

City of Naples

City Council Minutes

Regular Meeting 4/17/91

City Council Chambers 735 Eighth Street South Naples, Florida 33940

-SUBJECT-	ORD. NO.	RES.	PAGE
ANNOUNCEMENTS			2
APPROVAL OF MINUTES			2
RESOLUTIONS: -APPROVE Bid Award #91-61, asphaltic material. -APPROVE Bid Award #91-59, police vehicles. -APPROVE renewal of life insurance benefits. -APPROVE renewal of banking service contract. -APPROVE Harrison and Barnet for IIMC participation. -APPROVE proposed State Legislation. APPROVE reappointment of members to East Naples Bay Tax Dist. -APPROVE reappointment of members to Moorings Bay Tax Dist. -APPROVE final plat for subdivision, Mews of Naples. -APPROVE appointment of Consultant Selection Committee, Audit. -APPROVE corrective warranty deed, Lake Park Elem. -APPROVE response to Verified Complaint, UTS Building.		91-6349 91-6350 91-6351 91-6353 91-6354 91-6358 91-6358 91-6360 91-6361	2 3 3 3 3 4 4 4 5 5 5 7
ORDINANCES - Second Reading: -ADOPT permit for helicopters at the Naples Beach Club.	91–6357	amidi acdese	4
ORDINANCES - First Reading: -APPROVE amendment to Code, PensionAPPROVE amendment to handicap fine fee, \$250 violation.	91- <u> </u>		5 6
PRESENTATION: -Waterfront District Study	8 0 2 11 0 0 8 70 3 11 0 0 8		8
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CITY COUNCIL MINUTES

City Council Chambers 735 Eighth Street South Naples, Florida 33940



9:00 a.m.

Date 04/17/91

Time

Mayor Crawford called the meeting to order and presided: VOTE MS A OE В C S ROLL CALL: Present: Alden R. Crawford, Jr. ITEM 2 0 I E Mayor COUNCIL 0 N N N N D O T **MEMBERS** Kim Anderson William E. Barnett R. Joseph Herms Paul W. Muenzer John M. Passidomo Fred L. Sullivan, Councilmen Also Present: Rand-Scott Coggan, Paul C. Reble, Acting City Manager Police Chief David W. Rynders, John Cole, City Attorney Chief Planner Ann "Missy" McKim, Mark W. Wiltsie, Asst. City Manager Community Dev. Dir. Larry Barnet, Bill Harrison, Utilities Dir. Finance Dir. Paul Sireci, Kevin Rambosk, Police Captain Police Captain Mary Kay McShane, Tom Smith, Asst. Fire Chief Personnel Dir. Sheldon Reed, Glen Chesebrough, Fire Marshal Fire Captain Carol Carlson, Susan Golden, Planning Technician Planner I George Henderson, Stewart K. Unangst, Purchasing Agent Sergeant-At-Arms Jodie O'Driscoll, Recording Secretary See Supplemental Attendance List - Attachment #1. *** *** *** ITEM 1 INVOCATION Reverend Charles Sullivan St. Ann R.C. Church *** *** *** 1

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CITY OF NAPLES, FLORIDA		M O	S E			A B
City Council Minutes Date 04/17/91	ndi di katan	T	CO	Y		SE
	COUNCIL MEMBERS	O N	N D	E S	1	N T
ANNOUNCEMENTS ITEM 3				15.	84	
MAYOR CRAWFORD and ACTING CITY MANAGER COGGAN:						
Recognized employees for years of service (Attachment #2).						
***					-	
CONSENT AGENDA						
APPROVAL OF MINUTES ITEM 4						
March 6, 1991, Regular April 10, 1991, Neighborhood Town	0 801 YEAR 130 3					
Mayor Crawford referred to the April 10, 1991, Neighborhood Town Meeting minutes and asked that they be corrected to reflect the bond insurance company had lested 150 basis points which amounted to 2 1/2 as more than what the City had paid.	3 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6		19			£

PURCHASING ITEM 5						
RESOLUTION NO. 91-6349 Item 5-a						
A RESOLUTION AWARDING CITY BID #91-61 FOR THE CITY'S SEMI-ANNUAL REQUIREMENTS FOR ASPHALTIC MATERIAL; AUTHORIZING THE CITY MANAGER TO ISSUE A BLANKET PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.						
Title not read.						

RESOLUTION NO. 91-6350 Item 5-b						
A RESOLUTION AWARDING CITY BID #91-59 FOR THE PURCHASE OF THREE (3) FULL SIZE POLICE VEHICLES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.	HA HOS BITAGO HOSPAN HA D					
Title not read.						

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		S, FLORIDA Minutes Date_	04/17/91	\$2 80.3 8935:1	COUNCIL MEMBERS	M O T I O N	SECOND	Y E S	4 0	ABS
RESOLUT	ION NO. 91	-6351	ITEM	1 6						
CONTR. FOR	ACT FOR G	UTHORIZING THE REN ROUP LIFE INSURANC LOYEES; AND PROV	E BENEFITS	30 00 3						
Title not :	read.									
***		***	*	***						
RESOLUT	ION NO. 91	-6352	ITEM	7						
BANKI		UTHORIZING THE REN CONTRACT; AND PR		001 H 01				Y	20	
Title not i	read.									
***		***	*	**					١	0
RESOLUT	ION NO. 91	-6353	ITEM	8						,
HARRIS BARNE' PARTIC PLAN MANAGE CORPOI EXEMPT	SON, FINANT, PUBLIC TO THROUGH EMENT POTON FROM TROMBERT FROM	ROVIDING THAT THEY PARTICIPATING EM OF THE CITY; AND	LARRY L. RECTOR, TO MPENSATION NAL CITY RETIREMENT SHALL BE IN THE	e de la calenda			9			
Title not :	read.									
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RESOLUT	ION NO. 91-	-6354	ITEM	9						
LEGISI ELIGII DISCRE PROVII Title not r	LATION ABLE JURE ETIONARY DING AN EFINE	SUPPORTING PROPOS AUTHORIZING COUNT ISDICTIONS TO DOCUMENTARY SURT FECTIVE DATE. E the Consent Agamendments to the m	IES AND LEVY A AX; AND	B H M P S he C	nderson arnett erms uenzer assidomo ullivan rawford (7-0)	X	х	X X X X X X		
	10, 1991.									

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			MEMBERS	N	D	S	0	T
***	***	***						
	END CONSENT AGENDA		Thems for the					
RESOLU	TION NO. 91-6355	EM 10		10.00		4		- 6
APPO: SPEC:	ESOLUTION REAPPOINTING ONE MEMBER AND INTING ONE MEMBER TO THE EAST NAPLES BAY IAL TAXING DISTRICT ADVISORY BOARD; AND IDING AN EFFECTIVE DATE.		Andonson			Х	,	
	d by City Attorney Rynders.		Anderson Barnett Herms	X		X X		
<u>MOTION</u> :	To APPROVE the resolution as presented.		Muenzer Passidomo		X	X X		
***	***	***	Sullivan Crawford			X X		
RESOLU	TION NO. 91-6356	EM 11	(7-0)			Λ		
MOOR	SORY BOARD; AND PROVIDING AN EFFECTIVE							
Title read	d by City Attorney Rynders.		Anderson	X		Х		
MOTION:	To APPROVE the resolution as presented.		Barnett Herms		X	X X		109
***	***	***	Muenzer			X		
	ADVERTISED PUBLIC HEARINGS		Passidomo Sullivan	-		X X		
ODDIVA		EN. 40	Crawford (7-0)			Х		
AN OF LANDS NAPLE ON MASPECT CONJUBERS COUNTER FOR COU	RDINANCE PERMITTING THE TAKING-OFF AND ING OF HELICOPTERS WITHIN THE CITY OF ES AT THE NAPLES BEACH HOTEL & GOLF CLUB AY 16TH AND MAY 17, AT THE TIMES MORE IFICALLY SET FORTH HEREIN, IN UNCTION WITH THE AIRBORNE LAW RCEMENT ASSOCIATION SOUTHEAST REGION BY SEMINAR SPONSORED BY THE COLLIER	EM 12						
Title read	d by City Attorney Rynders.							
	4		CHE SE GHI					

CITY OF NAPLES, FLORIDA				VO:	re	١,
City Council Minutes Date 04/17/91	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	N O	BS
PUBLIC HEARING: Opened: 9:16 a.m. Closed: 9:16 a.m. No one present to speak for or against. MOTION: To ADOPT the ordinance as presented at second reading. *** END ADVERTISED PUBLIC HEARINGS COMMUNITY DEVELOPMENT DEPT./ NAPLES	Anderson Barnett Herms Muenzer Passidomo Sullivan Crawford (7-0)	x	X	X X X X X X X		
PLANNING ADVISORY BOARD RESOLUTION NO. 91-6358 A RESOLUTION APPROVING THE FINAL PLAT FOR A PROPOSED SUBDIVISION OF APPROXIMATELY 2.24 ACRES TO BE KNOWN AS "THE MEWS OF NAPLES", LOCATED ONE LOT SOUTH OF PARK SHORE DRIVE, ON THE EAST SIDE OF BELAIR LANE; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. MOTION: To APPROVE the resolution as presented. *** *** END COMMUNITY DEVELOPMENT/PAB	Anderson Barnett Herms Muenzer Passidomo Sullivan Crawford (7-0)	X	X	X X X X X X X		
FIRST READINGS ORDINANCE NO. 91						

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CITY OF NAPLES, FLORIDA		M	S E			A B
City Council Minutes Date 04/17/91	COUNCIL	T I O	C O N	Y E	N	S E N
	MEMBERS	N	D	S	0	T
ambiguity and provide that unused vacation time cannot be used for calculating compensation purposes. MOTION: To APPROVE the ordinance as presented at first reading.	Anderson Barnett Herms Muenzer Passidomo	X	Х	X X X X		
***	Sullivan Crawford (7-0)			X X		
ORDINANCE NO. 91 ITEM 15	(, 0)				-	
AN ORDINANCE AMENDING SECTION 23-12.2(a)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO INCREASE THE FINE FOR UNAUTHORIZED PERSONS USING A PARKING SPACE FOR HANDICAPPED PERSONS.						
Title read by City Attorney Rynders.						
Acting City Manager Coggan advised that the proposed nance provided for a split of the revenue received in handicapped fines 1/3 to the general fund and 2/3 towards education and facilities.						
Councilman Sullivan suggested the allocation of revenue be amended as follows: \$100 to the general fund and \$150 towards education and facilities.	Anderson		v	X		
MOTION: To APPROVE the ordinance at first reading with the foregoing amendment.	Barnett Herms Muenzer	-	Х	X X X		
***	Passidomo Sullivan	Х		XX		
END FIRST READINGS	Crawford (7-0)			X		
RESOLUTION NO. 91-6359 ITEM 16						
A RESOLUTION APPOINTING A SELECTION COMMITTEE FOR THE PURPOSE HEREINAFTER SET FORTH, RELATING TO THE SELECTION OF A CERTIFIED PUBLIC ACCOUNTANT TO PERFORM AN AUDIT OF THE CITY'S FINANCIAL TRANSACTIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1991; AND PROVIDING AN EFFECTIVE DATE.						
le read by City Attorney Rynders.						
Councilman Barnett suggested that Mr. Philip E. Fess serve as a member of the Consultant Selection Committee in lieu of Mr. Mark Wiltsie.						
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CITY OF NAPLES, FLORIDA City Council Minutes Date 04/17/91	COUNCIL MEMBERS	M O T I O N	S E C O N D	Y E S	A B S
MOTION: To APPROVE the resolution and APPOINT Mr. Philip E. Fess and Councilman Fred Sullivan to the Committee. *** RESOLUTION NO. 91-6360 A RESOLUTION ACCEPTING A CORRECTIVE WARRANTY DEED FROM THE SCHOOL BOARD OF COLLIER COUNTY TO THE CITY OF NAPLES; AND PROVIDING AN EFFECTIVE DATE.	Anderson Barnett Herms Muenzer Passidomo Sullivan Crawford (7-0)	X	Х	X X X X X X	
Title read by City Attorney Rynders. MOTION: To APPROVE the resolution as presented. *** RESOLUTION NO. 91-6361 A RESOLUTION RESPONDING TO THE VERIFIED COMPLAINT FILED WITH THE CITY OF NAPLES PURSUANT TO FLORIDA STATUTES 163.3215, BY WALTER JAMES SMITH; W. ROY SMITH AND GERALDINE C. SMITH, AS TRUSTEES OF THE GERALDINE C. SMITH REVOCABLE TRUST; THE GERALDINE C. SMITH REVOCABLE TRUST; THE GERALDINE C. SMITH REVOCABLE TRUST; DON Q. WYNN, AND ANN WYNN; AND PROVIDING AN EFFECTIVE DATE.	Anderson Barnett Herms Muenzer Passidomo Sullivan Crawford (7-0)	x	х	X X X X X X X	
City Attorney Rynders advised that the Council was merely addressing the validity of the verified complaint at these proceedings and nothing else. The plaintiffs have filed an action for temporary injunction with the Circuit Court simultaneously with this complaint. That issue, however, should not be addressed at this meeting, Mr. Rynders advised. Mr. Jim Smith of 3355 Gordon Drive, representing the Smiths' and Wynns', said that his group was merely trying to protect their rights to adequate parking. The parking lot behind Wynn's Market was funded through a Special Taxing District and should not be included as part of the United Telephone's parking requirement. Mr. Smith continued that Fifth Avenue South does, in fact, have a parking problem, and approval of this development would exacerbate that					

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	COUNCIL MEMBERS	I O N	O N D	Y E S	N O	E N T
problem. He urged Council not to issue any building permits for the renovation of this building.						
Attorney Susan Delegal, also representing the plaintiffs, said that because the building permit was issued in February, 1991, she believed this complaint had met the statutory requirements and 30-day time frame for submittal. Her clients believed the City's approval of the renovation of the old United Telephone building violated the intent of the City's Comprehensive Plan. Ms. Delegal noted that the scope of her clients' lawsuit extended beyond the Development Agreement approved by the City Council. She further contended that the non-conformity approval by Council was illegal.				4.63		
City Attorney Rynders advised that the Council had previously passed a resolution authorizing the expansion of a non-conformity in conjunction with a Deployment Agreement with Mr. Stuart Kaye, developer. plaintiffs have embroiled all these issues and more into one lawsuit, he continued, but the Council's only action to be taken at these proceedings is its response to the plaintiffs' Verified Complaint.						
Attorney Skip Grkovic, representing the plaintiffs, reiterated Ms. Delegal's comments and further said that he believed the use of the switching station by the developer constituted an increase of the non-conformity and required additional parking. All of which, he contended, was against the intent of the City's Comprehensive Plan.	and the second of the second o					
Mr. John Donaldson of Zook Moore & Associates, traffic consultant, said that he believed the renovation to the old United Telephone Service Building would compound the existing parking problem on Fifth Avenue South.						
Attorney Kim Kobza, representing the developer, Stuart Kaye, advised that he would defend the Council's approval of this development vigorously. He said that he was of the opinion that the City acted in a roonsible manner and believed the plaintiffs collaint was unjust.						
ncilman Muenzer asked what the time frame relative to the City's option to construct a parking garage was. City Attorney Rynders advised that within two years, the City was to have chosen an option as to						
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CITY OF NAPLES, FLORIDA		M	s	VO'I	E	1
City Council Minutes Date 04/17/91	COUNCIL MEMBERS	O T I O N	E C O N D	Y E	N O	
nether it was going to construct a parking garage; nat time period will be up in March, 1992. Ity Attorney Rynders recommended that the building ermits for Mr. Kaye's development not be issued until adge Blackwell responds to the plaintiffs' temporary junction motion. OTION: To APPROVE the resolution as presented.	Anderson Barnett Herms Muenzer	Х	Х	X X X		
*** ITEM 19 PRESENTATION BY THE NAPLES BAY WATERFRONT DESIGN TEAM, A. GAIL BOORMAN & ASSOCIATES/ WAETZMAN PLANNING GROUP.	Passidomo Sullivan Crawford (7-0)			X X X		
A. Gail Boorman of A. Gail Boorman & Associates eviewed the display maps and other presentation aterials in depth for the Council's consideration. Mr. arry Waetzman of the Waetzman Planning Group then resented a slide show depicting the Group's goals and ejectives for the Waterfront District (see the City erk's meeting packet for a copy of the packet terial relative to this item).						
ne Group presented many innovative designs which it lieved would be an asset to the Waterfront District.						
George Williams of 1325 Seventh Avenue South said at he believed the proposed Waterfront District sign was flawed to the detriment of the citizens of d Naples. This proposal would encourage tourism and sing traffic into an already over-crowded sighborhood.	1		MOS MOS			
Duke Turner of 899 Tenth Street South said that is has been a very long process and the Waterfront strict residents had not proceeded haphazardly. Mr. rner asked the Council to take into consideration property owners' requests in this District, not ose of residents from other City neighborhoods.						
r. Falconer Jones of 1100 Sixth Avenue said that the iginal intent to make this District "work" for eryone in the community was still valid. He said at the residents were trying to come up with an	o den en Gualda e Cualda e desa					The second second

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CITY OF NAPLES, FLORIDA City Council Minutes Date 04/17/91	COUNCIL MEMBERS		ECOND	E	Ň O	B S E N
Mrs. Sue B. Smith of 15 11th Avenue South said that she believed Old Naples would bear the brunt of any increased density or change in zoning to the Waterfront District. The more tourism or public access provided to this area, the more parking required. Currently, she continued, there is a great need for parking and any increase in use would just compound that problem. Mr. Philip C. Morse, Jr., of 1484 Fifth Avenue South, pointed out that the intent of this meeting was merely to provide an overall plan not anything more or less. Mr. Michael McComas of 1141 Tenth Avenue North further noted that this presentation was in response to a requirement in the City's Comprehensive Plan for the Waterfront District. There was no official action taken by the Council relative to this matter.						
CORRESPONDENCE AND COMMUNICATIONS						
There will be a special meeting on April 19, 1991, at 3:00 p.m.						
ADJOURN: 12:05 p.m. ADJOURN: 12:05 p.m. ALDEN R. CRAWFORD, JR., Mayor JANET CASON City Clerk JODIE O'DRISCOLL Rec ding Secretary The minutes of the Naples City Council were approved Council were approved						

SUPPLEMENTAL ATTENDANCE LIST

C.A. Reinbolt
Egon Hill
Phil Morse
Norris Ijams
Jim Smith
John Donaldson
Larry Waetzman
Charles Rhoades

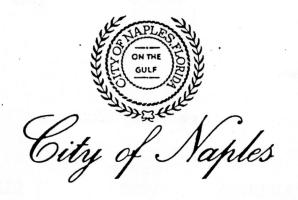
Charles Andrews
Lee Layne
Duke Turner
George Williams
Susan Delegal
Stuart Kaye
Falconer Jones
Alan Korest

W.W. Haardt
Dave Humphries
Dick Sykes
Kim Kobza
Skip Grkovic
Gail Boorman
Sue Smith
Linda Graham

Other interested citizens and visitors.

NEWS MEDIA

Jerry Pugh, Palmer TV
Wendy Fullerton, News Press
Gina Binole, Naples Daily News
Eric Staats, Naples Daily News
Sally Kidd, WINK-TV
Paul Kinney, WEVU-TV



EMPLOYEE RECOGNITION PROGRAM

Employment Anniversaries Between July 1, 1990 and December 31, 1990

-----FIVE YEARS-----

	Name	Department	Entry Date	Classification
	Reynaldo Ruidiaz A	Fire	07-22-85	Firefighter/ Driver-Engineer
	Joseph P. Racut	Utilities	08-12-85	Utility Plant Electrician
	bra A. Evans	Utilities	08-12-85	Meter Reader
	James C. Whittaker	Community Services	09-09-85	Recreation Supv. II (River Park)
	Thomas K. Byers	Utilities	09-11-85	Plant Operator I (Trainee)
	James David Slapp	Police	10-07-85	Police Sergeant
	Colleen E. Allen	Fire	10-07-85	Fire Inspector
	Susan H. Young	Police	10-22-85	Records Clerk
	Lillian A. Hydes ↑	Police	10-24-85	Service Worker I
	Stephen F. Dancsec	Utilities	12-02-85	Instrument Technician
	Stanley C. Braughton A	Utilities	12-02-85	Plant Operator III
	Ginger G. Jones	Police	12-09-85	Administrative Assistant I
-	chard C. Bailey	Community Services	12-11-85	Recreation Aide I (Fleischmann Park)
	Donald M. Dudich P	Police	12-16-85	Police Officer (Marine)

Employee Recognition Program Page 2

-----TEN YEARS-----

Name	Department	Entry Date	Classification
		•	
George H. Cawley	Utilities	07-14-80	Service Worker III
John P. Pettay A	Utilities	08-11-80	Meter Reader
Niles L. Blackmore	Utilities	08-19-80	Plant Operator III
Emiliano Padron	Utilities	09-18-80	Service Worker III
Michael A. Leiter	Police	09-29-80	Police Officer (K-9)
Ronald L. Mosher A	Police	09-29-80	Police Officer
William L. Crawford A	Utilities	10-20-80	Plant Operator III
Lanny P. Seward A	Utilities	12-03-80	Plant Operator II
Walter Powell	Utilities	12-29-80`	Equipment Operator III

-----FIFTEEN YEARS-----

Name	Department	Entry Date	Classification
Sandra R. Exum	Finance	10-06-75	Accounting Clerk II

-----TWENTY YEARS-----

		Entry	
Name	Department	Date	Classification
Jeff Bryant Jr. A	Utilities	07-07-70	Equipment Operator V
Clarence Booker	Utilities	09-02-70	Crew Leader III
William T. Pittman A	Utilities	09-02-70	Utilities Coordinator
Eugene Brown	Community Services	10-05-70	Crew Leader I
Benjamin Haywood	Utilities	10-21-70	Equipment Operator III