

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 Clerk: Janet Cason • 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
Wednesday, July 20, 1994
CONVENED 9:00 a.m./ADJOURNED 5:17 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 Lewis, Paster - Community Congregational Church of Christ
2. ROLL CALL - *ALL PRESENT*
3. ITEMS TO BE ADDED *NONE*
Motion to set agenda; approve Consent Agenda Items 21, 22, 23, 25, 26, 28, 29, and 31; remove Items 24, 27, 30, and 32 from the Consent Agenda for further discussion.
Sullivan/Pennington/7-0
4. ANNOUNCEMENTS
Special landscaping award to be presented to the City by the Naples Area Chamber of Commerce.

Council and staff congratulated Sargeant-At-Arms George Henderson on his birthday.

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. Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 434-4701 with requests at least two business days before the meeting date.

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.

<p>Second Reading of an Ordinance Approved at first reading 6/15/94 Rezone Petition 94-R2</p>	<p>9:15 a.m. 5-a Public Hearing to consider rezone of the 25 acre parcel of property located at the southeast corner of 21st Avenue South and Gordon Drive from "R1-10" Single Family Residence to "PD" Planned Development to provide for the development of this parcel as 35 single family lots. 94-7222/Pennington/Sullivan/7-0</p>
<p>Resolution Plat Vacation Petition 94-PV1</p>	<p>5-b Request to vacate portions of the existing Replat of the Sagamore Beach Subdivision and the Plat of Philip G. Rust Development, vacate an existing but unused municipal storm drainage way, and two partial public street rights-of-way, all of which apply to the property at the southeast corner of 21st Avenue South and Gordon Drive. 94-7223/Pennington/Korest/7-0 <i>Approve with inclusion in Resolution of 15 foot landscape easement.</i></p>
<p>Resolution Subdivision Plat Petition 94-SD1 Silliman Property Planned Development Petitioner: Pamlico Terrace Ltd.</p>	<p>5-c Request for approval of preliminary/final subdivision plat for a 25 acre, 34 lot single-family subdivision located at the southeast corner of Gordon Drive and 21st Avenue, South. 94-7224/Sullivan/Prolman/7-0 <i>Approve Resolution with the addition of the word "plants" in Section 1(3).</i></p>
<p>Planning Advisory Board recommendation to approve</p>	
<p>Resolution Alley Vacation Petition 94-AV3 Petitioner: Inge Johnstone/ Suntide Motel</p>	<p>9:45 a.m. 6. Request for alley vacation, vacating the 25 foot wide, east-west public alley segment commencing at the 7th Street South right-of-way, between 9th and 10th Avenues, South, and ending at the north-south alley right-of-way serving this same block. Applicant: Inge Johnstone/Suntide Motel. CONTINUE TO AUGUST 3, 1995/Prolman/Pennington/7-0</p>
<p>Planning Advisory Board recommendation to deny</p>	

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Resolution	10:00 a.m.
Waiver of Distance Requirement	7. Request for waiver from distance requirements between liquor licensees in order to permit the sale of alcoholic beverages at Asti Ristorante in Neapolitan Shopping Center within 500 feet of an existing licensee.
Petitioners: Michael & Esther Viggiani Asti Ristoranti	94-7225/Korest/Sullivan/6-1 (Tarrant dissenting)
Resolution	10:15 a.m.
Petitioner: Vin de Pasquale	8. Request for a permit to erect a building over a lake that is contained entirely within the applicant's property at 2211 Southwinds Drive. 94-7226/Pennington/Sullivan/7-0
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Second Reading of an Ordinance	10:30 a.m.
Approved at first reading 6/15/94	9. Public Hearing to amend the Comprehensive Development Code "C2-A" Waterfront Commercial District and marina parking requirements, to encourage the retention of marine service facilities and public access. CONTINUE TO AUGUST 3, 1994/Korest/Pennington/7-0
Text Amendment 94-T5	
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Resolution	11:30 a.m.
Conditional Use Petition 94-CU5	10. Request for conditional use allowing continued operation of Inn By The Sea bed and breakfast at 281 and 287 11th Avenue South. CONTINUE TO AUGUST 3, 1994/Sullivan/Korest/7-0
Petitioner: Margaret Cormier Inn By The Sea	
Planning Advisory Board recommendation to approve	
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Resolution	1:30 p.m.
Community Development	11. Consider an Interlocal Agreement between the City and the Board of County Commissioners of Collier County, to ensure coordination between the City and the County regarding the development of affordable housing in the urban area. 94-7229/Korest/Sullivan/6-1 (Tarrant dissenting) Approve Interlocal Agreement as approved by Board of County Commissioners on 7/19/94.

**First Readings of
Ordinances (6)** **2:00 p.m.**

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|----------------|------|---|
| 94-CPA1 | 12-a | Amend the Comprehensive Plan and Comprehensive Plan Map Series to allow the annexation of a vacant 11.5 acre tract of land located on the south side of North Road, approximately 2,500 feet west of Airport Road.
<i>TABLE/Korest/Pennington/5-2(Sullivan, Van Arsdale dissenting)</i> |
| 94-CPA2 | 12-b | Amend the Comprehensive Plan Land Use Element and Future Land Use Map in order to recognize the Development Agreement between the City and Fleischman Trust, establishing the land use potential for an approximately 53 acre parcel of land located at the northeast <i>corner of Goodlette-Frank Road and Golden Gate Parkway.</i>
<i>APPROVE AT FIRST READING/Pennington/Korest/7-0</i> |
| 94-CPA3 | 12-c | Amend the Comprehensive Plan Land Use Map and introductory land use inventory to recognize the annexation of a 2.75 acre parcel of land at 900 Goodlette-Frank Road and assigning this property "Highway Commercial" development potential.
<i>APPROVE AT FIRST READING/Pennington/Van Arsdale/7-0</i> |
| 94-CPA4 | 12-d | Amend the Comprehensive Plan Land Use Element, Traffic Element, and the Parks, Recreation and Open Space Element and related maps in order to establish objectives, policies, and programs supporting the Southwest Florida Land Preservation Trust pedestrian/bicycle pathway located generally east of the Gordon River and adjacent to Goodlette-Frank Road.
<i>APPROVE AT FIRST READING/Tarrant/Pennington/7-0</i> |
| 94-CPA5 | 12-e | Amend the Comprehensive Plan Capital Improvement Element, in order to include a variety of newly proposed sidewalk improvements, street resurfacing and reconstruction projects and related right-of-way improvements funded by the City's share of the newly adopted Collier County local option 5 cent gas tax.
<i>APPROVE AT FIRST READING/Pennington/Prolman/7-0</i> |
| 94-CPA6 | 12-f | Amend the Comprehensive Plan Land Use Element and Future Land Use Map in order to change the future land use classification assigned to certain properties which lie to the east of Second Street South between 13th and 14th Avenue South, from Low Density Residential to Limited Commercial/Mixed Use.
<i>DENY/Sullivan/Van Arsdale/6-1 (Muenzer dissenting)</i> |

Community Development	13.	Transmittal of Comprehensive Plan Amendments 94-CPA2, 94-CPA3, 94-CPA4, and 94-CPA5 to the State of Florida, Department of Community Affairs. <i>94-7230/Sullivan/Pennington/6-0 (Korest absent for vote)</i>
Resolution		
Human Resources	3:00 p.m.	
Resolution	14.	Ratify and confirm the two year labor contract between the City and the Fraternal Order of Police, Lodge #38. <i>94-7231/Sullivan/Pennington/7-0</i>
City Manager/ City Attorney	3:30 p.m.	
	15.	Notification of receipt of a franchise application from ITI Technical Services, Inc. <i>ACCEPT FRANCHISE APPLICATION AND AUTHORIZE STAFF TO PROCEED/Korest/Van Arsdale/7-0</i>
Finance Department	16.	Amend Code of Ordinances to revise the rates for sewer service. <i>APPROVE AT FIRST READING Van Arsdale/Korest/6-1(Tarrant dissenting)</i>
First Reading of an Ordinance		
Finance Department	17.	Amend Code of Ordinances to revise the occupational license fees, including change of name information and specifying fees. <i>APPROVE AT FIRST READING (SECOND READING WILL BE HELD AT A SPECIAL MEETING ON AUGUST 8, 1994) Sullivan/Pennington/7-0</i>
First Reading of an Ordinance		
Finance Department	18.	Amend Code of Ordinances for the purpose of clarification of the General Employees Retirement System's definition of "Actuarial Equivalent" and satisfying the qualification requirements of the Internal Revenue Code. <i>APPROVE AT FIRST READING/Sullivan/Pennington/7-0</i>
First Reading of an Ordinance		
Resolution	19.	Appoint one member to the Code Enforcement Board to fill the unexpired term of John M. Hustler. APPOINT BONNIE R. MAC KENZIE <i>94-7227/Pennington/Tarrant/7-0</i>
Community Development	20.	Authorization to enter a lease for the relocation of the Planning Division to a more prominent location on 5th Avenue South. <i>94-7228/Pennington/Sullivan/7-0 APPROVE WITH THE ADDITION OF LANGUAGE CLARIFYING LEASE TERMINATION</i>
Resolution		

Consent Agenda

All matters taken 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.

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| <p>6/13/94 Workshop Mtg
 6/13/94 Budget Workshop
 6/14/94 Budget Workshop
 6/15/94 Regular Mtg</p> | <p>21. Approval of minutes
 <i>APPROVE/Sullivan/Pennington/7-0</i></p> |
| <p>Finance Department

 Budget Amendment</p> | <p>22. Appropriate funds for legal services on lawsuit with former auditors, to offset legal services costs against the settlement received, allowing the Water & Sewer Fund to use the funds originally budgeted to finance professional services during the current fiscal year.
 <i>APPROVE/Sullivan/Pennington/7-0</i></p> |
| <p>Purchasing

 Bid #94-58</p> | <p>23. Award bid for trailer-mounted diesel pump to be used in Wastewater Plant tank maintenance and repair.
 Vendor: Thompson Pump & Mfg. Co., Inc.
 Port Orange, Florida
 Total Bid Price: \$8,785.00
 Funding: C.I.P. Project #94X11
 <i>APPROVE/Sullivan/Pennington/7-0</i></p> |
| <p>Bid #94-42</p> | <p>24. Award bid for painting of Solana Road water storage tank.
 Contractor: Service Painting of Florida, Inc.
 Fort Myers, Florida
 Total Bid: \$15,949.00
 Funding: C.I.P. Project #94K09
 <i>APPROVE/Pennington/Prolman/7-0</i></p> |
| <p>Bid #93-71</p> | <p>25. Authorization to award single bid for furnishing and installing a clarifier weir cleaning system on four secondary clarifiers at the Wastewater Treatment Plant.
 Vendor: Ford W. Hall Co., Inc.
 Lexington, Kentucky
 Bid Price: \$37,800.00
 Funding: C.I.P. Project #93328
 C.I.P. Project #94M31
 <i>APPROVE/Pennington/Sullivan/7-0</i></p> |

Waiver of Bids

26. After-the-fact authorization to waive bids for the purchase of one submersible pump and motor to replace equipment in the Golden Gate wellfield.

Vendor: Coast Pump & Supply Co., Inc.
Venice, Florida

Total Price: \$9,945.00

Funding: C.I.P. Project #94X01

APPROVE/Pennington/Sullivan/7-0

Purchase Order

27. After-the-fact authorization to issue purchase order for chemicals to be utilized in a one month pilot program study to evaluate the effectiveness of potassium permanganate for color removal.

Vendor: Carus Chemical Company
Ottawa, Illinois

Item: Potassium permanganate

Total Cost: \$23,600.00

Funding: Utilities Operations & Maintenance
Contingency Fund

APPROVE/Pennington/Sullivan 6-0 (Korest absent for vote)

Utilities

28. Proposal from Hartman & Associates, Inc., to conduct specific capacity tests, wire to water efficiency tests, and well rehabilitation on raw water supply wells.

94-7219/Pennington/Sullivan/7-0

Resolution

**Engineering
Resolutions (3)**

29. Joint Project Agreement between Florida Department of Transportation and City for 12" water line on Davis Boulevard from Airport-Pulling Road to Lakewood Boulevard.

94-7220/Sullivan/Pennington/7-0

**Joint Project
Agreement**

Task Order 93-2

30. Amendment No. 2 to Hole Montes and Associates, Inc. Task Order 93-2 for Professional Engineering Services for Wastewater Treatment Plant Upgrades.

94-7232/Pennington/Korest/6-1(Tarrant dissenting)

Task Order HMA94-13

31. Task Order No. 94-13 between Hole, Montes and Associates, Inc. and the City for consulting work associated with providing gravity sewer service to Seagate Subdivision Unit No. 1.

94-7221/Korest/Pennington/7-0

Utilities

32. Approve 15 year lease between Hole-In-The-Wall Golf Club and the City for four well sites.

Resolution

***DIRECT STAFF TO REOPEN NEGOTIATIONS
Pennington/Korest/7-0***

End Consent Agenda

Open Public Input

Correspondence/Communications

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Adjourn ***5:17 p.m.***