

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: Kenneth B. Cuyler · 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.

Revised 1/29/97
Regular Meeting
Wednesday, January 15, 1997
9:00 a.m.

Convened 8:47 a.m. / Adjourned 4:50 p.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 - ***Prolman absent***
2. Invocation and Pledge of Allegiance - ***Pastor Eric Hausler, Covenant Presbyterian Church***
3. Announcements
 Proclamation saluting the "Naples Gators" junior football team
 The Naples Gators were unable to attend

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Proclamation of Youth Haven Week

Mayor Barnett read a proclamation to Youth Haven President of the Board of Directors Jane Ryan proclaiming January 12-18 Youth Haven Week in Naples. Ms. Ryan noted the Duck Derby Project will be held on Saturday.

4. Items to be added

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

Item 25 - Special Event Martin Luther King Day Parade 1/20/97.

Item 26 - After the fact purchase authorization for removal of mulch to the County Landfill

pursuant to the 11/6/96 approval

Item 27 - *Amendment to legal audit contract with Hildebrandt Co.*

Set agenda adding items 25, 26, 27, and removing Item 22 from Consent Agenda for separate discussion/Sullivan/Van Arsdale/6-0 (Prolman absent)

Scheduled Agenda Items

Some of the items on the following agenda have been scheduled for a time certain. This schedule will be followed as closely as possible for the convenience of any citizen(s) wishing to address the Council. Items not listed at a time certain will be considered at the discretion of the Council.

•Planning

9:15 a.m.

5. Discussion/Presentation by consultant Ray Gindroz regarding final phase of 41-10 Corridor Redevelopment.

Approved UDA proposal for master plan final phase and \$50,000 payment to consultant in matching funds as agreed between the City of Naples and 41-10 Association/Van Arsdale/MacKenzie/6-0 (Prolman absent)

10:00 a.m.

- First Reading of an Ordinance
- Rezone Petition 96-R7
- Petitioner Buquebus (Florida), Inc.
- Continued from 12/18/96 Regular Meeting

6. Consider amending an existing Planned Development document and rezoning two "C2-A" Waterfront Commercial zoned parcels to "PD" Planned Development to permit a ferry boat and terminal at the southwest corner of U.S. 41 and River Point Drive.

Approve as submitted/Sullivan/MacKenzie FAILED/2-4 (Nocera, Tarrant, Van Arsdale, Barnett dissenting, Prolman absent).

Approved as amended/Van Arsdale/Tarrant/4-2 (MacKenzie, Sullivan dissenting, Prolman absent) as follows:

Add the condition that the petitioner will agree in writing to the following:

- 1) *agreement shall be for a ten-year period through January 31, 2007*
- 2) *only one vessel will operate out of Naples*
- 3) *the petitioner may change the vessel but at no time shall said vessel be larger than 144' in length, 38' beam, 28' height and 5.4' draft (current vessel dimensions)*
- 4) *the vessel shall serve the Key West/Naples route only*
- 5) *the vessel shall not exceed a maximum of 305 passengers.*
- 6) *no vehicles shall be allowed on the vessel*
- 7) *no gambling shall be allowed on the vessel*
- 8) *no cargo shall be transported on the vessel*
- 9) *no reapplication shall be made by the petitioner to change any of the conditions*

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- 10) *for approval for a ten-year period concluding January 31, 2007; and the petitioner shall pledge to take no legal action against the City of Naples to force a change in the conditions of this approval for a ten-year period concluding January 31, 2007;*

new Planned Development (PD) document will reflect all plans presented to the Council during this meeting; prior to second reading, a staff report will be provided with comments and recommendations; and second reading of this Ordinance will occur at the February 19, 1997 Regular Meeting.

•Second Reading of an Ordinance
•Approved on First Reading 12/18/96

7. **Public Hearing** to consider an ordinance authorizing Collier County to collect non-ad valorem assessments in the City for interim governmental service fees. *Continued to the 2/5/97 Regular Meeting Sullivan/Van Arsdale/6-0 (Prolman absent)*

•Second Reading of an Ordinance
•Approved on First Reading 12/18/96

8. **Public Hearing** to consider an ordinance amending various sections of the Comprehensive Development Code (5th Avenue South Special Overlay District) to update and clarify procedures and provisions for 5th Avenue South development.
97-7897 Approved as amended Van Arsdale/Nocera/6-0 (Prolman absent) as follows:
Subsection (2) Jurisdiction (n): The SAC shall review and approve all temporary use/special events permits which will be located within the Fifth Avenue Special Overlay District prior to issuance of the permit. Banners on or over Fifth Avenue South shall not be permitted. Banners in other locations shall be permitted only if announcing an event on the property on which the banner is located.

<p>•Resolution •Development Services</p>	<p>9. Consider authorization to adopt a standardized method for estimating the cost of construction additions and alterations to assist the building official in conforming to Federal Emergency Management Agency (F.E.M.A.) and National Flood Insurance Program (N.F.I.P.) standards. <i>97-7898/Van Arsdale/Nocera/5-1 (Tarrant dissenting, Prolman absent)</i></p>
<p>•First Reading of an Ordinance •City Manager</p>	<p>10. Consider amending Section 118-185 and rescinding Sections 118-188 (b) and 118-189 of the Code of Ordinances in order to update impact fees for Fire, Police, and General Government Buildings. <i>Approve/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>
<p>•Resolution •City Manager</p>	<p>11. Consider purchasing approximately 7.5 acres of land on Goodlette Road adjacent to City's present Utilities and Police & Emergency Service Departments. <i>97-7899 Approve amended sales contract as outlined by City Attorney/Van Arsdale/Nocera/6-0 (Prolman absent)</i></p>
<p>•Last considered at 12/18/96 Regular Meeting •Pursuant to Resolution 95-7397 •Pursuant to 12/18/96 Regular Meeting</p>	<p>12. Consider a request by Mayor Barnett to determine whether an item should be reconsidered with reference to annexation of a 3.27 acre parcel located within the Wilderness PUD, immediately east of the City limits, for construction of a 4-story, 140-unit hotel. <i>Approve reconsideration at 2/5/97 Regular Meeting/Van Arsdale/Nocera/5-1 (Tarrant dissenting, Prolman absent)</i></p> <p>13. Discussion relating to travel expenses for City Council Members. <i>Approve \$1,000 per Council Member per</i></p>

year/Sullivan/Tarrant/6-0 (Prolman absent)

•Resolution	14.	Consider a policy whereby all funds donated by the City to support outside activities must be approved by City Council. <i>97-7900/Sullivan/Tarrant/6-0 (Prolman absent)</i>
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•Pursuant to 12/18/96 Regular Meeting	15.	Consider an employment agreement with City Attorney Kenneth Cuyler (partner with Roetzel & Andress, a legal professional association). <i>Approved as amended to clarify language in Paragraph 2 relating to paralegal services/Sullivan/Van Arsdale/6-0 (Prolman absent)</i>
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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/Sullivan/Van Arsdale/6-0 (Prolman absent)

16. Approval of Minutes *12/02/96 Workshop Meeting, 12/04/96 Regular Meeting, 12/16/96 Workshop Meeting*
Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)

•Bid Award #97-26 •Utilities	17.	Award of bid for emergency/standby power system for wastewater pump station (38) Half Moon Master Pump Station \ Vendor: Superior Power Equipment Co., Inc., Fort Myers, Florida \ Price: \$25,948.00 \ Funding: CIP Project #97X10. <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i>
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<p>•Bid Award #97-28 •Community Services</p>	<p>18.</p>	<p>Award of bid for installation of two fuel dispensers at the City Dock and to upgrade the electrical system, piping, data control circuit boards and other components associated with the fueling system \ J&M Pump Service, Inc., Fort Myers, Florida \ Price: \$27,826.60 \ Funding: CIP Project #96Q03. <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>
<p>•Bid Award #97-27 •Utilities</p>	<p>19.</p>	<p>Award of bid for two duplex pump station control panels to be installed at wastewater pump stations (07) South Golf Drive and (79) Forest Lakes \ Vendor: (So.Golf Dr.) Sta-Con, Inc., Apopka, Florida \ Price: \$6,611.00 \ Funding: CIP Project #97X07 \ Vendor: (Forest Lakes) Sta-Con, Inc., Apopka, Florida \ Price: \$13,094.00 \ Funding: CIP Project #97X10. <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>
<p>•Purchase Order •Development Services</p>	<p>20.</p>	<p>Consider purchase authorization to provide labor, material, and equipment to resurface the parking lot and to replace floor slab of Fire Station #2 \ Contractor: Bonness Inc., Naples, Florida \ Price: \$47,789.80 \ Funding: CIP Project #97E16 (Station #2 Renovations). <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>
<p>•Purchase Order •Development Services</p>	<p>21.</p>	<p>Consider purchase authorization for surveying services for improvements to the Lantern Lake drainage basin \ Contractor: American Engineering Consultants, Inc., Naples, Florida \ Price: \$8,640.00 \ Funding: Stormwater Professional Services. <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>

<hr/> <p>•Purchase Order •Development Services</p>	<p>22. Consider purchase authorization for median construction on Central Avenue from Gulfshore Blvd. to 3rd Street \ Contractor: APAC-Florida, Inc., Naples, Florida \ Price \$71,725.42 \ Funding: CIP Project #95U10. <i>Approved as amended to: Future phases, from 3rd Street east to 6th Street, will include various designs to allow on street parking and landscaping between 3rd Street and 5th Street and a median between 5th Street and 6th Street/MacKenzie/Van Arsdale/6-0 (Prolman absent)</i></p>
<p>•Special Events Committee</p>	<p>23. Approval of special events: Jazz in the Park Concert Series 2/15/97, 3/22/97, and 4/19/97 <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>
<hr/> <p>•Bid Award #97-16 •Utilities</p>	<p>24. Award of bid for emergency backup backwash pump and motor for Water Treatment Plant \ Vendor: (pump) Bob Dean Supply, Inc., Fort Myers, Florida \ Price: \$28,000.00 \ Funding: CIP Project #96K27 \ Vendor: (motor) Naples Armature Works, Inc., Naples, Florida \ Price: \$16,937.44 \ Funding: CIP Project #96K27. <i>Approved/Sullivan/Van Arsdale/6-0 (Prolman absent)</i></p>

End Consent Agenda

25. Authorization of street closures and co-sponsorship for second annual Martin Luther King, Jr. Parade and Celebration in downtown Naples \ Cost: \$170.00 to offset Naples Police.
Approved/Van Arsdale/Sullivan/6-0 (Prolman absent)
26. Authorization to issue an after the fact

purchase order to upgrade Solid Waste
Equipment parking area \ Vendor: Swiftline
Trucking, North Fort Myers, Florida \ Cost:
\$38,650.50

*Approved/Sullivan/Van Arsdale/6-0 (Prolman
absent)*

27. Authorization to increase Hildebrandt
consultant fees by approximately \$1800
required for additional interviewing.

*Approved/Van Arsdale/Sullivan/4-2 (Nocera,
Tarrant dissenting; Prolman absent)*

Correspondence and Communications

*City Manager Richard Woodruff noted the
legislative delegation meeting at the County
Commission Chamber, 1/16/97 at 2:00 p.m.*

*City Manager Woodruff noted Naples Players
President Ted Tobye's request to meet with each
City Council Member to discuss a new design for
the Naples Players Theater.*

*Mayor Barnett suggested that Council Member
Nocera prepare a memo regarding placement of a
sign recognizing the Naples Gators.*

*Council Member Sullivan requested the record
indicate his opinion that the decision by
authorities in Tallahassee regarding a hospital for
this area should be investigated as not reflective of
the interests of the community.*

Open Public Input - None

Adjourn - 4:50 p.m.

Items were considered in the following order:

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