



City Council Chamber
735 Eighth Street South
Naples, Florida 33940

City Council Workshop Meeting - February 16, 1993 - 9:00 a.m.

Mayor Muenzer called the meeting to order and presided.

ROLL CALL

Present: Paul W. Muenzer, Mayor
Fred L. Sullivan, Vice Mayor

Council Members:
Kim Anderson
R. Joseph Herms
Alan R. Korest
Ronald M. Pennington

Absent: Peter H. Van Arsdale, Council Member

Also Present:

Dr. Richard L. Woodruff, City Manager
Maria J. Chiaro, City Attorney
Tom Smith, Fire Chief
Glen Chesebrough, Training Chief
Paul F. Sireci, Police Captain
John Cole, Chief Planner
Ann N. Walker, Planner II
George Henderson, Sergeant-At-Arms
Marilyn McCord, Deputy City Clerk

Tom O'Riley
Other interested citizens and visitors

Media:

Eric Staats, Naples Daily News
Traci Griffith, WNOG

ITEM 1

ITEMS TO BE ADDED

There were no items added to the agenda.

ITEM 2

REVIEW SAILBOAT PARKING ON THE BEACH

City Manager Woodruff introduced the item, noting that it had become the Police Department's responsibility to enforce the regulations for sailboat parking on the beach. Captain Paul Sireci introduced the document which had been compiled by the Police Department. (Agenda Item 2, packet material, is contained in the original file for this meeting, in the City Clerk's Office.)

Captain Sireci first defined the need for the purchase of a dolly to assist in the removal of boats. He reminded Council that due to environmental concerns, a wrecker cannot be driven on the beach in order to remove boats in violation.

Suggested changes to the ordinance, drafted by the Police Department, were described by Captain Sireci. He reported that in the event of impending storm conditions, announcements will be made through the City Manager's Office and the media so that people will secure their boats.

Council discussed the fact that some people are stacking boats in the parking spaces. The ordinance language will be amended to state "Only one boat will be allowed per space unless additional authorization is given by the City Police Department." Dr. Woodruff pointed out that the original concept of allowing a small Sunfish to be stored under a catamaran is a valid concept. However, he said, "What you don't want is for someone to get inventive and get a condominium going. You want to make sure that they are properly tied down." Staff will refine the ordinance language as it pertains to the regulatory process. Captain Sireci suggested that a sticker be given to every boat and that written permission be required from the original registrant to allow for storing another boat on his space. Council Member Anderson emphasized the importance of requiring permission so that the City is not liable for any damage.

Mayor Muenzer suggested that language be included to consider a space abandoned if the owner will be away for more than sixty days unless the owner provides the proper notification to the Police Department. Language will also be included to state that the City has the flexibility to reassign a space for the time period that a space is vacant. City Attorney Chiaro will review the language to

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ensure no vesting of property rights is assumed.

Council Member Pennington suggested several changes to the ordinance language, including:

Subsection 9-2-23(B)(2) should state: If the boat is stored on the beach on private property, the property owner **or lessee** shall register the boat(s) with the City and provide a picture of the boat.

(3)(c): Merge the first sentence with paragraph (b). The remainder of (c) should be a separate paragraph.

Mr. Pennington also offered the following suggestions for the Standard Operating Procedures section of the ordinance:

B. Instructions for Registering Boats

1. Should state: "The person who completes the application form must be the boat owner **or the property owner.**"

E. Waiting List

2. Should be rewritten for clarity.

H. Removal of Vessels

7. Include procedure for paying fee.

Captain Sireci reviewed the list of boat owners who have obtained stickers for boat parking. He identified some of the problems that have been encountered and which are being resolved by the Police Department. Captain Sireci said that no enforcement action has been taken; staff is waiting for Council's review. Mayor Muenzer reminded everyone that State registration is not required for those sailboats which are parked on the beach because they are not motorized. The City Attorney clarified that, by law, property owners are responsible for removal of boats on their property.

Council Member Korest commented, "We had some problems prior to instituting the ordinance. We attempted to regulate as minimally as possible. I hate to see this thing get to be an administrative nightmare where you're spending an inordinate amount of time. But, in general, based on what we used to have and what we have now, are we accomplishing anything?" Captain Sireci explained that with the ordinance and with the authority Council is vesting in the Police Department, there will be orderly placement of the boats on the beach and, more importantly, the Police Department will have the ability to environmentally control the placement of those boats. The ordinance will also allow for the orderly removal of the boats in the event of a storm.

Staff will proceed with refining the ordinance language and with the purchase of a dolly. Captain Sireci assured Council that the City Beach Specialists will receive training on all regulations,

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violations, etc. Dr. Woodruff said that once the ordinance is adopted, current sticker holders will be notified. They will then have thirty days in which to comply with the new regulations.

City Manager Woodruff confirmed that presently all beach parking spaces are reserved by City residents. Those registered will be notified at the time of renewal. Notice will be made by mail and through the media. If anyone fails to notify the City within a specified length of time, their space will be made available to City residents, then to County residents. Priority will be given to City residents.

In response to Council Member Pennington's question, Captain Sireci reported that this is a very cost-effective program. Volunteers are handling the registration process and the Beach Specialists will be trained to enforce the regulations as part of their regular duties.

At the request of Vice Mayor Sullivan, staff will review the County's regulations restricting boating areas.

BREAK: 9:55 a.m. - 10:10 a.m.

ITEM 3

REVIEW OF AGENDA ITEMS FOR WEDNESDAY, FEBRUARY 17, 1993 REGULAR COUNCIL MEETING

Item #5/Rezone Petition/Trail's End Motel: At the February 17, 1993 Regular Council Meeting, staff will verify the building elevations.

Item #6/Conditional Use/First Presbyterian Church: Staff will contact the petitioner, requesting that he be prepared to describe to Council how parking will be handled during construction at Gulf View Middle School. Petitioner will also be notified that the Church will be expected to maintain traffic control during peak season church services. At the February 17th Meeting, staff will provide site plans.

Item #10/Request to extend option to purchase eastern half of alley east of property at U.S. 41 and First Avenue South: Staff will contact City realtors and ascertain current prices, per square foot, of property in the area of U.S. 41 and First Avenue South. The City Attorney will review the contract and verify the expiration date of the option to purchase.

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Item #15/Bid Award/Refurbish fire pumper truck: Staff will provide a detailed breakdown of what work will be done on the truck for a cost of \$24,853.30.

Item #19/Resolution supporting ongoing Collier County beach restoration project: Council Member Herms requested a copy of the most recent beach renourishment agreement, as provided to Council at its December 7, 1992 Workshop Meeting.

ANNOUNCEMENTS/CORRESPONDENCE/COMMUNICATIONS

None.

ADJOURN: 10:50 a.m.

PAUL W. MUENZER, MAYOR

Janet Cason
City Clerk

Marilyn McCord
Deputy City Clerk

These minutes of the Naples City Council were approved on 3/3/93.

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Tuesday, February 16, 1993
Convened 9:00 am / Adjourned 10:50 am**

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