



City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

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**City Council Workshop Meeting - February 28, 1994 - 9:00 a.m.**

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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 (Arrived 9:55 a.m.)

Council Members:  
Ronald M. Pennington  
Marjorie Prolman  
Fred L. Sullivan  
Fred Tarrant  
Peter H. Van Arsdale

**Also Present:**

Dr. Richard L. Woodruff, City Manager  
Maria J. Chiaro, City Attorney  
Kevin Rambosk, Assistant City Manager  
Missy McKim, Comm. Dev. Director  
John Cole, Chief Planner  
Ann Walker, Planner I  
Dan Mercer, Utilities Director  
Richard Gatti, Engineering Manager  
William Harrison, Finance Director  
George Henderson, Sergeant at Arms  
Tara Norman, Deputy City Clerk  
Marilyn McCord, Deputy City Clerk  
Werner Haardt  
Charles Andrews  
Jerry Taricsh, Hole, Montes & Assoc.

Tom Taylor, Hole, Montes & Assoc.  
Ronald Benson, Hole, Montes & Assoc.  
Duke Turner  
Falconor Jones  
Kim Kobza  
Dave Borden  
Philip Morse

**Media:**

Amy Chodroff, WNOG  
Eric Staats, Naples Daily News

Other interested citizens and visitors.

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**ITEM 2**

**ITEMS TO BE ADDED**

City Manager Woodruff requested that a discussion of the City Hall air conditioning system be added. This was included as Item 8.

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**ITEM 3**

**REUSE WATER - CONSENT ORDER UPDATE BY HOLE, MONTES & ASSOCIATES**

City Manager Richard Woodruff introduced the representatives of Hole, Montes & Associates who would conduct this briefing. Council was given a list of alternatives to facilitate compliance with the consent order entered into with the Florida Department of Environmental Protection with reference to the City's effluent disposal system (Attachment 1). These alternatives are part of the reuse feasibility study being conducted by Hole, Montes.

Tom Taylor of the engineering firm reviewed the summary of alternatives containing 12 items. Alternative 4A, "AWT (advance water treatment) with Minimal Phased Reuse," and Alternative 5A, "Two Injection Wells with Minimal Phased Reuse," were noted as the most feasible from both an economic and environmental standpoint. Cost estimates were expressed in present value, taking into consideration a 6% interest rate.

Dr. Woodruff stressed that Alternative 4A would achieve the goal of improved water quality. While it does not solve the problem for an indefinite period of time, it would most likely provide compliance for a period of ten years or more. This alternative would also allow the City to work with Collier County to serve newly developing housing areas with reuse water for irrigation. In these new developments, a single-family home could utilize 2,000 gallons per week of reuse water for irrigation which would accrue a net disposal gain of 1,000 gallons over the 1,000 gallons per week of normal household sewage treatment demand.

Council Member Tarrant suggested that the staff contact other municipalities in the state to determine what strategies are being used to bring their systems into compliance. He also proposed that Florida cities present a united effort against unfunded requirements like this which are placed upon them by the state legislature.

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In addition, Mr. Tarrant expressed concern that a child could become ill from coming into contact with reuse water used for irrigation. City Attorney Chiaro explained that the decision to provide reuse water for irrigation is discretionary and would not necessarily subject the City to liability unless negligence were involved. Council Member VanArsdale asked whether the City might be granted a longer compliance period if the regulatory agencies were assured that a reuse water system would be installed throughout the City's service area. Dr. Woodruff cautioned, however, that because so much of the City's potable water is now used for irrigation purposes, a large scale change from potable water to reuse water would drastically reduce water system revenues previously pledged for bonding purposes. In such a scenario, both water and sewer rates would increase substantially to replace the operating revenue lost to the reuse water system.

Dr. Woodruff also pointed out that the goal of the Department of Environmental Protection was to improve the quality of water being discharged into Naples Bay and that the South Florida Water Management District was concerned with water conservation. Both have to be addressed, although the DEP is the higher regulatory agency.

Prior to the next update, the staff will research the impact upon water/sewer revenues from extension of a reuse water system and will pursue whether the DEP would extend the compliance period to ten years if a total reuse system were installed. In addition, Dr. Woodruff told the Council that Hole, Montes representatives would be on call to attend any of his weekly meetings with individual Council Members for further discussion of these issues.

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**Break: 10:31 to 10:36 a.m.**

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**ITEM 4**

**WATERFRONT DISTRICT - OVERVIEW AND UPDATE.**

Community Development Director McKim provided a history of the Waterfront District and displayed a map showing the boundaries (Attachment 2). Waterfront property owners are now proposing that the Council change the district to C2-A (Waterfront Commercial) zoning with various amendments. The adoption process would begin with Planning Advisory Board review in April and action by the City Council in May. Ms. McKim pointed out that the Naples Bay Concept Plan which had resulted from a 1990 study had not been endorsed by the Council; however, in 1993 the Council had endorsed a limited program with five objectives for the waterfront area (Attachment 2, Page 2). Marine facilities frequently disappear from the waterfront, she explained, and are replaced with other more intense uses such as convention hotels and similar complexes. In conclusion, Ms.

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McKim indicated that a traffic study referred to in the objectives would be conducted in the Old Naples area.

Attorney Kim Kobza, representing waterfront property owners, then addressed various proposed zoning amendments for the C2-A district (Attachment 3). (In addition to Mr. Kobza, waterfront property owners were represented by Duke Turner, Falconor Jones and Dave Borden.) These proposals have been thoroughly discussed with City staff, Mr. Kobza pointed out, and also with area residential property owners represented by the Old Naples Association. The proposed changes are intended to improve the functionality of the district, which is a substantial part of the community's tax base, while preserving marine uses. One goal is to make existing parking operate more efficiently by providing for shared utilization of the various private parking lots which are scattered throughout the district. This will also serve to prevent spillover parking into adjacent residential areas, he said.

The final proposal reviewed by Mr. Kobza was to increase density in waterside properties by decreasing density on properties on the landward side of perimeter streets (Attachment 3, Page 4). Although Mr. Kobza did not propose increases in building heights, Vice Mayor Korest suggested that staff research the possibility of variations in height regulations to achieve architectural variety.

Community Development Director McKim said that she felt comfortable with parking credits up to 30% as part of a plan to provide incentives for water-dependent and water-related uses in the district. Incentives of this type generally encourage property owners to provide more public access to the waterfront. Ms. McKim also said she supported the concept of higher intensity of use in the waterside area with parking across the street on properties of decreased density. It was noted that this latter proposal would be voluntary. In conclusion, she reminded the Council that there were actually few properties available for development in the Waterfront District at the present time. Most development have already received approval, although some requests for modifications could be expected.

Council Member VanArsdale questioned the type of environment which was being engendered by the proposed changes. He contrasted the area with other water-oriented settings such as Annapolis and Provincetown. Mr. Van Arsdale called the plan vague and opposed treating all properties in the district the same, contrasting this proposal with Fifth Avenue redevelopment efforts. He also expressed concern that shared utilization of parking would work to the detriment of Tenth Street which would eventually contain only parking lots.

Community Development Director McKim said that she envisioned the waterfront area in Naples as different from the Fifth Avenue "main street" concept, with the waterfront focus being to get people away from the street to the water's edge. This will occur, she said, with improved pedestrian access.

Mayor Muenzer stressed the need to assure that the owners of all properties in the Waterfront District be informed as the amendment process continues so that Council will be comfortable in making a final decision when ordinances are presented. This is particularly important for those who own the four lots in the district which do not actually front on the water. He also asked Ms. McKim to inform John Pulling who had recently submitted a request for a marina on his property north of the Gordon River Bridge. This property, however, is near but not in the Waterfront District.

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**ITEM 6**

**LETTER OF INFORMATION FROM MR. RICHARD BOTTHOFF.**

Mayor Muenzer indicated that Richard Botthof, a member of the Community Redevelopment Advisory Board, had indicated that he would not be able to attend meetings for the next three months. Although the Council agreed that a leave should be granted to Mr. Botthof, City Attorney Chiaro was asked to research possible ordinance amendments so that vacancies of this type could be dealt with apart from the more lengthy interview and appointment process. Dr. Woodruff also pointed out that, in this instance, the Council would want to avoid taking action that could provide an avenue for challenge to the Community Redevelopment Agency and its activities.

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**ITEM 5**

**STORMWATER UTILITY - STATUS OF AIRPORT PROPERTY.**

City Manager Woodruff explained that, because of provisions in the Airport Authority's enabling legislation as well as its lease with the City, the Airport Authority had been deemed to be exempt from provisions of the City's stormwater utility ordinance. The staff sought authorization from the Council to remove the Airport Authority from the billing cycle. City Attorney Chiaro concurred that while there may be some distinction between the Airport Authority and various lessees, the organization and its lessees are currently exempted from payment of stormwater fees unless legislative language is amended.

It was therefore the consensus of Council that the Airport Authority and its present lessees were exempt from City stormwater management fees. The staff was directed to remove them from the billing cycle and to look into possible amendment of the stormwater utility ordinance to determine if modifications could require lessees on the airport property to pay. Staff indicated that recommendations in this regard would be provided to the Council in June.

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**Break: 12:26 to 12:42 p.m.**

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### ITEM 8

#### **DISCUSSION OF CITY HALL AIR CONDITIONING SYSTEM.**

Assistant City Manager Kevin Rambosk reviewed the current status of the air conditioning system which serves the City Hall building indicating that since February 10th, one 50-ton condensing unit had become totally inoperative and the second 50-ton unit partially inoperative. Particularly on the second floor, temperature problems are becoming critical when the outside air temperature reaches 80 degrees. Both units have been deemed to be beyond repair, although the air handling system is in relatively good condition and can be restored. Mr. Rambosk explained that air quality testing was moved ahead of schedule so that the data could be included in decision making. In addition, assistance in conducting a feasibility study can be obtained from Florida Power & Light free of charge and accomplished in approximately 30 days. This would provide information on retrofit and repair alternatives.

Mr. Rambosk then reviewed the various aspects of the current system which could be upgraded and noted that some of the air flow problems being experienced are due to interior building modifications. (A copy of the overhead transparencies used in Mr. Rambosk's presentation are contained in the file of this meeting in the City Clerk's Office.)

**It is noted for the record that Deputy City Clerk Tara Norman acted as recording secretary for the preceding portion of the meeting and Deputy City Clerk Marilyn McCord acted as recording secretary for the remainder of the meeting until adjournment.**

Mr. Rambosk further described the alternatives available and said that a feasibility study would be staff's first recommendation. The employees must be considered, he said. Council Member Sullivan suggested investing in short-term repairs in order to provide some relief from the heat, then expediting the decision as to which direction to take.

It was the consensus of Council to authorize Mayor Muenzer to give staff direction to arrange for repairs, with expenditures not to exceed \$20,000.00. A feasibility study of the air conditioning

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options will also begin immediately

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**ITEM 7**

**REVIEW OF AGENDA FOR MARCH 2, 1994, CITY COUNCIL MEETING.**

**Items 23, 24, 25, and 27 will be continued to March 16, 1994.**

**Item #13/Amend Code to change submittal procedures for placing an item on Council agenda:**

Council Member Pennington suggested changing the wording to state "nine days prior to Council meetings." The City Attorney will amend the language prior to the Council meeting.

**Item #14/Variance request/Gulfbreeze Condominiums:** Staff will correct the resolution title to state Second ~~Street~~ rather than Second ~~Avenue~~.

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**ADJOURN: 1:45 p.m.**

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**PAUL W. MUENZER, MAYOR**

JANET CASON  
City Clerk

Tara A. Norman  
Deputy City Clerk

Marilyn McCord  
Deputy City Clerk

These minutes of the Naples City Council were approved on March 16, 1994.



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*City of Naples*

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Convened 9:00 am / Adjourned 1:45 pm

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