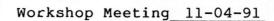
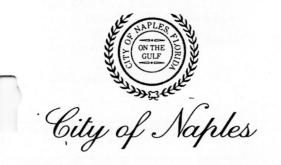
# CITY COUNCIL MINUTES



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 Meeting
Time 11:20 a.m.

Date November 4, 1991

Mayor Andersor	n called the meeting to order and presided	3					7
ROLL CALL	carred the meeting to order and presided		<u>_</u>	C	٧o		7
	Kim Anderson, Mayor		O	S E C		1	B
	John M. Passidomo, Vice Mayor R. Joseph Herms Alan R. Korest	COUNCIL MEMBERS	0	O N D	Y E S	NI	ENT
	Paul W. Muenzer Fred L. Sullivan Council Members	,					
Absent:	William E. Barnett Council Member						
Also Prese	ent:						
David W. R Norris C. Tom Smith, Kevin Ramb Ann (Missy Mary Kay M Jon Staige John Cole, Larry Barn Danny Merc Maureen By George Hen Marilyn Mc	d L. Woodruff, City Manager  Lynders, City Attorney  Ijams, Asst. City Manager  Fire Chief  Losk, Interim Comm. Services Dir.  Ly McKim, Comm. Development Dir.  Loshane, Human Resources Director  Lor, Ph.D., Natural Resources Mgr.  Chief Planner  Let, Utilities Director  Ler, Asst. Utilities Director  Ler, Asst. Utilities Director  Ler, Admin. Assistant, Utilities  Locrd, Recording Secretary  Location Sergeant-At-Arms  Locord, Recording Secretary  Location Secretary  Location Sergeant List - Attachment #1						
***	***		-	-			
	ITEM 2						
	TE FROM THE LEGAL SERVICES STUDY TTEE ON THE CITY ATTORNEY SEARCH.						
Services S the Commit	oudley Goodlette, Chairman of the Legal Study Committee, informed Council that the Members had reviewed the resumes for the City Attorney's position and in						
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City Council Minutes  Date 11-04-91  COUNCIL MEMBERS N D S COUNCIL	City Council Minutes  Date 11-04-91  City Council Minutes  Date 11-04-91  COUNCIL ON REMEMBERS N D S C		M	s	VO:	E
narrow the list to the five top candidates and rank numbers six through ten. Attorney Goodlette said that in his opinion, there would be four or five, but not more than ten, outstanding candidates.  Attorney Goodlette asked Council if the Committee should handle the screening process, which would consist of checking references of the top candidates. It was the consensus of Council that the Legal Services Study Committee should proceed with the screening of the City Attorney candidates.  Mayor Anderson requested that the Committee prepare a list of the top ten City Attorney candidates, with five additional candidates. A Special Workshop Meeting will be scheduled for Tuesday, November 18, 1991 at 8:00 a.m. for the purpose of reviewing the recommendations of the Legal Services Study Committee and discussing the	marrow the list to the five top candidates and rank numbers six through ten. Attorney Goodlette said that in his opinion, there would be four or five, but not more than ten, outstanding candidates.  Attorney Goodlette asked Council if the Committee should handle the screening process, which would consist of checking references of the top candidates. It was the consensus of Council that the Legal Services Study Committee should proceed with the screening of the City Attorney candidates.  Mayor Anderson requested that the Committee prepare a list of the top ten city Attorney candidates. With five additional candidates. A Special Workshop Meeting will be scheduled for Threaday, November 18, 1991 at 8:00 a.m. for the purpose of reviewing the recommendations of the Legal Services Study Committee and discussing the selection process. Interviews for the position of city Attorney will be scheduled for Monday, December 2, 1991 beginning at 8:00 a.m.  ***  ***  ***  ***  ***  ***  ***	CITY OF NAPLES, FLORIDA  City Council Minutes Date 11-04-91	O T I O	T C I O N	E	N C
	DECEMBER 2, 1991 beginning at 8:00 a.m.  ***  ***  ***  ***  ***  ***  ***	narrow the list to the five top candidates and rank numbers six through ten. Attorney Goodlette said that in his opinion, there would be four or five, but not more than ten, outstanding candidates.  Attorney Goodlette asked Council if the Committee should handle the screening process, which would consist of checking references of the top candidates. It was the consensus of Council that the Legal Services Study Committee should proceed with the screening of the City Attorney candidates.  Mayor Anderson requested that the Committee prepare a list of the top ten City Attorney candidates, with five additional candidates. A Special Workshop Meeting will be scheduled for Tuesday, November 18, 1991 at 8:00 a.m. for the purpose of reviewing the recommendations of the Legal Services Study Committee and discussing the selection process. Interviews for the position				
	DISCUSSION OF REDEVELOPMENT PLANS FOR COASTLAND MALL.  Attorney Donald A. Pickworth, representing the developers of Coastland Center, addressed Council. He introduced those people attending the meeting with him: Mr. Brad McNeeley, Managing Director of LaSalle Advisors, Ltd., who is responsible for the real estate portfolio of the firm; Mr. Robert Rea, Vice President of LaSalle Partners Asset Management, Ltd.; Mr. Peter Shaff, LaSalle Advisors, Ltd., Chicago office; Mr. Fimothy J. McCarthey, Coastland Mall General Manager; Ms. Marlene Losse, Coastland Mall Retail Leasing Manager; Mr. Jack Tenant, Vice President,					
	developers of Coastland Center, addressed Council. He introduced those people attending the meeting with him: Mr. Brad McNeeley, Managing Director of LaSalle Advisors, Ltd., who is responsible for the real estate portfolio of the firm; Mr. Robert Rea, Vice President of LaSalle Partners Asset Management, Ltd.; Mr. Peter Shaff, LaSalle Advisors, Ltd., Chicago office; Mr. Timothy J. McCarthey, Coastland Mall General Manager; Ms. Marlene Losse, Coastland Mall Retail Leasing Manager; Mr. Jack Tenant, Vice President,	DISCUSSION OF REDEVELOPMENT PLANS FOR				
ITEM 1 DISCUSSION OF REDEVELOPMENT PLANS FOR	- NATE: The Control of the Control o	Council. He introduced those people attending the meeting with him: Mr. Brad McNeeley, Managing Director of LaSalle Advisors, Ltd., who is responsible for the real estate portfolio of the firm; Mr. Robert Rea, Vice President of LaSalle Partners Asset Management, Ltd.; Mr. Peter Shaff, LaSalle Advisors, Ltd., Chicago office; Mr. Fimothy J. McCarthey, Coastland Mall General				

CITY	OF	NAPLES,	FLORIDA

City Council Minutes Date 11-04-91

COUNCIL MEMBERS Т C Ι 0 0 N N D

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office; Mr. Michael Bird, Managing Director of the development project; Mr. Guy Muse, Project Designer, Cooper, Carr & Associates, Atlanta, Georgia; and Attorney Gar Farquhar of the firm Ruden, Barnett, McCloskey, Smith, Schuster & Russell, P.A., legal counsel for the project.

Attorney Pickworth explained that his firm, acting as the developer's local counsel, had asked to meet with City Council at the onset in order to inform them what was planned. He noted that the formal process would begin application for the DRI (Development of Regional Impact) approval. Coastland Mall is currently zoned Highway Commercial and a PD (Planned Development) ordinance must be submitted. Attorney Pickworth stated that it had been staff's consensus that PD zoning would allow more The review and approval process flexibility. will take place over a period of six to seven Attorney Pickworth said that months. petitioners and their representatives would be meeting with the Regional Planning Council (RPC) submits its staff. After the RPC the PAB (Planning recommendations, Advisory Board) will schedule a hearing to consider the DRI development ordinance and the PD ordinance. Finally, the issue will come before City Council.

Attorney Pickworth acknowledged that there were many local issues to be addressed and that Council would be kept apprised.

Mayor Anderson left the meeting at NOTE: 11:45.

Attorney Pickworth noted that the major task of the developer was to bring all parties involved together and that a mall, by its nature, has a multiplicity of ownership.

Plans for the Mall's expansion were described by Pickworth, who explained Attorney renovations would be made both inside and out and the landscaping would be upgraded and enhanced. He emphasized that the Mall was of significant

#### VOTE M CITY OF NAPLES, FLORIDA В 0 S $\mathbf{T}$ C Date 11-04-91 City Council Minutes I 0 Y E COUNCIL 0 N E N N S N D MEMBERS 0 importance to the City and currently was the primary outlet-type mall in the County. Should Coastland Mall not remain the primary mall in the County, cautioned Attorney Pickworth, it would become a different type of mall with a lower revenue generation and different quality stores. Attorney Pickworth addressed the traffic impact on Tenth Street and assured Council that the developers were sensitive to that issue. pledged to keep Council updated, either in person or in writing. Next, Mr. Brad McNeeley, Managing Director of LaSalle Advisors, Ltd., addressed Council with respect to the business aspects of the project. He reviewed his firm's qualifications, saying that although Coastland Mall was the firm's first investment in this community, it was not a new type of project for them. Mr. McNeeley pointed out that since the mid-1970's, Naples had grown dramatically and its population warranted and demanded appropriately priced retail facilities. Mr. McNeeley told Council that three out of the four department stores currently Coastland Mall have expressed an interest to expand their size. He advised Council that unless the stores within the Mall stay in stride changing market, people will McNeeley directed elsewhere to shop. Mr. attention to the fact that the Mall occupies a different market niche than Third Street South and similar shopping areas and would therefore, not impact those areas. Architect for the project, Mr. Guy described the site plan and the physical redevelopment proposed, including landscaping and the ingress and egress to the site. He said that the existing Mall entrances would be maintained, a second level built above Dillard's and a seven screen cinema and a food court added. Burdines also want to add a second level and J.C.

### CITY OF NAPLES, FLORIDA M S A В City Council Minutes Date 11-04-91 $\mathbf{T}$ C Ι 0 COUNCIL 0 N E **MEMBERS** N D 0 Penney's would enlarge its store on the first level. Mr. Muse said that the locations of parking decks would be determined by their visibility from US 41 and maintaining the existing front entrance. There is currently a problem with circulation, said Mr. Muse, since the Mall does not have a ring road and it is awkward for shoppers to go from one end of the Mall to the other in their vehicles. By introducing a circulatory road, the traffic would be kept inside rather than on the outside roads. In addition, all existing parking areas would be reworked. The proposed expansion of the Mall would result in 379,631 square feet of gross leasable area, said Mr. Muse. Mr. Jack Barr of Barr, Dunlop & Associates, Inc., will do an engineering and traffic analysis, said

Mr. Jack Barr of Barr, Dunlop & Associates, Inc., will do an engineering and traffic analysis, said Mr. Muse. He pointed out that because the Mall is bordered on three sides by major arterial streets, it has excellent accessibility and ease of entering and exiting. Impacts created by the added traffic will be investigated, although studies have shown that when a smaller shopping center is expanded traffic is effected at a somewhat lower rate. For instance, said Mr. Muse, if the site is increased by 80%, traffic would increase by approximately 60%; this smaller increase results because people are more likely to do more shopping at one site.

Muse assured Council that an accurate estimate of additional traffic would be made. Should the Mall be expanded as proposed, it would have seven entrances, and it is essential that the site maintain continued excellence accessibility. Mr. Muse said that the entrance at the north end of Tenth Street would be reviewed very closely and alternate scenarios are being considered for that entrance. Evaluation of all alternatives will be brought to staff and to Council if Council so wishes. Mr. Muse stressed the fact that his firm is interested in responding to all of Council's concerns relative to traffic.

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	Mr. Muse reviewed the landscaping proposed for the site and assured Council that the developers were aware of all border management requirements and would comply. As much of the existing landscaping as possible will be maintained and enhanced, with some seasonal landscaping added. Mr. Muse recognized that there is a concern for green space parking and the developer had located several areas along the perimeter of the site which could be used for green space parking.  A theme which will be appropriate to the area is						
	being researched, said Mr. Muse. He displayed a sketch of the proposed parking deck which he acknowledged as being a sensitive concern and will be more of a backdrop to the landscaping. Other views of the major intersections were displayed.						
	Council Member Muenzer said, "We have room for one primary mall and it is important for us to determine if it will be Coastland." Mr. Muenzer requested that staff inquire into several similar situations where smaller malls have become regional malls. He mentioned the cities of Sarasota, Fort Myers and the St. Petersburg area, where similar situations had taken place. Mr. Muenzer requested that, if possible, staff should visit several such malls and determine the effect which those malls have had on other malls in the area which were bypassed. Staff should research whether those malls had helped or hindered the surrounding neighborhoods and whether property values in the area were maintained or diminished. Mr. Muenzer also asked that staff study the impact of traffic in such regional mall areas.						
	Council requested further information from both staff and the developer, including: Furnish Council with complete plans of the property indicating owned and leased sites. Council Member Muenzer requested a complete record of the Malls history with reference to lease and ownership to include the length of the leases.						
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CITY OF NAPLES, FLORIDA  City Council Minutes Date 11-04-91	COUNCIL MEMBERS	T	SECOND	VO1	E N O	A B
A complete traffic study should be done, including possible impact to Tenth Street, Harbour Drive and as far east as the proposed Grey Oaks development which will take into consideration the perimeter road area within the Mall site.  The developer should provide Council with any feasibility studies already made. Future feasibility studies should include what effect the Mall expansion will have on development in the area.  With respect to landscaping, the developer should be in close communication with Interim Community Services Director Kevin Rambosk. Landscaping, already installed by the City, included in the landscaping plans.  Staff should determine if the additional square footage at Coastland Mall will require additional Fire and Police equipment and/or manpower.  Determine the estimated tax increase and how much revenue the City can expect should all expansion plans be accomplished.  Ensure that handicapped facilities and safety factors are very carefully addressed.  The developer should work with the various						
neighborhood associations in the area of the Mall.  Determine how the proposed Coastland Center expansion will affect the City's affordable housing requirements.  Report on necessary relocations and improvements of streets and utilities; what part must the City olay?  The developer should provide a thorough report with respect to water management/retention in the area.						
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#### VOTE S M Α CITY OF NAPLES, FLORIDA E 0 В $\mathbf{T}$ C Date 11-04-91 S City Council Minutes I 0 Y E COUNCIL 0 N E N N S MEMBERS N D 0 1 Council Member Herms asked if present City zoning ordinances would allow the proposed parking structures to be constructed and City Manager Woodruff reported that certain variances would be required. Community Development Director Missy McKim said that a conditional use would be required as well as GDSP (General Development Plan) approval and expansion of the nonconformity if the project does not go to a PD. Discussion followed with regard to parking requirements at the Mall and Council Member Herms posed the question of whether Council wanted to get into the concept of the "big city design aspect," with visible parking garages, or to maintain a lower density level, possibly through the addition of underground parking. City Manager Woodruff reminded Council there are only 70 acres there and that the major tenants come up for lease renewal soon. He urged Council to consider this seriously because, "What's good for the Mall is good for the economy." Dr. Woodruff pointed out that history has shown that some cities were not wise in not encouraging malls. \*\*\*\* BREAK: 1:10 p.m. - 1:22 p.m. \*\*\*\* Council Member Sullivan expressed his appreciation for the presentation so concerns could be addressed prior to any changes being made. He agreed that the City should want Coastland Mall to be the primary mall in the area. Vice Mayor Passidomo commented that this issue personifies the part Naples would play in the area for the next twenty to thirty years. asked if any Comprehensive Plan constraints or 8

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considerations had been identified, and Attorney Pickworth said that none had been found and that all requirements would be complied with.  In answer to the Vice Mayor's question about ownership, Attorney Pickworth explained that Burdines and Sears owned their own buildings and grounds, Dillards owns its building but leases the grounds and that J.C. Penney leases its building and grounds. Should denial of the project force development of another mall, said Attorney Pickworth, Coastland Mall would be hurt and the newer mall would not be very prosperous. He emphasized that the area cannot support two large malls.  City Manager Woodruff told Council that this "unusual presentation" had been requested because of the magnitude of the project and Council should be a part of the process from the						
beginning.  NOTE: Mayor Anderson returned to the meeting at 1:50 p.m.  ***  TIEM 3  OVERVIEW OF SATELLITE DISH REGULATIONS.  *****						
DISCUSSION OF LAWN MAINTENANCE HOURS OF OPERATION.  *****  ITEM 5  DISCUSSION OF PROPOSED REGULATIONS FOR SIDE-YARD SETBACKS.						
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### VOTE M S A CITY OF NAPLES, FLORIDA E 0 В T С S Date 11-04-91 City Council Minutes I OY E 0 E COUNCIL N N N S MEMBERS N D 0 .13 Mayor Anderson requested that Items 3, 4, and 5 be scheduled for a Workshop Meeting in the near future. \*\*\* \*\*\* \*\*\* ITEM 6 REVIEW OF ITEMS ON NOVEMBER 6, 1991 REGULAR MEETING AGENDA. Item 6-b Bid award/Environmental audit and contamination assessment at the Pulling property site City Manager Woodruff explained that the assessment is for the purpose of defining the exact degree of contamination and whether any contaminants other than human waste exist at the site. He said that no type of log was kept which would identify what had been dumped at the Pulling site. Staff will verify the manner in which ATEC (the recommended vendor) intends to monitor the test area. Staff was asked by Council to provide information relative to what is being done with pesticides and herbicides. Staff was also requested to study the environmental impact of all the City facilities, siting locations of such things as underground tanks and report to Council. Council also asked that staff draw up a list of potential environmental impacts that could be suffered as a result of normal operations. \*\*\*\* Item 6-c Bid award/Goodlette-Frank Road median landscape improvements City Manager Woodruff briefly reviewed the Naplescape improvements, reminding Council that the County had requested work at the intersection of Goodlette Road and Golden Gate Parkway be 10

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completed. The City Manager will schedule a					
presentation of the final Naplescape design plans					
for Council's review.					
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<u>Items 9-a and 9-b Transfers from the contingency</u> fund	:				
<u>I dila</u>					
With regard to Item 9-a, City Manager Woodruff					
explained that the requested transfer would					
provide budget funding for the purchase of computer software and hardware for real estate					
mapping.					
Item 9-b, contingency fund transfer to provide budget funding for computer aided drafting, will					
 draw maps based on the most recent surveys. All					
water and sewer lines, meter and manhole					
locations, etc. will be added to the computer					
base, so that complete information can be pulled up on the computer screen. This is the first			12		
phase of a project which will take several years					-
to complete.					
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Item 10 Appointment of one member to the City of					
Naples Airport Authority					
Mayor Anderson announced that Airport Authority					
Board Member Phillip A. Strohm's letter of					
resignation had been received and accepted. City					
Manager Woodruff asked if Council would prefer to choose a new member based on the previous		1	1	1	
interviews or to re-advertise the vacancy.		1			
Council discussed the situation and Mayor		-			
Anderson suggested that in order to alleviate any controversy, this item should be delayed. Staff		-			
will re-advertise for Airport Authority			1		
applicants, delaying appointment until it is					
determined if there are additional interested					
parties.		1	1	-	
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Item 11 Allow City Council to set mooring rental rates by resolution						
City Manager Woodruff emphasized that this action was simply the first step in abolishing the existing ordinance. He told Council that staff wanted to give people a grace period in order to relocate their boats if they chose to do so. Dr. Woodruff recognized that it was not fair to put the new rates into effect immediately, so staff was recommending this phasing-in period.						
Council Member Korest noted that some residents believed the Dock should be treated as a park rather than an enterprise. Council Member Muenzer said that if the Dock was going to operate at a loss, he wanted it to be available for City residents only. Council requested that staff furnish some comparable mooring rates, both commercial and private.						
Council Member Sullivan commented, "We're just finally getting around to running this as it should be." He said that it made good sense to charge for footage of the slip as opposed to charging for the length of the boat.						
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Item 12 Naples Cay Development triple impact fees						
City Manager Woodruff read a letter from the Detitioner's attorney (Attachment #2) requesting that this item be removed from the agenda. Vice Mayor Passidomo suggested that the item be delayed only on the condition that a check for monies due be placed in an escrow account before the November 6th Council Meeting. It was the consensus of Council that this item will only be continued past November 6th if the petitioner deposits the sum of \$140,000 into an escrow account before the Council Meeting on that date. Staff will notify counsel for the petitioner.						
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CITY OF NAPLES, City Council Min	FLORIDA utes Date <u>11-04-91</u>		COUNCIL MEMBERS	M O T I O N		Y E S	E N O	A B
pertaining to trip City to collect in much interest (at 1	m whether or not the ordinance ole impact fees entitles the terest and then calculate how 10%) the petitioner would have from the initial due date to							
	of Engineers survey and report f hurricane and storm damage sion control							
that the Army Correconnaissance studis sufficient reason is funding the study is fundingers and needs feasibility study h	Manager Jon Staiger explained the spoof Engineers would do a day to determine whether there on to do beach renourishment. Indeed 100% by the Corps of Congressional approval. The however, is to be funded half lift by the Federal government,							
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Development Council potain a copy of the letermination with lawsuit. It was invite Attorney Jos	iscussed the current Tourist (TDC) lawsuit. Staff should he transcript and the Judge's regard to the TDC funds the consensus of Council to eph Freni to a Council Meeting discuss this matter.	٠.				·		
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KIM ANDERSON, MAYOR						
TANETICASON						
JANET/CASON City Clerk						
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Marilyn McCord						
Recording Secretary						
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These minutes of the Naples City Council were approved on Necember 4,1991						
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## SUPPLEMENTAL ATTENDANCE LIST

## City Council Regular Meeting - November 6, 1991

Charles Andrews
Sue B. Smith
C. Locke Galbraith
Nettie Hathaway
Douglas Speirn-Smith
Tom Riley
Raymond Wulf
William R. Hill
Jim Boula

Werner W. Haardt Robert Guevin Julia Longwell Anthony P. Pires Edward A. Morton John W. Cremer Lloyd Kohl Dewey Anderson

## NEWS MEDIA

Jerry Pugh, Palmer CableVision Wendy Fullerton, Fort Myers News Press Eric Staats, Naples Daily News Sally Kidd, WINK-TV Paul Kenney, WBBH-TV