



City of Naples

CITY COUNCIL MINUTES

Workshop Meeting May 23, 1990

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

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Time 9:25 a.m.

Date May 23, 1990

Mayor Crawford called the meeting to order and presided:

PRESENT: Alden R. Crawford, Jr., Mayor

Kim Anderson
William E. Barnett
R. Joseph Herms
Paul W. Muenzer
John M. Passidomo
Fred L. Sullivan,
Councilmen

Also Present:

Franklin C. Jones, City Manager
David W. Rynders, City Attorney
Mark W. Wiltsie, Asst. City Manager
Frank "Bill" Hanley, Finance Director
Rand-Scott Coggan, Fire Chief
Christopher L. Holley, Com. Svc. Dir.
Jon C. Staiger, Ph.D., Nat. Res. Mgr.
James L. Chaffee, Utilities Director
Ann "Missy" McKim, Com. Dev. Dir.
Ann Walker, Planner II
Karen Peterson, Public Info. Officer
Michael Fernandez, Planner III
Gerald L. Gronvold, City Engineer
Stephen D. Uman, Building Official
George Henderson, Sergeant-At-Arms
Jodie O'Driscoll, Recording Secretary

See Supplemental Attendance List - Attachment #1.

This workshop meeting convened at approximately 9:25 a.m., immediately following interviews with candidates for appointment to the Contractors' Examining Board.

ITEM 1

REVIEW OF ANNUAL FINANCIAL REPORT FOR
THE YEAR ENDED SEPTEMBER 30, 1989.

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City Manager Jones advised that the audit was completed and presented to Council at an earlier meeting; however, the presentation portion was deferred to a future workshop session.

Auditor Ron Wood of Rogers, Hill, Wood, Starman, & Gustason advised that the City of Naples was in sound financial condition. He noted that there was approximately \$2.41 of equity dollars for each dollar of liability. Mr. Wood, however, expressed concern about the City's Water and Sewer Enterprise Fund operations. He said that there must be an increase in rates to cover the City's net debt service requirements.

Councilman Herms asked if a decrease in personnel and overhead costs might effect the same result as a rate increase. Auditor Wood said that he did not believe so inasmuch as the City's current plant facility has been in operation for quite some time and operating efficiently. Mayor Crawford pointed out that the salaries, payroll expense, and administration costs were approximately 1.5% of the total expenses for the Water Fund.

Referring to the City's existing water and sewer rates, City Manager Jones advised that several years ago, the Council enacted a policy which would establish water and sewer rates for a period of three years. During the upcoming budget discussions, he continued, this Council will have to address that policy and determine whether an increase in rates is appropriate to cover the City's net debt service requirement as outlined by the various bonds in place.

Finance Director Hanley then provided Council with a brief presentation outlining highlights from the City's Annual Audit, year ended September 30, 1989. In particular, he reviewed Page 42, General Fund Comparative Balance Sheet; Page 79, Water and Sewer - Enterprise Fund; Page 82, Sanitation - Enterprise Fund; Page 105, Risk Management Fund; Pages 160 and 161, Property Tax Rates of All Overlapping Governments; and Pages 156 and 157, General Revenues by Source. (A copy of the City's

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liveaboards or are just being used by those boaters without permission.

In response to Councilman Anderson, Natural Resources Manager Staiger explained that the only newly constructed marina considered by this Council had voluntarily installed a pump-out station for its users. Retrofitting the three previously mentioned marinas with pump-out facilities would not only be difficult, he said, but also expensive. Dr. Staiger then said that he did not believe liveaboard vessels would be a future problem for this Council as the prices of these boat slips keep increasing, and it becomes less expensive and more convenient to rent an apartment than live aboard a boat.

Councilman Sullivan said that he believed approval of this ordinance would be another case of enacting a law for a relatively small number of situations. He, however, expressed concern that the Old Cove Condominium did not have designated laundry, shower, and bath facilities. Mr. Sullivan asked that some assurance from that marina be obtained advising the location of those facilities for its liveaboard vessels.

City Manager Jones asked for some direction from Council as to how it would like to proceed. He suggested that public input could be obtained which might help to determine if there really is a problem.

It was the consensus of Council to provide the public with 30 days in which to submit written correspondence to the City Manager's Office relative to the implementation of the proposed ordinance. If the City Manager receives any input which indicates a need for Council to readdress this issue, then the item will again be placed on an upcoming workshop agenda.

ITEM 3

DISCUSSION OF AN ORDINANCE AMENDMENT
REGULATING THE FILLING OF LAKES.

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Natural Resources Manager Staiger advised the Comprehensive Development Code provides that it is unlawful to fill any lake without first obtaining permission from the City Council. This regulation also applies to the placement of rip rap or revetments. The proposed ordinance would set forth and establish a formal permitting process similar to that of a dredge and fill permit for filling lakes.

Mayor Crawford asked what would be required if a property owner was found to be in violation of this ordinance. City Attorney Rynders advised that if an after-the-fact variance could not be obtained, then the property owner would be required to remove the construction in question. Dr. Staiger also noted that the ordinance imposing fines on contractors who work without a permit, or outside the scope of a permit, would also apply to this type of violation.

It was the consensus of Council to direct the City Manager to proceed with the drafting of this ordinance and present it to Council at an upcoming regular meeting for consideration at first reading.

ITEM 4

UPDATE ON CITY DOCK EXPANSION.

City Manager Jones explained that there were several projects currently underway which were previously budgeted by Council. However, some conflicting issues have come up relative to a few of these projects, and he said he was now seeking guidance from this Council. The proposed City Dock expansion includes the addition of 22 boat slips as well as improvements to the electrical and fuel systems. The improvements to the facilities are ready for bid although a few obstacles remain with regard to the additional boat slips. Mr. Jones further advised that both the State and the Department of Environmental Regulation (DER) have imposed requirements which must be addressed prior to the permitting.

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The DER has required that a stormwater utility plan first be in place prior to the construction of those additional slips, and, the State has required that the City dedicate its submerged bottom lands beneath the City Dock. The City owns those bottom lands east to west along 12th Avenue, and the State owns the submerged land beneath the south fingers of the City Dock.

City Attorney Rynders explained that the City has a deed from the last century which dates back to the time when the State conveyed a large portion of submerged land to private property owners. He further noted that while the State has never refused to renew a lease for submerged bottom lands, it ultimately could do so and require all structures above those lands to be removed.

Referring to the proposed construction of 22 boat slips, City Manager Jones said that he had researched the actual demand for slips and determined that there was no overwhelming need to move ahead quickly.

Councilman Passidomo said that he believed the Council should determine whether there is a need to dedicate submerged bottom lands and not merely base its decision on the State's requirement. Mr. Barnett said he supported the electrical and fuel system improvements, but while he believed there to be a demand, recommended construction of the additional 22 boat slips wait for more information on the impact of this on the Bay.

Councilman Sullivan said that he did not believe the City's current pump-out facility was properly identified for the public and suggested that more appropriate signage be installed. Councilman further suggested that signage be placed at the gas pumps, the entrance to the City Dock, and the Cove Inn.

It was the consensus of Council to proceed with the upgrading of the electrical and fueling systems at the City Dock. However, construction of the additional 22 boat slips shall be postponed until such time as the impact on Naples Bay can be determined and/or the need for those slips arises.

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ITEM 5

Item 5-a

IMPROVEMENTS TO BROAD AVENUE SOUTH
RIGHT-OF-WAY AND BOARDWALK SYSTEM
CONNECTING THIRD STREET SOUTH TO NAPLES
LANDING AREA.

City Manager Jones advised that at a Strategic Planning Session, the Council and staff have reviewed proposed improvements to Broad Avenue South right-of-way and a boardwalk system connecting Third Street South to Naples Landing; he said he was seeking confirmation to proceed with the appointment of a committee to review those projects.

Mayor Crawford said that he believed this project was too "grandiose" and could be scaled down considerably. He said that he further believed consideration of these improvements should wait until after the stormwater management plan has been developed.

Referring to the Naples Landing project, however, Community Services Director Holley advised that he now needed direction as the consultant was ready to submit permit applications to the State for that project. City Manager Jones also pointed out that the stormwater management plan proposal to be presented to Council will be very preliminary and final design characteristics would not be realized for quite some time.

It was the consensus of Council to postpone these projects until the impact that the stormwater drainage study will have upon the area can be realized. City Manager Jones was directed to place these projects on his list of future workshop items to be brought back for Council's consideration at some future date.

Item 5-b

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<p>IMPROVEMENTS TO PROPERTY LOCATED ON GULF SHORE BOULEVARD ADJACENT TO ALLIGATOR LAKE.</p> <p>City Manager Jones explained that this project was previously considered and budgeted by Council, however, some neighbors have come out in opposition. The City has improved areas such as this in the past (Bow Line Bend, Orchid Drive, and along U.S. 41 rights-of-way) to help meet its level of service deficiencies as outlined in the Comprehensive Plan.</p> <p>Councilman Muenzer said that he believed the City's deficiency could be addressed by claiming the beach and beachends as recreational park areas. He further said that he did not believe the property adjacent to Alligator Lake should be improved; a simple mowing and trimming would be sufficient, he said.</p> <p>Councilman Sullivan said that the Bow Line Bend area was quite different from Alligator Lake as it had no ready access without crossing Gulf Shore Boulevard. He suggested that the City's existing parks (Anthony Park, in particular) must first be properly maintained before any additional recreational areas are considered.</p> <p>Councilman Anderson asked if the City would still decreasing the Comprehensive Plan deficiency if it took the proposed benches out of the Alligator Lake project. Staff was unable to answer the question immediately, but promised to research that possibility.</p> <p>Councilman Herms noted that the property in question was still in a natural state, and should remain as such. Mr. Herms concurred that mowing and trimming were all that was required.</p> <p><u>It was the consensus of Council not to proceed with the project as proposed, but to direct the City Manager to review alternate improvements to the site.</u></p> <p>***</p>					

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ITEM 6

DISCUSSION OF SECOND GORDON RIVER
CROSSING.

Councilman Herms advised he asked for this discussion to determine Council's interest in a second bridge over the Gordon River.

Mayor Crawford said that while he was a member, the Metropolitan Planning Organization (MPO) had reviewed this item a number of times always coming up with the same answer: not enough need and no money to fund such a project. The Naples Area Transportation Study provided data that such a bridge would only be necessary to connect an "expressway" system through Naples which was not considered an attractive addition for this area, Mayor Crawford further explained. He added that the MPO should be the agency to review and recommend whether another bridge is desirable or feasible in coordination with the County, State, and City. Councilman Passidomo concurred and said that he also believed this to be a community problem and, as such, should be supported by all those agencies to be impacted.

Councilman Barnett said that he believed it was important to have some definitive answers relative to future growth and demands upon the City, County, and State roads. Councilman Muenzer concurred and said that any bridge to be constructed should be a coordinated effort among those government agencies.

Councilman Sullivan said that he also needed more answers although he believed the public perceives there to be a need for a second bridge. He said if this cannot be substantiated by accurate data, then the public must be informed and suggested that Council should direct the MPO to study the matter and advise its findings. Mayor Crawford pointed out that there were two members of Council on the MPO who could communicate the City's desire for additional information.

It was the consensus of Council that the MPO representatives (Councilmen Herms and Passidomo)

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should discuss the proposal of a second bridge over the Gordon River with the other MPO members for their consideration.

ITEM 7

DISCUSSION OF BIKE PATH CONSTRUCTION ON
GULF SHORE BOULEVARD.

City Manager Jones explained that he wanted some guidance from Council as to how to proceed with the City's bikepath system. Staff has contacted Gulf Shore Boulevard property owners and from the public input received, it appears that the majority of the residents want to proceed with a contiguous bikepath system. The present configuration proposes a route from Central Avenue along Gulf Shore Boulevard to Fifth Avenue South to possibly tie into either Second or Third Streets, he said.

Councilman Sullivan said that he believed the City was in violation of the State and Federal safety standards relative to bikepaths. While this cannot be avoided in some instances, he said, it can be recognized and every effort made to address the safety issue.

Councilman Anderson said that she believed it would be safest to run the bikepath along Second to avoid the heavy pedestrian traffic found on Third Street South. She further pointed out that Gulf Shore Boulevard, south of Fifth Avenue South, was too narrow to accommodate a bikepath.

In response to Mayor Crawford, Community Development Director McKim advised that the Comprehensive Plan requires that a bikepath system and plan be in place although there are no level of service requirements to maintain.

Referring to the Old Naples area, Councilman Sullivan said that he believed it inappropriate to place bikepaths in those areas because of the already narrow streets. Mayor Crawford and Mrs. Anderson, however, pointed out that the original

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concept of the bikepath system was to provide an area for children to safely operate a bicycle away from the traffic flow.

It was the consensus of Council to extend the City's bikepath system from Central Avenue along Gulf Shore Boulevard to Fifth Avenue South, and to review the feasibility of continuing that system down Second and/or Third Streets.

ITEM 8

DISCUSSION OF ADDITION TO HOME AT 2700
GORDON DRIVE.

City Manager Jones advised that the property owner at 2700 Gordon Drive had petitioned the City Council for a Coastal Construction Control Line (CCCL) variance to place a pool seaward of that line. Action taken by Council was to grant approval and subsequent building permits were then applied for and received by the petitioner. The adjacent neighbors (The Thomases) have voiced considerable objections to the proposed construction of the cabana bath and its adjoining structure.

Referring to the packet information, City Manager Jones listed the Thomases' request for relief as follows: 1) Strict monitoring of the CCCL construction for compliance; 2) Relocation of the air conditioning units to other than the north side of the house; 3) Certificate of Occupancy (CO) to be restricted to non-guest house and noncommercial uses; 4) Mature landscaping to be placed as a buffer between the cabana and the Thomases' property; and 5) Any kitchen facilities located within that structure to be removed. Staff has taken the position that these requests are not unreasonable and would support them, Mr. Jones stated.

City Attorney Rynders advised that while Council may not have been pleased with the overall aesthetic design of the proposed construction, if it met all the criteria for a variance and Council

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"acquiring another means through a work session to provide a meaningful framework through dialogue with staff rather than struggle through the same on a Wednesday morning" was important. Mr. Passidomo further explained that his proposal would move the workshops from the second and fourth Wednesday to the first and third Monday preceding the regularly scheduled Council meeting. In addition, he recommended that the Council and staff establish appropriate meeting dates on Saturdays for all day Strategic Planning Sessions.

Discussion then ensued as to the benefits of the Strategic Planning process and the reasons why the City Manager suggested that process be implemented; namely, Mr. Jones explained that a need for Council to be involved in the long range planning so that it could be comfortable with projects underway and those to be pursued.

Councilman Muenzer referred to comments and recent articles appearing in the Naples Daily News which indicated that certain members of Council were abusive to staff and prolonged meetings unnecessarily by "micromanaging". He said that he took exception to those comments and believed that he should be afforded the courtesy of questioning staff and presenting any concerns about a purchase or other issue as he deemed appropriate. The public elected him to the Council to represent them, Mr. Muenzer said, and he was proceeding toward that end in the manner with which he was comfortable. He further asked each member of Council to respect his individual style and offered to give them the same courtesy.

Mayor Crawford said that "micromanaging" was a word he had previously used, but had since been misinterpreted by the media. The Council each year reviews the upcoming fiscal year's budget indepth, so questions about purchases previously approved during that budget hearing process could be considered micromanaging, he said. Mayor Crawford further noted that once this Council has been through the budget hearing process, such items could be approved without the additional dialogue as they would have been previously reviewed and discussed.

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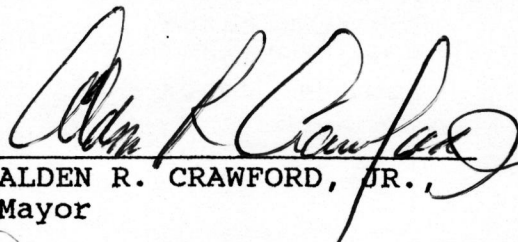
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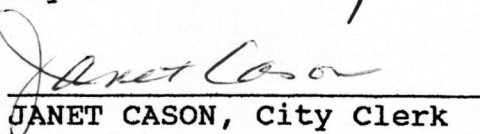
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Attorney Rynders, however, advised that the hospital believed his fee to be reasonable, and it was also in line with fees charged by other City Attorneys throughout the State.

ADJOURN: 1:20 P.M.


ALDEN R. CRAWFORD, JR.,
Mayor


JANET CASON, City Clerk

JODIE O'DRISCOLL,
Recording Secretary

These minutes of the Naples City Council were
approved on June 6, 1990.

MAY 23, 1990
WORKSHOP MEETING

SUPPLEMENTAL ATTENDANCE LIST

Leonard Nix
Bridget Seimer
Arthur and Stella
Nichols
Doris Dana
David Hutchinson
Victor Zeedik
Kim Kobza
Fern Aitchison

Charles Andrews
Kay & Tom Duecker
Joseph J. Biaseola
Robert McFadden
Bruce & Linda Graham
Falconer Jones
Ron Wood
Virginia Cochran
Alan Korest

W.W. Haardt
Peter Austin
Pete Sakellarios
Sharon Ledsy
Debbie Zeller
Dick Opseth
Sue & John Smith
C. Lodge McKee
Herb Anderson

Other interested citizens and visitors.

NEWS MEDIA

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