



City Council Chamber
735 Eighth Street South
Naples, Florida 33940

City Council Regular Meeting - October 2, 1996 - 9:00 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALL

ITEM 2

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
Maria J. Chiaro, City Attorney
Missy McKim, Planning Director
Dan Mercer, Utilities Director
Kevin Rambosk, Chief of Police &
Emergency Services
William Harrison, Assistant City Manager
Susan Weising, Human Resources Director
Robin William, Administrative Assistant
Flinn Fagg, Planner I
Lori Burke, Sr. Human Resources Analyst
Don Wirth, Community Services Director
James Byrne, Deputy Police Chief
Virginia Neet, Deputy City Clerk
George Henderson, Sergeant-at-Arms

Werner Haardt
Charles Andrews
John Passidomo
Dudley Goodlette
James Poquette
John Jennings
Ellie Krier

Other interested citizens and visitors

Media:

Gina Edwards, Naples Daily News

INVOCATION and PLEDGE OF ALLEGIANCEITEM 1
Council Member Fred Sullivan

ANNOUNCEMENTSITEM 4
City Manager Richard Woodruff recognized City employees for years of service. (Attachment 1)

Mayor Barnett announced the retirement of police volunteers Mark and Jane Tull and presented them with a proclamation recognizing their years of service to the City.

ITEMS TO BE ADDEDITEM 3

City Manager Richard Woodruff requested that the following items be added to the agenda:

Item 24 Support for Jail Expansion and Work Opportunity and Restitution Center Funded by One-Half of One Percent Sales Tax.

Item 25 Authorization to Negotiate an Agreement with the 41-10 Property Owners' Association for a Grant not to Exceed \$50,000.00 in Conjunction with Master Development Plan Design for the Community Redevelopment Area.

Item 26 Approval of a Maximum of \$120,000.00 in Funding for 2nd Avenue North Pilot Project.

Dr. Woodruff also referred to Council's prior request to remove Item 17 from the Consent Agenda for separate discussion.

MOTION by Van Arsdale to SET THE AGENDA, ADD ITEMS 24, 25, and 26 and REMOVE ITEM 17 FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION; seconded by Sullivan and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7829..... ITEM 5-a
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF NAPLES ESTABLISHING AN ASSESSMENT DISTRICT TO PROVIDE CENTRAL SEWER FOR TWIN LAKES COMMERCIAL, AS REQUIRED IN FLORIDA STATUTES CHAPTER 170; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (9:11 a.m.)

City Manager Richard Woodruff referred to the staff report and proposed resolution which delineates individual assessments. (A copy of this material is contained in the file for this meeting in the City Clerk's Office.)

Public Input: None. (9:12 a.m.)

MOTION by Tarrant to APPROVE Resolution 96-7829 as submitted; 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)

..... **ITEM 5-b**

CITY COUNCIL ACTING AS BOARD OF EQUALIZATION WITH REFERENCE TO WATER AND SEWER IMPROVEMENTS IN THE WEST BOULEVARD SPECIAL ASSESSMENT DISTRICT. (9:13 a.m.)

City Manager Richard Woodruff referred to the staff report and list of individual assessments and explained that as the Board of Equalization, Council would hear and consider any and all complaints relating to the West Boulevard Special Assessment District.

Public Input: (9:14 a.m.)

John Jennings of 770 Anderson Drive objected to what he called the outrageous prices for City services and claimed that the assessments were also excessive. He noted current problems regarding water run-off onto his property from adjacent storm water improvements and cautioned that the West Boulevard improvements, if set at the same level, would be ineffective.

In response, Dr. Woodruff clarified that the intent of this storm water project focused on the streets and swales, rather than backyards. He also distinguished the proposed assessment from current fees for City-wide stormwater improvements and explained that the project would include curb/gutter and drainage improvements on West Boulevard plus installation of a stormwater sewer pipe on Anderson Avenue and Myrtle Terrace. It was also noted that the proposed sanitary sewer fees reflected actual costs and were lower than other comparable assessment districts because a lift station was not required. Dr. Woodruff then provided additional information regarding the methodology for calculating the individual assessments and fees. Assistant City Manager William Harrison reiterated earlier comments that all cost savings regarding this project had been passed on to the property owners and then described available payment options. (A copy of this material is contained in the file for this meeting in the City Clerk's Office.) Prior to the vote, Mr. Jennings interjected that it would be unfair to charge the property owners for something that will not work.

Public Input Closed:

MOTION by Van Arsdale to CLOSE THE EQUALIZATION HEARING;
seconded by Sullivan and unanimously carried, all members present and voting.
(MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7830.....ITEM 7
A RESOLUTION GRANTING CONDITIONAL USE PETITION 96-CU21, IN ORDER TO PERMIT A PRE-SCHOOL AT 831 5TH AVENUE NORTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (9:27 a.m.)

Petitioner James Poquette, co-owner of Noah's Ark Pre-School, provided Council with additional information regarding the proposal which will accommodate approximately 35 children ages 3½ to 5. Mr. Poquette noted the low student/teacher ratio and emphasized the staff's qualifications and certifications. He also indicated that various conditions to approval recommended by the City staff and Planning Advisory Board would be met prior to issuance of a certificate of occupancy.

Council Member Tarrant questioned whether the City, in permitting pre-schools, could request background investigations of their staff, or, at a minimum, conduct a review of Health and Rehabilitative Services (H.R.S.) records of the school and its teachers. After further Council discussion, City Attorney Chiaro stated that she would research the City's ability to conduct such

review as it relates to child care centers but reminded Council that zoning decisions are generally unrelated to the applicant's background. In response to Council, Mr. Pogue stated that he would determine whether the pre-school staff would permit inspection of their H.R.S. records.

Council Member Van Arsdale commented on staff's recommendation to remove the front parking lot, noting that it may not conform to the upcoming 41-10 Master Plan. In response, Planner Flinn Fagg reviewed staff's rationale for recommending removal of this non-conforming parking area; however, Council Member Van Arsdale suggested that the front parking remain until finalization of the new development code.

Public Input: None. (9:35 a.m.)

MOTION by Van Arsdale to APPROVE Resolution 96-7830 AS AMENDED TO REQUIRE THAT THE PARKING CONFORM TO FUTURE DEVELOPMENT CODES TO BE OUTLINED IN THE 41-10 MASTER PLAN OR TO BE BROUGHT INTO CONFORMANCE WITH THE CODE AS IT EXISTS IN TWO YEARS; seconded by Sullivan and carried 6-1. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes)

During the vote, Council Member Tarrant explained that he could not favor any issues relating to City day-care facilities without prior review of the State's background investigations.

ORDINANCE (First Reading).....ITEM 8
AN ORDINANCE APPROVING TEXT AMENDMENT PETITION 96-T7, AMENDING SECTION 86-201.1 OF THE COMPREHENSIVE DEVELOPMENT CODE, IN ORDER TO ELIMINATE THE TIME LIMITATIONS FOR THE RECONSIDERATION OF REZONE PETITIONS THAT WILL BRING PROPERTY INTO COMPLIANCE WITH THE COMPREHENSIVE PLAN; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (9:39 a.m.)

City Manager Richard Woodruff referred to a prior request by a Council Member that staff proceed to rezone the Champney Bay property in order bring it into compliance with the Comprehensive Plan. Under the current City Code, Dr. Woodruff explained, Council's August 7, 1996 denial of a rezone petition for a portion of this property precluded consideration of the same rezoning for a period of twelve months. The proposed text amendment, he added, would waive the twelve month requirement if the rezoning brings the property into compliance with the comprehensive plan.

Further Council discussion focused on whether it was necessary to prohibit re-submission of a rezone petition for twelve months; however, City Attorney Chiaro pointed out that the time limit prevents the same rezone petitions continually being resubmitted until approved. Planner Flinn Fagg also noted the public expense involved in rezone petitions. Council Member MacKenzie took the position that the text amendment was unnecessary given the Council's current reconsideration policy. Council also discussed how the proposed text amendment would apply to the present comprehensive planning process.

Public Input: None. (9:49 a.m.)

MOTION by Sullivan to APPROVE this ordinance at first reading; seconded by Van Arsdale and carried 6-1, all members present and voting. (MacKenzie-no, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)
A prior motion by MacKenzie to deny Item 8 failed for lack of second.

ORDINANCE (First Reading).....ITEM 9

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF NAPLES, FLORIDA, HOSPITAL REVENUE BONDS (NAPLES COMMUNITY HOSPITAL, INC. PROJECT), SERIES 1996, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$40,000,000, PURSUANT TO THE PROVISIONS OF PART II OF CHAPTER 159, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE LENDING OF THE PROCEEDS OF SAID BONDS TO NAPLES COMMUNITY HOSPITAL, INC. (A) TO REFUND, ON A CURRENT BASIS, ALL OR A PORTION OF THE OUTSTANDING PRINCIPAL AMOUNT OF CITY OF NAPLES, FLORIDA, HOSPITAL REVENUE BONDS (NAPLES COMMUNITY HOSPITAL, INC. PROJECT), SERIES 1992, (B) TO PAY ALL OR A PORTION OF THE COSTS OF A CAPITAL PROJECT FOR HEALTH CARE FACILITIES AND (C) TO PAY ALL OR A PORTION OF THE COST OF ANY CREDIT ENHANCEMENT, IF NECESSARY, AND THE COSTS ASSOCIATED WITH THE ISSUANCE OF THE BONDS AND THE REFUNDING OF THE SERIES 1992 BONDS; APPROVING THE ISSUANCE OF THE BONDS, THE PLAN OF FINANCING AND THE LOCATIONS AND NATURE OF SUCH PROJECT; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. PURPOSE: TO ISSUE "INDUSTRIAL DEVELOPMENT BONDS" FOR NAPLES COMMUNITY HOSPITAL, INC. Title read by City Attorney Chiaro. (9:50 a.m.)

City Manager Richard Woodruff explained that Naples Community Hospital was requesting the City of Naples to act as issuer for revenue bonds in order to take advantage of tax-exempt financing. Dr. Woodruff also provided background information noting the City's involvement in prior hospital bond issues.

Assistant City Manager William Harrison then explained that the credit rating established on the bonds would be based upon the hospital's financial posture, not the City's. In response to Council, Naples Community Hospital representative Edward Morton confirmed that the hospital revenue bonds would be fully insured by the Municipal Bond Insurance Assurance Corporation (MBIA).

Public Input: None. (9:58 a.m.)

MOTION by Sullivan to ***APPROVE*** this ordinance at first reading; seconded by Nocera and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7831.....ITEM 10
A RESOLUTION RATIFYING AND CONFIRMING THE CONTRACT BETWEEN THE CITY OF NAPLES AND THE FRATERNAL ORDER OF POLICE, FLORIDA STATE LODGE #38; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (9:59 a.m.)

City Manager Richard Woodruff commended the negotiation efforts of staff and police union representatives. Human Resources Director Susan Weising then explained that the proposed three-year contract would essentially result in less cost than the draft contract previously proposed to the union. Council Member Sullivan likewise complimented both the City staff and the union.

Public Input: None. (10:01 a.m.)

MOTION by Sullivan to ***APPROVE*** Resolution 96-7831 as submitted; 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)

.....ITEM 11
CONSIDER PURCHASE OF A FRONT-LOADING GARBAGE TRUCK UNDER A CITY OF BRADENTON BID. Vendor: Peterbilt of Central Florida, Winter Garden, Florida / Cost: \$120,301.00 / Funding: CIP Project #97P08.

City Manager Richard Woodruff provided additional information regarding this purchase of a front-loading garbage truck noting the satisfactory service records of the "E-Z Pack" units. Council discussed potential residual values of the 1986 garbage truck to be replaced and Council Member Nocera suggested research in the cooperative purchasing with other Florida utilities regarding this type of equipment.

Public Input: None. (10:06 a.m.)

MOTION by Sullivan to ***APPROVE*** Item 11 as submitted; 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)

.....ITEM 12
CONSIDER PURCHASE OF ANNUAL SUPPLIES OF CHEMICALS FOR WATER AND WASTEWATER TREATMENT PLANTS UNDER COLLIER COUNTY BID. Various Vendors / Estimated annual expenditure: \$865,600.00 / Funding: Water and Sewer Division 52-80 (Chemical) accounts.

City Manager Richard Woodruff referred to the staff report and explained that the estimated annual expenditure of \$865,600.00 comprised a major portion of the City's \$26 million water and sewer utility. He also confirmed that only the lowest and most responsible bidders meeting the City specifications and delivery requirements were recommended. Council Member Tarrant commented on the increased cost of chemicals and recommended postponing this item in order to compare annual chemical expenditures of other Florida cities of similar size. Dr. Woodruff, however, noted that comparisons should be based on the size/volume of the plant, not population. Vice Mayor Prolman also requested data regarding the City's expenditures for chemicals over the past five years and referred to prior discussion regarding cooperative purchasing with other cities. Utilities Director Dan Mercer then explained the various reasons for the increased chemical costs including limited available vendors. In response to Council Member Nocera, Mr. Mercer confirmed that postponement of this item would not jeopardize chemical supplies.

Public Input: None. (10:15 a.m.)

MOTION by Sullivan to ***TABLE ITEM 12 UNTIL OCTOBER 16, 1996***; seconded by Tarrant and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

Staff was directed to provide the following additional information: 1) a written comparison of the annual chemical expenditures for 12-15 other communities with similar volumes for water and wastewater treatment; 2) the City's annual expenditure for chemicals for the prior five years and justification for cost increases; and, 3) chemical prices utilizing other communities' contracts.

.....ITEM 13

CONSIDER AWARD OF BID FOR A THREE-YEAR CONTRACT FOR AUTOMOTIVE PARTS (COMBINED BID WITH COLLIER COUNTY AND SCHOOL SYSTEM). Various Vendors / Estimated Annual Expenditure: \$150,000.00 / Funding: Equipment services 52-00 (Auto Parts) account.

Council Member Nocera stated that he objected to this bid award since it did not patronize local vendors.

Public Input: None. (10:18 a.m.)

MOTION by Tarrant to APPROVE Item 13 as submitted; seconded by Sullivan and carried 6-1, all members present and voting. (MacKenzie-yes, Nocera-no, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7832.....ITEM 14
A RESOLUTION AMENDING RESOLUTION NO. 94-7270, EXTENDING THE CONTRACT WITH ARTHUR J. GALLAGHER AND COMPANY TO RENEW THE CITY'S SELF-INSURANCE PROGRAM PROVIDING FOR PREMIUMS AND THE LOSS FUND FOR FISCAL YEAR 1997; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (10:19 a.m.)

Assistant City Manager William Harrison relayed the recommendation of the City's Risk Management Review Committee to renew the contract with Arthur J. Gallagher and Company for one year. It was also the committee's recommendation to establish a Request for Proposals on the entire package as of October 1, 1997. Mr. Harrison then provided information regarding prior proposal's noting Gallagher's competitive rates. In response to Council Member Tarrant, City Attorney Chiaro outlined policy provisions relating to public official liability, noting, however, that this protection may not apply in some circumstances.

Public Input: None. (10:25 a.m.)

MOTION by Nocera to APPROVE Resolution 96-7832 as submitted; 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)

CONSENT AGENDA

APPROVAL OF MINUTES.....ITEM 15
September 3, 1996 Workshop Meeting; September 4, 1996 Regular Meeting; September 18, 1996 Special Workshop Meeting; September 19, 1996 Special Meeting.

RESOLUTION 96-7833.....ITEM 16
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT, IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WITH THE FIRM OF JOHNSON CONTROLS, INC., (JCI OR JOHNSON CONTROLS) TO REPLACE THE AIR CONDITIONING CONTROLS AND UPGRADE TO NEW LIGHTING TECHNOLOGY IN CITY HALL; AND PROVIDING AN EFFECTIVE DATE. Title not read.

RESOLUTION 96-7834.....ITEM 18

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED HERETO, BETWEEN THE DISTRICT SCHOOL BOARD OF COLLIER COUNTY AND THE CITY OF NAPLES, FOR THE USE OF COUNTY SCHOOL BUSES TO TRANSPORT SCHOOL-AGED CHILDREN ON FIELD TRIPS; AND PROVIDING AN EFFECTIVE DATE. Title not read.

.....ITEM 19
AUTHORIZATION TO EXECUTE AN ANNUAL CONTRACT FOR IRRIGATION SUPPLIES. Vendor: Florida Irrigation Supply, Ft. Myers, Florida / Estimated Annual Expenditure: \$20,000.00 / Funding: Parks & Parkways 52-00 (Operating Supplies) Account.

.....ITEM 20
AUTHORIZATION TO PURCHASE PROFESSIONAL SERVICES FOR CLEANING WATER DISTRIBUTION LINES IN THE ROYAL HARBOR AREA. Vendor: Professional Piping Services, Land O'Lakes, Florida / Cost \$27,810.00 / Funding: CIP Project #97L02.

.....ITEM 21
AUTHORIZATION TO PURCHASE A REAR-LOADING GARBAGE TRUCK. Vendor: Peterbilt of Central Florida, Winter Garden, Florida / Cost \$93,590.00 / Funding: CIP Project #97P10.

.....ITEM 22
AUTHORIZATION TO PURCHASE A 2½ TON TRUCK WITH TRASH CRANE AND DUMP BODY. Vendor: (truck/chassis) Atlantic Ford, Fort Lauderdale, Florida; (crane/dump body) Peterson Industries, Lake Wales, Florida / Total cost: \$60,961.00 / Funding: CIP Project #97P09.

.....ITEM 23
AUTHORIZATION TO RE-ISSUE A PURCHASE ORDER DUE TO OWNERSHIP CHANGES TO COFFMAN SYSTEMS (PREVIOUSLY COFFMAN INDUSTRIES), CLEARWATER, FLORIDA, IN CONJUNCTION WITH INSTALLATION OF CHEMICAL FEED SYSTEMS AT THE WATER TREATMENT PLANT.

END CONSENT AGENDA

MOTION by Sullivan to APPROVE CONSENT AGENDA ITEMS 15, 16, 18, 19, 20, 21, 22, and 23 and REMOVE ITEM 17 FOR SEPARATE DISCUSSION;
seconded 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)

RESOLUTION 96-7835.....ITEM 17
A RESOLUTION APPROVING A FEE INCREASE OF \$55,300.00 TO \$77,900.25 FOR THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NAPLES AND HERBERT HALBACK, INC.; AND PROVIDING AN EFFECTIVE DATE. Title not read.
(10:27 a.m.)

Community Services Director Don Wirth explained that this amendment was necessary in order to expand the scope of design services for Cambier Park Phase I redevelopment. Originally, it was

staff's intention to design certain components of the project; but, due to coordination and time issues, it was determined that the Herbert Halback Agreement should design all of Phase I. Additionally, Mr. Wirth noted, it was necessary to increase the funds allotted for Master Plan refinement in order to include revisions requested by Council, the Community Service Advisory Board, and staff. Mr. Wirth indicated that the proposed increases were appropriate, given the nature of the work, and recommended approval. (A copy of the material referenced by Mr. Wirth is contained in the file for this meeting in the City Clerk's Office.)

Council Member MacKenzie described the \$23,500.00 allocated for the tennis pro shop design as excessive; however, Council Member Van Arsdale stressed that it was important to adhere to a professional plan for the park. In response, Mr. Wirth further explained that the additional design services were necessary in order to incorporate the facility's maintenance aspect into the tennis building. Council Member Tarrant, however, called this a prime of example of conspicuous consumption and reiterated his objection to using consultants when City staff is capable of doing the work.

Public Input: None. (10:37 a.m.)

MOTION by Van Arsdale to **APPROVE** Resolution 96-7835 as submitted; seconded by Prolman and carried 5-2, all members present and voting. (MacKenzie-no, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7836.....ITEM 24
A RESOLUTION SUPPORTING THE JAIL EXPANSION AND WORK OPPORTUNITY AND RESTITUTION CENTER TO BE FUNDED BY ONE-HALF OF ONE PERCENT SALES TAX; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (10:39 a.m.)

City Manager Richard Woodruff referred to The Honorable Judge Ted Brousseau's presentation at this week's workshop requesting support for a half cent sales tax. Council Member Tarrant stated that although he supported the Work Opportunity and Restitution Center, he objected to having this component tied to the jail expansion project in which approximately \$8 million would be expended for administrative offices.

Public Input: None. (10:40 a.m.)

MOTION by Sullivan to **APPROVE** Resolution 96-7836 as submitted; seconded by Van Arsdale and carried 6-1, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7837.....ITEM 25
A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT BETWEEN THE CITY OF NAPLES AND THE 41-10 PROPERTY OWNERS' ASSOCIATION, INC., FOR A MAXIMUM MATCHING GRANT IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.), IN CONJUNCTION WITH THE DESIGN OF A MASTER DEVELOPMENT PLAN AND RELATED SERVICES FOR THE COMMUNITY REDEVELOPMENT AREA EXCLUDING FIFTH AVENUE SOUTH BETWEEN THE 300 THROUGH 900 BLOCKS; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Chiaro. (10:40 a.m.)

City Manager Richard Woodruff clarified that the proposed agreement included the stipulation

requested by Council restricting the consultant from entering into contracts with private property owners/developers within the study area. Council Member Tarrant requested verification that the prior contract between Harbortowne developer Kevin Stoneburner and U.D.A. Architects (consultants to the 41-10 Study) was complete. Dr. Woodruff relayed his discussions with Mr. Stoneburner who indicated that U.D.A. Architects would not be used for further work and Planning Director Missy McKim stated that she could not confirm that all aspects of the Stoneburner/U.D.A. Architects contract had in fact been finalized. Council Member Tarrant reiterated his contention that U.D.A.'s involvement in Harbortowne constituted a clear conflict of interest. Without substantive proof that U.D.A. is no longer employed by the Harbortowne developer, he added, he could not support this resolution.

Public Input: None. (10:45 a.m.)

MOTION by Sullivan to APPROVE Resolution 96-7837 as submitted; seconded by Van Arsdale and carried 6-1, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes)

RESOLUTION 96-7838.....ITEM 26
A RESOLUTION APPROVING THE FUNDING FOR THE 2ND AVENUE NORTH PILOT PROJECT TO A MAXIMUM OF \$120,000; AND PROVIDING AN EFFECTIVE DATE.
Title read by City Attorney Chiaro. (10:45 a.m.)

In response to Vice Mayor Prolman, additional information was provided regarding the funding options for this project.

Public Input: None. (10:46 a.m.)

MOTION by Van Arsdale to APPROVE Resolution 96-7838 as submitted; seconded by Sullivan and unanimously carried, all members present and voting. (MacKenzie-yes, Nocera-yes, Prolman-yes, Sullivan-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes)

CORRESPONDENCE AND COMMUNICATIONS (10:48 a.m.).....
Council Member Van Arsdale referred to the September 30, 1996 meeting of the Naples Community Redevelopment Agency and requested discussion of the efficiency of the Council meeting as the C.R.A. City Attorney Chiaro provided additional information regarding C.R.A. requirements and clarified that present C.R.A. actions do not require separate meetings. She stated, however, that an independent meeting is necessary when there is a determination regarding Tax Increment Financing funds (T.I.F.)

It was the consensus of Council that C.R.A. meetings would be conducted on an "as needed" basis.

Council Member MacKenzie requested a Fifth Avenue market study to determine results of new regulations. In reviewing parking and building codes for the 41-10 redevelopment area, she said that it was essential to know how new Fifth Avenue South regulations were received. In response, Planning Director Missy McKim noted current efforts to unify the Fifth Avenue Property Owners and Fifth Avenue Merchants Associations and also described the new Main Street Program which, she said, could provide data. Council Member Van Arsdale further requested that staff outline its monitoring program for this district which could also apply to the remaining Community Redevelopment Area.

It was determined that staff would draft a survey, subject to Council approval, for distribution to property owners and merchants in the Fifth Avenue South district.

Council Members were also asked to submit suggested survey questions to staff.

OPEN PUBLIC INPUT

None. (10:57 a.m.)

ADJOURN.....

10:57 a.m.



City of Naples

Index

City Council Regular Meeting

XXXX xx, 199x

Convened 0:00 a.m. / Adjourned 0:00 p.m.

Minutes approved: 11/6/96

- Bill Barnett, Mayor

Tara A. Norman

City Clerk

Prepared by:

Virginia A. Neet

Deputy City Clerk