed: 9:19 a.m.

No one present to speak for or against.

City Attorney Rynders advised that the City's Bond Counsel and underwriters for this issue had requested this ordinance.

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			Y E S	N O	
Anderson-McDonald					X
Barnett	X		X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson		X	X		
Putzell			X		
(6-0)					

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

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---ORDINANCE NO. 89-

ITEM 9

AN ORDINANCE PLACING A MORATORIUM ON THE CONSTRUCTION OF BOAT SLIPS AND DOCKS ON CERTAIN PROPERTY IN NAPLES BAY, DOLLAR BAY, GORDON RIVER AND THE INLAND WATERWAY; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO TEMPORARILY PROHIBIT THE CONSTRUCTION OF NEW BOAT SLIPS IN THE AREAS DESIGNATED ABOVE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 9:21 a.m.  
Closed: 10:14 a.m.

Community Development Director McKim advised that the Planning Advisory Board (PAB) had reviewed this item at their workshop session held on September 27, 1989, and unanimously agreed that a moratorium was not necessary at this time. The PAB emphasized that other controls such as idle speed - no wake zones and speed limits could be implemented instead of imposing such a restriction.

Mr. Harry Timmins of 555 Kingstown Drive said that he fully supported a boat dock moratorium on Naples Bay. He believed that the traffic problems on the Bay warranted such action to provide for some future planning of that waterway.

Mr. J. Sandy Scatena of 2990 Binnacle Drive urged Council to support this moratorium to provide a temporary stay of development on Naples Bay. This would allow the City to continue with its efforts to further study and compile a master plan for Naples Bay.

Mr. Fred Sullivan of 1608 Murex Lane, Vice President for Citizens to Preserve Naples Bay, advised that his group also supported this



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moratorium. He recommended the moratorium remain in place at least until Phase II of the Naples Bay Study could be completed.

Captain Allan Slaff of 3101 Green Dolphin Lane advised that he was also in favor of the boat dock moratorium. He noted that the recently completed study of the Bay indicated that it was at a level of service "C" which was considered a potentially dangerous situation.

Captain Allen Walburn of 880 12th Avenue South advised that he was the Chairman of the Citizens Ad Hoc Advisory Committee on Naples Bay, and his group believed there were other controls which could be implemented to help the current situation. While he personally had no position on a moratorium, Captain Walburn noted that the Committee had discussed it and believed such action unnecessary. He then addressed the level of service assigned to Naples Bay by Henigar & Ray Consultants and said that he believed the cited level of service "C" to be a worst case scenario. Most of the time, he continued, the Bay operates at level of service "A" or "B".

Mr. Duke Turner of 899 10th Street South, owner of Turner Marina, said that he was not in favor of a moratorium inasmuch as the waterfront property owners have formed an Association to develop appropriate zoning regulations for the area. If a moratorium was imposed, he said, there would not be a need for a Waterfront District.

Dr. Fran Stallings, representing the Conservancy, Environmental Protection Division, advised that his group was in favor of a moratorium as it believed the water quality of the Bay has deteriorated from not only boat activities, but stormwater runoff and Gordon River flow.

Attorney Robert E. Doyle, Jr., representing Collier Enterprises, said that he did not believe an emergency situation existed on the Bay which would warrant a moratorium. The moratorium, he continued, would only affect commercial application and would not have any effect upon traffic in the Bay caused by residential or public

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use. There are many other controls which can be implemented in the Bay to reduce the amount of traffic hazards, Attorney Doyle said.

Mrs. Edith Williams of 3300 Gin Lane urged Council to support a temporary moratorium so that the safety of Naples Bay could be determined through Phase II of the Naples Bay Study.

Mr. Philip C. Morse, Jr., owner of Boat Haven, said that he did not support a moratorium as he did not believe that boats or boat docks were the problem. He cited water quality as one condition and noted that Brookside Marina has raw sewage leaking from their septic tanks into the Bay. The same is true for Haldeman Creek, Mr. Morse said.

Mr. Falconer Jones of 1100 Sixth Avenue South, advised that he was the Chairman of the newly formed Waterfront District Association. Mr. Jones noted that his group has hired consultant/planners to come up with a plan that would address the use of property adjacent to Naples Bay. He asked for Council's support in denying this moratorium to allow his group the opportunity to come up with some solutions.

Mrs. Anderson-McDonald said that she supported the idea of a ten or twenty year planning program. She asked Mr. Jones if he thought a moratorium would help his group with their study. While Mr. Jones said he could not answer for the Association, he personally believed a moratorium would not solve the problems currently existing on the Bay and waterfront.

Councilman Crawford asked when the Association would be ready to begin its study. Mr. Falconer Jones noted that the proposals were due back in two to three weeks at which time the selection process would begin. He further advised that the consultant may need some help from the City in obtaining data.

In response to Mayor Putzell, Mr. Falconer Jones estimated the study to take approximately nine months once a consultant has been selected.

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COUNCIL  
MEMBERS

Councilman Anderson-McDonald said that she has consistently supported a temporary moratorium, but after the discussion with Mr. Falconer Jones at these proceedings, believed the Association should have an opportunity to come up with a plan with the help of staff and Council. A moratorium, she



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continued, will not address the number of accidents, number of boats, or safety on the Bay; those will continue to be evident. Mrs. Anderson-McDonald further said that she believed a finite time limit, such as six months, should be imposed on the moratorium if it was approved.

Councilman Graver also supported a time limit on the moratorium and said that he did not believe the number of commercial docks proposed by developers during the next 12 months to be detrimental to the operation of Naples Bay. If the County does not cooperate, he said, this moratorium would penalize only the citizens of Naples by restricting their use of waterfront property.

Mayor Putzell said that he believed the boat safety on Naples Bay had a direct relationship with a moratorium. He referred to the Sabal Bay hearings wherein Council unanimously denied a 800 slip marina on the basis of boat safety in Naples Bay. This moratorium, he continued, would allow the City and the Waterfront District Association the time needed to complete their studies and prepare a master plan for Naples Bay and the adjacent waterfront properties.

Mrs. Anderson-McDonald pointed out that she did not mention boat safety in her vote to deny Sabal Bay.

Discussion then ensued relative to the amount of commercial boat dock slips proposed for development in the City. In response to Councilman Barnett, Dr. Staiger advised that no more than 100 slips would be permitted within the next 12 months. Mr. Richardson pointed out that the permitting process for any application through the Department of Environmental Regulation (DER), the Department of Natural Resources (DNR), and the City would take almost a year to complete, therefore, a moratorium of sorts was already imposed.

Councilman Muenzer moved to approve the ordinance with an amendment to Section 1 which would include public/semi public recreational uses, and a review date of July 1, 1990 by Council.

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			Y E S	N O	

MOTION: To APPROVE the ordinance at first reading with the aforementioned amendments.

Mrs. Anderson-McDonald said that inasmuch as the time limit exceeded six months, she could not support this ordinance and would therefore vote no.

Anderson-McDonald  
Barnett  
Crawford  
Graver  
Muenzer  
Richardson  
Putzell  
(3-4 FAILED)

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

COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES  
PLANNING ADVISORY BOARD

---RESOLUTION NO. 89-5969

ITEM 10

A RESOLUTION VACATING AND ABANDONING A PORTION OF A 20 FOOT WIDE, EAST-WEST ALLEY LOCATED IMMEDIATELY NORTH OF 851 FIFTH AVENUE NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

PUBLIC HEARING: Opened: 10:50 a.m.  
Closed: 10:50 a.m.

City Attorney Rynders advised that the petitioner has paid the appropriate compensation to the City in the amount of \$9,000.

Community Development Director McKim noted that both staff and the Planning Advisory Board (PAB) have recommended approval subject to the closure of a curb cut on U.S. 41.

In response to Councilman Crawford, Petitioner Stephen B. Lewallen advised that the alley could not be vacated when the Naples Community Hospital submitted their application as the adjacent property was under different ownership. That property owner did not want to pay for such vacation.

MOTION: To APPROVE the resolution as presented.

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

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			Y E S	N O	

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## ---RESOLUTION NO. 89-

## ITEM 11

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW DRIVE-UP SERVICE WINDOWS FOR A RESTAURANT LOCATED ON A CORNER PARCEL NORTHEAST OF THE INTERSECTION OF FIFTH AVENUE NORTH AND GOODLETTE-FRANK ROAD; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim advised that the petitioner had verbally asked this item be withdrawn from the agenda; however, she had no written communication indicating the same. Since there was no formal correspondence, she asked Council to continue this item until its next regularly scheduled meeting.

Councilman Graver said that he believed this company large enough to understand the intricacies of government approval. He suggested Council deny this item. City Attorney Rynders pointed out that if this item was denied, the petitioner would not be able to reapply for a period of no less than one year; however, should the matter be withdrawn, then the petitioner could reapply at any time.

In response to Councilman Crawford, City Attorney Rynders said that he was very comfortable with the Council's suggestion to deny as the petitioner has not submitted in writing his intent.

MOTION: To DENY the resolution as present.

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## ---RESOLUTION NO. 89-5970

## ITEM 12

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A REAL ESTATE SCHOOL CONSISTING OF A CLASSROOM AND AN OFFICE TO BE LOCATED IN A SHOPPING CENTER; AND PROVIDING AN EFFECTIVE DATE.

Anderson-  
McDonald  
Barnett  
Crawford  
Graver  
Muenzer  
Richardson  
Putzell

(7-0)

X X  
X X  
X X  
X X  
X X



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			Y E S	N O	
Anderson-McDonald		X	X		
Barnett	X		X		
Crawford			X		
Graver					X
Muenzer			X		
Richardson			X		
Putzell			X		
(6-0)					
Anderson-McDonald		X	X		
Barnett	X		X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson			X		
Putzell			X		
(7-0)					

Title read by City Attorney Rynders.

Community Development Director McKim explained that this request was to allow a real estate school to be located in Grand Central Station shopping center. Staff and the Planning Advisory Board (PAB) have recommended approval subject to a stipulation that should parking problems arise, the staff can designate parking for the facility.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 89-

ITEM 13

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6.32(A)(2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES, WHICH REQUIRES A MINIMUM OF 15 FEET TO ANY REAR LOT LINE, TO ALLOW CONSTRUCTION OF A SWIMMING POOL WHICH WILL ENCROACH 12 FEET INTO THE REQUIRED REAR YARD SETBACK AT 41 FIFTH STREET NORTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim advised that staff and the Planning Advisory Board (PAB) had recommended denial inasmuch as the criteria for a variance had not been met. When the house was originally constructed, she explained, it did not take into consideration a pool addition. This type of problem exists on many lots in the City.

MOTION: To DENY the resolution as presented.

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---RESOLUTION NO. 89-

ITEM 14

A RESOLUTION AUTHORIZING A CHANGE IN A NONCONFORMITY TO PERMIT THE REMODELING OF AN EXISTING EIGHT UNIT TRANSIENT LODGING FACILITY INTO A SIX UNIT CONDOMINIUM AT 178 SECOND AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.

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			Y E S	N O	

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---RESOLUTION NO. 89-

A RESOLUTION GRANTING A VARIANCE FROM SECTION 6.18(C)(2) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO REMODEL AN EXISTING EIGHT UNIT TRANSIENT LODGING FACILITY INTO A SIX UNIT CONDOMINIUM WHICH WILL EXCEED THE MAXIMUM LOT COVERAGE PERMITTED; AND PROVIDING AN EFFECTIVE DATE.

Titles read by City Attorney Rynders.

Community Development Director McKim advised that she had received correspondence from the petitioner requesting that the variance petition be withdrawn and the nonconformity petition be continued to November 1.

It was the consensus of Council to grant the petitioner's request and continue the nonconformity petition to November 1.

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---RESOLUTION NO. 89-5971

ITEM 15

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE PRESENT RED CROSS OFFICE TO MOVE FROM ITS PRESENT LOCATION AT 675 NINTH AVENUE SOUTH TO A LOCATION ON EIGHTH AVENUE SOUTH APPROXIMATELY 150 FEET WEST OF SEVENTH STREET SOUTH AND TO ALLOW ITS CONTINUED USE AS THE RED CROSS OFFICE DURING THE CONSTRUCTION OF THEIR NEW FACILITY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director McKim advised that staff and the Planning Advisory Board (PAB) had recommended approval subject to the conditions outlined in the resolution. In response to Mr.

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			Y E S	N O	
Crawford, Mrs. McKim advised that the petitioner was renovating the existing Red Cross facility and would use this as a temporary location until that renovation was complete.					
Mr. Graver asked if there was adequate parking. Mrs. McKim confirmed that parking would be accommodated at their existing site for this location.					
MOTION: To <u>APPROVE</u> the resolution as presented.					
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---ORDINANCE NO. 89-					
ITEM 16					
AN ORDINANCE REZONING PROPERTY AT 650 CENTRAL AVENUE FROM "R3-12", A MULTIFAMILY RESIDENTIAL DISTRICT, TO "PS", PUBLIC SERVICE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE THE PROPERTY AT THE PROPERTY OWNER'S REQUEST TO ALLOW FOR THE CONTINUATION OF THE EXISTING USE AS A PUBLIC LIBRARY.					
Title read by City Attorney Rynders.					
Community Development Director McKim explained that staff and the Planning Advisory Board (PAB) had recommended approval with one condition of landscaped trees to be placed on Central Avenue.					
Councilman Crawford asked if additional landscaping could be accommodated since there were unique circumstances and the proposed use maximized the majority of this property. Architect Dan McGahey, representing the petitioner, suggested that the parking could be reduced if Council approved on-street parking for this facility.					
Mr. Muenzer then suggested that ingress and egress to the property from Central Avenue be reviewed. He asked the petitioner if he could close that entrance as it could become a dangerous situation with cars moving into the main flow of traffic. Community Development Director McKim advised that she could support such action, but requested that it be made part of the conditional					
Anderson-McDonald		X	X		
Barnett			X		
Crawford			X		
Graver			X		
Muenzer			X		
Richardson	X		X		
Putzell			X		
(7-0)					



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			Y E S	N O	
Anderson-McDonald			X		
Barnett			X		
Crawford	X		X		
Graver			X		
Muenzer		X	X		
Richardson			X		
Putzell			X		
(7-0)					

use approval so that if additional parking is needed, this entrance could be opened once again an reestablished for parking.

City Manager Jones pointed out that these suggestions could be reviewed and recommendations made to Council prior to the second reading of the ordinance. He cautioned Council to take into consideration the square footage amount for this facility and the parking required by Code.

In response to Councilman Crawford, Architect McGahey advised that the increase of administrative services at this facility was to improve the service for its clients. That expanse of administrative space should have no impact upon the parking or traffic, Mr. McGahey assured Council.

**MOTION:** To APPROVE at first reading with the stipulation that ingress/egress to Central Avenue and additional landscaping requirements be reviewed by staff for recommendation at second reading.

Councilman Graver asked if the proposed structure would be changed with the suggestions made at this hearing. Mr. McGahey said that possibly the second minor entrance could be relocated if the Central Avenue exit was closed.

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

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

---ORDINANCE NO. 89---

ITEM 17

AN ORDINANCE ADOPTING UNIFIED DEVELOPMENT REGULATIONS FOR THE CITY OF NAPLES, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO COMPLY WITH STATUTORY REQUIREMENTS FOR THE CODIFICATION OF UNIFIED DEVELOPMENT REGULATIONS, WHICH INCLUDE CONE OF INFLUENCE - GROUNDWATER PROTECTION; AFFORDABLE HOUSING STANDARDS DISTRICT;

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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	

CONSERVATION DISTRICT; CONCURRENCY  
MANAGEMENT PROGRAM AND MONITORING  
REQUIREMENTS; CORRIDOR MANAGEMENT  
OVERLAY DISTRICT; AND AIRPORT HIGH NOISE  
OVERLAY DISTRICT.

Title read by City Attorney Rynders.

Community Development Director McKim advised that the Unified Development Regulations Code (UDC) was required for implementation through the Comprehensive Plan. Since the last reading of this ordinance, there has been the opportunity to receive public input.

Attorney Pam Mac'Kie of Cummings and Lockwood, representing Collier Development Corporation, asked that some of her client's proposed uses of light industrial and airport related commercial be incorporated into the Conservation District. Mrs. McKim noted that Ms. Mac'Kie's proposed uses had been incorporated under the Airport Noise Overlay District, all subject to conditional use approval.

In response to Councilman Muenzer, Mrs. McKim advised that automobile long term parking would be a permitted use on that property. Mr. Crawford noted that there was a 35-foot height limitation in the Airport Noise Overlay District and expressed concern because of the proximity to the airport and runway. Mrs. McKim pointed out that the height and use of the property would be addressed during the conditional use process.

Mr. John Steinwand of Affordable Housing of Southwest Florida, Inc., advised that his group was concerned about the Affordable Housing Standard District in the UDC. The proposed standards, he said, would not encourage affordable housing development as they are not economically viable. He advised that his staff could be at the City's disposal to work on developing standards to encourage such development. Council directed Mr. Steinwand to meet with staff prior to second reading.

Mr. Charles Gauthier of Wilson, Miller, Barton, Soll & Peek, representing Mr. John Remington,

Date 10/18/89

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



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MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 89-5973ITEM 19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE ADDITIONAL TELEMTRY EQUIPMENT FROM A PREVIOUSLY AWARDED BID; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones advised that this was the last phase in the City's telemetry project and further that it would be of a benefit to the City to use the same vendor.

MOTION: To APPROVE the resolution as presented.

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---RESOLUTION NO. 89-5974ITEM 20

A RESOLUTION ORDERING A LOCAL IMPROVEMENT, TO WIT: CONSTRUCTION OF A SANITARY SEWER SYSTEM AND EXTENSION OF THE CITY WASTEWATER SYSTEM TO PROVIDE SEWER SERVICE WITHIN SMUGGLERS COVE, HEREIN DESIGNATED AS "SANITARY SEWER IMPROVEMENT DISTRICT 89"; DESCRIBING THE BOUNDARIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Manager Jones explained that this was the first step in establishing an assessment district relative to sanitary sewer improvements. In response to Councilman Crawford, Assistant Utilities Director Thomas advised that 51% of the residents have approved this district.

MOTION: To APPROVE the resolution as presented.

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

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

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## ---RESOLUTION NO. 89-5975

## ITEM 22

A RESOLUTION APPOINTING TWO MEMBERS TO THE BLUE RIBBON CITIZEN ADVISORY COMMITTEE ESTABLISHED BY COLLIER COUNTY TO ADDRESS THE ADVISABILITY OF IMPLEMENTING THE ONE CENT LOCAL OPTION SALES TAX IN COLLIER COUNTY; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

MOTION: To APPOINT J. Dudley Goodlette and Egon Hill to the Blue Ribbon Citizen Advisory Committee.

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## ITEM 21

PRESENTATION OF THE 1989 TRAFFIC STUDY BY BARR, DUNLOP & ASSOCIATES, INC.

City Manager Jones introduced Mr. Jack Barr of Barr, Dunlop & Associates, Inc. Mr. Barr then provided Council with a quick overview of the 1989 Traffic Study.

In response to Councilman Crawford, Mr. Barr advised that on U.S. 41 traffic flow in certain areas was greater than others because fewer streets fed into that system.

Referring to problem areas in the City, Mr. Crawford asked why the intersection of Davis Boulevard and U.S. 41 was not included. Mr. Barr advised that since the Department of Transportation (DOT) improvements had been made, the level of service for that particular intersection has been upgraded to "D" and thereby

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			Y E S	N O	

eliminates it from being a "problem". Several members of Council asked if that level of service was inclusive of growth and seasonal traffic counts. Mr. Barr noted that it was not.

Councilman Richardson pointed out that the DOT had recently proposed another right turn lane at Sandpiper which could compensate for some of the growth factor.

Mr. Muenzer said that he was surprised Four Corners did not rate higher for the amount of accidents. Mr. Barr said that he was not sure where that intersection rated, but he knew it did not qualify in the top ten.

Referring to another independent traffic study, Mr. Crawford asked if Barr, Dunlop & Associates had utilized existing data. Mr. Barr advised that they had not.

Mayor Putzell suggested that a workshop session be held relative to this study for additional input. It was the consensus of Council to review this report in depth at a future workshop session.

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CORRESPONDENCE AND COMMUNICATIONS:

Councilman Anderson-McDonald noted that at the last workshop an administrative policy regarding minor encroachments was to be drafted. A previously denied petition now falls within those parameters, she said, and the petitioner has requested reconsideration prior to the passage of that ordinance (60 to 90 days).

It was the consensus of Council to place that petition, McKnight, on its November 1, 1989, regularly scheduled meeting agenda for reconsideration.



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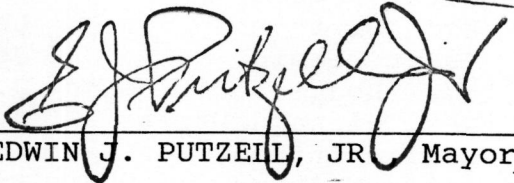
COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	

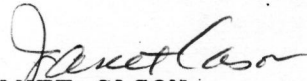
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ADJOURN: 12:26 p.m.

  
EDWIN J. PUTZELL, JR. Mayor

  
JANET CASON  
CITY CLERK

JODIE O'DRISCOLL  
RECORDING SECRETARY

These minutes of the Naples City Council were  
approved on 11-1-89.

SUPPLEMENTAL ATTENDANCE LIST

Robert Galloway	Kathy Reese	W.W. Haardt
Fred Sullivan	Egon Hill	Lee Layne
Herb Anderson	Harry Timmins	John Douglas
Tom Brown	Lori Rodgers	J.L. Myrick
Fran Stallings	Rev. Richard Mapes	J. Sandy Scatena
Charles Andrews	Willie Anthony	Alan Korest
Dick Young	Allen Walburn	Duke Turner
Phil Morse	Allan Slaff	Robert E. Doyle, Jr.
Edith Williams	Falconer Jones	Pam Mac'Kie
John Steinwand	Charles Gauthier	Gilbert Weil

Other interested citizens and visitors.

NEWS MEDIA

Gina Binole, Naples Daily News	Simon Dunkle, Palmer Cablevision
Michelle Mendelson, News Press	