



City of Naples's

City Council Chamber
City Council Joint Workshop Meeting
Naples, Florida August 5, 1996
Convened 8:25 a.m. / Adjourned 4:12 p.m.

ADJOURN	9
4:12 p.m.	
DISCUSSION OF OPEN ANCHORAGES IN CRAYTON COVE - Item 6	4
DISCUSSION RELATING TO REPLACEMENT OF THE KEEWAYDIN FUELING FACILITY - Item 8	5
INTERVIEWS FOR C.E.B. AND C.R.A.A.B. - Item 3	2
Resolution 96-7754 (Appointing Leonard Reina to C.E.B.)	
Resolution 96-7755 (Appointing Robert Kleinertz to C.E.B.)	
ITEMS TO BE ADDED- Item 2	2
Item 8 - Replacement of Keewaydin fueling facility	
JOINT REVIEW OF VISION 2005 COMPREHENSIVE PLAN - Item 7	5
OPEN PUBLIC INPUT	8
RECORDS MANAGEMENT REPORT - Item 4	2
REVIEW OF 8/7/96 REGULAR MEETING AGENDA ITEMS - Item 5	4
ROLL CALL - Item 1	1

City Council Joint Workshop Meeting - August 5, 1996 - 8:30 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALL

ITEM 1

Present: Bill Barnett, Mayor
Marjorie Prolman, Vice Mayor

Council Members:
Bonnie R. MacKenzie
John R. Nocera
Fred L. Sullivan
Fred Tarrant
Peter H. Van Arsdale

Also Present:

Dr. Richard L. Woodruff, City Manager	Arnold Garfinkel
Maria J. Chiaro, City Attorney	Richard Klaas
Missy McKim, Planning Director	Gail Pettey
Tara Norman, City Clerk	Dudley Goodlette
Dr. Jon Staiger, Natural Resources Mgr.	Steve Lewis
Ron Lee, Planner III	Chip Case
Bob Egan, Dockmaster	Robert Flinn
Virginia Neet, Deputy City Clerk	Herbert Marlowe, Jr., Ph.D.
George Henderson, Sergeant-at-Arms	Mike Watkins
Charles Andrews	Kevin Dugan
Don Johnson	Ed Beckhorn

Planning Advisory Board:

Andrea Clark Brown

James Rideoutte

Kenneth Abernathy

Dennis Cronin

Rex Storter

Media:

Carl Loveday, WNOG

David Taylor, Continental Cablevision

ITEMS TO BE ADDED (8:25 a.m.)ITEM 2
Council Member Nocera Requested the addition of Item 8 (Discussion relating to replacement of the Keewaydin fueling facility)

.....ITEM 3
INTERVIEWS TO FILL VACANCIES ON THE COMMUNITY REDEVELOPMENT ADVISORY BOARD AND CODE ENFORCEMENT BOARD (8:25 a.m.)

The following candidates were interviewed for appointment to the Community Redevelopment Advisory Board: Arnold Garfinkel, Donald Johnson, Richard Klaas, A. Gail Pettey

It was the consensus of Council to defer appointments to the Community Redevelopment Advisory Board pending an interview with candidate Elizabeth Winnie at the next Workshop Meeting. Council will submit their written opinions to the City Manager relating to possible expansion of the Community Redevelopment Advisory Board membership.

Council then conducted Interviews with Robert Kleinertz and Leonard Reina, candidates for appointment to the Code Enforcement Board. It is noted for the record that William Thralls withdrew his candidacy prior to this meeting.

RESOLUTION 96-7754.....ITEM 3 (1)
A RESOLUTION APPOINTING ONE MEMBER TO THE CODE ENFORCEMENT BOARD FOR A THREE-YEAR TERM; AND PROVIDING AN EFFECTIVE DATE.

Public Input: None. (9:34 a.m.)

MOTION by MacKenzie to APPOINT LEONARD REINA TO THE CODE ENFORCEMENT BOARD; seconded by Prolman and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7755.....ITEM 3 (2)
A RESOLUTION APPOINTING ONE MEMBER TO THE CODE ENFORCEMENT BOARD FOR A THREE-YEAR TERM; AND PROVIDING AN EFFECTIVE DATE.

Public Input: None. (9:34 a.m.)

MOTION by Sullivan to APPOINT ROBERT KLEINERTZ TO THE CODE ENFORCEMENT BOARD; seconded by Van Arsdale and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

Break 9:37 a.m. - 9:54 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

REPORT ON RECORDS MANAGEMENT STUDY -
FLORIDA DATA BANK, INC. (9:54 a.m.)ITEM 4

Steve Lewis, of Florida Data Bank, Inc., described the Florida Public Records Law, Chapter 119, Florida Statutes, as the most rigorous in the nation imposing the following obligations upon the City of Naples: 1) all information created or received by the City is a public record; 2) all of the public records are open to inspection to any person unless specifically exempted by statute, and; 3) public records may not be destroyed without written authorization of the Secretary of the State of Florida. He further defined "records management" as a discipline calculated to impose a systematic and

comprehensive control of public information including both legal requirements and efficient, economical storage. Referring to *Records Management Plan*, Mr. Lewis outlined the components of good records management and reported that the City of Naples is creating and retaining more information than required by law. (A copy of this material is contained in the file for this meeting in the City Clerk's Office.) Mr. Lewis stressed the need for a comprehensive records inventory which would then be compared to existing Department of State retention schedules. All records, he added, that have met this retention schedule and can be legally destroyed, should be destroyed. He also made recommendations relating to electronic imaging, off-sight storage, and approaches to prevent the creation of public records, specifically duplicate records. He explained that record preservation methods should correlate with retrieval demands noting that microfilm is still the most efficient means for long term records preservation. He also pointed out that the quality and use of microfilm within the City could improve significantly through the creation of computer indexes. Additional recommendations included an agency-wide filing system and improvements in the City's techniques for hard copy retention. (The information referred to by Mr. Lewis is contained in the *Records Management Plan* already referred to as on file.)

Council discussion then focused on the retention schedule for the audio tapes of City Council Meetings. Mr. Lewis explained that State law permits destruction of these recording two calendar years after certification of the transcript (the minutes) and upon written authorization from the Secretary of State. Although State law does not required audio taping of the meetings, public access is required once the tapes are created. Council Members Van Arsdale and MacKenzie took the position that audio tape recordings are helpful and should be retained longer than required to which Mr. Lewis cautioned that any deviation from the State's retention schedule should be carefully documented, preferably in ordinance or resolution form, with sound reasoning behind it. He also outlined State law requirements regarding the destruction of public records which is contained in the *Records Management Plan*. Council Member Van Arsdale then commented that the recommendations, as presented, should be implemented within the context of the City's total document management system and suggested more focus on a document retrieval system.

City Clerk Tara Norman reported that the City Clerk's Office currently stores City Council audio tapes dating back to the 1960's, when the procedure was instituted, but noted problems regarding voice recognition. She then requested the following direction from Council: 1) acceptance of the report; 2) permission for the City Clerk to undertake a records inventory and come back to Council with an implementation plan and related costs. City Attorney Chiaro suggested that the department heads be involved in the records inventory and Mrs Norman stated that Mr. Lewis may be needed to train department heads prior to the records inventory.

In response to Council Member Tarrant, Mr. Lewis clarified that the State's jurisdiction over public records is limited to public agencies; however, this jurisdiction may extend to private entities acting on behalf of a public agency. He also explained that "public meetings" are governed by Chapter 286, Florida Statutes, which defines the types of meetings where the public has a right of access and the right to review minutes. He clarified, however, that the State does not require that voice recordings be created or transcribed.

It was the consensus of Council to accept the Records Management Plan and to proceed with a comprehensive records inventory.

.....ITEM 5
REVIEW OF ITEMS ON 8/7/96 REGULAR MEETING AGENDA (10:41 a.m.)

Item 8 (Old Florida Pub Conditional Use) Council Member Van Arsdale requested information regarding traffic counts for 10th Street and the impact of the diverter. Council Member MacKenzie requested information regarding hours of operation and exterior signage. **Item 12 (Variance to Construct a 4-Foot Fence)** Vice Mayor Prolman questioned whether landscaping would be installed to hide the fencing. Council Member MacKenzie requested verification of the fence's location. **Item 13 (Conditional Use for Thrift Store at Humane Society of Collier County)** Vice Mayor Prolman requested additional information regarding the proposed residential unit. **Item 14 (Conditional Use for Wastewater Treatment Plant Expansion)** Council Member MacKenzie requested additional information regarding the perimeter boardwalk, existing bird habitat, and public safety issues raised during the departmental review. Vice Mayor Prolman asked for information regarding the exotic trees ~~to be planted on the property.~~ **Item 16 a-d (Champney Bay)** Council Member MacKenzie requested information relating to section of this property sold prior to this petition. **Item 23 (Community Development Block Grant Program)** Staff provided Council with additional information/explanation regarding the grant program. **Item 27-a Special Event Approval-Old Naples Cruise)** Council Member Nocera requested a copy of the application. **Item 29 (Purchase of Reconditioned Breaker for the Water Treatment Plant)** ~~Vice Mayor Prolman~~ Council Member MacKenzie requested that this item be removed from the Consent Agenda for separate discussion.

City Manager Richard Woodruff informed Council that emergency purchase authorization for a Wastewater Treatment Plant generator would be added to the agenda.

DISCUSSION OF OPEN ANCHORAGE IN CRAYTON COVE (11:03 a.m.)ITEM 6

Dockmaster Bob Egan stated that he was before Council as a member of the Southwest Florida Regional Harbor Board (RHB) which represents Sarasota, Manatee, Charlotte, Lee, and Collier Counties. One of the Regional Harbor Board's objectives, he added, is to establish standardized boating guidelines within this five county area and to specifically address rules and regulations relating to anchorages. There are two Collier County anchorages which are located near Green Marker #13, just inside Gordon Pass, and Green Marker #35 between the City Dock and the Yacht Club (the Naples City Anchorage). The Regional Harbor Board recommends adoption of general guidelines regarding the use of these anchorages plus additional site specific regulations relating to the Naples City Anchorage due to its location and silt bottom. (A copy of general guidelines and additional regulations are contained in the file for this meeting in the City Clerk's Office.) He reported that boat owners have been using the Naples City Anchorage to store their vessels, some of which have been in the anchorage for more than one year without any contact between the dockmaster and boat owners. During heavy winds or tropical storms, Mr. Egan explained, it is the responsibility of the Dockmaster to see that these vessels are secure and recognized Del Rey Divers for volunteering their services when towing is required.

Mr. Egan then used overhead transparencies to display photographs and provide information regarding some of the vessels currently moored in the Naples City Anchorage and reported that as many as 15 vessels are moored at this anchorage during season months. Problems pertaining to long term anchorage and the installation of mooring floats within the channels were also noted. Mr. Egan then requested Council's support and endorsement of the guidelines proposed by the Southwest

Florida Regional Harbor Board by approving a memorandum of agreement to this effect. Upon approval by the other cities and counties within this five county region, the Harbor Board will approach the State Legislature with proposed changes to existing applicable State law.

City Manager Richard Woodruff stated that this item would be placed on the August 21, 1996 Regular Meeting Agenda and clarified that the City's concurrence with these proposed guidelines would demonstrate support and unanimity for the efforts of the Southwest Florida Regional Planning Board. In response to Council, Natural Resources Manager Jon Staiger explained that a State of Florida Submerged Land Lease would be required if the City were to establish permanent, assigned anchorages. Council Member MacKenzie, for the record, noted that she has a royalty interest in Del Rey Divers and questioned whether something could be done in the interim to better regulate anchorages within the waterways. City Attorney Chiaro, however, pointed out that local ordinances regulating waterways may not withstand legal challenge. Noting that the Dockmaster's authority is limited to the City Dock, Council Member Sullivan suggested the establishment of a Harbormaster with power to enforce local and Coast Guard regulations throughout the harbor. Mr. Egan then introduced Southwest Florida Regional Harbor Board members Kevin Dugan, of the Collier County Pollution Control, and Ed Beckhorn.

.....ITEM 8
DISCUSSION RELATING TO REPLACEMENT OF THE KEEWAYDIN FUELING FACILITY (*Requested by Council Member Nocera*) (11:40 a.m.)

Referring to his memorandum dated August 1, 1996, Council Member Nocera requested a staff update regarding the City's efforts to construct a fueling facility in Naples Bay. (A copy of this memorandum is contained in the file for this meeting in the City Clerk's Office.) In response, City Manager Woodruff outlined current efforts, with the assistance of Sub-Oceanic Consultants, to identify feasibility issues and State permitting limitations. (A copy of the staff report referred to by Dr. Woodruff's is contained in the file for this meeting in the City Clerk's Office.) Dr. Woodruff pointed out that the original concept involving dredging and disposition of the dredge material was not a viable option and also reported that the developers of Keewaydin had donated their fuel cells and pumps to the City. Council Members Nocera and Van Arsdale stressed that an alternative Naples Bay fueling facility should be a high priority issue.

Break 11:45 to 1:26 p.m. It is noted for the record that the same members were present when the meeting reconvened. Planning Advisory Board Members Kushman and Meister were absent.

When the meeting reconvened, City Manager Richard Woodruff introduced Gina Edwards, the new staff reporter for the Naples Daily News.

(1:26 p.m.).....ITEM 7
JOINT REVIEW-CITY COUNCIL/PLANNING ADVISORY BOARD OF VISION 2005 COMPREHENSIVE PLAN WITH HERBERT MARLOWE, PH.D., FACILITATOR.

Mayor Barnett responded to a recent letter from the Citizens to Control Airport Noise pertaining to the Council addressing the issue of airport noise at this meeting. Mayor Barnett reiterated that airport noise is an important issue; however, Council would defer discussion on this matter pending the Airport Authority's review of Strategy #9 language as proposed by the Citizens to Control

Airport Noise. The next meeting of the Airport Authority is August 28, 1996. Mayor Barnett stressed that the Airport Authority's views are important and should be included in Council's consideration of this matter; however, Council Member Tarrant questioned the wisdom of placing the issue of airport noise with the Airport Authority. It was also noted that this delay would require additional Council meetings regarding the *Naples' Key Challenge* draft.

Facilitator Dr. Herbert Marlowe stated that the purpose of this discussion was to review and refine Version 3.8 of the *Naples' Key Challenge* and Planning Director Missy McKim noted corrections on pages 6 and 24 of the draft. (These corrections are noted and contained in the file for this meeting in the City Clerk's Office.)

Dr. Marlowe explained that Version 3.8 was a more concise and focused document than earlier versions noting the PAB's prioritization of the 11 strategies. Although the *Naples' Key Challenge* is not a legal document, it will set forth a direction for the Comprehensive Plan and the City staff. Dr. Marlowe, however, clarified that recommendations contained in the *Naples' Key Challenge* would require Council's ratification either by way of the Comprehensive Planning format or the City's standard approval processes.

Chairman Andrea Clark Brown reviewed Planning Advisory Board discussions resulting in the Version 3.8 noting efforts *not* to make tourism the focus of the document. More emphasis, she explained, was placed on balancing and encouraging diversity in Naples' economic bases rather than promoting the City as a spectacle tourist destination. Ms. Brown also relayed the PAB's concurrence that Strategy #9 language, as proposed by C.A.N., should be reviewed by the Airport Authority prior to PAB and Council consideration.

During Council's review of the Strategies outlined in *Naples' Key Challenge* (Version 3.8), the following recommendations and/or comments were made:

Strategy #1: Ensure Public Uses Remain Within the Carrying Capacity of City Resources.

Council Member Tarrant commented that all of the strategies should be geared towards stopping growth or reducing activities within the City if the City had indeed reached its carrying capacity. Council Members MacKenzie and Van Arsdale suggested language to include both public and private uses and Vice Mayor Prolman recommended consolidating the related strategies. Council Member MacKenzie then referred to Comprehensive Plan Recommendation b(6) and stated that the City should not underwrite the funding costs for satellite parking areas and public transportation. Council Member Van Arsdale suggested that the recommendations include a comprehensive parking plan for the City.

Strategy #2: Enhance and Maintain the Neighborhood Character and High Quality of Residential Life.

Council Member Van Arsdale suggested more emphasis on the relationship between commercial and residential areas. Dr. Woodruff then proposed the following modifications: 1) add a ninth Desired Result, "That commercial development shall enhance the quality of residential life in the City", and; 2) an additional recommendation "All commercial developments must include a residential impact analysis". Chairman Brown concurred and urged Council's acceptance of Dr. Woodruff's recommendations. Council Member MacKenzie then suggested that Issue 1 refer to both residential and commercial neighborhoods and an additional Desired Result establishing a

voluntary historic designation. Dr. Woodruff further recommended that Desired Result 1 be modified to "retain and enhance neighborhood character" and proposed an additional Comprehensive Plan Recommendation, "Roadways should be designed to benefit the residential design. Council also discussed incorporating a City sidewalk plan into the Beautiful Streets Program.

Strategy #5: Develop a Long Term Plan for the Gordon Riverfront and Naples Bayfront Development/Redevelopment.

Council Member Tarrant stated that the City should have a focused Comprehensive Plan for waterfront development and Vice Mayor Prolman suggested that Desired Result 7 include a boardwalk system. She also observed that Desired Result 6 "Work with Southwest Florida Land Preservation Trust" should be classified as a Comprehensive Plan Recommendation. Council Member MacKenzie stated that Desired Result 3) should include linear parks

Strategy #8: Enhance and Protect the Environment of Naples.

Dr. Woodruff proposed an additional Desired Result, "All waterfront development along the Gordon River and Naples Bay should be geared towards improving the water quality" and an additional Enhanced Programming Recommendation, "Create a level of service for boat capacity in Naples Bay." He also suggested modifying Enhanced Programming Recommendation (f) to "Expand water reuse where economically feasible."

Strategy #11: The City should enhance its cooperative relationship with the County.

Vice Mayor Prolman observed that the County may not be willing to take action to alleviate negative impacts to the City unless positive cooperative opportunities are developed first. Dr. Woodruff proposed additional Desired Results, (4) "Work to create a more equitable balance of revenues received by the County from the City versus services received by the City from the County" and (5) "The creation of more compatible land use standards where the City and the County are adjacent. Council Member Tarrant suggested that the County finance the rebuilding of the outer portion of the Naples Fishing Pier through the Tourist Development Tax as a gesture of good faith. It was also agreed to consolidate Enhanced Programming Recommendations (d) and (e) and to eliminate (j).

Break 3:00 p.m. to 3:10 p.m. It is noted for the record that Council Member Nocera was absent when the meeting reconvened.

When the meeting reconvened, City Manager Richard Woodruff distributed a wage/benefit comparison report regarding City of Naples Police Officers and Collier County Deputy Sheriffs, as requested by Council Member Tarrant. (A copy of this material is contained in the file for this meeting in the City Clerk's Office.)

It is noted for the record that Council Member Nocera returned to the meeting at 3:11 p.m.

Strategy #3: Establish a "Beautiful Streets" Program.

Council noted the addition of a City sidewalk plan as reference earlier in the meeting. Vice Mayor Prolman and Council Member MacKenzie also recommended that this strategy include alleyway beautification.

Strategy #4: Strengthen and diversify the economic base of the City and enhance the appearance and urban design of commercial corridors.

Chairman Brown relayed PAB discussions regarding the tourism aspect and stressed that the document should reflect a balance between tourism and residential development. Council Member

Van Arsdale commented that certain aspects of tourism are good for the community and should be better defined within the document. Chairman Brown then commented that tourism has been over endorsed in recent years to the detriment of other industries stressing the need to focus on what has traditionally brought people to Naples. PAB Member Kenneth Abernathy pointed out that the issue, as written, also calls for the strengthening of quality residential development and professional services. Dr. Woodruff noted the importance of the seasonal resident to the Naples economy and made the following recommendations: 1) modify the first sentence of the Issue to include both permanent and seasonal residential development; 2) Desired Result (1) be eliminated and replaced with (4), and; 3) the strategy title include, ". . . while protecting the residential character and charm of the City." He further suggested that the Comprehensive Development Code Recommendations include design standards for parking garages. It was determined, however, that this issue was sufficiently addressed in other strategies. Vice Mayor Prolman disagreed with Comprehensive Development Code Recommendation (d) regarding the encouragement of cottage industries stating that it should specify "Within commercial areas. . .", but not include third floor residential. It was also agreed the word "encourage" would be replaced with "explore". Council then discussed whether language relating to transitional zoning between commercial and residential district should be added.

It was determined that Council would review the remainder of "Naples Key Challenge", including Strategies #6, #7, #9, and #10, during the September 16, 1996 Workshop Meeting from 1:30 p.m. until completion of the review.

In response to Council Member Van Arsdale's inquiries regarding Strategy #9 *Support Airport Activities and Usages which Promote the City*, PAB Member Abernathy explained that Fred Coyle, of the Citizens for the Control of Airport Noise, had submitted alternative language. The PAB then determined that the Airport Authority should review and respond to this replacement strategy prior to further consideration. Council Member Van Arsdale took the position that the City's goals for the airport should be better defined and suggested the word "enhance" rather than "promote". Council Member MacKenzie further recommended that the issue state, "The airport is a resource which is owned by the City, supervised by the Airport Authority, and managed by an executive director. It needs to be operated in a manner that enhances the quality of life within the City boundaries as well as the surrounding area."

Staff was directed to incorporate the modifications suggested by Council Members Van Arsdale and MacKenzie prior to submission to the Airport Authority.

OPEN PUBLIC INPUT

Fred Coyle of Aqualane Shores (representing the Citizens for the Control of Airport Noise) reminded Council that C.A.N. represents 1,500 citizens frustrated with the Airport Authority's inability to take action regarding airport noise control issues. He explained that the Strategy #9 proposal, as presented on June 3, 1996, was developed by C.A.N. with input from the City's homeowner associations and contended that it was not submitted to Council until the last minute and at the end of the meeting schedule. He said the issue boils down to Council's willingness to support implementation of guidelines requiring the Airport Authority to establish and enforce noise control measures. Council Member Van Arsdale responded to Mr. Coyle's comments by stating that the Old Naples Master Plan is a bigger concern; however, Council Member Tarrant concurred with C.A.N.'s position and urged Council not to ignore their concerns.

Russell Ferguson of 540 12th Avenue South was not present when called to speak.

Michael Watkins of 439 3rd Avenue North (General Manager of the Beach Club Hotel) stated that he was speaking on behalf of the "hospitality industry" and urged Council not to view the

tourism community as the enemy. He also noted that disparities between winter and summer occupancies are steadily decreasing and cautioned against attempts to define "high scale tourists". Council Member Van Arsdale, however, responded that it is important for the City to establish and implement a tourist strategy.

Ellie Krier of 73 Sunrise Court (Chamber/EDC Coalition) referred to Strategy #4 and made the following recommendations: 1) include professional businesses and medical services as one of Naples primary economic bases outlined in Strategy #4; 2) Comprehensive Plan Recommendations of Strategy #4 designate or identify commercial quarters, and; 3) modify Strategy #4 Comprehensive Development Code Recommendations (c) to state "vacant commercial properties" rather than "vacant stores".

It was the consensus of Council to incorporate the modifications recommended by Ms. Krier above.

Michael Simonik of 1821 Richards Street (Environmental Policy Coordinator for The Conservancy) referred to Strategy #8, desired results (2) *Increase the amount of green space within the City* and asked that green space be defined as environmentally sensitive lands and natural areas rather than mowed lawns. He also suggested replacing the word "xeriscaping" and informed Council of a new University of Florida program *The Florida Yards and Neighborhoods Program*.

ADJOURN.....
4:12 p.m.

Bill Barnett, Mayor

Tara A. Norman
City Clerk

Prepared by:

Virginia A. Neet
Deputy City Clerk

Minutes approved: 8/21/96