

Annotated
Naples City Council Agenda
City Council Chamber, 735 Eighth Street South, Naples, Florida
Mayor: Bill Barnett
Vice Mayor: Marjorie Prolman

City Council: Bonnie R. MacKenzie, John R. Nocera, 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 4 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, May 1, 1996
Convened 9:00 a.m. / Adjourned 11:38 a.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 - *The Reverend Dr. Bob Wallace*
2. Roll call - *All present*
3. Items to be added - *None*
4. Announcements - *None*

CCSL 96-02
Petitioners: Robert and Judith Lewis
Agent: Humiston & Moore Engineers

- 9:05 a.m.**
5. **Public Hearing** to consider a request for a variance to construct two single-family residences, one with an in-ground swimming pool and pool deck, and to add a landward wing to an existing residence, seaward of the Coastal Construction Setback Line at 649 Gulf Shore Blvd., North (Lots 2 and 3, Vista Del Mar Subdivision)
96-7696/Van Arsdale/Nocera/6-1 (Tarrant dissenting)

•First Reading of an Ordinance
•Rezone Petition 96-R3
•Petitioner: Pamlico Terrace, Ltd.
Agent: Cheffy & Passidomo
•Planning Advisory Board
recommendation to approve

- 9:15 a.m.**
6. Consider an ordinance rezoning Little Harbor Subdivision, 2177 Gordon Drive, in order to amend the Planned Development Document to permit construction of cupolas, towers and belvederes to a height of 35 feet.
Approved/Sullivan/Prolman/7-0

<ul style="list-style-type: none">•Resolution•Variance Petition 96-V8•Petitioners: Gardner and Jane Larned•Agent: Vogel, Davis & Vogel•Planning Advisory Board recommendation to approve	<p>9:25 a.m.</p> <p>7. Consider granting a variance to permit an existing 2.7 foot side yard encroachment for the residence at 4370 Gordon Drive.</p> <p><i>96-7697 as amended to apply only to the encroachment as it exists, no extension along the side yard/ MacKenzie/Sullivan/7-0</i></p> <p><i>A prior motion Van Arsdale to approve the resolution as written failed for lack of second.</i></p>
<ul style="list-style-type: none">•Resolution•Conditional Use Petition 96-CU11•Petitioner: Moorings Presbyterian Church•Agent: Boughton Architects•Planning Advisory Board recommendation to approve	<p>9:30 a.m.</p> <p>8. Consider granting a conditional use for additions and renovations to Moorings Presbyterian Church, 791 Harbour Drive.</p> <p><i>96-7698/Van Arsdale/Sullivan/7-0</i></p>
<ul style="list-style-type: none">•First Reading of an Ordinance•Rezone Petition 96-R2•Petitioner: Inn of NaplesAgents: Barany, Schmitt, Weaver Hole, Montes & Assoc.•Planning Advisory Board recommendation to deny	<p>10:00 a.m.</p> <p>9. Consider rezoning the Inn of Naples, 4055 North Tamiami Trail, from "HC" Highway Commercial to "PD" Planned Development.</p> <p><i>Approved as amended to include a request that consideration be given to connecting the parking lot to the Northern Trust parking lot in accordance with existing codes/ Van Arsdale/ Sullivan/7-0</i></p>
<ul style="list-style-type: none">•2 Resolutions•Conditional Use Petition 96-CU10•Variance Petition 96-V9•Petitioner: Gordon River Hotel Associates•Agent: Mary Elen Bundschu Burnup•Planning Advisory Board recommendation to approve	<p>10. Consider granting a conditional use for a parking needs analysis, and a variance to permit a parking lot without on-site circulation and construction of a pool deck in front and rear yard setbacks, at the Comfort Inn, 1221 Fifth Avenue South.</p> <p>Item 10-a (conditional use for a parking needs analysis)</p> <p><i>96-7699 amended as follows: 1) Section 2(5e) - to allow one, non-amplified musician to perform no later than 10:00 p.m.; 2) Section 2 (7) - landscape buffer to be professionally created and approved by staff; and, 3) Section 2 (8) - additional language in last sentence of the paragraph to clarify: . . . Development of the boardwalk shall be in accordance with the site plan submitted by W. Dexter Bender and Associates, last dated January 17, 1996, <u>as may be amended by approval of Council</u> . . .; 4) to</i></p>

include a prohibition against personal watercraft such as jet skies (sit down variety) with a definition of this watercraft to be provided by the City Attorney/ Van Arsdale/Nocera/6-0 (Sullivan absent)

Item 10-b (a variance to permit a parking lot without on-site circulation and construction of a pool deck in front and rear yard setbacks)
96-7701/Van Arsdale/Nocera/6-0 (Sullivan absent)

•First Reading of an Ordinance
•Text Amendment 96-T4
•Planning Advisory Board
recommendation to approve

11. Consider amending Section 86-203 of the Comprehensive Development Code to adopt revocation procedures for conditional uses that are not dependent upon the issuance of a building permit.
Approved as amended in Section 2 (Subsection 86-203- e) last word of paragraph (1) modified from "and" to "or"/Van Arsdale/Nocera/5-1 (Prolman dissenting; Sullivan absent)

•First Reading of an Ordinance
•City Manager

12. Consider amending Code of Ordinance Section 2-357 to provide for City Council review of all professional services contracts or expenditures for consultant study services.
Approved/Tarrant/Van Arsdale/6-0 (Sullivan absent)

•First Reading of an Ordinance
•Police and Emergency Services

13. Consider amending Code of Ordinance Section 78-106 to provide a new definition for beach access points.
Approved/Van Arsdale/Prolman/6-0 (Sullivan absent)

•Resolution
•Finance

14. Consider a declaration of intent to create a Special Assessment District to provide a central sewage system in the Twin Lakes commercial area.
96-7700/Van Arsdale/Prolman/6-0 (Sullivan absent)

•Resolution
•Finance

15. Consider authorizing the City Manager to execute a three-year contract with KPMG Peat Marwick, LLP, to audit the City's

financial records on a fiscal year basis.
**96-7702/Van Arsdale/Tarrant/6-0 (Sullivan
absent)**

•Development Services

16. Authorization to execute a change order for \$125,000 with Kyle Construction to accomplish additional emergency storm sewer repair.
**Approved/Van Arsdale/Nocera/6-0 (Sullivan
absent)**

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 17, 18, 19, 20, and
remove Item 21 for separate discussion/
Sullivan/Van Arsdale/7-0**

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17. Approval of Minutes - **3/18/96 Workshop Meeting; 3/20/96 Regular Meeting; 3/25/96 Workshop Meeting; 4/3/96 Regular Meeting; 4/8/96 Workshop Meeting (including corrections requested by Council); 4/9/96 Special Meeting**

**•Bid 96-26
•Utilities**

18. Award of bid for removal of underground fuel tanks at City facilities. Vendor: Southern Tank & Pump, North Fort Myers, Florida \ Cost \$18,920.00 \ Funding CIP Projects #94S10, #96S10 and #95X19.
Approved/Sullivan/Van Arsdale/7-0

**•Bid 96-38
•Utilities**

19. Award of bid for 3 magnetic flow meters for the Water Treatment Plant softening units. Vendor: Sparling Instruments, El Monte, Calif . \ Total Cost \$45,411.00 \ Funding: CIP Project #96K17
**Approved/Sullivan/Van Arsdale/7-0
Staff will research why more companies could not
meet the State requirements in the bid
specifications.**

**•Purchase Authorization
•Utilities**

20. Authorization to issue a purchase order for two replacement trucks for the Water

Distribution Division. Vendor: Tamiami

Ford, Naples, Florida / Total Price
\$43,526.07 / Funding CIP Project #94L06
and #96L06

Approved/Sullivan/Van Arsdale/7-0

•Resolution
•City Attorney

21. Authorization to release all restrictions and restrictive covenants in favor of the City for a 100 square foot parcel of the Key Island shore station property.

96-7695/Sullivan/Van Arsdale/7-0

Open Public Input - None

Correspondence and Communications

City Manager Richard Woodruff reported on the April 27th Exotic Tree Removal Day and also announced that a field Workshop Meeting would be held on Monday, June 3, 1996 (7:00 p.m.) in Avion Park.

Adjourn - 11:38 a.m.

Agenda Items were considered in the following order:

1,2,3,4,17,18,19,20,21,5,6,7,8,9,10a,10b,13,11,12,14,15,16