

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: Marilyn A. McCord • 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

June 7, 1995

Convened 9:00 a.m. / Adjourned 4:36 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 - *Rev Hixon Helton, N. Naples Baptist Church*
2. Roll call - *all present (VanArsdale arrived 9:10 a.m. / Sullivan arrived 9:19 a.m.)*
3. Items to be added - *none*
Set agenda/Pennington/Korest/6-0 (Sullivan absent)
4. Announcements - *Adm. Asst. Mary James recognized for receiving B.A. degree*

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.

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| •Resolution | 9:15 a.m. |
| •Conditional Use | 5. Request for conditional use approval for an off-site parking facility at |
| Petition 95-CU5 | 1190 First Avenue South to serve the Waterloo Station Complex. |
| •Petitioner: | 95-7447/Pennington/Prolman/7-0 |
| Jane Hunt Alander | |
| •Planning Advisory Board | |
| recommendation to | |
| approve | |
| <hr/> | |
| •Resolution | 9:30 a.m. |
| •Nonconformity | 6. Request for a change in a nonconformity in order to permit the "Tiki |
| Petition 95-N1 | II" charter boat to be replaced by the "Buoy One" charter boat at Slip |
| •Petitioner: | #2, Ole Marina Docks, 1166 Sixth Avenue South. |
| Tiki Boat Tours | Continued to 7/19/95 regular meeting at request of petitioner |
| •Agent: John Winnie | Pennington/Sullivan/7-0 |
| •Planning Advisory Board | |
| recommendation to deny | |
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| •First Reading | 10:30 a.m. |
| of an Ordinance | 7. Consider an ordinance amending the comprehensive plan future land |
| •Small Scale Comprehensive | use element to allow a four-unit transient lodging facility to remain or |
| Plan Amendment 95-CPASS2 | be rebuilt at 633 Fourth Avenue South. |
| •Petitioners: Mr. & Mrs. J.Y. | Approved/Korest/Pennington/7-0 |
| Hardy • Agent: Thomas | |
| Franchino | |

•Denied 5/3/95 for further language change

•First Reading of an Ordinance

•Small Scale

Comprehensive Plan Amendment 95-CPASS3

•Petitioner:

Alessandra Higgs

•Agent: Thomas Franchino

•Planning Advisory Board recommendation to deny

11:00 a.m.

8. Consider an ordinance amending the comprehensive plan future land use map from medium density residential to limited commercial to allow for redevelopment of the property at 395 Sixth Street South in a manner compatible with C1-A zoning.

Denied/Sullivan/Tarrant/7-0 (Staff will return with a comprehensive plan amendment to allow a professional office use in conjunction with single family unit; no additional fees charged petitioner for this process)

•Resolution

•Staff Action Committee recommendation to deny

11:30 a.m.

9. Request by L'Auberge Restaurant, 602 Fifth Avenue South for a waiver from the Fifth Avenue South Overlay District requirements in order to permit the continued existence of a recently installed nonconforming vertical awning.

Denied/VanArsdale/Korest/6-1 (Tarrant dissenting; prior motion by Tarrant to approve did not receive a second)

•Resolution

•CCSL 95-08

•Petitioner: Nacon Corp.

•Agent: Humiston & Moore

11:45 a.m.

10. **Public Hearing** to consider a request for a variance in order to construct the following Gulfward of the Coastal Construction Setback Line: a spa adjacent to an existing swimming pool; two porches; non-habitable space to two garages; habitable second-story space above the garages; an entrance foyer and gallery; and internal remodeling.

95-7453/Korest/Pennington/7-0

•Second Reading of an Ordinance

•Approved on

First Reading 5/17/95

•Resolution

1:00 p.m.

11-a. **Public Hearing** to consider an ordinance amending Chapter 78 of the Code of Ordinances adding Article IV entitled "Charter Boats," incorporating definitions, occupational license requirements, location requirements, landside facilities requirements, signage requirements and enforcement provisions.

95-7454/Pennington/Sullivan/6-1 (VanArsdale dissenting)

11-b. Establishment of an Ad Hoc Charter Boat Advisory Committee to assist in implementation of Charter Boat regulations.

Withdrawn; committee is advisory to City Manager and will be appointed by City Manager.

•Resolution

•Community Services

2:00 p.m.

12. Adoption of Cambier Park master plan.

95-7455 - Adopt Plan #1 as submitted by staff this date

Pennington/Korest/5-2 (Tarrant and VanArsdale dissenting; prior

motion by VanArsdale, seconded by Prolman to approve Plan #3 by Halback failed 5-2 Korest, Pennington, Sullivan, Tarrant and Muenzer dissenting)

•First Reading
of 2 Ordinances
•Resolution

3:00 p.m.

13-a. Consider an ordinance establishing regulations and providing procedures for the issuance of franchises to construct, install and operate lines, wires, poles, coaxial cable, fiber optics cable, transmitters, receivers and appurtenances for originating, receiving, distributing and supplying radio, television, telephone, voice, data, other communications, or any other technology that is used by video programming or across and upon the public streets, public utility easements, ways, alleys, private property, and places within the City of Naples. *Withdrawn by staff; to be resubmitted*

13-b. Consider an ordinance amending cable television franchise Ordinance 3388 to change the grantee to Continental Cablevision, Inc., or its wholly-owned subsidiary Colony Communications, Inc., to establish requirements for a guaranty and other assurances, and to extend the term of the franchise to December 31, 1995, subject to the proposed transfer from Providence Journal Company to Continental Cablevision, Inc., being completed on or before July 31, 1995
Withdrawn by staff; to be resubmitted

13-c. Approval of the terms of a stipulation agreement between Continental Cablevision, Inc., Providence Journal Company on behalf of its Colony Cablevision of Florida Division, and the City of Naples; and approval of a set aside agreement between Providence Journal Company on behalf of its Colony Cablevision of Florida Division and the City of Naples. *Withdrawn by staff; to be resubmitted*

13-d. (Added by staff) Extension of time period for reviewing FCC Form 394 submitted by Continental Cablevision, Inc., and Providence Journal Company regarding transfer of ownership of CATV system in the City of Naples.
95-7456/Pennington/Sullivan/6-0 (VanArsdale absent)

•First Reading
of an Ordinance
•Text Amendment
Petition 95-T8
•Planning Advisory Board
recommendation to
approve

14. Consider an ordinance amending Section 86-201(b) of the Comprehensive Development Code to provide alternate standards for trash enclosures in the redevelopment district and to formally provide dimensional standards for trash enclosures in commercial districts.
Approved AS AMENDED to include standards for construction of access driveways in the redevelopment district
Sullivan/VanArsdale/7-0

•First Reading
of an Ordinance
•Text Amendment
Petition 95-T10

15. Consider an ordinance amending Section 102-1095 of the Comprehensive Development Code to clarify the parking reserve program, and to clarify the shared parking program for the Fifth Avenue South Overlay District.

•Planning Advisory Board
recommendation to
approve

Approved/Korest/Pennington/7-0

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| <hr/> <p>•Planning</p> | 16. | Request for input from residents, nonprofit organizations and other interested parties in conjunction with development of the City's consolidated five-year plan to identify housing, economic development and community development needs for very low, low, and moderate income residents. <i>Authorize to proceed with public input period; return to City Council on 8/2/95</i>
<i>Pennington/Sullivan/7-0</i> |
| <hr/> <p>•First Reading
of an Ordinance
•Planning Advisory Board
recommendation to
approve</p> | 17. | Consider an ordinance amending Section 106-235 of the Comprehensive Development Code to address removal of noxious plant species as properties develop and redevelop.
<i>Withdrawn by staff; will be resubmitted for first reading on 7/19/95.</i> |
| <hr/> <p>•Second Reading
of (2) Ordinances
•Approved on
First Reading 5/17/95</p> | 18-a. | Public Hearing to consider an ordinance proposing annexation of the area known as "West Boulevard," providing a ballot question and a mail ballot date. <i>95-7449/Sullivan/Pennington/7-0</i> |
| | 18-b. | Public Hearing to consider an ordinance proposing annexation of the area known as "High Point," providing a ballot question and a mail ballot date. <u>PLEASE NOTE: A substitute ordinance will be presented for first reading.</u> <i>First reading approved/Korest/Sullivan 5-2 (Pennington and Tarrant dissenting)</i> |
| <hr/> <p>•Second Reading
of an Ordinance
•Approved on
First Reading 5/17/95</p> | 19. | Public Hearing to consider an ordinance amending Section 114-132(a) of the Code of Ordinances regulating the use of vessels as residences for ten days or longer.
<i>95-7448 <u>AS AMENDED</u> to add "regulating the use of certain marinas" in title and deleting "until October 1, 1996" in Subsection (a)(11) / Sullivan/Pennington/7-0</i> |
| <hr/> <p>•Second Reading
of an Ordinance
•Approved on
First Reading 5/17/95</p> | 20. | Public Hearing to consider an ordinance amending Section 118 of the Code of Ordinances to revise and add definitions to provisions regarding building permits, electrical permits and plumbing permits; deleting sections on mechanical permits, antenna permits, well permits and driveway permits; and revising permit fees. <i>95-7452 <u>AS AMENDED</u> to clarify that Section 118-91 (j) does not apply to repair of sprinkler systems or drainage systems / Korest/Pennington/7-0</i> |
| <hr/> <p>•Second Reading
of an Ordinance</p> | 21. | Public Hearing to consider an ordinance amending the comprehensive plan future land use map from low-density residential |

•Approved on First Reading 5/3/95		to highway commercial for a parking lot on the southwest corner of 28th Avenue North and 10th Street. <i>95-7450/Pennington/VanArsdale/7-0</i>
•Second Reading of an Ordinance •Approved on First Reading 5/17/95	22.	Public Hearing to consider an ordinance amending Section 86-205 of the Comprehensive Development Code to revise methods and standards for approval of variances. <i>95-7451/Pennington/Prolman/6-1(Tarrant dissenting)</i> Consent Agenda All matters taken under this section 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. <i>Approve consent agenda (Items 23-27 and 30); Item 28 withdrawn by staff and Item 29 removed from consent agenda for separate consideration</i> <i>Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
	23.	Approval of minutes. <i>Approved/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
•Purchase Order •Utilities	24.	Authorization to purchase a replacement vacuum pump for the water treatment plant sludge handling facility. Vendor - Monarch Engineering Systems, Dunedin, Florida / Price - \$12,266.00 / Funding - CIP Project #95K10 <i>Approved/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
•Emergency Purchase Order •Utilities	25.	After-the-fact approval of emergency repair of break in 16 inch raw water main at Goodlette and Pine Ridge Roads. Contractor - Florida State Underground, Naples, Florida / Cost - \$12,116.34 / Funding - CIP Project #95L02 <i>Approved/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
•Purchase Order •Community Services	26.	Authorization to purchase a 2½ ton truck with trash crane and dump body. Vendor - Atlantic Ford Truck Sales, Fort Lauderdale, Florida / Price - \$58,940.00 / Funding - CIP Project #95P09 <i>Approved/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
•Resolution •Planning	27.	Authorization for St. Ann School, 542 Eighth Avenue South, to continue using four temporary classrooms for up to two additional years. <i>95-7446/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i>
•Utilities	28.	Authorization to procure general contracting services for small projects on an as-needed basis under Collier County bid RFP #95-2334. <i>Withdrawn by staff; will be resubmitted</i>
•Resolution •City Manager	29.	Authorization to enter into a contract with Dunlop & Associates for ongoing financial advisory services related to municipal bond issues.

Continue to June 21st regular meeting; contract will be revised; and staff will review current contract with Evensen-Dodge Pennington/Sullivan/7-0

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| <p>•Bid Award
•Utilities</p> | <p>30. Award of bid for 12 flow metering devices for the Coastal Ridge wellfield. Vendor - Davis Meter & Supply, Fort Myers, Florida / Total Price - \$10,277.52 / Funding - CIP Project #95X09
<i>Approved/Pennington/Tarrant/5-0 (Sullivan and VanArsdale absent)</i></p> |
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End Consent Agenda

Open public input - *None*

Correspondence / Communication - *None*

Adjourn - *4:36 p.m.*

Items were considered in the following order: 23-27, 30, 4, 5, 19, 6, 15, 18-a, 18-b, 21, 20, 29, 7, 8, 9, 10, 11-a, 11-b, 12, 13-a, 13-b, 13-c, 13-d