



City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

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**City Council Workshop Meeting - September 18, 1995**

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Mayor Muenzer called the meeting to order and presided.

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**ROLL CALL**

**ITEM 1**

**Present:**

Paul W. Muenzer, Mayor  
Alan R. Korest, Vice Mayor

Council Members:

Ronald M. Pennington  
Marjorie Prolman  
Fred L. Sullivan  
Fred Tarrant  
Peter H. Van Arsdale (arrived at 9:11 a.m.)

**Also Present:**

Dr. Richard L. Woodruff, City Manager  
Maria J. Chiaro, City Attorney  
William Harrison, Assistant City Manager  
Missy McKim, Planning Director  
Dr. Jon Staiger, Natural Resources Mgr.  
George Henderson, Sergeant-at-Arms  
Virginia A. Neet, Administrative Assistant  
Mark Thornton, Comm. Services Director  
Kevin Rambosk, Police and Emergency  
Cmdr. Sheldon Reed  
Cmdr. Bruce Davidson  
Cmdr. James Byrne  
Cmdr. Steve Moore  
Richard Gatti, Dev. Services Director

George Dondanville, Comm. Services  
Charles Andrews  
Ron Lawless  
Herb Luntz  
Mike Watkins  
Wafaa Assaad  
Henry Watkins, Jr.  
Mark Fletcher

Board

Services Office Interested citizens and visitors.

**ITEMS TO BE ADDED .....ITEM 2**  
None.

**.....ITEM 3**  
**APPRECIATION FROM COLLIER COUNTY VETERANS SERVICES FOR CITY ASSISTANCE IN WORLD WAR II COMMEMORATIVE PARADE.**

Herb Luntz, of the Collier County Veterans Services, thanked City Council, City Manager Richard Woodruff and the Community Services department for their support and assistance with the parade which he estimates was viewed by 5,000 to 6,000 people. Mr. Luntz reported that of the \$10,000 authorized from Tourist Development Council funds, less than \$4,400 was spent. He also requested use of Cambier Park for Veteran's Day activities on November 11, 1995.

**It is noted for the record that Council Member Prolman left the meeting at 9:14 a.m.**

***MOTION by Pennington to APPROVE the use of Cambier Park by Collier County Veterans Services for Veteran's Day activities on November 11, 1995; seconded by Sullivan and carried 6-0 (Prolman absent).***

After the vote, Dr. Woodruff expressed his appreciation to David Lykins of the Recreation Division and Council Member Pennington for their work on the parade.

**.....ITEM 4**  
**COMMUNITY SERVICES ADVISORY BOARD REGARDING ARTS CENTER IN CAMBIER PARK.**

George Dondanville, Chairman of the Community Services Advisory Board, relayed the Board's recommendation that Council not accept the proposed plan for the Fine Arts Center because its nearly 10,000 sq. ft. footprint exceeds the agreed upon 8,000 sq. ft. He also stated the Board was not shown the final plans or asked to participate in the presentation. City Manager Richard Woodruff conceded the plans should have been reviewed by the Community Services Advisory Board. Architect Al French used diagrams and renderings to illustrate how approximately 40% of the two-story building was dictated by code making it impossible to stay within the 8,000 sq. ft. footprint and still provide the Art Association's program. Although the building will remove approximately 9,700 sq. ft. of park space, it will visually add back 17,800 sq. ft. by removing the existing parking lot. He also reminded Council the surrounding plazas would be public space paid for by the Art Association and could legitimately be considered part of the green space. Council Member VanArsdale stated that the 8,000 sq. ft. was a random number when the use agreement was discussed and asserted that the larger building's impact would be irrelevant. He suggested that the use agreement be modified to fit the design as proposed. Council Member Sullivan agreed with Mr. Dondanville that the 8,000 sq. ft. was the agreed upon footprint. Council Member Pennington stated he was concerned about the total amount of park space it would occupy and suggested looking at alternatives. Council Member Tarrant complimented Mr. French but questioned why Council was not notified earlier about the additional square footage and expressed concerns about future concessions. City Attorney Chiaro stated that the use agreement described the property as 8,000 sq. ft in size for the entire facility. Vice Mayor Korest also expressed concern about authorizing a plan larger than in the use

agreement. Council Member Prolman, however, urged the Council to focus instead on the non-intrusive nature of the final design. Dr. Woodruff confirmed that only uses specified in the agreement are permitted without further approval of Council. Council Member Pennington suggested that the architect meet with the Community Services Advisory Board prior Wednesday's City Council meeting.

**Break 10:30 a.m. - 10:43 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.**

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.....ITEM 5  
**UPDATE ON POLICE & EMERGENCY SERVICES DEPARTMENT (*Pursuant to 9/6/95 Regular Meeting*)**

Prior to this discussion, Mayor Paul W. Muenzer swore in four new members of the Police and Emergency Services Department.

City Manager Richard Woodruff stated this report had been requested by Council prior to second reading of the ordinance formally adopting the reorganization. Kevin Rambosk, Police and Emergency Services Chief, reviewed the department's presentation and described new programs. He said the reorganization improved daily operations, and despite some early administrative difficulties, the department has maintained a high level of service throughout.

Cmdr. Sheldon Reed, reviewed fire suppression responsibilities and fire training underway for police personnel. He also explained how potential hazard areas in the community have been identified and response procedures standardized. He pointed out that two fire employees have been trained for confined space rescue in order to comply with OSHA regulations and an Emergency Management Team has been established to respond to disasters. Cmdr. Reed then reported on various planned activities such as fire service accreditation, peacetime emergency plan revision and development of an Emergency Services Unit for specialized responses.

Cmdr. Steve Moore, Patrol Operations Bureau, reported on personnel changes and relocations. He said the patrol element has maintained its response times and reported a 17% decreased in crime since August, 1994. Cmdr. Moore also reported on progress by the Special Operations Division on airport security and the creation of a Canine Unit. A water rescue training program is also in development. Cmdr. Moore described administrative procedures including increased control of overtime and reported that additional equipment was necessary to handle flooding and hurricanes. Council Member Pennington requested that the department's new 24 hour information sheet, detailing daily activities, be provided to Council regularly.

Cmdr. James Byrne, Support Services, stated that this division includes all staff functions for operations bureaus, communications and 911 calls. All 15 operators, he explained, will be qualified for emergency dispatch by the end of 1995. Cmdr. Byrne then described the department's plans for computer assisted dispatch which will place a lap-top computer in every patrol car. City Manager

Woodruff clarified that funding for the \$180,000 computer assisted dispatch would come solely from confiscation funds.

.....ITEM 6  
**DISCUSSION OF AMENDMENT TO COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO PERMIT A PROFESSIONAL USE IN CONJUNCTION WITH A SINGLE FAMILY HOME AT 395 SIXTH STREET SOUTH. (*Pursuant to 9/6/95 Regular Meeting*)**

Planning Director Missy McKim reviewed the three options discussed since the petition was initiated some time ago. All options required Fifth Avenue South to be identified as an area of special concern and the subject property to be described as unique, however, option 1) required a conditional use for an owner occupied commercial use; option 2) required general site plan for owner occupied commercial use and; option 3) allowed owner occupied commercial use through the comprehensive plan language which would also set forth specific guidelines. Ms. McKim then identified categories of commercial office use and recommended option 1 until such time as a future transitional overlay district is in place. Council Member Prolman reiterated prior concerns about permitting a commercial use without limiting the number of employees and hours of operation. Vice Mayor Korest stated that the comprehensive plan was not the appropriate vehicle to deal with a special situation like this one and suggested that it should be treated through a conditional use. Council Member Pennington suggested a 5 year time limit on any permitted commercial use. Wafaa Assaad, speaking for the petitioner, Alessandra Higgs, said he did not object to the limitations discussed including the 5 year limit, although he would prefer it continue until the new comprehensive plan is developed. Mr. Assaad said, however, that a conditional use would be impractical because of the lengthy application process. Limiting business hours to 8:00 a.m. to 6:00 p.m. was discussed and Ms. McKim said she would add it to the ordinance to be reviewed on September 20, 1995. Vice Mayor Korest, however, disagreed with using the comprehensive plan as a zoning tool and asked whether language could be added to the comprehensive plan to make the property subject to conditional use criteria. City Attorney Chiaro stated that certain rights would be vested to the property by amending the comprehensive plan and granting a particular use. She also stated that the language discussed, such as hours of operation and type of use, is not usually contained in a comprehensive plan. In response to Council Member Tarrant, Mr. Assaad stated that the petitioner would agree in writing to void the arrangement if the comprehensive plan procedure failed.

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**Break 12:58 p.m. - 1:23 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.**

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.....ITEM 9  
**DISCUSSION REGARDING PELICAN BAY (*Requested by Mayor Muenzer*)**

Mayor Paul W. Muenzer stated that although there had been annexation discussions with Pelican Bay residents in the past, no formal action was taken. For the record, however, Mayor Muenzer conveyed the City's interest to the people of Pelican Bay and asked Council for authorization to write to each property owner to clarify the City's position. The letter would also offer to hold

meetings. Council Member Pennington suggested that Council first determine if the citizens of Naples wish to annex Pelican Bay and recommended an unbinding straw ballot the 1996 City general election. Vice Mayor Korest stated, however, citizens should be informed before voting. Council Members VanArsdale, Prolman and Sullivan also agreed with the Mayor's proposal. Council Member Tarrant stated that because of the many issues involved, the Mayor's approach may be inappropriate. Mayor Muenzer described the proposed letter as a way of opening a dialog and stressed that meetings could identify issues and present accurate information to the public. Council Member Pennington stated it would be more cost effective to send the letter to the property owner's association, but Vice Mayor Korest said the message should go to every property owner to acknowledge his/her individual stake.

***MOTION by Korest to AUTHORIZE the Mayor to send a letter to property owners in Pelican Bay offering a series of meetings to explore all issues involved in this matter; seconded by VanArsdale and carried 5-2 (Pennington and Tarrant dissenting).***

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**It is noted for the record that Mayor Muenzer left the meeting at 1:49 p.m.**

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.....**ITEM 8**  
**DISCUSSION OF AMENDMENT TO COMPREHENSIVE DEVELOPMENT CODE WITH REFERENCE TO BED AND BREAKFAST FACILITIES. (Requested by Vine and Associates)**

Planning Director Missy McKim, at the request of Vines and Associates, Inc., asked for Council's direction as to whether staff should proceed to draft an amendment to the Comprehensive Development Code so as to provide a vehicle for approval of a bed and breakfast inn on Broad Avenue South. Ms. McKim explained how the subject property (the old duPont house) does not fit within the current conditional use criteria for such facilities. City Manager Richard Woodruff pointed out this would require considerable staff time and asked whether Council supported the concept of expanding the current bed and breakfast criteria. Ms. McKim also stated that, under current zoning, the property could be divided into four single family lots which would probably eliminate the existing house. William Vines, of Vines and Associates, Inc., explained how the current owners are anxious to sell the property and the prospective purchaser, Mark Fletcher, wants to establish a bed and breakfast inn which would include lunch service for the guests. Mr. Vines then described the preliminary plans for 17 guest units on the one acre parcel with one-half of the units to be located in new out buildings. Council Members Pennington, Prolman, Sullivan, and Tarrant expressed concern about the density and did not support expending staff time. Council Member VanArsdale favored the process proceeding, however, preferred that it address properties individually rather than imposing blanket conditions. Vice Mayor Korest stated that he felt 17 units would be excessive but Council may consider lower density.

**It is noted for the record that Mayor Muenzer returned to the meeting at 2:37 p.m.**

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Mark Fletcher, the prospective purchaser, explained how his proposal would have little impact on the neighborhood and stated the 17 unit-density was somewhat flexible. Dr. Woodruff indicated to Mr. Fletcher that if he wanted to bear the expense, a more detailed conceptual plan could be presented to Council in the future.

**STORMWATER DRAINAGE UPDATE .....ITEM 7**

City Manager Richard Woodruff addressed Council to review stormwater damage caused by the recent 15+ inches of rain. He explained how this quantity of rain caused the ground to become unstable which, in turn, caused storm drainage failures. Richard Gatti, Director of Development Services, showed slide photographs taken during the recent flooding and used a color coded map to illustrate stormwater drain locations and the current status of repairs. Dr. Woodruff clarified, however, that the underground pipes had probably collapsed several years ago and the current failure was due to the ground supersaturation. Mr. Gatti reported on available funding from the 1995/96 budget and anticipated expenditures. (See Attachment #1) Assistant City Manager Bill Harrison noted that current storm water utility revenues will not cover needed capital replacement, and presented various funding options. (See Attachment #1) Additionally, he clarified that the issues addressed at this meeting dealt with the quantity of water being handled and not stormwater quality.

Dr. Woodruff relayed staff's recommendation that Council allocate \$115,000 of the existing budget to repairs along with 1/2 (\$125,000) of reserve finds. He further suggested Council authorize a 39 cent rate increase in order to borrow \$1-million for both immediate and long term repairs. This will allow completion of the master plan for this year; an additional rate increase could fund the remainder of the master plan. Council Member Pennington pointed out, however, that a \$1.00 per month increase would make borrowing \$1-million unnecessary. Natural Resources Manager Jon Staiger added that any new work done in waters or wetlands require state permits, however, if existing discharges are increased, no permits are required. Mayor Muenzer suggested first reading of a rate ordinance take place during the 9/20/95 meeting and any adjustments be made at second reading. Dr. Woodruff stated that the staff would do further analysis and consult with the City Attorney prior to first reading.

**.....ITEM 10**  
**REVIEW OF ITEMS ON AGENDA FOR REGULAR MEETING OF 9/20/95**

Council Member Sullivan noted two spelling corrections in the September 6, 1995 minutes. It was determined that no items would be removed from the Consent Agenda for separate discussion.

**Item 14 - An ordinance amending the Comprehensive Plan Future Land Use Element in order to recognize a second Gordon River bridge:** City Manager Richard Woodruff stated he contacted the Florida Department of Community Affairs and received permission for submission of annual comprehensive plan amendments separately so this item could be continued to 10/4/95 after the referendum on bridge financing.

**Item 15 - An ordinance amending the Comprehensive Plan Future Land Use Element to change the designation of Mariner's Cove condominium from mixed use to medium density residential** - Council Member Pennington suggested the WHEREAS clause referring to the 41-10 Association be deleted.

**Item 16 - An ordinance rezoning the Mariner's Cove condominium from "I" Industrial to "R3-12" Multi-family Residential** - Council Member Pennington suggested the WHEREAS

clause referring to the 41-10 Association be deleted.

**Item 19 - (Second Reading) An ordinance rezoning a portion of the Naples Beach Club Hotel golf course to accommodate a tennis facility** - Mayor Muenzer set this for 9:10 a.m.

**Items 17, 18 - Request for a variance in order to construct boulder revetments Gulfward of the Coastal Construction Setback Line at 4444 Gordon Drive and 4500 Gordon Drive** - Dr. Jon Staiger stated these items would be considered as one. This was set for 9:15 a.m.

**Item 8 - Resolution to permit installation of non-conforming arched awnings at Barnett Bank, 796 fifth Avenue South** - Council Member Pennington asked that the Staff Action Committee recommendation be added.

**Item 13 - Approval of preliminary plans for location of Arts Center in Cambier Park** - Council Member VanArsdale requested a park site plan showing the relationship of the proposed building to the conceptual plan approved earlier in the year. Vice Mayor Korest asked for a square foot allocation schedule for the various uses and a copy of the use agreement.

**Item 20d - (Second Reading) An ordinance amending the Code of Ordinances in order to adopt a revised organizational chart** - Council Member Sullivan requested an organizational chart which would also indicates the number of people responsible to each director.

**Item 22 - Authorization to renew the self-insurance program for fiscal year 1996 with Arthur J. Gallagher & Company** - Council Member Pennington requested additional information regarding protection for public officials.

#### **CORRESPONDENCE and COMMUNICATIONS** .....

Dr. Richard Woodruff reported on police complaints regarding Mageiro's Restaurant which Planning Director Missy McKim personally investigated. This business, he said, has violated its conditional use and will be so notified by certified letter. Staff will then recommend that Council revoke their conditional use.

Council Member Pennington reported that he had asked the consultant involved with the beach re-nourishment project to address the City regarding security and public safety.

**ADJOURN** .....  
4:19 p.m.

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Paul W. Muenzer, Mayor

Virginia A. Neet  
Administrative Assistant

Tara A. Norman

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*City of Naples*

Meeting - September 18, 1995

Deputy City Clerk

Minutes approved: 10/4/95

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**September 18, 1995**  
**Convened 9:02 a.m. / Adjourned 4:19 p.m.**

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**City Council Workshop Meeting - September 18, 1995**

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