



City of Naples

City Council Minutes Regular Meeting August 1, 1990

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	ORD. NO.	RES. NO.	PAGE
ANNOUNCEMENTS:			
VICE MAYOR ANDERSON: None.			1
CITY MANAGER JONES: Recognized several employees and introduced the City's "Get Mugged" program.			2
APPROVAL OF MINUTES: July 18, 1990, Regular Meeting			2
ORDINANCES - First Reading:			
-APPROVE amendments to Chapter 3 of the Code.	90-		7
ORDINANCES - Second Reading:			
-ADOPT rezone property to PD, Naples Community Hosp.	90-6140		2
RESOLUTIONS:			
-APPROVE calling a referendum for prohibiting the taking of saltwater fish, except by hook and line, etc.		90-6141	9
-APPROVE an agreement with the School Board to use County school buses to transport recreation program participants.		90-6142	10
-APPOINT a consultant selection committee to review proposals received relative to the Waterfront District.		90-6143	11
DISCUSSION/ACTION:			
-ACCEPT proposal from LRI Financial Corporation, City Dock renovations.			8
-Proposed bill on convenience stores before the State Legislature.			11
-Reviewed the budget hearing schedule.			12

Date August 1, 1990

1

CITY OF NAPLES, FLORIDA

August 1, 1990

City Council Minutes

Date _____

CITY MANAGER JONES: Announced that the City's new, replacement fire engine was on display in front of City Hall.

With the assistance of Vice Mayor Anderson, Mr. Jones then recognized several employees for their outstanding achievements. Traffic Control Technician George Demers was congratulated for his recent certification from Lee County Vo-Tek. Firefighters Ted Vath and Mark San Angelo were also commended for their efforts to resuscitate a cardiac arrest patient.

To help protect the environment, City Manager Jones said the Fire Department's "Get Mugged" program would be expanded City-wide. All Fire Department employees now use ceramic mugs instead of styrofoam cups. Fire Chief Coggan commended Firefighter Annette Reblin suggesting the program in honor of Earth Day 1990.

APPROVAL OF MINUTES

ITEM 4

July 18, 1990, Regular Meeting

MOTION: To APPROVE the minutes as presented.

COMMUNITY DEVELOPMENT DEPARTMENT/ NAPLES
PLANNING ADVISORY BOARD

---ORDINANCE NO. 90-6140

ITEM 5

AN ORDINANCE REZONING PROPERTY LOCATED AT 350 SEVENTH STREET, SOUTH (NAPLES COMMUNITY HOSPITAL) FROM "M" MEDICAL AND "C-2" GENERAL COMMERCIAL TO "PD" PLANNED DEVELOPMENT (MEDICAL RELATED); AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO ALLOW EXPANSION OF THE HOSPITAL THAT WILL ALLOW A PARKING GARAGE AND A MEDICAL SERVICES BUILDING.

Title read by City Attorney Rynders.

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					
Barnett	X		X		
Herns			X		
Muenzer		X	X		
Passidomo			X		
Sullivan			X		
Crawford					
(6-0)					X

CITY OF NAPLES, FLORIDA

City Council Minutes

August 1, 1990

Date _____

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	

PUBLIC HEARING: Opened: 9:15 a.m.
Closed: 10:05 a.m.

Community Development Director McKim advised that since the first reading of this item, the petitioner (Naples Community Hospital) has removed the medical related office building from the site plan, increased stormwater management and landscaping, and added a floor to the parking garage (approximately 200 spaces).

Mr. Edward Morton, representing the Hospital, distributed artist's renderings of the proposed site plan and landscaping.

Councilman Sullivan said that he did not believe the public was aware of the tremendous space which the latest medical technology requires. He asked Mr. Morton to clarify the square footage required by medical equipment and the number of persons required to operate it. Mr. Morton confirmed that several machines in use at the hospital require a great deal of square footage, although only a minimal number of employees. He cited the "PET Scanner" and "MRI Magnetic Resonance Imager" as examples.

Councilman Muenzer asked the petitioner if he could provide assurances that the adjacent residential streets would not be negatively impacted by off-street parking during construction phase of the parking garage. Mr. Morton assured Council that the Hospital was looking for alternate locations for employee parking during construction phase of the garage. He further advised that the Hospital was negotiating with several off-site businesses to provide additional parking during construction. Those employees would be transported from the off-site parking areas to the Hospital via the tram.

Mr. Morton said he anticipated garage construction would commence in April, 1991, and continue through September, 1991. In response to Councilman Muenzer, Mr. Morton then reviewed the ingress and egress points of the parking structure. The Hospital intends to encourage individuals to utilize the main entrance from U.S.

August 1, 1990

City Council Minutes

Date _____

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	

41 and also Second Avenue North. Vehicles from U.S. 41 would be able to turn either left or right into the structure; however, a right turn only from the parking garage would be permitted onto U.S. 41.

City Attorney Rynders advised that the ordinance could be amended to include the following language to ensure that the aforementioned intentions are kept: "In order to reduce the parking impact during construction, the garage will be built first, between April to September, 1991. Employees shall park off-site and be ferried to the Hospital via carpool. The Hospital will not use Sixth Street or any other City streets for parking."

Councilman Passidomo asked if any consideration had been given to screening the parking structure with wall vines to reduce its perceived mass. Mr. Morton advised that he was discussing such a measure with landscape architects and would certainly be willing to further explore it. A concern, however, was whether vines would withstand drought.

Referring to the architectural renderings, Vice Mayor Anderson asked if the Hospital was committed to the styles represented. Mr. Morton noted that the Hospital intends to relocate mature canopy trees currently located adjacent to the lake. In addition, sizeable palm trees would also be planted in an attempt to reduce the perceived mass of the proposed structures.

Councilman Herms asked for clarification of the 15,000 square feet of commercial office and retail space in the Clinical Services Building. Mr. Morton explained that the intent was to provide some retail services to patients and visitors such as a card shop and delicatessen without impacting traffic on adjacent residential streets. Mr. Morton further advised that the Hospital would contact the Collier County Tax Assessor to ensure the appropriate tax base change to those uses would be applied to that building.

August 1, 1990

City Council Minutes

Date _____

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E
			Y E S	N O	
<p>Referring to the existing (main) parking lot adjacent to residential properties, Councilman Herms asked if the petitioner would commit not to develop that area in the future. Mr. Morton pointed out that it was the Hospital's intent to encourage development to the east in accordance with the Comprehensive Plan; however, he said he could not commit future Board of Trustees to such a stipulation. Hospital Attorney Thomas Brown further pointed out that such development would require City Council approval.</p> <p><u>It was the consensus of this City Council that it would prefer the Hospital not develop what is commonly referred to as its "main parking lot." This Council further noted that approval for any future development would be subject to the approval process and considered by the Planning Advisory Board and City Council.</u></p> <p>In further discussion, Councilman Herms asked how much stormwater would be retained by the approximately two foot depressions provided on the site plan. Hospital Architect Miles Price indicated that approximately 2 1/2 inches of stormwater would be retained on-site; the Code requires one inch.</p> <p><u>Referring to the location of the proposed medical related office building, Councilman Passidomo suggested that the following language be inserted into the PD: "that any future office building or non-clinical use of this site would require a Comprehensive Plan amendment."</u> The aforementioned language could be inserted in lieu of a conservation easement requirement protecting the land, he said. Historically, such easements have not been required of commercial developments and would not be appropriate in this application. Community Development Director McKim concurred.</p> <p>Councilman Muenzer noted that if the parking structure was six stories in height, it would include a mansard roof, but it was seven stories, it would provide parking on the top deck or roof. Architect Price concurred and noted that the height of the parking garage would be approximately 66 feet.</p>					

CITY OF NAPLES, FLORIDA

August 1, 1990

City Council Minutes

Date _____

City Attorney Rynders advised that the Community Development Director has recommended that 10% of the landscaping be mature. Councilman Passidomo asked if Council could rely on the renderings submitted as to what would actually be planted. Mr. Morton said that the architects were instructed to make a reasonable representation of what the City could look forward to. Councilman Passidomo then suggested that the artist renderings be incorporated into the site plan as an indication of what this Council expects in terms of mature landscaping. Vice Mayor Anderson noted that the representations exceeded 10% of the site.

Discussion then ensued as to the safety of the Hospital's helicopter pad and the proposed height of the Clinical Services Building. Architect Price advised that the FAA (Federal Aviation Administration) had not yet reviewed the site plans, although he did not anticipate any problems.

MOTION: To ADOPT the ordinance at second reading with the following amendments: landscaping renderings submitted by the petitioner shall be made a part of the PD; access to U.S. 41 shall be a right turn "out" only; any request for an office building or other non-clinical use shall require a Comprehensive Plan amendment; limitation of commercial/retail uses for the Clinical Services Building shall be 15,000 square feet; the aforementioned language provided by the City Attorney relative to off-site parking during construction shall be included; and subject to retention of 2 1/2 inches of stormwater on-site.

Councilman Herms said that he would support this motion as he believed the Comprehensive Plan amendment requirement would protect the existing parking lot from future development.

Councilman Muenzer commended the petitioner for its cooperativeness.

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			X		
Barnett			X		
Herms			X		
Muenzer		X	X		
Passidomo	X		X		
Sullivan			X		
Crawford (6-0)					X

CITY OF NAPLES, FLORIDA

City Council Minutes

August 1, 1990

Date _____

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Councilman Sullivan noted that many citizens perceive this Hospital as a "community" facility dedicated to the City of Naples. This is not true. The Naples Community Hospital, he said, was dedicated to medical care of all of Collier County, and as such would require expansion to meet the ever-changing demands of growth.

Vice Mayor Anderson also commended the Hospital for being good neighbors and bringing a strong economic base to Collier County and the City of Naples.

-----END COMMUNITY DEVELOPMENT DEPT./PAB-----

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

---ORDINANCE NO. 90-_____

ITEM 6

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE IV OF THE COMPREHENSIVE DEVELOPMENT CODE BY ADDING A NEW PARAGRAPH (8) TO SUBSECTION (C) OF SUBSECTION 3-81-4, PROCEDURE FOR OBTAINING REZONE AND CHANGE IN TEXT; ADDING A NEW PARAGRAPH (C)(12) TO SUBSECTION 3-82-3 OF SUBSECTION 3-82, PROCEDURE FOR SITE PLAN REVIEW; ADDING A NEW PARAGRAPH (G) TO SUBSECTION 3-83-3 OF SUBSECTION 3-83, PROCEDURE FOR OBTAINING CONDITIONAL USES; ADDING A NEW PARAGRAPH AT THE END OF SUBSECTION 3-84-2 OF SUBSECTION 3-84, PROCEDURE FOR EXPANDING, ENLARGING OR CHANGING A NONCONFORMITY; ADDING A NEW PARAGRAPH (5)(d)(10) TO SUBSECTION (C) OF SUBSECTION 3-85-2 OF SUBSECTION 3-85, PROCEDURE FOR OBTAINING VARIANCES; AND ADDING A NEW PARAGRAPH (5) TO SUBSECTION (B) OF SUBSECTION 3-85-3, ZONING REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO RESERVE THE RIGHT BY CITY COUNCIL TO REQUIRE A MODEL OR OTHER VISUALIZATION BEFORE APPROVAL OF ANY ZONING OR LAND USE CHANGE.

Title read by City Attorney Rynders.

CITY OF NAPLES, FLORIDA

August 1, 1990

City Council Minutes

Date _____

Community Development Director McKim advised that this ordinance was to provide the means for City Council to require a model or some other type of visualization of certain land use applications.

Councilman Passidomo suggested the language include any and all land use applications, such as, GDSP (general development site plan), PD (planned development), etc.

Councilman Herms asked staff to include the foregoing ordinance in materials provided to future petitioners. Community Development Director McKim confirmed that a list of required documents was provided in the application material.

MOTION: To APPROVE the ordinance at first reading including a list of all the various petitions with which this ordinance would apply.

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

ITEM 7

ACCEPTANCE OF PROPOSAL FROM LRI FINANCIAL CORPORATION FOR A FIXED RATE, 10-YEAR LOAN TO UNDERWRITE THE COST OF ELECTRICAL AND FUEL TANK IMPROVEMENTS AT THE CITY DOCK.

City Attorney Rynders advised that there was no authorizing resolution for the City Council to approve; however, if the proposal was accepted by motion, an authorizing resolution would be forthcoming.

Finance Director Hanley explained that this loan was to fund authorized improvements at the City Dock. In response to Councilman Herms, Community Services Director Holley explained that the additional monies requested were to pay for initial electrical engineering and design work, including the procurement of permits for the City Dock expansion.

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			X		
Barnett			X		
Herms		X	X		
Muenzer			X		
Passidomo			X		
Sullivan	X		X		
Crawford					X
(6-0)					

CITY OF NAPLES, FLORIDA

City Council Minutes

August 1, 1990

Date _____

MOTION: To ACCEPT the proposal as presented by LRI Financial Corporation.

---RESOLUTION NO. 90-6141

ITEM 8

A RESOLUTION ORDERING AND CALLING A REFERENDUM ELECTION TO BE HELD NOVEMBER 6, 1990, IN THE CITY OF NAPLES TO DETERMINE IF THE QUALIFIED ELECTORS RESIDING THEREIN APPROVE HOUSE BILL 3403, WHICH PROHIBITS THE TAKING OF SALTWATER FISH, EXCEPT BY HOOK AND LINE, HAND-HELD CAST NETS, AND WITH NO MORE THAN FIVE CRAB TRAPS, IN THE RESIDENTIAL MAN-MADE SALTWATER CANALS IN THE INCORPORATED AREA; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders explained that this was merely a mechanical device which would stage the election that the Legislature has called to answer the foregoing question.

City Manager Jones stated that various waterfront property owner associations had hoped the City would enact an ordinance prohibiting commercial fishing in man-made saltwater canals. However, the City determined that it had no jurisdiction to enact such a law. This referendum would merely place that decision in the hands of the citizens.

Councilman Herms said that Section 4 of the resolution was ambiguous and needed clarification.

MOTION: To APPROVE the resolution with the insertion of appropriate language to clarify Section 4.

---RESOLUTION NO. 90-6142

ITEM 9

A RESOLUTION AUTHORIZING THE VICE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson					
Barnett	X		X		
Herms			X		
Muenzer		X	X		
Passidomo			X		
Sullivan			X		
Crawford					X
(6-0)					
Anderson					
Barnett			X		
Herms		X	X		
Muenzer			X		
Passidomo			X		
Sullivan			X		
Crawford	X				X
(6-0)					

City Council Minutes

Date _____

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			X		
Barnett	X		X		
Herms		X	X		
Muenzer			X		
Passidomo			X		
Sullivan			X		
Crawford					X
(6-0)					

CITY OF NAPLES, FLORIDA

City Council Minutes

August 1, 1990

Date _____

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			Y E S	N O	
Anderson			X		
Barnett		X	X		
Herms			X		
Muenzer			X		
Passidomo			X		
Sullivan	X		X		
Crawford					X
(6-0)					

Title read by City Attorney Rynders.

Community Development Director McKim advised that the proposed consultant selection committee had been developed to provide for participation from the Waterfront District representatives as well as from the City.

MOTION: To APPOINT Councilman R. Joseph Herms, Community Development Director Ann "Missy" McKim, Community Services Director Christopher L. Holley, and citizens Linda Graham, Mike McComas, and Falconer Jones to the foregoing Consultant Selection Committee.

CORRESPONDENCE AND COMMUNICATIONS:

City Attorney Rynders distributed a proposed Legislative which would regulate convenience stores and their employees during late night hours. He also distributed a proposed City ordinance for Council's review. If the City chose to adopt a more stringent policy than proposed by the State, he advised, Council must do so prior to September 1, 1990.

City Manager Jones then reviewed the schedule for upcoming budget meetings: August 8, 9, 10, and 13, budget workshops; September 5 and 19, public hearings.

ADJOURN: 10:45 a.m.

Kim Anderson
KIM ANDERSON, Vice Mayor

Janet Cason
JANET CASON
City Clerk

