



City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

---

**City Council Workshop Meeting -August 30, 1993 - 9:00 a.m.**

---

Mayor Muenzer called the meeting to order and presided.

---

**ROLL CALL**

**ITEM 1**

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

Council Members:  
Kim Anderson  
R. Joseph Herms  
Alan R. Korest  
Ronald M. Pennington  
Peter H. Van Arsdale

**Also Present:**  
Dr. Richard L. Woodruff, City Manager  
Kevin Rambosk, Asst. City Manager  
John Cole, Chief Planner  
Missy McKim, Comm. Development Dir.  
Tom Smith, Fire Chief  
Maria J. Chiaro, City Attorney  
Jon Staiger, Ph.D., Natural Resources Mgr.  
George Henderson, Sergeant-At-Arms  
Diane Fusco, Administrative Assistant I  
Marilyn McCord, Deputy City Clerk  
Katie Gibson -Jones, Admin. Assistant I

**Other interested citizens & visitors:**  
Kenneth L. Fuchs, General Mgr. Colony  
Cablevision  
Kevin M. Sweeney, Mgr., Mkt. &  
Commercial Dev., Colony Cablevision  
Justyna Ford  
Werner Haardt  
Charles Andrews  
Sue B. Smith  
Tim O'Riley

**Media:**  
Eric Staats, Naples Daily News

**ITEM 2**

**ITEMS TO BE ADDED**

***\*Garbo Letter/Bay Management Organization*** (Requested by Mayor Muenzer)

***\*Florida League of Cities/Representative*** (Requested by City Manager)

\*\*\*

\*\*\*

\*\*\*

**ITEM 3**

**PRESENTATION REGARDING REVISED CABLE TELEVISION RATE  
SCHEDULE. (REQUESTED BY CITY MANAGER)**

Mr. Kenneth L. Fuchs, General Manager of Colony Cablevision, introduced Mr. Kevin Sweeney, Marketing & Commercial Development Manager who presented a short synopsis of rate regulations, its history in this area and previously enacted Cable Acts. He assured Council that they would make every effort to clarify pricing and avoid further confusion.

Through the use of visual aids, Mr. Sweeney further reviewed installation charges and presented an overview of monthly service rates. He added that they would continue to offer various discounted programs and that the only difference in service offered would be lower rates and some channels would be relocated. Mr. Sweeney showed samples of bills, illustrating the savings which will occur.

At the conclusion of the presentation, Mr. Fuchs responded to Council's questions stating that their revenue losses in this state, from projected service changes, were in the millions of dollars per year and that although a rate freeze was imposed through November 15, 1993, future latitude to raise rates, based on CPI would be permitted.

In response to Council Member Pennington's question pertaining to a letter from the Naples Civic Association criticizing the company, Mr. Fuchs responded, "That anything a cable company would put forth in this day and age is vulnerable and if a particular organization has a particular axe to grind, ...they will use every opportunity to do that..."

Mayor Muenzer requested further information concerning the company's justification for channel selection and Mr. Fuchs explained that as part of the Cable Act, Congress permits broadcast stations to make some election to "must carry" or to seek retransmission consent. He further explained that by October 5, 1993, they hoped to have received permission from the local broadcasters to carry their service on Colony's lineup.

---

**City Council Workshop Meeting - August 30, 1993**

---

In conclusion, City Manager Woodruff confirmed that the rates reviewed today, were not just for the City of Naples, but were applied to all of Colony's service area. Mr. Sweeney noted that Colony had always taken a very conservative approach in keeping rates within their service area the same.

\*\*\*

\*\*\*

\*\*\*

**BREAK: 10:10 A.M. - 10:25 A.M.**

\*\*\*

\*\*\*

\*\*\*

**NOTE: Katie Gibson-Jones began recording the meeting at this time.**

\*\*\*

\*\*\*

\*\*\*

City Manager Woodruff announced the following two workshops: Friday, September 5, 1993, 5:05 p.m. and Friday, September 17, 1993; he added that no other Council meetings were scheduled for the remainder of September. However, in response to some questions raised pertaining to other meeting dates this month, Dr. Woodruff stated that he would check and confirm the schedule.

\*\*\*

\*\*\*

\*\*\*

#### **ITEM 4**

#### **HISTORIC PRESERVATION - REVIEW OF DESIGNATION CRITERIA AND GENERAL DISCUSSION. (REQUESTED BY COMMUNITY DEVELOPMENT)**

Chief Planner Cole reviewed the proposed guidelines and the proposed process for required information that would constitute the establishment of local historic preservation. He presented a video rendering various examples of properties located outside the designated historic district that appeared to demonstrate historic value. Mr. Cole further explained that in 1991, City Council adopted an amendment to the Comprehensive Plan stating that the City would adopt a mandatory ordinance to identify and preserve local historic properties. However, the DCA, (Department of Community Affairs), refused to endorse that amendment, stating that it did not include guidelines for historic resources nor standards for improvements and that it was not in compliance with the growth management law.

## City Council Workshop Meeting - August 30, 1993

---

Discussion by Council Members ensued with the focus on language pertaining to State Statute 9-J-5, and whether or not it implied mandatory or voluntary historical preservation of certain properties.

City Attorney Chiaro interpreted that the law states "...*should*" have a program to identify and preserve...", which, she stated, does not mean *mandatory*. However, Ms. Chiaro noted that DCA interpretation does imply a mandatory program. She stated that regardless of Council's choice of interpretation in this situation, the possibility of challenge by the DCA would remain.

Council's suggestions included that staff develop the amendment from the point of view that historic preservation would be strictly "volunteer" on the part of interested property owners and that incentive programs be developed that would allow some exemptions from taxes and FEMA regulations. Other considerations for those outside of the Federally designated area should also be considered. Discussion also indicated that no "mandatory component" be included.

It was the consensus of the Council to direct the City Attorney and staff to make the technical changes to this proposed ordinance, to take out the "mandatory" section and to present this to Council at the September 15, 1993 meeting. After that date, direction was given to work on amendments taken from the suggestions made at this workshop.

\*\*\*

\*\*\*

\*\*\*

**BREAK: 11:40 A.M. - 11:45 A.M.**

\*\*\*

\*\*\*

\*\*\*

### ITEMS ADDED

**\*GARBO LETTER/BAY MANAGEMENT ORGANIZATION (REQUESTED BY MAYOR MUENZER)**

Mayor Muenzer explained the proposals presented in the Garbo letter. He noted that Plan A would allow the start of a telephone campaign to attempt to reactivate the Bay Management Organization Board and asked for a September 15, 1993 as a deadline to accomplish this. Plan B directed that it become a regular function of staff and the City Council to work closely with the Chamber of Commerce to accomplish needed goals. Consensus of Council was to adopt Plan B.

**\*FLORIDA LEAGUE OF CITIES/REPRESENTATIVE (REQUESTED BY CITY MANAGER)**

Assistant City Manager Kevin Rambosk gave a brief update on the Florida League of Cities and their request for nominations to the Finance and Tax Committee within that organization. Consensus was to recommend Council Member Korest as a nominee for the proposed Florida League of Cities Finance and Tax Committee.

\*\*\*

\*\*\*

\*\*\*

**ITEM 5**

**REVIEW OF ITEMS FOR REGULAR MEETING OF SEPTEMBER 1, 1993**

**Item 7 - Approval of guidelines for a First-Time Home Ownership Assistance Program**

In response to Council Member Pennington's question concerning the time frame required to implement this program, Community Development Director McKim noted that a number of Banks had indicated they were already set up to quickly execute the loans. She explained that the City's function would be to set up guidelines for the use of the funds allocated. Dr. Woodruff added that Council's action will determine how the funds are allocated.

**Item 11 a & b - Amendment to the Comprehensive Development Code**

City Attorney Chiaro handed out a revised draft of this proposed amendment to the Comprehensive Development Code (See Attachment #1) and explained the language adjustments. Following some discussion, City Attorney Chiaro recommended that a few additional clauses be included and that the criteria be further clarified.

**Item 16 - Acceptance of Deed from Seagate Property Owners Assoc.; lot #90**

This item was removed from the Agenda.

**Item 18 a & b - Approval of Task Orders; re: contract with Hole, Montes & Assoc., Inc.**

Staff was directed to provide additional information to verify if the lump sum estimates are not to exceed maximums. Council Member Pennington requested that the City Manager keep close observation on these contracts.

\*\*\*

\*\*\*

\*\*\*

**City Council Workshop Meeting - August 30, 1993**

---

**ADJOURN:** 12:45 p.m.

**PAUL W. MUENZER, MAYOR**

Janet Cason  
City Clerk

Katie Gibson-Jones  
Recording Secretary

These minutes of the Naples City Council were approved on September 15, 1993.

**City Council Workshop Meeting - August 30, 1993**

---



**Index**  
**City Council Workshop Meeting**  
**August 30, 1993**  
Convened 9:00 a.m. / Adjourned 12:45 p.m.

<b>ROLL CALL .....</b>	<b>1</b>
<b>ITEMS TO BE ADDED .....</b>	<b>2 &amp; 4</b>
<i>*Garbo Letter/Bay Management Organization (Requested by Mayor Muenzer)</i>	
<i>*Florida League of Cities/Representative (Requested by City Manager)</i>	
<b>PRESENTATION REGARDING REVISED CABLE TELEVISION RATE SCHEDULE .....</b>	<b>2-3</b>
<b>(Requested by City Manager)</b>	
<b>HISTORIC PRESERVATION - REVIEW OF DESIGNATION CRITERIA AND GENERAL DISCUSSION. (Requested by Community Development) .....</b>	<b>3-4</b>
<b>REVIEW OF ITEMS FOR REGULAR MEETING OF SEPTEMBER 1, 1993 .....</b>	<b>5</b>
<b>ADJOURN</b>	