

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
Wednesday, October 4, 1995
Convened 8:59 a.m./ Adjourned 3:14 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 Susan Diamond*
2. Roll call - *Vice Mayor Korest and Council Member Prolman absent*
3. Items to be added - *Set agenda as amended below and add the following items / Sullivan / Pennington / 5-0 (Korest and Prolman absent):*
Item 24 - Ordinance (First Reading) to correct error in system development fees
Item 25 - Resolution granting charter boat capacity exception
Item 26 - Discussion on Council's position regarding further consideration of Gordon River Bridge
Amend Item 13 - Correct agenda item title to read "Consider a charter boat capacity exception for Nautilus I and Nautilus II."
4. Announcements
Proclamation - FoCuS Kick-off Day (The Future of Collier County Created by Us)

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.

•First Reading of an Ordinance
•Rezone Petition 95-R11
Petitioner: Resolution Hospitalities
•Planning Advisory Board
recommendation to approve

9:10 a.m.

5. Consider an ordinance rezoning a 1.98 acre parcel at the southeast corner of U.S. 41 and High Point Drive from HC Highway Commercial to PD Planned Development in order to accommodate construction of a hotel. *Approved as amended to require directional signage at parking lot exit, to delete the 10th Street exit and to include conditions recommended by Staff and Planning Advisory Board/ VanArsdale/ Pennington/ 3-2 (Korest and Prolman Absent/Tarrant and Sullivan dissenting)*
NOTE: This petition was denied due to lack of required 4 favorable votes.

•Resolution
•Subdivision Plat Petition 95-SD3
•Petitioner: Donald Lusk
•Agent: McAnly, Asher & Assoc.
•Planning Advisory Board
recommendation to approve

9:25 a.m.

6. Consider a preliminary and final plat for a seven unit subdivision to accommodate the "Villas of Old Naples" condominiums, 425-455 Second Avenue South.

Continued to 11/1/95 Regular Meeting with prior Workshop discussion/VanArsdale/ Sullivan/ 4-1 (Korest and Prolman absent/Tarrant dissenting) A previous motion by Tarrant to approve the petition as submitted failed due to lack of second. Another previous motion by VanArsdale to deny this petition; seconded by Sullivan was withdrawn.

•Resolution
•Alley Vacation Petition 95-AV4
•Petitioners: Mars Partners, Ltd \ Mitza Bozin
•Planning Advisory Board
recommendation to deny

10:00 a.m.

7. Consider vacating the southern 136 feet of a 20 foot wide north-south alley immediately east of 611 Tenth Avenue South to satisfy the side yard setback requirement for a multi-family project.

Denied/VanArsdale/Pennington/ 3-2 (Korest and Prolman absent/Sullivan and Tarrant dissenting)

•Resolution
•Variance Petition 95-V10
Petitioners: John and June Tafel
•Agent: John Stanley
•Planning Advisory Board
recommendation to approve

10:20 a.m.

8. Consider a variance from Section 102-176, Minimum Yards, in order to allow a portion of an existing residence to encroach into a side yard setback at 481 21st Avenue South.
95-7539/Pennington/VanArsdale/ 5-0 (Korest and Prolman absent)

•Resolution
•CCSL 95-13
•Petitioner: Bronislava Demtchouk
Agent: Humiston & Moore Engineers
•Continued from 9/20/95

10:30 a.m.

9. **Public Hearing** to consider a request for a variance to construct a single-family residence and an elevated swimming pool and pool deck Gulfward of the Coastal Construction Setback Line at 2790 Gordon Drive.
95-7540/Sullivan/Pennington/ 5-0 (Korest and Prolman absent)

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| <p>•Resolution •Requested by Planning</p> | <p>11:00 a.m. 10. Consider revocation of a prior conditional use approval for live entertainment at Mageiro's Restaurant, 2840 North Tamiami Trail. <i>Continued to 11/1/95 Regular Meeting/ VanArsdale/Tarrant/ 3-2 (Korest and Prolman absent/Pennington and Sullivan dissenting)</i></p> |
| <p>•Second Reading of an Ordinance •Approved on First Reading 9/20/95</p> | <p>11:30 a.m. 11. Public Hearing to consider revising the rates for stormwater management utility fees. <i>95-7541 Pennington/VanArsdale/ 4-1 (Korest and Prolman absent/Tarrant dissenting)</i></p> |
| <p>•First Reading of an Ordinance •Comprehensive Plan Amendment 95-CPA2 •Petitioner: City of Naples •Planning Advisory Board recommendation to approve •Continued from 9/20/95</p> | <p>12. Consider an ordinance amending the Comprehensive Plan Future Land Use Element in order to recognize a second Gordon River Bridge. <i>(Staff is requesting that this item be withdrawn.)</i> <i>Withdrawn by staff</i></p> |
| <p>•Continued from 9/20/95</p> | <p>13. Consider a charter boat capacity exception for <i>Nautilus I and Nautilus II (Agenda Title Amended)</i> <i>95-7542/Sullivan/Pennington/ 5-0 (Korest and Prolman absent)</i></p> |
| <p>•Pursuant to Charter Section 13.3</p> | <p>14. Appointment of a member to the canvassing board for the City of Naples general election of February 6, 1996. <i>95-7544/Appoint Council Member Fred L. Sullivan/Pennington/VanArsdale/ 5-0 (Korest and Prolman absent)</i></p> |
| <p>•Bid 95-2398 (Collier County) •Utilities</p> | <p>15. Award of bid for water and wastewater treatment chemicals. Vendor: Allied Universal Corp., Miami, Florida \ Estimated Annual Expenditure \$225,000 \ Funding: Water and Wastewater 580 accounts <i>Approved/Sullivan/Pennington/ 4-0 (Korest, Prolman, VanArsdale absent)</i></p> |

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.

Approve consent agenda (Items 16-21 and 23); Item 22 removed from consent agenda for separate consideration/ Pennington / Sullivan / 5-0 (Korest and Prolman absent)

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| | 16. | Approval of Minutes <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i> |
| •Requested by Special Events Committee | 17. | Approval of the following special events: Heartwalk, 10/7/95 Oktoberfest, 10/13-15/95 Swamp Buggy Parade, 10/28/95 Red Ribbon Week foot race 10/28/95 <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i> |
| •Development Services | 18. | Authorization to purchase a used replacement vehicle for the Building & Zoning Division. Vendor: Budget Car Sales, Ft. Myers, Florida \ Price \$14,800.00 \ Funding: CIP Project#95B03 <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i> |
| •Equipment Services | 19. | Authorization to purchase under Florida state contract tires and tubes for City vehicles. Vendor: All American Truck Tire Center, Naples, Florida \ Estimated Annual Expenditure \$80,000.00 \ Funding: Equipment Services operating budget <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i> |
| •Utilities •RFP 95-26 | 20. | Authorization to contract for underground utility projects on as-needed basis. <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i> |

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| <p>•Pursuant to Avion Park Special Assessment District</p> | <p>21. Award of bid for maintenance dredging of Avion Park canals. Contractor: Aztec Development, Orlando, Florida \ Price \$54,499.00 \ Funding: Avion Park Special Assessment District <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i></p> |
| <p>•Bid 95-48 •Community Services</p> | <p>22. Award of bid for street benches for Fifth Avenue South \ Vendor: Date Industries, Ayr, Ontario, Canada \ Total Cost \$31,725.00 \ Funding: CIP Project #94I01 <i>Award of bid for street benches for Fifth Avenue South\Vendor: American Site Furniture, Inc., Concord, Massachusetts\Total Cost \$35,730.00\Funding: CIP Project #94I01</i> <i>Approved/VanArsdale/Pennington/ 5-0 (Korest and Prolman absent)</i></p> |
| <p>•Bid 94-2250 (Collier County) •Utilities</p> | <p>23. Award of bid for annual purchases of water treatment polymer used as a filter aid. Vendor: Leahchem Industries \ Estimated Annual Expenditure \$11,250.00 \ Funding: Water Plant 520 account <i>Approved/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)</i></p> |

End Consent Agenda

24. (First Reading) Consider an amendment to sewer system development charge relating to rates and charges for sewer service
Approved/Sullivan/Pennington/ 4-0 (Korest, Prolman, VanArsdale absent)
25. Consider a charter boat capacity exception for "Fish Finder"
95-7543/Pennington/Sullivan/ 5-0 (Korest and Prolman absent)
26. Discussion requested by Council Member Pennington to determine City Council's position regarding Gordon River Bridge
Direct Council Member Pennington to instruct M.P.O. of Council's position that there should not be another Second Gordon River Bridge

*referendum in 1996 and the rebuilding of existing bridges should move forward as scheduled
Approved/Pennington/Sullivan/ 4-1 (Korest and Prolman absent/VanArsdale dissenting)*

(City Attorney Chiaro to research legal resources available to City Council to keep the Gordon River Bridge at six lanes.)

Correspondence and Communications - City Manager Richard Woodruff announced that representatives of bond rating agencies would be in Naples on October 9, 1995 to meet with the mayor and staff members.

Mayor Muenzer stated that a Workshop is scheduled for October 9, 1995 in order to conduct interviews for various advisory board vacancies.

Council Member Tarrant relayed the request of Thomas Becnel to meet with Council in a workshop setting to discuss possible development plans for Naples Cay.

Open Public Input - None

Adjourn - 3:14 p.m.

Agenda Items considered in the following order:

3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 25, 26, 22, 14, 15, 24