

**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 Attorney: Maria J. Chiaro • City Clerk: Tara A. Norman • City Manager: Dr. Richard L. Woodruff**

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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.

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**Regular Meeting**  
**Wednesday, November 6, 1996**  
**Convened 9:00 a.m. / Adjourned 10:40 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. Roll call - *Nocera absent*
2. Invocation and Pledge of Allegiance - *Reverend Ernest DuRoss, Trinity-By-The-Cove Church*
3. Announcements  
    Proclamation of November as United Way Campaign Month  
    *Student Kathryn O'Gara invited Council and the public to the December 16-22, 1996 performances of "Starmakers" which is a theater group consisting of local children ages 7-15.*
4. Items to be added  
    **Item 28** - *Authorization to Issue Purchase Order - Manhole Spray Rehabilitation Machine (Utilities)*

*Set Agenda and Add Item 28/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

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**•Special Assessment District**

**9:15 a.m.**

5. City Council acting as Board of Equalization with reference to sewer improvements in the Twin Lakes Commercial Area Assessment District.  
*Close the Equalization Hearing/Van Arsdale/Sullivan/6-0 (Nocera Absent)*

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•Resolution  
•City File CCSL 96-18  
•Petitioner: Dominick Ligresti  
•Agent: Humiston & Moore Engineers

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•Resolution  
•City File CCSL 96-19  
•Petitioner: Condor Properties Corp.  
•Agent: Humiston & Moore Engineers

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•Resolution  
•City File CCSL 96-20  
•Petitioners: Mr. & Mrs. Marvin Herb  
•Agent: Humiston & Moore Engineers

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•Resolution  
•Variance Petition 96-V19  
•Petitioner: City of Naples  
•Planning Advisory Board  
recommendation to approve

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•First Reading of an Ordinance  
•Text Amendment Petition 96-T9  
•Petitioner: City of Naples

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6. **Public Hearing** to consider a request for a variance to construct a single-family residence and paver-block driveway, seaward of the Coastal Construction Setback Line at 23 Second Avenue South.

*96-7849/Van Arsdale/Tarrant/6-0 (Nocera Absent)*

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7. **Public Hearing** to consider a request for a variance to construct a single-family residence, an in-ground swimming pool, and a paver-block driveway, seaward of the Coastal Construction Setback Line at 25 Second Avenue South.

*96-7850/Van Arsdale/Tarrant/6-0 (Nocera Absent)*

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8. **Public Hearing** to consider a request to demolish an existing two-story residence, to construct a new residence over the existing foundation, and to add one-story habitable additions to the east side of the new residence, seaward of the Coastal Construction Setback Line at 2700 Gordon Drive.

*96-7851 as amended to be contingent upon compliance with drawings and elevations as submitted/Van Arsdale/MacKenzie/6-0 (Nocera Absent)*

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**9:30 a.m.**

9. Consider a variance to construct a six-foot high chain link fence in the front yard setbacks of Fleischmann Park, 1600 Fleischmann Blvd.

*96-7852/Prolman/Van Arsdale/6-0 (Nocera Absent)*

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**10:00 a.m.**

10. Consider an ordinance amending Code of Ordinances Subsections 78-172(a) and 78-173(b) in order to permit unrestricted charter boats to participate in passenger pick-up/drop-off.

*Approved/Prolman/Van Arsdale/6-0 (Nocera Absent)*

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•Second Reading of an Ordinance  
•Approved on First Reading 10/16/96

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•First Reading of an Ordinance  
•City Manager

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•Resolution  
•City Manager

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•Bid 97-20  
•Development Services

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11. **Public Hearing** to consider an ordinance adopting the 1996 Level of Service Report to the Florida Department of Community Affairs.

*96-7853/Sullivan/Prolman/6-0 (Nocera Absent)*

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12. Consider an ordinance amending Code Section 118-31 to provide for consistent treatment of utility charges on residents with guest units and duplexes.

*This item was withdrawn from the agenda to allow additional staff research.*

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13. Authorization to execute a contract with First Health to provide third-party administration services and re-insurance for the City's self-insured employee health benefits plan for 1/1/97 - 12/31/99 utilizing joint bidding process with Collier County and School Board.

*96-7854/Van Arsdale/Sullivan/6-0 (Nocera Absent)*

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14. 1997 award of road overlay program and pre-qualifying of contractors.

14-a Consider award of a bid for labor, materials and equipment for the 1997 Road Overlay Program. Vendor: Bonness, Inc., Naples, Florida \ Estimated expenditure \$494,898.51 \ Funding: Gas tax, stormwater and other utility accounts.

*Approved/Van Arsdale/Barnett/5-1 (Sullivan dissenting)(Nocera Absent)*

14-b. Pre-qualify the contracting firms of APAC-Florida Inc., Better Roads, Inc., and Bonness, Inc. to submit proposals for special projects on an as needed basis throughout the City.

*Approved/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

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• Last considered at  
10/16/96 Regular Meeting

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• Last considered at  
10/16/96 Regular Meeting

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• Resolution  
Police & Emergency Services

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15. Request by Council Member Tarrant for reconsideration of action with reference to Ordinance 96-7841 allowing the Planning Advisory Board, after Council denial, to consider rezone petitions for the same property if it will bring the property into conformance with the Comprehensive Plan.

*Failed/Motion for Reconsideration/Tarrant/MacKenzie/3-3 (Prolman, Van Arsdale, Barnett dissenting)(Nocera absent)*

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16. Request by Vice Mayor Prolman to clarify Council's vote regarding construction of a bicycle path in conjunction with resurfacing of 13th Street North in Lake Park.

*Accept staff's recommendation that the sidewalk be placed along the east side of 13th St.*

*North/Sullivan/Barnett/4-2 (Van Arsdale/MacKenzie dissenting) (Nocera Absent)*

*(This is to reflect the correct vote as originally recorded during the October 16, 1996 Regular Meeting)*

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17. Authorization to execute a Hold Harmless Agreement between the City Council and the Collier County Board of Commissioners relating to paramedic vehicle response to medical emergencies with a 3-member team.
- 96-7855/Tarrant/Sullivan/6-0 (Nocera 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 18,19,20,21,23, 24,25, and 26 and Remove Items 22 and 27 for separate discussion/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

18. Approval of Minutes *9/30/96 Workshop; 10/2/96 Regular; 10/14/96 Workshop; 10/16/96 Regular*

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•Resolution  
•City Manager

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19. Approval of agreement renewal with Naples Trolley Tours.  
*96-7856/Sullivan/Van Arsdale/6-0 (Nocera absent)*

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•Bid 97-19  
•Development Services

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20. Approval of annual contract for concrete flatwork (curbs, sidewalks, etc.). Vendor: Douglas N. Higgins, Inc., Ann Arbor, Michigan \ Estimated expenditure \$42,950.00 \ Funding: Stormwater and other utility accounts.  
*Approved/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

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•Development Services

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21. Approval of a change order for \$17,135.95 to Bonness, Inc., for additional roadway sub-base work in conjunction with the Avion Park Road Improvement Project.  
*Approved/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

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•Development Services

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22. Approval of a change order for \$1,200.00 to ASC Geosciences, Inc., for additional soil testing in conjunction with additions to the Police & Emergency Services Administration Building.  
*Approved/Sullivan/Van Arsdale/6-0(Nocera Absent)*

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•Purchase Authorization  
•Utilities

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23. Authorization to purchase under a City of Fort Pierce bid for a 6-inch wellpoint pump used for excavation, repair and installation of sewer lines. Vendor: Complete Dewatering Pumps & Wellpoints, Port Orange, Florida \ Cost: \$15,475.00 \ Funding: CIP Project #97N13  
*Approved/Sullivan/Van Arsdale/6-0 (Nocera Absent)*

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•2 Resolutions  
•Development Services

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24. Approval of a utility easement exchange in conjunction with Mandarin/Nautilus Road drainage improvement project. Location: Naples Church of Christ.  
24-a. Acceptance of easement  
*96-7857/Sullivan/Van Arsdale/6-0 (Nocera*

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**•Special Events Committee**

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*Absent)*

24-b. Vacation of easement  
**96-7858/Sullivan/Van Arsdale/6-0 (Nocera Absent)**

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25. Approval of special events:  
Coastland Center Reopening 11/7-10  
Fillabelly Foundation Concert 11/20  
Fifth Avenue Christmas Walk 11/22  
New Year's Eve Festival 12/27-29  
**Sullivan/Van Arsdale/6-0 (Nocera Absent)**

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26. After-the-fact authorization to issue a purchase order for woven and non-woven stabilization control fabric for Solid Waste equipment parking storage \ Vendor: Atlantic Construction Fabrics, Inc., Richmond, Virginia \ Cost: \$9,600.00 \ Funding: CIP Project #97P03.  
**Sullivan/Van Arsdale/6-0 (Nocera Absent)**

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27. After-the-fact authorization to issue a purchase order for the hauling of mulch and other horticultural debris to the County landfill \ Vendor: Swiftline Trucking, Inc., North Ft. Myers, Florida \ Cost: \$38,650.50 \ Funding: Solid Waste/Horticultural Other Contractual Services Budget.  
***This item was withdrawn from the agenda.***

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**End Consent Agenda**

28. Authorization to issue purchase order for a Manhole Spray Rehabilitation Machine (Utilities). Vendor: Strong-Seal Systems Corporation, Pine Bluff, Arkansas \ Cost: \$30,000.00 \ Funding: CIP Project #97N05.  
**Approved/Van Arsdale/MacKenzie 5-0 (Sullivan and Nocera Absent)**

**Open Public Input - None.**  
**Correspondence & Communications - None**  
**Adjourn - 10:40 a.m.**

*Items were considered in the following order:*

*1,2,3,4,5,6,7,8,9,11,12,13,14a,14b,15,10,17,18,19,20,21,23,24a,24b,25,26,22,27,28,16*