



# City of Naples

## City Council Minutes

Regular Meeting 5-06-92

City Council Chambers  
735 Eighth Street South  
Naples, Florida 33940

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-APPROVE lease between city and PAL		92-6639	3
-APPROVE purchase and installation of two truck cranes		92-6640	4
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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	

ITEM 3

**ANNOUNCEMENTS**

City Manager Woodruff announced that there would not be a Council Workshop Meeting on Monday, May 11, however, there will be a Special Meeting on that date beginning at 9:00 a.m.

Mayor Muenzer announced that Items 14 and 19 would be removed from the Consent Agenda for further discussion.

**\*\*\*\*\*CONSENT AGENDA\*\*\*\*\***

ITEM 12

**APPROVAL OF MINUTES**

Workshop Meeting	January 13, 1992
Workshop Meeting	March 16, 1992
Workshop Meeting	March 30, 1992
Special Meeting	March 30, 1992
Special Meeting	April 6, 1992
Workshop Meeting	April 6, 1992
Workshop Meeting	April 13, 1992
Regular Meeting	April 15, 1992
Workshop Meeting	April 20, 1992

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**RESOLUTION NO. 92-6637**

ITEM 13

**A RESOLUTION AWARDDING CITY BID #92-43 FOR THE ESTABLISHMENT OF AN ANNUAL CONTRACT FOR THE PURCHASE OF AUTOMOBILE, TRUCK AND BUS PARTS; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR; AND PROVIDING AN EFFECTIVE DATE.**

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RESOLUTION NO. 92-6638

ITEM 15

A RESOLUTION AWARDING CITY BID #92-59 FOR TWO SUBMERSIBLE WATER PUMPS WITH FIFTY HORSEPOWER MOTORS AND ONE FIFTY HORSEPOWER PUMP MOTOR FOR THE UTILITIES DIVISION TO ALLOW THE START UP OF EAST GOLDEN GATE PRODUCTION WELLS #409, #412 AND #413; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

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BUDGET AMENDMENTS

ITEM 16

ITEM 16-a

ADDITIONAL LITIGATION FEES

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ITEM 16-b

FUNDING FOR BALANCE OF FISCAL YEAR 1992 FOR BOTH LEGAL FEES AND PREPARATION FOR C.P.A. TESTIMONY RE: 1990 AUDIT

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RESOLUTION NO. 92-6639

ITEM 17

A RESOLUTION APPROVING AN ADDENDUM TO A LEASE BETWEEN THE CITY OF NAPLES AND THE NAPLES POLICE ATHLETIC LEAGUE, FOR THE LEASING OF AN AREA WITHIN FLEISCHMANN PARK FOR ATHLETIC ACTIVITIES BY THE NAPLES POLICE ATHLETIC LEAGUE; AND PROVIDING AN EFFECTIVE DATE.

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RESOLUTION NO. 92-6640

ITEM 18

A RESOLUTION AWARDING CITY BID #92-62 FOR THE PURCHASE AND INSTALLATION OF TWO (2) TRUCK CRANES; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

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ORDINANCE NO. 92-

ITEM 20

AN ORDINANCE AMENDING SECTIONS 23-12.2(a)(6) AND 23-16(a) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PROVIDE FOR AN ESCALATING FEE SCHEDULE FOR VIOLATIONS OF BEACH PARKING, BASED ON TIMELINESS OF PAYMENTS; AND PROVIDING AN EFFECTIVE DATE.

MOTION: To APPROVE the Consent Agenda, consisting of Items 13, 15, 16-a, 16-b, 17, 18, and 20.

\*\*\*\*\*END CONSENT AGENDA\*\*\*\*\*

RESOLUTION NO. 92-6642

ITEM 4

A RESOLUTION GRANTING VARIANCE PETITION 92-V7 FROM SUBSECTION 7-4-2.1(E) OF THE COMPREHENSIVE DEVELOPMENT CODE TO ALLOW FUTURE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE ON A NONCONFORMING LOT LOCATED AT 1026 SPYGLASS LANE, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Chief Planner John Cole reviewed the request for variance. He explained that the nonconforming

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S
			Y E S	N O	
Anderson			X		
Hermes			X		
Korest	X		X		
Pennington			X		
Sullivan		X	X		
VanArsdale			X		
Muenzer			X		
(7-0)					

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lot width was discovered at the time of the recently proposed sale of the property. Mr. Cole said that the variance would clear any possible discrepancy on the title.

Mr. Cole reported that at its meeting of April 8, 1992, the PAB (Planning Advisory Board) had voted unanimously to recommend approval of the variance, agreeing with staff's findings that the criteria had been met.

Attorney Perry Peeples of Harter Secrest & Emery, representing the Petitioner, confirmed that this lot was consistent with the Comprehensive Plan and meets the intent of the City's zoning ordinance.

**MOTION:** To APPROVE the resolution as presented.

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RESOLUTION NO. 92-6643

ITEM 5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, AWARDING THE CITY'S WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 1992, IN THE PRINCIPAL AMOUNT OF \$15,425,000; DESIGNATING THE DATE OF THE BONDS, THE FINAL MATURITY AMOUNTS, MATURITY DATE, INTEREST RATES, AND REDEMPTION PROVISIONS; PROVIDING FOR THE SALE OF THE BONDS AT NEGOTIATED SALE; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT WITH RESPECT TO THE BONDS, AND THE EXECUTION OF THE BONDS AND CERTIFICATES AND OTHER DOCUMENTS NECESSARY TO CONSUMMATE THE DELIVERY OF THE BONDS; ACCEPTING THE COMMITMENT OF THE MUNICIPAL BOND INSURER FOR A MUNICIPAL BOND INSURANCE POLICY; DESIGNATING A BOND REGISTRAR AND PAYING AGENT FOR THE BONDS AND AN ESCROW AGENT FOR THE REFUNDED BONDS; AND PROVIDING AN EFFECTIVE DATE.

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Herms  
Korest  
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Title read by City Attorney Chiaro.

Finance Director Bill Harrison explained that this resolution represented the official award of the bonds.

Mr. Craig Dunlap, Financial Advisor to the City, said that he was pleased to report on the success of the bond issue. He noted that interest rates range from 4.75% to over 6.5%, which is a better rate than other cities are getting. Mr. Dunlap said that he was prepared to recommend approval of this issue.

Mr. Bill Reagan of Alex. Brown & Sons Incorporated thanked Council for the opportunity to serve the City. Residents had been given priority, he said, and a good majority of the bonds had been sold within the community.

**MOTION:** To APPROVE the resolution as presented.

Mayor Muenzer expressed his appreciation to everyone who had assisted in this matter. He said that hopefully the City could attain a higher rating after another successful audit. Finance Director Harrison agreed, adding that an A+ or AA rating would eliminate approximately \$108,000.00 of the cost of a bond issue.

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Muenzer  
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**BREAK:** 9:37 a.m. - 9:55 a.m.

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**RESOLUTION NO. 92-6637**

**ITEM 14**

**A RESOLUTION AWARDDING CITY BID #92-54  
FOR THE ESTABLISHMENT OF AN ANNUAL  
CONTRACT FOR THE REHABILITATION OF  
VARIOUS MANHOLES THROUGHOUT THE CITY'S**



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SEWER SYSTEM; AUTHORIZING THE CITY  
MANAGER TO ISSUE A BLANKET PURCHASE  
ORDER THEREFOR; AND PROVIDING AN  
EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Utilities Manager Dan Mercer described the  
planned rehabilitation, using an interior liner  
system, of three manholes: 1) Fourth Street South;  
between Broad Avenue and 12th Avenue South; 2)  
485 18th Avenue South and 3) 1196 West Lake  
Boulevard.

**MOTION:** To APPROVE the resolution as  
presented, awarding the bid  
to Suncoast Environmental,  
Inc. of Graceville, Florida.

City Manager Woodruff directed that the record  
reflect the lowest bidder had not met the  
specifications and the bid was awarded to the  
lowest bidder who had in fact met the  
specifications.

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RESOLUTION NO. 92-6645

ITEM 19

A RESOLUTION AWARDING CITY BID #92-69  
FOR THE PURCHASE AND INSTALLATION OF  
EQUIPMENT AND WIRING FOR THE LOCAL AREA  
NETWORK AT THE POLICE DEPARTMENT OUT OF  
THE POLICE CONFISCATION TRUST FUND;  
AUTHORIZING THE CITY MANAGER TO ISSUE A  
PURCHASE ORDER THEREFOR; AND PROVIDING  
AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Council Member Van Arsdale recommended that staff  
also purchase video cards for the Police  
Department computers.

**MOTION:** To APPROVE the resolution as  
presented. In additional,

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Anderson  
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staff is authorized to purchase additional video cards to enhance the system, in an amount not to exceed \$500.00.							
***	***						
RESOLUTION NO. 92-6646	ITEM 10						
A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NAPLES AND COLLIER COUNTY, RELATING TO THE MAINTENANCE AND OPERATION OF THE BEACH AREAS AND RELATED PARKING SITES WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE.							
Title read by City Attorney Chiaro.							
City Manager Woodruff reviewed the highlights of the Interlocal Agreement which call for a payment from Collier County in the amount of \$155,000.00 each year. He informed Council that the Police Volunteers had already begun to implement issuance of the new beach parking stickers to both City and County residents. All expired stickers must be renewed by July 1, 1992.							
Dr. Woodruff explained that City residents were issued different parking stickers County than residents. Anyone surveying a beach parking area would quickly be able to determine how many are City and how many are County residents.							
In response to Council Member Korest's question, Dr. Woodruff said that the Agreement could be cancelled by notifying the County in writing prior to June 30th of any year. Each year, the issue will come before Council for discussion in late May or early June. Dr. Woodruff also reminded Council that this was a three-year Agreement. After that time it must come back for renegotiation.							
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Council discussed the annual change in the C.P.I. (Consumer Price Index) for the next two years which is included in the Agreement. The C.P.I. will be computed using the time frame October 1 through September 30. Staff will specify those dates in the language of the Agreement.

**MOTION:** To APPROVE the resolution, based upon the fact that the annual change in Consumer Price Index will be reflected from October 1 to September 30 of the following year.

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RESOLUTION NO. 92-6647

ITEM 11

A RESOLUTION ACCEPTING A 174 FOOT SEWER LINE EASEMENT WITHIN A VACATED EAST/WEST ALLEY AREA IMMEDIATELY SOUTH OF THE NEAPOLITAN BUILDING AT 1300 THIRD STREET SOUTH; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

Community Development Director Missy McKim reviewed the background information. At the time of the original vacation, Council had retained utility easements for Palmer Cablevision, United Telephone and Florida Power & Light. They neglected, however, to retain easement rights for the City's sewer line located within the vacated alleyway. Neapolitan Enterprises is prepared to grant the easement for the existing sewer line.

**MOTION:** To APPROVE the resolution as presented.

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BREAK: 10:35 a.m. - 10:46 a.m.

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COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
Anderson				X	
Herms	X		X		
Korest			X		
Pennington		X	X		
Sullivan			X		
VanArsdale			X		
Muenzer			X		
(7-0)					
Anderson			X		
Herms	X		X		
Korest			X		
Pennington			X		
Sullivan		X	X		
VanArsdale			X		
Muenzer			X		
(7-0)					



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COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
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ITEM 6

**CRAYTON ROAD/PARK SHORE DRIVE  
INTERSECTION REDESIGN**

City Manager Woodruff reported on the community meetings which were held in reference to the Crayton Road/Park Shore Drive intersection redesign. Dr. Woodruff related citizen concerns. These included: the future four-laning of Crayton Road; the need to open Gulf Shore Boulevard North into Seagate, certain driveways being blocked; and the inability to get our of certain driveways because of stacking at the intersection of Neapolitan Way and Crayton Road.

The City Manager stated that staff had no agenda for four-laning Crayton Road and that Council could commit not to do so, although there were no guarantees that a future Council may decide otherwise. The intersection of Neapolitan Way and Crayton Road is near to meeting justification for the installation of a traffic light, explained Dr. Woodruff. Funds would be immediately available for a traffic light from impact fees. Dr. Woodruff said that staff had no position on the possibility of opening Gulf Shore Boulevard North to Seagate. Should Council decide to direct staff to complete a study, it would take approximately three to four months.

City Manager Woodruff said that staff believed it was important to proceed with the Crayton Road/Park Shore Drive intersection redesign. Engineering Manager Leighton Westlake distributed the schedule for construction to be completed before the next tourist season. Mr. Westlake explained that staff would advertise for bids during the first part of June. He assured Council that at no time would the intersection be totally closed and that night work was not anticipated. Mr. Westlake informed Council that even with the anticipated 1,200 additional units in the area, improvements to the intersection should be a permanent solution.

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COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
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In response to questions from Council Member Pennington, Mr. Westlake said that Park Shore Drive could easily be four-laned. If expansion to the Park Shore bridge were necessary, the expense would be covered by impact fees. Also, the Department of Transportation (D.O.T.) had been approached about the possibility of obtaining Federal funds for that project.					
President of the Park Shore Association G. Locke Galbraith, 4000 Gulf Shore Boulevard North, told Council he was present to strongly support the redesign of the intersection. He agreed that it had caused significant problems for the residential neighborhood, as well as for through traffic. Mr. Galbraith commented that the redesign would help to alleviate the problem immensely. In conclusion, Mr. Galbraith said that the Association supported the continuation of Crayton Road's two-lane status.					
Vice Mayor Sullivan asked Mr. Galbraith his opinion of opening Gulf Shore Boulevard North at Seagate. Mr. Galbraith responded that most residents of Gulf Shore Boulevard were opposed to that measure and believe that they had a commitment from Council that it would not be opened.					
Vice President of The Lutgert Companies, Richard J. Baker, read into the record his letter addressed to Council dated May 1, 1992. (Attachment #2) After reviewing the plans, The Lutgert Companies agreed that the proposed redesign was a "good and proper solution." Further, said Mr. Baker, The Lutgert Companies agreed that it was an appropriate use of the impact fees, the major portion of which had been contributed by that company. The Lutgert Companies had never intended for Crayton Road to be four-laned, stated Mr. Baker.					
Mr. Baker commended the City Manager and City staff for the prompt and efficient manner with which they approached this project. In response to Council Member Pennington's question, Mr.					

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Baker said that he would expect construction buildout along Gulf Shore Boulevard North to take between eight and twelve years.

President of the Seagate Property Owners Association, David Caldwell, 5182 Sand Dollar Lane, addressed Council. He was accompanied by several Association members. Mr. Caldwell stated that pass-through traffic from Gulf Shore Boulevard North to Seagate would have a very negative impact on the Seagate neighborhood. The Association's Board of Directors requested that the proposal not be given further consideration.

President of the Crayton Road Association, Inc., Virginia Newman, read a letter from the Association into the record (Attachment #3). At a meeting of the Association attended by City Manager Woodruff, Assistant City Manager Ijams and Engineering Manager Westlake, the summation of the main concerns of those in attendance were:

1. Council is urged to direct staff to immediately commence the study of the opening of Gulf Shore Boulevard North into Seagate.
2. The residents of Crayton Road request a contract from City Council stating that they will never consider the widening of Crayton Road, which would destroy the character of that residential neighborhood.
3. Consider the feasibility of installing a traffic light at Neapolitan Way to platoon the flow of traffic so residents could enter and exit their driveways safely.
4. Any loss of "green space" shall be transferred to traffic islands on Mooringline Drive, east and west of Crayton Road, to better define the turn lanes.



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Mr. Joseph E. Motherway, 555 Park Shore Drive, referred to comments made by Mr. Galbraith stating that he was not aware of any effort by the Park Shore Association to poll the Association members.

Referring to the issue at hand, Mr. Motherway commented that it seemed like a "stop-gap measure." He emphasized that he did not want to see Park Shore Drive four-laned or the intersection improved in order to help commercial activity. Mr. Motherway asked that Council and staff consider the following: 1) Opening Gulf Shore Boulevard North into Seagate, 2) The impact of the new Waterside shops, and 3) In his opinion the time to decide what to do with the intersection was after the Waterside shops open.

Mr. Jack Messer, 205 Park Shore Drive, a member of the Park Shore Association noted that the Park Shore Landings Condominium Association was in favor of the intersection redesign. He proposed that Council consider a "Please do not block the intersection" sign, a flashing caution light, or some other method to better mark the entrance to Park Shore Landings.

Mr. Frank Bubba, 4018 Crayton Road, President of the Villas of Park Shore Homeowners Association, said that this Association's members were all directly impacted by this intersection. Mr. Bubba told Council that the Association believed the Gulf Shore Boulevard North/Seagate opening should take precedent and hoped that Council would consider that opening. The Association also voiced concern about the impact of traffic once the Waterside shops were open.

President of the Gulf Shore Condominium Association John C. Berlin, 4031 Gulf Shore Boulevard North, pointed out that during hurricane season, only about 25% of the Association's members were present in Naples, so evacuation should not pose a problem. Mr. Berlin said that the Association was unanimous in approving staff's plans for redesigning the

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intersection. Mr. Berlin concluded, "We are most anxious to see you take care of this matter. We are 100% in favor of the plans as presented to you."

Vice President of the Crayton Road Property Association Elaine Luckhart, 3500 Crayton Road, addressed Council representing that portion of Crayton Road south of the intersection. She said that they all agreed there was a traffic problem. There needs to be a study, said Mrs. Luckhart, as well as further deliberation. Mrs. Luckhart noted that Crayton Road was a road lined with millions of dollars worth of property and she did not want to see it deteriorate. She said that she was present to request that Council authorize a study pertaining to the opening of Gulf Shore Boulevard North into Seagate. Mrs. Luckhart also pointed out that with the opening of the Waterside shops, significantly more traffic would be generated and Council should be concerned about that traffic transversing a very small bridge.

Council Member Korest said that he had many concerns about this issue. Mr. Korest said that without improvements to the intersection, he believed that Council would be severely criticized for not making improvements which the staff believed necessary.

In response to Council Member Herms' question, City Manager Woodruff said that the redesign was done in-house and the work would be contracted out.

Vice Mayor Sullivan stated that he would hesitate to put off this project and believed that it should be done. Mayor Muenzer agreed, adding that Council had the capacity to bring some relief to the area.

**MOTION:** Staff should proceed to finalize the Crayton Road/Park Shore Drive intersection redesign plans.

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LUNCH RECESS: 12:15 p.m. - 1:35 p.m.

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NOTE: Roll was called after the lunch recess;  
all of the Council Members were  
present.

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ORDINANCE NO. 92-

ITEM 7

AN ORDINANCE AMENDING SECTION 9-1-16  
"SATELLITE/ANTENNA" OF THE  
COMPREHENSIVE DEVELOPMENT CODE BY  
AMENDING THE STRUCTURAL, LOCATION AND  
SCREENING REQUIREMENTS PERTAINING TO  
ANTENNAS; ADDING LIMITATIONS RELATED TO  
LOCATION AND VISIBILITY OF ALL LAND  
BASED ANTENNAS; PROVIDING FOR AN APPEAL  
PROCESS AND ESTABLISHING A FEE;  
PROVIDING A SEVERABILITY CLAUSE, A  
REPEALER PROVISION AND AN EFFECTIVE  
DATE.

Title read by City Attorney Chiaro.

Chief Planner John Cole reviewed the item. Last  
year, the Code Enforcement Board heard three  
citations pertaining to satellite dish antennas  
which were in violation of existing Code  
requirements. The Board withheld ruling on those  
particular antennas and referred them to the  
Planning Advisory Board (PAB) for its review.  
Over a period of four months, the PAB reviewed  
the regulations and recommended that Council  
adopt the language within today's packet. Mr.  
Cole noted that the distinction between satellite  
dish antennas and other antennas had been  
eliminated in the proposed language. Proposed  
language revisions include:



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1) Treat all antennas equally in terms of placement and screening requirements, ending the current distinction between satellite dish and other forms of antennas.					
2) Establish a 110 MPH wind load requirement for satellite dish installations, consistent with the Standard Building Code, and substitute the requirement for an engineer's certification of structural integrity in place of two pages of specific installation criteria.					
3) Prohibit the placement of (all) antennas on rooftops within single family zones, permit the placement of rooftop antennas within multi-family and commercial zoning districts subject to screening requirements.					
4) Strengthen the screening requirements applicable to antennas so that they are not visible from ground level view from adjacent lands and waterways.					
5) Replace the Conditional Use Petition process with an "Antenna Location Permit", which is tailored to reception and visibility issues, as the appeal process available to property owners who cannot install an antenna within the location requirements of this section.					
<p>Mr. Cole pointed out that treating all antennas the same would put restrictions on ham radio operators, so language has been provided which would exempt all emergency uses. Those antennas located on rooftops would be restricted with the proposed language. Mr. Cole told Council that the staff proposal which originally went to the PAB maintained the difference between satellite and other types of antennas. Appearance is important to this community, commented Mr. Cole, so aesthetic concerns were very valid. However, it is also important to establish a size and shape allowance which would accommodate the majority of homeowners.</p>					

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Council Member Pennington noted that the FCC (Federal Communications Commission) did recognize aesthetic concerns. The FCC's concern is that people should not be coerced into using cable television. Mr. Pennington said, "To avoid the appearance of discrimination, perhaps we've gone into some overkill here. We don't want to exclude those who desire ham radio capability. We should look at this in the overall and not create more damage." Mr. Pennington recommended that Council review staff's original recommendations.

Council Member Korest said that the PAB's primary concern revolved around the aesthetic problems. The PAB had attempted to draft language that would address that. Mr. Korest suggested that Council could approve first reading of the ordinance, then have staff rework the language further.

Council Member Anderson agreed that Council must promote the aesthetic integrity of the community, however, she said, "We don't want to tie our hands in the future." Mrs. Anderson commented that a vast difference in antennas existed and it was difficult to do something equitable for everyone.

Council Member Van Arsdale concurred that "a sledgehammer approach is probably not right."

Vice Mayor Sullivan said that in trying to effect a cure to a legitimate concern, this situation may do more damage than good to the community. He said that he would hesitate to pass this ordinance the way it was presently written. Mr. Sullivan stated that in his opinion, it would damage the area's entire network of ham radio operators on which the City may have to rely on during an emergency.

Mr. George Barry, 211 First Avenue North, related to Council how while he was active in the Civil Air Patrol many years ago he had erected a communications tower. Mr. Barry had been advised

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by his attorney that the tower would be grandfathered in, therefore, the new ordinance would not adversely affect him. He said that although he personally would have no problem with the language pertaining to antennas, he wanted to address some other issues.					
Mr. Barry said that in his opinion, staff and the PAB were dealing with "too much to do, too little time, matters too technical in nature." To prohibit placement of antennas of any kind on rooftops would eliminate scanners, weather stations, marine channels, aviation bands, etc. Mr. Barry added that young people who wanted to experiment with short wave bands would no longer be able to do so. He said, "The gross overkill in this revision stifles the next generation from learning about electronics. What about the handicapped and aged who sometimes leave their homes through the magic of radio?"					
Mr. Wayne LeCureux, 2165 Shad Court, informed Council that his neighbors had never criticized the appearance of his radio tower. He explained that many of the ham radio operators in the community meet year-round to stay organized in the event of an emergency. Mr. LeCureux commented, "If a hurricane ever hits Naples, we'd better be prepared." Amateurs have the needed capabilities."					
Community Development Director McKim pointed out that the PAB's recommendation, rather than the original staff recommendation, is what comes to Council. Chief Planner Cole said that in his opinion much of the practical enforcement of this particular regulation will come from the neighbors of those who have antennas. He reminded Council that language in the ordinance states that antennas should be screened from ground level and at some point, Council must make a determination about the language "adequately screened."					



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			Y E S	N O	
Anderson	X		X		
Herms			X		
Korest			X		
Pennington		X	X		
Sullivan			X		
VanArsdale			X		
Muenzer			X		
(7-0)					

**MOTION:** To TABLE first reading of the ordinance.

Council Member Herms said that he would agree to tabling this item and by doing so, hoped it would be reviewed further by staff. He encouraged the other Council Members to meet with staff with any questions and suggestions they may have. Council Member Korest noted that Council Members had the opportunity to meet with staff at any time. In fact, he added it was Council's obligation to do so.

Vice Mayor Sullivan said that he never questioned the fact that the proposed revisions came from the PAB and not from staff. He commented that he did not believe anyone had anticipated the severe harm which would be done to a certain group of very important people, the ham radio operators who help in emergencies, had the changes been approved.

Mayor Muenzer directed staff to schedule the satellite/antenna text amendments early in June for a Council Workshop before budget review. The Mayor also reminded Council Members to pass any comments on to Mr. Cole.

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**ITEM 8**

**AFFORDABLE HOUSING COMMISSION REPORT ON  
IMPACT FEES**

Chairman of the Affordable Housing Commission Bryan Weber commended the City for its RFP (Request For Proposal) process. Mr. Weber expressed the hope that some housing units could be built during the next year. He asked that Council write a letter of support to be delivered to the County Commissioners.

Vice Mayor Sullivan agreed that it was essential some relief be granted to developers building affordable housing. Council Member Anderson said

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that on April 18, 1991, Council had made a commitment to go forward with affordable housing and that it was one of her personal goals to see it set up.

Mr. Weber told Council that the affordable housing proposals were all uniquely different and viable solutions. He declined to specify a preference, but said that the affordable housing site near the Naples Daily News was an appropriate site. Mr. Weber commended staff, particularly Community Development Director McKim and Planner Susan Golden, who had attended every Affordable Housing Commission meeting. He then introduced Mr. Johnny Cannon and Mr. Fred Thomas, members of the Commission.

Mr. Thomas, who is also the Director of Farmworkers Village in Immokalee and Executive Director of the Collier County Housing Authority, told Council that rules and regulations "that everyone can be supportive of" are needed. That way, said Mr. Thomas, a developer can build affordable housing within the City or County. He said that affordable housing had tended to increase property values in most cases around the country. Mr. Thomas stated that it was vital to get the community to socially accept all of its residents. With such a diversity of income levels in the area, he noted, options such as affordable housing were needed. Mr. Thomas requested that Council support the Affordable Housing Commission's report.

**MOTION:** To encourage the Board of County Commissioners to accept the concepts of the final Affordable Housing Commission report dated February 7, 1992, with additional information provided on April 17, 1992. In addition, staff should begin coordination of the report's recommendations with the County staff.

Anderson  
Herms  
Korest  
Pennington  
Sullivan  
VanArsdale  
Muenzer  
(7-0)

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RESOLUTION NO. 92-6648

ITEM 9

A RESOLUTION RANKING THE FOUR AFFORDABLE HOUSING PROPOSALS RECEIVED IN APRIL 1992 AND SELECTING A DEVELOPER TO BEGIN CONTRACT NEGOTIATIONS ON THE DEVELOPMENT OF AFFORDABLE HOUSING ON A 4.5 ACRE CITY-OWNED SITE; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Chiaro.

City Manager Woodruff asked that the public understand there are a multitude of processes involved including filing the necessary zoning documents before an affordable housing development can be built. Dr. Woodruff said, "This is the okay to build on our site." Dr. Woodruff mentioned that it was the responsibility of the developer to locate the funding for an affordable housing project and not Council's responsibility. He advised that Council should set the highest possible price for the property and require the buyer to apply for a waiver of impact fees.

At Council Member Herms' earlier request, Police Chief Reble provided crime data for the various sectors of the City. Mr. Herms pointed out that the data illustrated the fact that crime of a more serious nature takes place in Sector 13 than in other Sectors within the City. (The affordable housing site is in Sector 13.) Chief Reble noted that the Police Station is located within Sector 13. Many people come directly into the Police Station to report crimes. As a result the numbers can be inflated by these emergency calls.

Chief Reble reviewed the crime report and calls for service statistics and informed Council that there was an approximate 10% decrease in crime in Naples this past year.

Mr. Johnny Cannon, member of the Affordable Housing Commission and resident of the River Park Apartments, addressed Council. Mr. Cannon said



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that in his opinion, some of the crime data figures were distorted, noting that many of the cases were reverse-sting operations. He noted, "I venture to say that if the Police Department was spending as much time in Port Royal, you'd see the same things there." Mr. Cannon urged Council to approve development of the site rather than sell it. He concluded by saying, "It took twenty years to get Anthony Park where it's a decent park. I'd hate to see that delay happen again."

Mr. Willie Anthony, 559 14th Street North, told Council, "It is unfortunate this discussion has degenerated to stigmatizing an area of our City. It's unfortunate that people here had no prior knowledge this was going to be discussed. It's difficult to make a response. This is demeaning to me. These charts don't give details. The implication is that all those actions were done by those who live in that area. That's most disturbing. The least we deserve is an opportunity to respond to any accusations in an orderly way."

With respect to affordable housing, Mr. Anthony stated that he believed the community should decide what was needed, then a developer located. Mr. Anthony said that he was not opposed to a senior development but did not agree with the process the City had gone through. He concluded by saying that he hoped not everyone in town would think that all the crime in Naples was perpetrated in the River Park area.

City Manager Woodruff clarified that the crime statistics had been presented at the request of a Council Member, however, it had not been staff's intent to discuss crime activities. All sectors of the community have crime, Dr. Woodruff noted, and he apologized if anyone had been offended.

Mr. Fred Thomas, the Director of Farmworkers Village in Immokalee, was called upon to speak. He gave a brief history of affordable housing, noting that the best location for such housing

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was somewhere adjacent to services. Mr. Thomas, in answer to Council Member Korest, said that in his opinion, any one of the four proposals would work very well on the site near the Naples Daily News.

Mr. Fred Tarrant, 175 Third Street South, told Council, "It's gratifying for politicians to feel big-hearted about helping a certain segment of the population. To the best of my knowledge, the City has no money, so the generosity exhibited by the City or the County Commissioners is generosity with other people's money." Mr. Tarrant went on to say, "This program would create another level of bureaucracy and create a monster waiting list. Politics will enter the game. H.U.D. is one of the most wasteful, sloppily-run, corrupt bureaucracies in the Federal government. I thought the City was going to do a study and see what's out there now - rental properties, guest homes, etc. It seems to me that in trying to be do-gooders, you will shortchange the larger segment of the population."

Mr. John Steinwand, representing Contemporary Housing Alternatives, said that Council seemed to be heading toward ranking the H.U.D. 202 development first. Mr. Steinwand pointed out a few advantages of the Sunrise proposal, including the addition of an eldercare community center. Rather than ranking the proposals, Mr. Steinwand suggested that Council negotiate with all of them.

Mr. Herbert Cambridge, 6475 Golden Gate Parkway, emphasized the importance of home ownership. He commented on the crime data which had been presented, calling it "debilitating." Mr. Cambridge described the data as flawed and the biggest misuse of data that he had heard in a long time. He stated that methods should be found to gather and report the crime data. Mr.

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Council Member Korest agreed that each of the proposals had its merits as well as some level of funding difficulties. Funding will probably be the most paramount problem, he noted. Mr. Korest asked staff for their assessment of the fundability of the different projects. Planner Susan Golden commented that the competition for funding was intense. She told Council that the National Church Services had experienced a 90% success rate in receiving 202 funds.

Council Member Anderson agreed with Mr. Thomas that no development should be stigmatized "before the fact" and apologized for the comments which had been made, calling them unfortunate and totally unnecessary.

Council discussed funding possibilities and selection of a developer for the affordable housing site. City Manager Woodruff said that it was appropriate for Council to have a reinvestment policy in place. It was agreed that a price of \$550,000.00 would be asked for the property and that the developer would be required to apply for a full waiver of impact fees.

Council Member Anderson commented that one of the main advantages of the 202 program was that it relieved Council of any ownership responsibilities. Mayor Muenzer concurred that the 202 program was the best choice and that a reinvestment policy would open up new avenues. He said that there were some valid concerns about the site's location, however, it was the best the City could presently do. Mr. Muenzer noted that the total benefit of the project outweighed his concerns.

- MOTION:** To rank the developers of the affordable housing site as follows:
1. H.U.D. Section 202
  2. Sunrise Seniors
  3. Naples Cooperative Assoc.
  4. Habitat for Humanity

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COUNCIL MEMBERS	M O T I O N	S E C T I O N	VOTE		A B S E N T
			Y E S	N O	
Anderson				X	
Hermes					X
Korest			X	X	
Pennington				X	
Sullivan	X			X	
VanArsdale				X	
Muenzer				X	
(6-0)					

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**CORRESPONDENCE AND COMMUNICATIONS**

Mayor Muenzer told Council that he had received a letter from the Manager of the Naples Beach Club Hotel, Michael Watkins, concerning the aesthetics of the commercial water meters. City Manager Woodruff said that staff would prepare a report concerning the meters.

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**PUBLIC INPUT**

Mr. Christopher Smith of Old Naples Commercial Realty, 649 Fifth Avenue South, addressed Council with regard to City regulations pertaining to commercial promotional signs. He asked that Council consider allowing a long time period for such signs to be posted. Mr. Smith explained that most projects take approximately one year for the presale necessary for funding. Nothing happens in less than a year, he commented.

Staff will continue to review the sign ordinance and report back to Council.

**MOTION:** To suspend any pending Code violations relative to the promotional sign regulations, and direct staff to return to Council with its recommendations.

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COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson		X	X		
Herms					X
Korest	X		X		
Pennington			X		
Sullivan			X		
VanArsdale			X		
Muenzer			X		
(7-0)					

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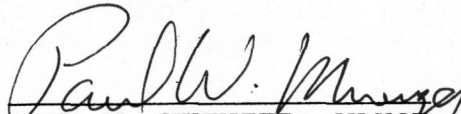
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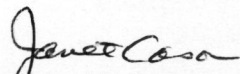
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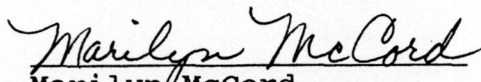
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ADJOURN: 4:48 p.m.

  
PAUL W. MUENZER, MAYOR

  
JANET CASON  
City Clerk

  
Marilyn McCord  
Deputy City Clerk

These minutes of the Naples City Council were  
approved on May 20, 1992.



**SUPPLEMENTAL ATTENDANCE LIST**  
**City Council Meeting - May 6, 1992**

Charles Andrews  
Mr. & Mrs. Fred Tarrant  
Jack McWilliams  
Elaine Luckhart  
Virginia Newman  
John C. Berlin  
Jack Messer  
Joseph E. Motherway  
Christopher Smith  
Herbert Cambridge  
Gerard Barry  
Fred N. Thomas, Jr.  
Johnny Cannon

Werner W. Haardt  
C. Perry Peeples  
Craig Dunlap  
Richard Baker  
David Caldwell  
Frank Bubba  
Sally Motherway  
G. Locke Galbraith  
Lou Mezie  
John Steinwand  
Wayne LeCureux  
Willie Anthony  
Rick Miller

Other interested citizens and visitors.

**NEWS MEDIA**

Jerry Pugh, Palmer Cablevision  
Wendy Fullerton, Fort Myers News-Press  
Eric Staats, Naples Daily News

Attachment #2  
Naples City Manager  
Received 5-1-92  
Route To \_\_\_\_\_  
☐ Action  
☐ Comment  
☐ FYI  
☐ File  
By \_\_\_\_\_  
Date \_\_\_\_\_

May 1, 1992

*The Lutgert Companies*

Mayor Paul Muenzer &  
Members of City Council  
City of Naples  
735 8th Street, South  
Naples, Florida 33940

RE: Park Shore Drive/Crayton Road Intersection

Dear Mayor & Council Members:

As the original developer of the Park Shore Subdivision, the Lutgert family was responsible for the design and construction of all subdivision improvements; such as, streets, utilities, right-of-way landscaping, etc. The current activities of the Lutgert Companies in the Park Shore area include the development of multi-family projects on the Park Shore beach and the continuing ownership of commercial properties; such as, The Village Shopping Area, Neopolitan Way Shopping Centers and the Northern Trust Professional Building.


We have had an opportunity to review the Crayton Road/Park Shore Drive intersection plan as presented at Council workshop on April 20th. We would like you to know that we feel Mr. Westlake's plan is a good and proper solution to a very real traffic problem in our neighborhood. Further, because we have contributed the major portion of the impact fees which will fund this project, we would like you to know that in our judgement, this is a very appropriate use of those funds.

We have recently heard some concern that this intersection work may be the first step in a scheme to four lane Crayton Road. Our original development plan for Park Shore contemplated Crayton Road as a two-lane street and our position has not changed in that regard. We would not like to see Crayton Road four laned and we see no reason to do so. This is a local neighborhood problem and the work proposed will relieve the problem at this intersection.

In conclusion, we respectfully request that Council approve this project and further that the work be expedited in any way possible to insure its completion before the busy Winter season. Thank you for your consideration in this matter.

Sincerely,

THE LUTGERT COMPANIES

  
Richard J. Baker  
Vice President

RJB/wcg

## CRAYTON ROAD ASSOCIATION, INC.

P. O. BOX 396 • NAPLES, FLORIDA 33939

Mayor Paul Muenzer, City Council  
Naples City Building  
735 Eighth St.S.  
Naples, Fl 33940  
May 4, 1992

Dear Mayor Muenzer and City Council Members,

The recent meeting of members of Crayton Road Association and residents immediately adjacent to the Crayton Rd./Park Shore Dr. intersection with Dr. Richard Woodruff, Mr. Leighton Westlake and Mr. Norris Ijams, was extremely productive and enlightening. Dr. Woodruff kept excellent control of the lively meeting which had the potential of becoming very volatile.

For your information and guidance, the summation of the main comments of those in attendance are:

1. Council is urged to direct staff to immediately commence the study of the opening of Gulf Shore Boulevard North into Seagate.
2. The residents of Crayton Road want a contract from City Council that they will NOT ever consider the widening of Crayton Rd. which would destroy the character of our residential neighborhood.
3. Consider the feasibility of installing a traffic light at Neopolitan Dr. to platoon the flow of traffic so residents can enter and exit their driveways safely.
4. Any loss of "green space" shall be transferred to traffic islands on Mooringline Dr., east and west of Crayton Rd. to better define the turn lanes.

Subsequent to the Association Meeting with the City Officials, members of the Association (engineers) have studied the traffic counts and light timings presented by Mr. Westlake, a copy of which is enclosed, indicating there may be NO need for the proposed extensive expansion of this intersection. This study is submitted for your review and consideration.

We urgently request this study and the requests of the residents at this meeting, be placed on the agenda of the City Council for discussion and action.

Thank you in advance for your attention.

Yours truly,



Virginia Newman, Pres.  
Crayton Rd. Association

cc: City Manager Dr. Woodruff  
City Engineer Mr. Westlake