

City Council Chamber
735 Eighth Street South
Naples, Florida 33940

City Council Special Meeting - December 16, 1993 - 7:00 p.m.

Mayor Muenzer called the meeting to order and presided.

ROLL CALL

ITEM 1

Present: Paul W. Muenzer, Mayor

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

Absent: Fred L. Sullivan, Vice Mayor

R. Joseph Herms
Peter H. Van Arsdale
Council Members

Also Present:

Dr. Richard L. Woodruff, City Manager
Dan Mercer, Utilities Director
Dr. Jon Staiger, Ph.D., Natural Resources Manager
Marilyn McCord, Deputy City Clerk
Other interested citizens and visitors.

ITEM 2

ITEMS TO BE ADDED TO THE AGENDA

There were no items added to the agenda.

RESOLUTION NO. 93-7089

ITEM 3

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF NAPLES TO CREATE THE SPECIAL ASSESSMENT DISTRICT FOR SEAGATE SUBDIVISION FOR THE PURPOSE OF PROVIDING A CENTRAL SEWAGE SYSTEM AND CURB AND GUTTER; AND PROVIDING AN EFFECTIVE DATE.

City Manager Woodruff announced that the purpose of this meeting was to set a special assessment. He reviewed the State law which specifies how municipalities may set up special assessment districts. Dr. Woodruff described the difference between special assessment districts and special taxing districts. The final ruling on this matter will not take place until a series of at least three meetings are held. Using visual aids, Dr. Woodruff reviewed the information pertaining to the setting up of a special assessment district in Seagate. He emphasized the fact that the final cost could be higher than estimated, and if so, the City utility would be responsible for the difference in cost.

Dr. Woodruff told the audience that staff recommends taking a poll of the residents to determine whether they want curb and gutter installed. Council can always remove things from the program, he said, but cannot add to it. Utilities Director Dan Mercer continued to describe the actual improvements proposed and gave a breakdown of costs involved. (See Attachment #1) He reviewed the five payment options which would be available to Seagate customers.

Public Input:

David Caldwell, 5182 Sanddollar Lane

Mr. Caldwell, who is President of the Seagate Property Owners Association, told Council that prior to annexation, no attempt had been made by the County to make major improvements in the Seagate area. City staff has prepared a plan that would correct problems, he said. Mr. Caldwell said that in his opinion a straw poll was a good idea, in order to determine the residents' desires. In closing, Mr. Caldwell reported that the Seagate Property Owners Association Board of Directors was in support of this program and urged Council to vote in its favor.

Joe Meyer, 5065 Starfish Avenue

Mr. Meyer declared that he believed it was inappropriate to make any changes whatsoever, saying, "In my case it would add insult to injury." Mr. Meyer had replaced his septic tank four years ago. He suggested that if the City wants the proposed improvements, the City should bear the cost.

Philip Smithers, 5267 Starfish Avenue

Mr. Smithers stated that in 22 years of residency, he had no difficulties with his septic tanks. He told Council that the residents were only asked for their opinion at the Property Owners Association meeting, at which time the idea was rejected. Mr. Smithers told Council, "I would love to see this much spent on improving the appearance, but putting something in the ground seems unnecessary. Cess pools can be repaired for less money than this. I'd love to see the area upgraded, but this comes down to a matter of priorities. I'd love to see a serious program of beautification. That would do far more for the value of the property. Many residents are not in favor of this." Relative to alleged pollution in the canals, Mr. Smithers said that he found it hard to believe it had become so much worse since the State determined there was no pollution.

George R. Champion, 5176 Sea Shell Avenue

Mr. Champion talked about the water quality, noting that in his opinion the test readings had not been accurate. He said, "The readings are erroneous. We don't need the sewers." With regard to curb and gutter, Mr. Champion said that they are very expensive to install and more suitable to a commercial area.

Frank Garguilo, Starfish Avenue

Mr. Garguilo challenged the test results which showed a high fecal count, noting that some of the tests were taken on vacant property. He suggested that the fecal count could be due to animal feces.

Dr. Jon Staiger, Natural Resources Manager, described the testing process. He told the audience that if a sewer system is installed, sewage leaves the neighborhood entirely.

Robert Lyle, 5128 Seahorse Avenue

Mr. Lyle addressed Council as follows: "I appreciate all that's been said. There are a number of people who support the Board of Directors. The people I talked to today were in favor of the sewer."

Martha Dykman, 5040 Seashell Avenue

Ms. Dykman reported that a number of the people who had spoken against the sewer system had their homes on the market at this time and did not want to pay for new septic tanks. She commented, "We're between Pelican Bay and Park Shore; we need to improve our neighborhood."

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This will only help our values. Those counting on the future want sewer and they want curb and gutter."

Martha Pease Bronson, 5093 Starfish

Ms. Bronson told Council that although she was not using the facilities at her property when bacterial tests in the canals were made, her property tested the worst on the street. She also commented on the offensive odor coming from an underground spring on her property.

Council Member Pennington told the crowd that he had understood the sewer system to be a perceived need for the Seagate neighborhood. He said, "It's not my intent to force this upon you." Mr. Pennington suggested that Council move forward with this action, then poll all of the residents.

Council Member Korest reminded everyone that the State had mandated that a sewer system be installed, so eventually that will have to be accomplished. Mayor Muenzer said that it would be interesting to have tests taken during the busy season of the year, in order to compare them with the previous tests.

MOTION: To **APPROVE** the resolution based on further testing of the water quality and on a poll of property owners. The poll will be binding with respect to curb and gutter.

Anderson		Y	
Herms			A
Korest	M	Y	
Pennington	S	Y	
Sullivan			A
VanArsdale			A
Muenzer		Y	
(4-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

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CORRESPONDENCE AND COMMUNICATIONS

None.

ADJOURN: 8:45 p.m.

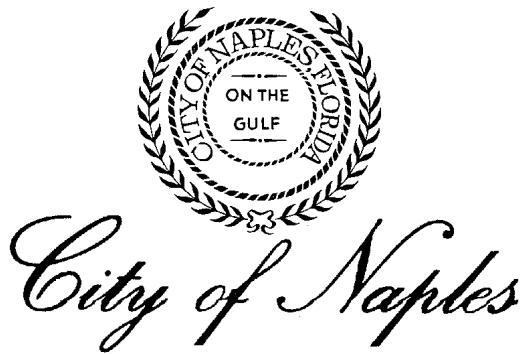
PAUL W. MUENZER, MAYOR

Janet Cason
City Clerk

Marilyn McCord
Deputy City Clerk

These minutes of the Naples City Council were approved on January 5, 1994.

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