

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

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, December 4, 1996
Convened 9:00 a.m. / Adjourned 11:14 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 - *All Present*
2. Invocation and Pledge of Allegiance - *Reverend Andrew DeLong, Charisma Chapel*
3. Announcements
Police volunteer recognition ceremony
City Manager Richard Woodruff recognized members of the City Volunteer Program in the Police Department acknowledging a \$250,000 savings to taxpayers as a result of volunteer efforts. Mayor Barnett presented a plaque to Mr. Bob Kirsch in appreciation of his ten years of service as director of the volunteers.
4. Items to be added
Item 27 - Discussion regarding the City's communication to the Florida Department of Transportation relating to Gordon River Bridge reconstruction.
Item 28 - Discussion regarding upcoming presentation of proposed Cambier Park plans.

Set Agenda, Add Items 27 and 28, and Delete Items 19 and 20/Sullivan/Prolman/7-0

•First Reading of Two (2) Ordinances
•Change in Text Petition 96-T12
•Petitioner: City of Naples
•Planning Advisory Board
recommendation to approve

9:15 a.m.

5-a. Consider an ordinance amending Code of Ordinances Section 82-10 to provide a definition of cocktail lounges.

Approved/Van Arsdale/Sullivan/7-0

5-b. Consider an ordinance amending Code of Ordinances Section 102-532 to provide clarifications pursuant to added definition of cocktail lounges with reference to the Waterfront Commercial District.

Approved/Van Arsdale/Nocera/7-0

<p>•First Reading of an Ordinance •Change in Text Petition 96-T11 •Petitioner: City of Naples •Transmitted without Planning Advisory Board recommendation</p>	<p>9:25 a.m. 6. Consider an ordinance amending Code of Ordinances Section 102 to change cocktail lounges from permitted to conditional uses in commercial and retail zoning districts. <i>Approved/MacKenzie/Van Arsdale/6-1(Prolman dissenting)</i></p>
<p>•First Reading of an Ordinance •Change in Text Petition 96-T10 •Petitioner: City of Naples •Planning Advisory Board recommendation to approve</p>	<p>9:35 a.m. 7. Consider an ordinance amending Chapter 10 "Alcoholic Beverages" to permit bottle clubs or vendors to serve alcoholic beverages between 7:00 a.m. and 12:00 midnight each Sunday through the conditional use process. <i>Approved/Sullivan/Tarrant/7-0</i></p>
<p>•Conditional Use Petition 96-CU25 •Petitioner: Bruce Management Consultants, Inc. •Planning Advisory Board recommendation to approve</p>	<p>9:45 a.m. 8. Advisory discussion/presentation regarding a conditional use to permit the Swamp Buggy Lounge, 428 9th Street South, to serve alcoholic beverages between 8:00 a.m. and 12:00 midnight on Sunday. <i>Defer consideration of this item to the next Regular Meeting. Council was notified that the City would not enforce this prohibition for the next two Sundays.</i></p>
<p>•First Reading of an Ordinance •Text Amendment Petition 96-T13 •Petitioner: City of Naples •Planning Advisory Board recommendation to approve</p>	<p>9. Consider an ordinance amending Code of Ordinances Section 86-201.1(d) to eliminate the street frontage requirement for properties to be rezoned to "C" Conservation District. <i>Approved/Sullivan/Prolman/7-0</i></p>
<p>•Resolution •Conditional Use Petition 96-CU23 •Petitioner: First Call Medical, Inc., d/b/a Florida Health Academy •Planning Advisory Board recommendation to approve</p>	<p>10. Consider a conditional use to permit an acupuncture/massage therapy school at 261 9th Street South. <i>96-7868/Van Arsdale/Nocera/7-0</i></p>
<p>•Resolution •Conditional Use petition 96-CU26 Petitioner: Merydon Compagnone •Planning Advisory Board recommendation to approve</p>	<p>11. Consider a conditional use to permit construction of a chickee hut in the rear yard setback at 1890 Tarpon Road. <i>96-7869/Van Arsdale/Nocera/7-0</i></p>

<p>•Resolution •Variance Petition 96-V20 Petitioner: Naples Community Hospital •Planning Advisory Board recommendation to deny</p>	<p>12. Consider a variance to permit a 175-square foot sign at the Naples Community Hospital, 350 7th Street North. <i>96-7871/Tarrant/Van Arsdale/6-1 (Prolman dissenting. Petitioner agreed to voluntarily submit a sign plan for staff approval.</i></p>
<p>•First Reading of an Ordinance •Rezone Petition 96-R6 •Petitioner: City of Naples •Planning Advisory Board recommendation to approve</p>	<p>13. Consider rezoning the undeveloped properties to the north and east of Champney Bay from "R1-15" Residence District to "C" Conservation District. <i>Approved/Van Arsdale/Prolman/4-3 (MacKenzie, Sullivan, Tarrant dissenting)</i></p>
<p>•Resolution •SAC Waiver 96-6 •Petitioner: Skip Quillen (Pazzo! Restaurant) •SAC Recommendation to approve</p>	<p>14. Consider a waiver from Fifth Avenue South Special Overlay District building use provisions to permit outdoor seating across the sidewalk at 853 5th Avenue South. <i>96-7872 Amended as follows: 1) to be effective for a period of 12 months at which time Council will determine whether the waiver will be renewed; 2) to be specific to this particular business; 3) to require a minimum sidewalk width of 5-feet be available for pedestrians; and; 4) the materials to be used are subject to S.A.C. Approval/Sullivan/Tarrant/7-0.</i></p>
<p>•Resolution •Waiver of Distance Petition 96-WD3 •Petitioner: Restaurant on the Bay, Inc. •Staff recommendation to approve</p>	<p>15. Consider a waiver of distance requirement between liquor licensees in order to permit the sale of alcoholic beverages at Restaurant on the Bay, 4236 Gulf Shore Blvd. North. <i>96-7866/Van Arsdale/Prolman/7-0</i></p>
<p>•Resolution •Waiver of Distance Petition 96-WD4 Petitioner: Village Phase II Land Trust •Staff recommendation to approve</p>	<p>16. Consider a waiver of distance requirement between liquor licensees in order to permit the sale of alcoholic beverages at Bayside Restaurant, 4270 Gulf Shore Blvd. North. <i>96-7867 /Van Arsdale/Sullivan/7-0</i></p>
<p>•Second Reading of an Ordinance •Approved on First Reading 11/20/96</p>	<p>17. Public hearing to consider an ordinance amending Comprehensive Development Code Section 118-61 "Petition Fees," relating to processing fees for Planning Advisory Board petitions. <i>96-7870 /Sullivan/Prolman/7-0</i></p>

<div>•First Reading of an Ordinance</div> <div>•Finance</div>	<div>18.</div> <div>Consider an ordinance amending Code of Ordinances Section 2-354, 2-356, and 2-357 to increase the amount for which competitive bids are required, to provide for an annual adjustment to the threshold amount, and to eliminate the current threshold for emergency purchases permitted by the City Manager.</div> <div><i>Approved as amended in Section 2-356 (1) to require that contact be made with the Mayor or Vice Mayor to gain approval for such an authorization/Sullivan/Van Arsdale/5-2 (Nocera, Prolman dissenting)</i></div>
<div>•Resolution</div> <div>•Human Resources</div>	<div>19.</div> <div>Consider approval of consultant services for classification and compensation study.</div> <div><i>Deleted from agenda.</i></div>
<div>•Human Resources</div>	<div>20.</div> <div>Consider approval of a dental plan for City of Naples employees.</div> <div><i>Deleted from agenda.</i></div>
<div>Consent Agenda</div> <div>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.</div>	
	<div>21.</div> <div>Approval of Minutes</div> <div><i>Approved/Sullivan/Van Arsdale/7-0</i></div>
<div>•Resolution</div> <div>•Planning</div>	<div>22.</div> <div>Consider approval of revisions to the 1996-97 Community Development Block Grant (CDBG) budget.</div> <div><i>96-7873/Sullivan/Van Arsdale/7-0</i></div>
<div>•Resolution</div> <div>•Planning</div>	<div>23.</div> <div>Authorization to execute a maintenance agreement with the State of Florida Department of Transportation for approximately 10,000 feet of sidewalk to be constructed within the Redevelopment Area by the FDOT.</div> <div><i>96-7874/Sullivan/Van Arsdale/7-0</i></div>

<p>•Budget Amendment •Finance</p>	<p>24. Consider authorization to carry forward funds for uncompleted fiscal year 1996 projects. <i>Approved/Sullivan/Van Arsdale/7-0</i></p>
<p>•Purchase Authorization •Finance</p>	<p>25. Authorization to issue a purchase order, based on a previously-awarded bid, for filter media for the Water Treatment Plant\ Vendor: National Suncoast Media Company, St. Petersburg, Florida \ Price: \$12,380.40 \ Funding: CIP Project #97K03. <i>Approved/Sullivan/Van Arsdale/7-0</i></p>
<p>•Purchase Authorization •Finance</p>	<p>26. Authorization to waive competitive bidding to purchase 12 sub-surface filter agitators for the Water Treatment Plant \ Vendor: McLaughlin-Troughton & Associates, Inc., Ponte Vedra, Florida \ Price: \$11100.00 \ Funding: CIP Project #97K03. <i>Approved/Sullivan/Van Arsdale/7-0</i></p>

End Consent Agenda

27. Discussion regarding the City's communication to the Florida Department of Transportation relating to Gordon River Bridge reconstruction.

The following modifications to be made to the communication: 1) Upgrade of pedestrian/bicycle safety access; 2) All landscaping of medians; 3) Lighting enhancement; 4) Identify the DOT requirement for aesthetic enhancements on the bridge based upon federal regulations; 5) Provide for City review of signage; and, 6) address the pipes under the bridges.

28. Discussion regarding upcoming presentation of proposed Cambier Park plans.

It was determined that this presentation would be advertised in order for Council Members to attend.

Correspondence and Communications - None.

Open Public Input - None.

Adjourn - 11:14 a.m.

Items were considered in the following order:

5a,5b,6,15,16,10,11,17,12,7,8,9,13,14,18,21,22,23,24,25,26,27,28