

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, March 1, 1995

Convened 9:00 a.m. / Adjourned 2:50 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 - *Council Member Fred L. Sullivan*
2. ROLL CALL - *Peter Van Arsdale absent*
3. ITEMS TO BE ADDED - *Item 23 Street closure Palm Cottage event (and set agenda)/Pennington/Sullivan/6-0 (VanArsdale absent)*
4. ANNOUNCEMENTS - *None.*

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.

Resolution	9:15 a.m.
CCSL 95-02	5. Grant a Coastal Construction Setback Line Variance to construct various recreational amenities, a pond/waterfall system, a non-habitable tea house, and a screen-enclosed pool and pool deck gulfward at 2140 and 2340 Gordon Drive. <i>95-7373/Korest/Sullivan/6-0 (VanArsdale absent)</i>
Owner:	
Westbury Properties, Inc.	
Coconut Grove on Naples Bay Ltd.	9:30 a.m.
First Reading of an Ordinance	6-a Amend an existing "PD" Planned Development for Coconut Grove on Naples Bay, Ltd. to permit reconfiguration of the existing dock located at 1001 Tenth Avenue South. <i>Reconsider at 3/15/95 regular meeting/Sullivan/Tarrant/FAILED 3-3 (VanArsdale absent) (Prior motion to approve by Sullivan/Tarrant/FAILED 3-3)</i>
Rezone Petition 95-R4	
Resolutions (2)	6-b Permit Coconut Grove on Naples Bay, Ltd. to build a second story balcony along the south side of the building over the City right-of-way. <i>95-7374/AS AMENDED to provide benches, etc. Korest/Sullivan/5-1 (VanArsdale absent ant Pennington dissenting)</i>
	6-c Permit Coconut Grove on Naples Bay, Ltd. to improve the public right-of-way and obtain credit for fifty percent of the parking spaces as provided in the Code of Ordinances. <i>95-7375 (with staff conditions) Korest/Sullivan/5-1 (VanArsdale absent and Prolman dissenting)</i>

•Resolution 10:30 a.m.

<hr/> <ul style="list-style-type: none"> •Conditional Use •Petition 95-CU1 •Petitioner: Earl L. Frye •Planning Advisory Board recommendation to approve <hr/>	<p>7. Grant a conditional use approval for a funeral home in the "C-2" zoning district, at 261 Ninth Street South. <i>DENIED/Korest/Prolman/6-0 (VanArsdale absent)</i></p>
<hr/> <ul style="list-style-type: none"> •Resolution •Request for waiver •Petitioner: First Union Bank •Staff Action Committee recommendation to approve <hr/>	<p>11:00 a.m.</p> <p>8. Approve a waiver from the Fifth Avenue South Special Overlay District standards to permit a three foot six inch high sign on the east facade of the First Union Bank building at 900 Fifth Avenue South. <i>95-7376/Tarrant/Sullivan/6-0 (VanArsdale absent)</i></p>
<hr/> <p>First Reading of an Ordinance</p> <hr/>	<p>2:00 p.m.</p> <p>9. Repeal Sections 38-51 and 38-52; and amend Sections 2-211 and 2-212 of the Code of Ordinances in order to establish a Department of Police and Emergency Services. <i>REMOVED from agenda Pennington/Sullivan/6-0 (VanArsdale absent)</i></p>
<hr/> <ul style="list-style-type: none"> •First Reading of an Ordinance •Text Amendment 95-T3 •Planning Advisory Board recommendation to approve <hr/>	<p>10. Amend the Code of Ordinances by adding a subsection "Vehicular Backing onto Public Right-of-Way." <i>APPROVED/Sullivan/Pennington/6-0 (VanArsdale absent)</i></p>
<hr/> <p>Resolution</p> <p>Finance</p> <hr/>	<p>11. Declare the City's intent to create a special assessment district for the purpose of redevelopment streetscape, including street lighting irrigation and landscaping, concrete work, and project amenities for Fifth Avenue South from Third Street to Ninth Street. <i>95-7377 Pennington/Sullivan/5-1 (VanArsdale absent and Tarrant dissenting)</i></p>
<hr/> <ul style="list-style-type: none"> •First Reading of an Ordinance •Utilities •Utilities •Resolutions (2) <hr/>	<p>12. Amend the Code of Ordinances to clarify the rate schedule for sewer service. <i>APPROVED/Pennington/Prolman/6-0 (VanArsdale absent)</i></p> <p>13. State Revolving Fund Preconstruction Loan Program:</p> <p>13-a Authorize execution of a State Revolving Fund Loan Agreement with the Florida Department of Environmental Protection to finance the City's Water Pollution Control project. <i>95-7378 AS AMENDED to provide for Mayor's signature/Pennington/Sullivan/6-0 (VanArsdale absent)</i></p> <p>13-b Accept a proposal to provide Value Engineering Services to satisfy the requirements of the U.S. Environmental Protection</p>

Agency. *CONTINUED/Sullivan/Pennington/6-0 (VanArsdale absent)*
See next page.

•First Reading
of an Ordinance

- 13-c Establish a procedure to resolve disputes arising from activities associated with the planning, design, construction, and operation of facilities financed by a loan from the Florida Department of Environmental Protection State Revolving Fund Preconstruction Loan Program in connection with the improvement of the City's wastewater treatment, sludge and reuse facilities. *APPROVED/Sullivan/Pennington 5-1 (VanArsdale absent and Tarrant dissenting)*

Finance

Second Reading of
Ordinances (2)

14. General Employees Pension Plan:
14-a **Public Hearing** to amend the provisions of the City's General Retirement Plan. *95-7379/Korest/Sullivan/6-0 (VanArsdale absent)*
14-b **Public Hearing** to establish a Defined Contribution Supplemental Retirement Plan. *95-7380/Pennington/Korest 6-0 (VanArsdale absent)*
14-c Appoint a plan administration contract with the Public Employees Benefit Services Corporation (PEBSCO) for plan administration of the City's Defined Contribution Supplemental Retirement Plan. *95-7381/Sullivan/Pennington 6-0 (VanArsdale absent)*

Resolution

•Second Reading
of an Ordinance
•Building Division

15. **Public Hearing** to amend the Building Code to provide for amendments to the Electrical Code. *95-7382/Korest/Sullivan/5-1 (VanArsdale absent and Muenzer dissenting)*

•Resolution
•Utilities

16. Appoint a Consultant Selection Committee for the purpose of establishing selection criteria, reviewing proposals submitted by professional engineering firms and setting up the interview process relative to the next phase of the second Gordon River Bridge. *95-7383 APPOINTING PENNINGTON/Korest/Sullivan/5-1 (VanArsdale absent and Tarrant dissenting)*

•Resolution
•Human Resources

17. Approve the settlement of Worker's Compensation claim for employee Rasberry Parrish, in the amount of \$50,091.00. *95-7384/Sullivan/Pennington/6-0 (VanArsdale absent)*

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.

1/23/95 Workshop
1/30/95 Workshop

18. Approval of Minutes.
Sullivan/Pennington/6-0 (VanArsdale absent)

2/13/95 Workshop
2/15/95 Regular

•CCSL Permit Approval
•Applicant:
Cutlass Cove Beach Club

19. Coastal Construction Setback Line permit approval to repair the cap on the concrete bulkhead at the Cutlass Cove Beach Club, located between 3980 and 4000 Gordon Drive.

APPROVED/Sullivan/Pennington/6-0 (VanArsdale absent)

Resolution

20. Approve a month-to-month lease with Fun Time Nursery under the same terms and conditions as set forth in the previous lease agreement.

95-7372/Sullivan/Pennington/6-0 (VanArsdale absent)

Purchasing

21. Award of bid for the removal of Australian pine and Brazilian pepper trees in the northern part of Anthony Park.

Bid #95-16

Contractor: Arbor Tree & Landscape Co., Boynton Beach, FL

Total Price: \$19,400.00

Funding: Project #94F02

APPROVED/Sullivan/Pennington/6-0 (VanArsdale absent)

Bid #95-02

22. Award of bid for an annual contract for the hauling and proper disposal of sludge from the Wastewater Treatment Plant.

Contractor: J & J Baker Enterprises, Punta Gorda, FL

Estimated expenditures through 9/30/95: \$38,520.00

Funding: Wastewater Treatment 340 (Contractual Services) Account

APPROVED/Sullivan/Pennington/6-0 (VanArsdale absent)

End Consent Agenda

23. Approve street closure for Palm Cottage event. ***Pennington/Sullivan/6-0 (VanArsdale absent)***

Open Public Input - *None*

Correspondence/Communications ***City Manager Woodruff indicated that he and the County Emergency Services Director and East Naples Fire Chief had spoken to the Taxpayers Action Group (TAG) regarding an annual user fee for emergency services as an alternative to funding through ad valorem taxes; he said he felt the group received the proposal favorably.***

Adjourn - 2:50 p.m.