Meeting__01/10/90

City Council Chambers 735 Eighth Street South Naples, Florida 33940



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City Council Chambers 735 Eighth Street South Naples, Florida 33940



CITY COUNCIL MINUTES Workshop Minutes

Time 9:00 a.m.

Date 01/10/90

Mayor Putzell called the meeting to order and presided as Chairman:										
PRESENT:	Edwin J. Putzell, Jr.,				VC	re				
	Mayor		М	S			A			
	Wim Andonesa McDoneld		0	E			В			
	<pre>Kim Anderson-McDonald (arrived 9:05 a.m.)</pre>		T	C			S			
	William E. Barnett	COUNCIL	I 0	О	Y	N	E			
	Alden R. Crawford, Jr.	MEMBERS	И	D	5	0	T			
	John T. Graver	PILIBLIO	14	=		_				
	Paul W. Muenzer									
	Lyle S. Richardson									
	(arrived 9:50 a.m.),									
	Councilmen									
Also Pres	ent:									
	Franklin C. Jones, City Manager			9						
	David W. Rynders, City Attorney									
	Mark W. Wiltsie, Assistant City Manager									
	Christopher L. Holley, Com. Svc. Dir.									
	Ann "Missy" McKim, Com. Dev. Dir.									
	Gerald L. Gronvold, City Engineer Paul C. Reble, Police Chief		1				_			
	Bruce Davidson, Police Lieutenant									
	Frank "Bill" Hanley, Finance Director									
	James L. Chaffee, Utilities Director						1			
	Marilyn McGinty, Rec. Superintendent									
	Ann Walker, Planner II									
	Tom Smith, Acting Fire Chief									
	Mary Kay McShane, Personnel Director									
	Karen Peterson, Public Information Ofc.				- 6					
	George Henderson, Sergeant-At-Arms Jodie O'Driscoll, Recording Secretary									
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See Suppl	emental Attendance List - Attachment #1.									
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Mayor Dut	zell explained the procedures followed by									
	uring an informal workshop session. He						1			
	t public input was not normally permitted					1				
as these	discussions are informational exchanges						1			
between t	he staff and Council.						-			
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CITY OF NAPLES, FLORIDA City Council Minutes Date 01/10/90		м О Т	SEC			A B S
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ITEM 1						
PRESENTATION BY COMMUNITY SERVICES DIRECTOR WITH REFERENCE TO CONCEPTUAL DESIGN PLANS FOR NAPLES LANDING, ANTHONY PARK, AND THE BROAD AVENUE SOUTH RIGHT-OF-WAY.						
Community Services Director Holley explained that staff had several conceptual plans displayed relative to Naples Landing and Anthony Park for Council's review and comment.						
Mr. Ed Modzelweski of Applied Technology advised that the Naples Landing project would incorporate pedestrian access and use, improved boating use, and an overall better parking design and traffic flow. He then allowed his associates to briefly outline the project on display for Council's edification.						
Messrs Doug Coolman and Doug Smith of Edward D. Stone, Jr., and Associates, reviewed the site plan and the proposed improvements. The plan includes: a boardwalk system; an open air structure; a tot lot; an observation tower; a picnic island; a temporary dock facility; an amphitheater; increased lighting; and improvements to the overall parking design. Mr. Coolman then estimated the cost of this project to be \$565,000.						
In response to Councilman Graver, Mr. Modzelweski explained that this project would entail a lengthy permitting process because it includes a dredge and fill permit.						
Mayor Putzell asked what the total number of parking spaces for this project would be. After a brief discussion, Community Services Director Holley calculated that 51 vehicular spaces and 31 car/trailer spaces would be provided.						
Referring to the display, Councilman Graver asked if was possible to complete this project in phases. Mr. Holley replied affirmatively. City Manager Jones pointed out that this was only a conceptual plan and was subject to review and						

VOTE CITY OF NAPLES, FLORIDA A Date 01/10/90 E 0 B City Council Minutes C T S I 0 E 0 N E N N COUNCIL s o N D T **MEMBERS** change by the staff, Council, and State agencies. Staff would like to receive a general consensus from the Council at today's meeting as to how it would like it to proceed. Councilman Crawford said that he believed it was a nice rendering; however, he believed some "frills" could be deleted from the project, such reducing the total square footage of the boardwalk system by allowing for the encroachment of land masses to break up its continuity. He further phasing believed construction would appropriate for this site. Mr. Coolman concurred that phasing was suitable for this project; however, he urged the Council to permit this project in whole to avoid future delays in that process. proposed boardwalk Referring to the system, Natural Resources Manager Staiger pointed out that the State Department of Environmental Regulation (DER) might require the City to mitigate mangrove plantings as a provision of the permit. mangrove plantings currently are throughout the deteriorated seawall, and DER might require that they be replaced. Such action would result in the need for a boardwalk system outside of the mangroves to provide public access to the waterfront view. Councilman Muenzer asked if the grassy adjacent to the amphitheater could also be used for picnicking as well as seating during special events. Mr. Coolman concurred with that recommendation and said that area could very easily serve such a dual purpose. It was the consensus of Council to proceed with the permitting process for this conceptual plan. Mrs. Anderson-McDonald said she believed this to be a positive step toward providing public access to the City's beautiful waterfront. Community Services Director Holley then reviewed the Anthony Park project. Mr. Arthur Neumann of Wilson, Miller, Barton, Soll & Peek briefly outlined the improvements for Council and -3-

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displayed a conceptual plan of the site. The improvements would include: a tot lot, basketball courts, racquetball courts, passive path system, regulation size softball field, gazebo, and fishing hole. The amenities outlined in this plan were reviewed by the adjacent neighborhood, and after much discussion with the Naples Parks and Recreation Advisory Board, the residents concurred with the conceptual plan presented at these proceedings.					
Referring to the parking configuration, Mr. Holley advised that it included a parcel of property currently owned by a local church. The church has agreed to sell the property to the City. In response to Mayor Putzell, Mr. Holley estimated that the 3 +/- acres would cost less than \$100,000.					
Discussion then ensued relative to parking and the standards required for a park facility. City Manager Jones said that he did not believe the Development Code addressed such areas as minimum parking requirements which are generally associated with enclosed structures.				277	
Mayor Putzell asked what steps had been taken in this planning process to address the erosion problem experienced by so many property owners in that area. Natural Resources Manager Staiger pointed out that this area has never been developed, and it, therefore, has retained its natural shoreline. The adjacent property owners, however, had to fill their lots to meet flood elevation levels which created high bank slopes and much of the erosion problem along that canal.					
Councilman Muenzer recommended that the softball field site be reevaluated because as it currently is situated, the sun would be in the batter's eyes. Since the field will not be lighted, this could be a major consideration relative to its use, he said.				=	
It was the consensus of Council to proceed with the negotiations for acquiring the church property adjacent to Anthony Park, and to proceed with the conceptual plans presented at these proceedings.					

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	Discussion then ensued relative to the Broad Avenue South right-of-way improvements. Community Services Director Holley explained that there were funds currently available to begin landscaping and irrigation of this median. It could be developed into a passive linear park similar to those under construction on U.S. 41 and Goodlette-Frank Road.							
	City Manager Jones advised of two projects which could adversely affect whatever improvements were made in this area: stormwater management and the Urban Core Study.							
	It was the consensus of Council not to proceed at this time with any improvements to the Broad Avenue South right-of-way.							

1	ITEM 2					-		
	DISCUSSION OF BOATING TRAFFIC REGULATIONS ON NAPLES BAY.							-
	City Manager Jones advised that Council at its last workshop directed staff to review the data presented by Citizens to Preserve Naples Bay and report its findings. It has been determined by the Police Department that radar speed tests to measure the proposed 7 mph speed limit were ineffective. The surrounding wave action interfered with the radar readings. Staff, however, believes that the State Department of Natural Resources (DNR) regulations and the State statutes are sufficient, and the Slow Down/Minimum Wake zone easily enforceable.							
	The Police Department has further recommended that a Slow Down/Minimum Wake zone would be appropriate in Naples Bay from Marker 10 to Marker 32 during the weekends and holidays. Such action requires permitting from DNR prior to its implementation, Mr. Jones pointed out.							
	Relative to the problems experienced by use of personal watercraft (jet skis), staff is confident that the Slow Down/Minimum Wake Zone would effectively remove that hazard. Those vessels are not designed to be operated at idle speed. -5-							
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	The State statutes also provide regulations relative to noise levels associated with certain speed boats. A vessel cannot exceed 90 decibels, and it must install a muffling device to restrict noise emitted from its exhaust. Mr. Jones further pointed out that staff has prepared a schedule of fines for Council's consideration (Attachment #2).						
	Councilman Graver said that he had difficulty supporting these measures inasmuch as the Bay Management Organization (BMO) would soon be underway and these types of problems would fall under their purview. He further pointed out that the recommendations made by the Naples Bay Ad Hoc Advisory Committee have not yet been fully implemented. Those recommendations might help alleviate some of the existing problems on the Bay, he said. Councilman Barnett concurred.				·		
	In response to Councilman Crawford, Police Chief Reble cited the regulatory definition for a Slow Down/Minimum Wake zone: "a restricted or controlled zone established for the best interest of the public, the speed limit must not exceed that which would create an excessive wake."						
	It was the consensus of Council that a Slow Down/Minimum Wake zone would be appropriate in Naples Bay from Marker 10 to Marker 32 on the weekends and holidays, and it directed staff to proceed with the State permitting process.						
	Councilman Muenzer suggested that a six month review be established once the zone has been implemented. Such review should encompass those holidays including, the Fourth of July, Memorial Day, and Easter, if possible.						
	Referring to the County ordinance regarding manatee protection, Councilman Richardson suggested that the City coordinate its efforts with the County so that the regulations are similar throughout Collier County.						
	Discussion then ensued relative to muffling the noise from cigarette boats. Councilman Barnett						
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advised that he owned such a vessel, and that it was not possible to install mufflers on those boats. Some of these vessels offer optional equipment, "baffles", which at a cost of \$3,000 are not always economically feasible.						
It was the consensus of Council that the Police Department should continue to enforce the State statutes relative to muffling devices for those vessels at or exceeding the regulatory limit of 90 decibels, and to continue enforcement of the State statutes relative to personal watercraft (jet skis).						
Councilman Richardson contended that education for the boaters was a needed element in the struggle to provide a safer Bay. He urged those members of the commercial fishing/boating industry to continue their education efforts through this tourist season by distributing informative literature to their customers.						
It was the consensus of Council to support the fine schedule outlined herein as Attachment #2, and to direct the staff to proceed with their requests of the Collier County judges to implement those fines in their deliberations.						

ITEM 3						
DISCUSSION OF IMPLEMENTATION OF VOLUNTARY WATER USE RESTRICTIONS IN THE CITY OF NAPLES.						
City Manager Jones explained that the City is not under mandatory water restrictions; however, staff has developed a voluntary program which could begin conservation of the water supply. The proposed program would alleviate water pressure decreases by restricting watering between the hours of 12 midnite and 4:00 a.m. Once the Southwest Florida Water Management District (SWFWMD) implements mandatory restrictions, the City could apply for a variance that would provide for the same program.						
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Councilman Anderson-McDonald suggested that the staff contact those property owners affected by the voluntary program and solicit their participation. She further recommended that the lawn maintenance companies be notified as well. Mr. Jones advised that a special mailing could be prepared to address this issue.						
It was the consensus of Council that a voluntary water use restriction program was desirable for the City of Naples, and it directed staff to implement the program and notify those individuals affected by the plan.						

ITEM 4						
DISCUSSION OF AN ORDINANCE PROHIBITING THE PARKING OF CONSTRUCTION WORKERS' AND SERVICE WORKERS' VEHICLES ON PROPERTY OTHER THAN WHERE WORK IS BEING PERFORMED.						
City Attorney Rynders advised that there have been some complaints received from residential neighborhoods relative to the parking of construction vehicles on existing lawns and equipment blocking driveways. This proposed ordinance would provide the Police Department with the tool needed to cite or remove those in violation.						
Councilman Anderson-McDonald asked if the CCBCA (Collier County Builders and Contractors Association) had been contacted for their input. City Manager Jones advised that they had sent a notice to the CCBCA, but received no reply.						
It was the consensus of Council that the CCBCA should be notified again advising them that this item would be discussed at the next workshop session, and if they wish to respond to the ordinance, they must do so prior to that meeting.						

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=	ITEM 5						
	REPORT ON AD HOC COMMITTEE REGARDING LOCAL OPTION SALES TAX.						
	City Manager Jones advised that the Sales Tax Committee has requested a joint meeting between Collier County, City of Naples, Everglades City, and the School Board on January 16, 1990 at 1:00 p.m.						
	It was the consensus of Council that January 16, 1990 at 1:00 p.m. was acceptable, and those members who could attend that meeting would do so.						
	Finance Director Hanley thoroughly reviewed the Committee's final report to the Collier County Commission (a copy of which can be reviewed from the meeting packet in the Office of the City Clerk). The local one cent sales tax referendum will be placed on the November ballot for a ten year period with an option to extend the tax for an additional five years at the end of that first period. Mayor Putzell clarified that the extension could only be achieved through another referendum to the voters.						
	Discussion then ensued relative to the distribution of the sales tax revenue to be received and the percentages to be alloted to those participating agencies. Councilman Muenzer asked if the City's percentage could be negotiable as it might increase because of future annexations. City Manager Jones, however, pointed out that the County would be experiencing tremendous growth rates which could effectively bypass the City's annexations efforts and reduce its total percentage.						
	Mayor Putzell said that he believed the County promptly should be notified of the City's position relative to any and all elements of the local option sales tax referendum. This would preclude the need for later discussions of those issues after the City's silence had been taken as possible concurrence.						
	Referring to another recommendation by the Committee, Mr. Hanley advised that it had suggested the Tourist Development Tax question						

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also be placed on the referendum ballot to be used solely for the purpose of maintenance and rehabilitation of the beaches and passes in Collier County and other activities authorized under the Tourist Development Tax Statute. Councilman Anderson-McDonald, a member of that Board, pointed out that the revenues received from such a tax could be expended 50% beach renourishment, 25% tourism related publications, and 25% culture oriented festival activities.						
Finance Director Hanley then referred to Section IV. Property Tax Relief of the final report and said he believed this section to be too restrictive and would prohibit the City from implementing a general obligation bond issue. Councilman Richardson asked if that Committee understood the City gained its capital improvement funds through utility taxes and not bond issues. Mr. Hanley said that he did not believe the Committee fully grasped that concept.						
A general discussion then ensued as to the Council's responsibility to advise the public of its plan to utilize the revenues obtained through this tax. Finance Director Hanley pointed out that the Committee had recommended uses for the City's share of the revenue; however, he noted that the Council had the right to spend the money as it deemed appropriate and was not obligated to the Committee's recommendations.						
Councilman Muenzer expressed concern that the revenues slated for beach renourishment equated to 1/3 the cost from the County, and 2/3 from the City. With the majority of beach stickers being issued to County residents, it only seems fitting that the County should pay more than 1/3 the costs for beach renourishment, he said. Mr. Muenzer further noted that the expenditure for a Gordon River bridge should also be a joint City/County project and the costs not solely burdened upon the City.						
Mr. Crawford said that if the County did not exist, the City would not need the additional sales tax and it would not be under consideration.						
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He said that he believed the City should remain neutral and not take a position relative to this referendum.						
It was the consensus of Council, excepting Messrs. Crawford, Graver, and Muenzer, that the concept of a local option sales tax was acceptable to the City Council.						
Mrs. Anderson-McDonald expressed concern that the Committee's recommendations severely restricted the City government's ability to raise additional revenue should certain State revenue sharing programs discontinue. In order to maintain the City's current level of service, alternate sources of funding for certain projects might be required, she said.						

ITEM 6						
PRESENTATION OF RESULTS OF CITIZEN TELEPHONE SURVEY.						
City Manager Jones explained that this survey focused on certain issues currently prevalent in the City. This telephone survey can be used as a tool for setting priorities and interest of future projects and/or programs.						
Mr. Chuck Mohlke of Fraser and Mohlke Associates, Inc., advised that the report contained nine Naples neighborhood areas, defined by the statisticians, of registered voters from the 1988 presidential election.						
Referring to several questions wherein the response was equally divided between agree, disagree, and/or no comment, Mr. Mohlke said that he believed those questions could not adequately be addressed as the questions did not always apply to the respondent. One example of a question asked involved contact with a City employee, the residents who work are not available to contact City Hall during business hours and more than likely would not have any contact with a City						

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	employee. He then reviewed other questions that might fall under that same category relative to the Comprehensive Plan, zoning, etc.						
	A general discussion then ensued relative to randomly selected questions from the survey by Council.						
	Councilman Muenzer suggested that the next survey be done during June or July to determine what problems are perceived by the public during that time of year. He then commended Mr. Mohlke for a job well done.						

	ADJOURN: 12:00 NOON EDWIN J. PUTZELL JR Mayor						
	JANET CASON CITY CLERK						
	JODIE O'DRISCOLL RECORDING SECRETARY						
	These minutes of the Naples City Council were approved on February 7, 1998.						
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Attachment #1

SUPPLEMENTAL ATTENDANCE LIST

W. W. Haardt
Douglas C. Smith
Frank White
Carol Lynn Kendall
George Batchelder
C.A. Reinbolt
Chuch Mohlke

Charles Andrews Arthur Neumann Douglas Coolman Joseph Herms Ann Colabrese Aurell Sarosdy Edward Modzelewski Capt. Allen Walburn Fred Sullivan Phil Morse Wheeler Conkling Jim McGrath

Other interested citizens and visitors.

NEWS MEDIA

Gina Binole, Naples Daily News Dave Bristow, WNOG Michelle Mendelson, News-Press

RECOMMENDED FINE INCREASE

CARELESS/RECKLESS OPERATION	\$100.00
IDLE SPEED VIOLATION	\$ 75.00
SLOW DOWN/MINIMUM WAKE	\$ 75.00
NOISE VIOLATION	\$ 75.00
ALL OTHER VIOLATIONS	\$ 50.00