

*Annotated*

**Naples City Council Agenda**

**City Council Chamber, 735 Eighth Street South, Naples, Florida**

**Mayor: Paul W. Muenzer**

**Vice Mayor: Alan R. Korest**

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

**City Manager: Dr. Richard L. Woodruff      City Attorney: Maria J. Chiaro**

---

Welcome to today's City Council meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Request Box located to the right of the City Attorney's seat on the Council dais prior to consideration of that item. We ask that speakers limit their comments to 7 minutes and that large groups name a spokesperson whenever possible. (Written materials or other exhibits for entry into the permanent record must be received in the City Manager's Office by noon of the Monday prior to the City Council meeting.) Thank you for your interest and participation in City government.

---

**Regular Meeting  
March 16, 1994**

**Convened 9:00 a.m. / Adjourned 4:35 p.m.**

All proposed ordinances and information on other items listed below may be inspected in the office of the City Clerk, Room B, City Hall, or at the Collier County Public Library Research Section, 650 Central Avenue. For further information, call the City Clerk's Office, 434-4701.

1. INVOCATION AND PLEDGE OF ALLEGIANCE  
*Dr. Charles M. Lewis, Community Congregational Church of Christ*
2. ROLL CALL *Korest absent*  
*Sullivan arrived 11:00 a.m.*
3. ITEMS TO BE ADDED
  - 26 *Discussion of request to reinstate stop sign at 18th Ave. S. and Gulf Shore Blvd. (Requested by Mayor Muenzer pursuant to citizen petition)*
  - 27 *Report of consultant on Fishing Pier renovations. (Requested by City Manager)*
  - 28 *Action on motion to stay appellate court action - shopping center (Coastland Mall) litigation. (Requested by City Attorney)*
4. ANNOUNCEMENTS
  - 4-a. Mayor Muenzer - *None*
  - 4-b. City Manager Woodruff
    - >*Recognized Christopher Ballard, Naples Daily News Carrier of the Year*
    - >*Employee Recognition Program (awards for years of service)*

**NOTICE**

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by the City Council with respect to any matter considered at this meeting (or hearing) will need a record of the proceedings and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard.

## Scheduled Agenda Items

Some of the items on the following agenda have been scheduled for a time certain. This schedule will be followed as closely as possible for the convenience of any citizen(s) wishing to address the Council. Items not listed at a time certain will be considered at the discretion of the Council.

9:15 a.m.

- |   |   |
|---|---|
| <p><b>Resolution</b></p> <p><b>Development Agreement</b></p> <p><b>94-D1</b></p> <p><b>Petitioner:</b></p> <p><b>Neapolitan Enterprises</b></p> | <p>5. Extension of an Annexation/Development Agreement which permits the development of a 52.19 acre parcel of land located at the northeast corner of Goodlette-Frank Road and Golden Gate Parkway for Highway Commercial, Multi-Family Residential, and Conservation uses.</p> <p><b>94-7152 <u>AS AMENDED</u> to delete "currently" from Section 2, and revise Section 3 "The maximum permitted residential density shall be twelve (12) units per net acre, not to exceed 144 units, whichever is less."</b></p> <p><b>Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</b></p> |
|---|---|

Utilities Department 10:00 a.m.

6. Authorization to transmit a Water Reuse Master Plan to the Department of Environmental Protection.
- Accept recommendation of Hole, Montes and Associates (Alternative 4A) contained in Feasibility Study**
- Pennington/VanArsdale/5-1 (Korest absent and Tarrant dissenting)**
- Direct staff to evaluate the goal of eliminating wastewater discharge, and in the interim five-year period covered by the consent order, to set a specific goal of reducing discharge by 500,000 gallons per day, specifically by increasing the reclaimed water customer base by that amount.**
- VanArsdale/Sullivan/5-1 (Korest absent and Tarrant dissenting)**
- Direct staff to reopen negotiations with various state regulatory bodies to explain that citizens require more consideration in not being rushed into extensive expenditure of tax dollars.**
- Tarrant/failed for lack of second**

11:00 a.m.

- |  |   |
|--|---|
| <p><b>Resolution</b></p> <p><b>Pursuant to City Council</b></p> <p><b>action on 12/16/93</b></p> | <p>7. A resolution establishing a Special Assessment District and receiving comments from all interested parties relative to the propriety and advisability of making central sewer improvements and curb and gutter improvements within Seagate subdivision.</p> <p><b>94-7153/Pennington/VanArsdale/6-0 (Korest absent)</b></p> |
|--|---|

<hr/> <p><b>Resolution</b></p> <p><b>Temporary Structure Request within Naples Cay</b></p> <p><b>Applicant:</b> <b>Boran Craig Barber</b></p>	<p><b>11:45 a.m.</b></p> <p>8. Resolution approving placement of a thirty-eight foot, six inch tall temporary observation tower on property located at 90 Seagate Drive. <b>94-7154 AS AMENDED with following conditions: no lighting after dark; no signage; and allow repairs to be made should storm damage occur</b> <b>Sullivan/Pennington/6-0 (Korest absent)</b></p>
<p><b>Second Reading of an Ordinance</b></p> <p><b>Approved at First Reading 3/02/94</b></p>	<p>9. <b>Public Hearing</b> to consider an ordinance repealing Ordinance No. 74-2046 which established a Financial Planning and Advisory Board. <b>94-7155/Sullivan/Pennington/6-0 (Korest Absent)</b></p>
<hr/> <p><b>Second Reading of an Ordinance</b></p> <p><b>Approved at First Reading 3/02/94</b></p>	<p>10. <b>Public Hearing</b> to consider an ordinance amending the Code of Ordinances in order to change the submittal procedures for placing an item on the City Council agenda. <b>94-7156/Sullivan/Pennington/6-0 (Korest absent)</b></p>
<hr/> <p><b>First Reading of an Ordinance</b></p> <p><b>Requested by City Council at its 2/28/94 Workshop</b></p>	<p>11. Amendment to the Code of Ordinances which will allow the City Council to appoint board members at its discretion, eliminating the mandatory application and interview process. <b>Approved on first reading AS AMENDED VanArsdale/Pennington/6-0 (Korest absent)</b></p>
<hr/> <p><b>First Reading of an Ordinance</b></p> <p><b>Requested by the General Pension Board</b></p>	<p>12. Amend the Code of Ordinances to revise its definition of "beneficiary" so that there is no prohibition of designating another City employee as a beneficiary. <b>Approved on first reading Pennington/Sullivan/6-0 (Korest absent)</b></p>
<hr/> <p><b>First Reading of an Ordinance</b></p> <p><b>Finance Department</b></p>	<p>13. An ordinance amending the Comprehensive Development Code to provide for interest to be paid on utility deposits. <b>Approved on first reading Pennington/VanArsdale/6-0</b></p>

### Consent Agenda

All matters under this item are considered routine, and action will be taken by one motion. There will be no separate discussion of these items. If discussion is desired, that item(s) will be removed from the Consent Agenda and considered separately.

- |   |     |  |
|---|-----|--|
| <hr/> 1/10/94 Workshop<br>2/02/94 Regular Mtg<br>2/09/94 Joint City/County<br>2/14/94 Workshop<br>2/16/94 Regular Mtg<br>2/28/94 Workshop<br>3/02/94 Regular Mtg<br><hr/> | 14. | Approval of Minutes.<br><i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Resolution</b></p> <p style="text-align: center;"><b>Requested by<br/>Utilities Department</b></p> <hr/>                                | 15. | Resolution authorizing execution of an agreement amending Exhibit A-2 of the Comprehensive Water Audit.<br><i>94-7147/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Resolution</b></p> <p style="text-align: center;"><b>Requested by the Firemen's<br/>Retirement Trust Fund</b></p> <hr/>                 | 16. | A resolution confirming the reappointment of William Kaverman to the Firemens' Retirement Trust Fund.<br><i>94-7148/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Resolution</b></p> <p style="text-align: center;"><b>Requested by the<br/>Police Officers' Retirement<br/>Trust Fund</b></p> <hr/>      | 17. | A resolution confirming the reappointment of F. Scott Pauzer to the Police Officers' Retirement Trust Fund.<br><i>94-7149/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Resolution</b></p> <p style="text-align: center;"><b>Requested by<br/>Fire Department</b></p> <hr/>                                     | 18. | Resolution authorizing Amendment No. 2 to the Architectural Services Agreement with Gee & Jenson EAP, Inc. for the renovation and addition to the City's Fire Administration and Fire Station #1.<br><i>94-7150/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Resolution</b></p> <p style="text-align: center;"><b>Requested by<br/>Engineering</b></p> <hr/>   | 19. | A resolution authorizing execution of Task Order No. Eleven with Hole, Montes and Associates, Inc., for general engineering services on an as-needed basis.<br><i>Removed from agenda/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Budget Amendment</b></p> <hr/>  | 20. | Budget amendment to establish authorizations for road contract work recently approved by City Council.<br><i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i>   |
| <p style="text-align: center;"><b>Bid #94-30<br/>Utilities</b></p>  | 21. | Award of Bid #94-30 to furnish and install two (2) bag house/dust collectors for use at the Water Treatment Plant.<br>Vendor:                      Fabric Filters Northeast<br>Somerville, New Jersey<br>Total Bid Price:            \$10,950.00<br>Funding:                      C.I.P.<br><i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i> |

- |  |            |  |
|--|------------|--|
| <p><b>Bid #94-32</b><br/><b>Police</b></p>                           | <p>22.</p> | <p>Award of Bid #94-32 to purchase a 200 horsepower boat motor.<br/> Vendor: Naples Boat Mart<br/>                     Naples, Florida<br/> Make &amp; Model: 1994 Yamaha TXRS<br/> Bid Price: \$8,713.00<br/> Funding: C.I.P.<br/> <i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i></p>   |
| <p><b>Previously Awarded Bid</b><br/><b>Police</b></p>               | <p>23.</p> | <p>Authorization to purchase an additional 25 foot police patrol boat with outboard boat motor from previously awarded bid.<br/> Vendor: Bay Marina, Inc.<br/>                     Naples, Florida<br/> Original Bid Price: \$27,054.00<br/> Boat Make &amp; Model: Challenger 250<br/> Motor Make &amp; Model: Yamaha 250<br/> Funding: C.I.P.<br/> <i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i></p>  |
| <p><b>Purchase from</b><br/><b>State Contract</b></p>                | <p>24.</p> | <p>Authorization to purchase from the Florida State Contract a compact pickup truck to be assigned to the Recreation Maintenance Division.<br/> Vendor: Prestige Ford, Inc.<br/>                     Eustis, Florida<br/> Make &amp; Model: 1994 Ford Ranger<br/> Total Cost: \$10,225.00<br/> Funding: C.I.P.<br/> <i>Approved/Sullivan/Pennington/6-0 (Korest absent)</i></p>  |
| <p><b>Continued from 3/02/94</b><br/><b>City Council Meeting</b></p> |            |  |
| <p><b>Requested by</b><br/><b>Utilities</b></p>                      | <p>25.</p> | <p>Authorization to issue a purchase order for the erection of a metal building to be utilized as a parts and equipment storage facility for the Utilities Maintenance Division.<br/> Recommended Contractor: Tamiami Builders, Inc.<br/>                                     Naples, Florida<br/> Total Price: \$75,558.00<br/> Funding: C.I.P.<br/> <i>Approved/Pennington/VanArsdale/5-0 (Korest and Sullivan absent)</i></p> |

### End Consent Agenda

26. Discussion of request to reinstate stop sign at 18th Ave. S. and Gulf Shore Blvd. (Requested by Mayor Muenzer pursuant to citizen petition) *Staff to study: 1) a policy for establishment of four-way traffic control devices at intersections; 2) criteria to standardize such a policy; and 3) a test roundabout as an alternative to four-way stop signs*  
*VanArsdale/Pennington/6-0 (Korest absent)*  
*(City Manager indicated that policy would be presented to Council on April 16.)*

27. Report of consultant on Fishing Pier renovations. (Requested by City Manager) *Accept recommendation of Suboceanic Consultants and direct preparation of specifications to rebuild the older (eastern) section of the structure and repair the newer (western) section to achieve a 50-year life; provide specifications for both wood and concrete superstructure, recognizing that approximately three weeks will be added to completion of the specifications.*  
*Pennington/Sullivan/6-0 (Korest absent)*
28. Action on motion to stay appellate court action - shopping center (Coastland Mall) litigation. (Requested by City Attorney)  
*94-7151/VanArsdale/Tarrant/5-1 (Korest and Sullivan absent and Pennington dissenting)*

*A discussion of settlement agreement for above litigation will be placed on the regular meeting agenda for April 6, 1994.*

Open Public Input - *None*

Correspondence *Memorandum from Council Member Sullivan with reference to affordable housing site on North Road*

*Contribute \$100,000 in Community Development Block Grant funds to purchase of North Road affordable housing site*  
*Sullivan/Pennington/6-0*

Adjourn - *4:35 p.m.*