

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, November 2, 1994

Convened 9:00 a.m. / Adjourned 8:15 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 *Reverend H. Peter Lyberg, Shepherd of the Glades Lutheran Church*
 2. ROLL CALL *All present*
 3. ITEMS TO BE ADDED
 - 13-a *Authorize notification of Colony Cablevision that franchise expires 11/21/94 (Requested by City Manager)*
 - 19 *Authorize additional Building Division computer software (Requested by City Manager)*
 4. ANNOUNCEMENTS - *None*
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	Resolution	9:15 a.m.
	Variance Petition 94-V8	5. Request for a variance from the Comprehensive Development Code which requires a landscaped buffer between a parking area and an adjacent commercial property, in order to facilitate the division of the Southland Corporation's property at 860 Seventh Avenue North. <i>94-7298/Pennington/Sullivan/7-0</i>
	Petitioner:	
	Southland Corporation	
Planning Advisory Board		<i>City staff will work with petitioner on delineating sidewalk area on south side of Seventh Avenue North. City Manager will provide information to Council Member Tarrant regarding City regulations pertaining to staffing of convenience stores.</i>
recommendation to		
approval		

Resolutions (2) 9:45 a.m.

**Conditional Use Petition
94-CU9**

- 6-a Request for conditional use approval for a drive-up window accessory to a retail store (Eckerd Drug Store) at the northwest corner of U.S. 41 and Third Avenue South.

94-7301/Korest/Pennington/6-1 (Tarrant dissenting)

Variance Petition 94-V11

**Petitioner:
Robert Faller**

- 6-b Request for a variance from the Comprehensive Development Code in order to allow the use of an alley for traffic circulation on property at the northwest corner of U.S. 41 and Third Avenue South.

94-7302/Pennington/Sullivan/7-0

**Planning Advisory Board
recommendation to
approve**

**Resolution
Conditional Use Petition
94-CU10**

10:15 a.m.

7. A request for approval of conditional use to allow staged entertainment in the Oasis Chickee Bar at the Howard Johnson Resort Lodge, 221 Ninth Street South.

94-7303/Sullivan/Pennington/7-0

**Petitioner:
Resort Management of
Naples**

**Planning Advisory Board
recommendation to
approve**

**Resolution
Development Agreement
Petition 94-D2**

1:30 p.m.

8. A request for a Development Agreement for Naples Cay.
94-7306/Pennington/Sullivan/5-2 (Prolman and Tarrant dissenting)

**Petitioner:
Resort Acquisitions Inc.**

**Planning Advisory Board
recommendation to deny**

**Resolution
Variance Petition 94-V9**

9. Request for variance from the Comprehensive Development Code to permit a six foot tall, chain link fence, 18 inches from a front property line, at the Port Royal Club, located at 2900 Gordon Drive.
94-7305/Sullivan/VanArsdale/7-0 (Council Member VanArsdale requested a City Council workshop discussion of Code of Ordinances provisions relating to fences.)

**Petitioner:
Port Royal Club**

**Planning Advisory Board
recommendation to deny**

**Resolution
Variance Petition
94-V10**

**Petitioner:
Mayor & Mildred Mehler
4890 Whispering Pine Way**

10. Request for a variance from the Park Shore Planned Development Criteria setback requirement, to allow an addition to an existing dwelling in a rear yard setback at 4890 Whispering Pine Way.
Deny/Sullivan/Pennington/7-0

**Resolution
Conditional Use
Petition 94-CU8**

**Petitioner:
Westbury Properties
215000 Gordon Drive**

11. Request for conditional use approval for the reconstruction of an existing tennis court and the addition of a second tennis court at 2150 Gordon Drive. ***94-7299/Sullivan/Pennington/7-0***

**Second Reading
of an Ordinance**

**Approved at First Reading
on 10/19/94**

12. **Public Hearing** to amend Ordinance 94-7255, pertaining to a cable franchise for Interactive Cablevision, to change the time for submittal of documents. ***94-7300/Sullivan/Pennington/7-0***

**First Reading
of an Ordinance**

- 13-~~b~~ ***(See below for 13-a added to agenda)*** Request for cable television franchise extension regarding Colony Cablevision in order to allow continued cable service while negotiating a franchise renewal.
APPROVE on first reading/Korest/Pennington/6-1 (VanArsdale dissenting)

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.

**10/10/94 Workshop Mtg
10/17/94 Workshop Mtg
10/19/94 Regular Mtg**

14. Approval of Minutes.
Sullivan/Pennington/7-0

Resolution	15.	Acceptance of utility easement from the Collier County Public School Board for the purpose of constructing and maintaining a re-use water line on the south side of Naples High School property. <i>94-7297/Sullivan/Pennington/7-0</i>
Engineering		
Budget Amendments	16.	Capital Projects carry-forward budget amendments:
Finance	16-a	Utility Tax - Community Services \$218,929.47
	16-b	Utility Tax - Equipment Services \$53,400.00
	16-c	Streets Fund \$192,744.00
	16-d	Water & Sewer Fund \$3,146,417.00
	16-e	Solid Waste Fund \$122,900.00
		<i>Sullivan/Pennington/7-0</i>
Purchasing	17.	Award of two-year bid for electrical service, to be utilized by City departments for routine electrical repairs and minor renovations. Recommended contractor: Bentley Electric Co., Inc., Naples Estimated annual expenditures: \$25,000.00 <i>Sullivan/Pennington/7-0</i>
Bid #95-04		
Purchase Order	18.	Authorization to issue purchase order for a commercial riding mower. Recommended vendor: Wesco Turf, Inc., Sarasota Total price: \$11,765.00 Funding: C.I.P. Project #95F21 <i>Sullivan/Pennington/7-0</i>

End Consent Agenda

- 13-a.** *Resolution authorizing the mayor to notify Colony Cablevision that its franchise expires 11/21/94. (Requested by City Manager)*
94-7304/Korest/Pennington/6-1 (VanArsdale dissenting)
- 19.** *Authorization to purchase HTE "Direct Talk 2" building permit inspection software module. (Requested by City Manager)*
Pennington/Sullivan/7-0

Open Public Input - *None*

Correspondence/Communications - *None*

Adjourn - *8:15 p.m.*