

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.

Regular Meeting
Wednesday, April 16, 1997
Convened 9:00 a.m. / Adjourned 11:59 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 - *MacKenzie absent, Van Arsdale arrived 9:05 and Sullivan arrived 9:09*
2. Invocation and Pledge of Allegiance - *Pastor David Mallory, First Assembly Church of God*
3. Announcements
City Manager Richard Woodruff read a Proclamation designating April 21-25 as "Professional Secretaries Week"
Mayor Barnett read a Proclamation designating Friday, April 25, as Arbor Day in the City of Naples and presented special plaques to Phil Buck, Parks and Parkways Superintendent, and Vice Mayor Marjorie Prolman for leadership in Exotic Removal Day which resulted in disposal of 200 melaluca trees
Dr. Woodruff requested thoughts and prayers for former County Commissioner Max Hasse who is very ill
4. Items to be added - *None*

Set Agenda/Van Arsdale/Sullivan/6-0

Scheduled Agenda Items

9:15 a.m.

Consent Agenda

5. 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 5-a, 5-b, 5-c, 5-e
Van Arsdale/Sullivan/6-0 (MacKenzie absent)*

*Item 5-d was deleted from Agenda pursuant to
4/14/97 Workshop discussions*

- 5-a. Approval of Minutes - *11/23/96 Skateboard Park Opening; 3/5/97 Regular Meeting (as amended); 3/31/97 Joint Workshop Meeting*

Van Arsdale/Sullivan/6-0 (MacKenzie absent)

• Purchase Order

- 5-b. Consider a purchase order for renewal of Microsoft Select Contract (software licensing) through 3/31/99 \ Vendor: Wareforce, Inc., El Segundo, California \ Total Price: \$71,654.13 \ Funding: Information Services Maintenance Account and CIP Project #96T03.

Van Arsdale/Sullivan/6-0 (MacKenzie absent)

**• Bid #97-39
• Utilities**

- 5-c. Award of bid for sewer line video inspection equipment used to inspect, document, and repair City sewer lines \ Vendor: Buchen S.I.S., Inc., Chaska, Minnesota \ Price: \$18,476.00 \ Funding: CIP Project #97N06.

Van Arsdale/Sullivan/6-0 (MacKenzie absent)

**• Resolution
• City Manager**

- 5-d. Consider a contract with Risk Management Associates, not to exceed \$4,000.00, to provide consulting services in preparation of a Request for Proposal, to review proposals received, and to assist in contract negotiation for risk management services.

Deleted from Agenda

- 5-e. Consider approval of the following Special

•Special Events Committee

Events:

Rotary Tropical Jazz Concert - 4/18
Taste of Collier - 4/20
P.O.L.O. Street Dance - 4/26
Suncoast Rehab 4-Mile Road Race - 4/26
Gulfcoast Runners 5K Run/Walk - 5/4
Great Dock Canoe Race - 5/10

End Consent Agenda

9:20 a.m.

- Resolution
- Second Reading of an Ordinance
- Approved on First Reading 2/5/97
- Continued from 3/19/97

6. Consider annexing a 3.27 acre parcel located within the Wilderness PUD, immediately east of the city limits, for construction of a 3-story, 134-unit hotel:

6-a. **Public Hearing** relating to annexation ordinance.

97-7934 amended to include the following provisions:

- *all documents reflect TelTrust and the Frank family as co-petitioners*
- *the effective date of the Ordinance will be ten (10) days after adoption*
- *the annexation agreement will be incorporated into and referenced in the Ordinance, and*
- *the attendant development agreement to carry a one (1) year time limit/*
Van Arsdale/Sullivan/4-2 (MacKenzie absent, Prolman and Tarrant dissenting)

6-b. Development agreement approval.

97-7947 amended to include the following provisions:

- *the effective date of the development agreement will be the same as that of the Annexation Ordinance, and*
- *the development agreement carries a one (1) year time limit/Van Arsdale/Sullivan/4-2 (MacKenzie absent, Tarrant and Prolman dissenting)*

7. Consider amending a previously approved planned development for the Bayfront Marketplace in order to revise the development plan for property located in the 400 block of Goodlette Road South.

Approved as amended to allow non-habitable architectural embellishments to extend 20 feet above the peak of the roof, to incorporate PAB

- First Reading of an Ordinance
- Rezone to Planned Development Petition 97-R3
- Petitioner: Bayfront Marketplace, Inc.
- Agent: David Kitchens/Cooper Carry & Assoc.
- Planning Advisory Board recommendation for approval

<p>•Continued from 4/2/97</p> <p>•First Reading of an Ordinance •Text Amendment 97-T3 •Petitioner: City of Naples •Planning Advisory Board recommendation for approval</p> <p>•Resolution •Staff Action Committee Appeal 97-1 •Petitioner: Myrtle E. Brack •Agent: Paul L. Weber</p>	<p><i>recommendations, and to require that all utility lines on site be underground/ Van Arsdale/ Nocera/6-0 (MacKenzie absent)</i></p> <p>8. Consider amending Section 106-239 "Noise," Subsection (h) "Radios, phonographs, televisions, etc.," of the Code of Ordinances in order to provide for a measurable noise level and permit process. <i>Removed from agenda and continued for further discussion at the next Workshop Meeting (May 5)</i></p> <p>9. Consider an appeal of the February 25, 1997 Staff Action Committee decision to deny after-the-fact approval of exterior changes at 670-680 5th Avenue South in the 5th Avenue South Special Overlay District. <i>97-7946/Sullivan/Tarrant/4-2 (MacKenzie absent; Van Arsdale and Prolman dissenting)</i> <i>A prior motion to Deny/Van Arsdale/Prolman/ failed 2-4 (MacKenzie absent, Sullivan, Barnett, Tarrant and Nocera dissenting)</i></p>
<p>•Second Reading of an Ordinance •Approved on First Reading 4/2/97</p>	<p>10. Public Hearing to consider amending Section 110 of the Code of Ordinances in order to restrict lighting of the upper stories of condominium buildings. <i>97-7948/Sullivan/Van Arsdale/6-0 (MacKenzie absent)</i></p>
<p>•Resolution •Conditional Use Petition 97-CU3 Petitioner: Randy Cook, All American Dance Studio •Planning Advisory Board recommendation for approval</p>	<p>11. Consider granting a conditional use to permit a dance instruction school at 944 Fifth Avenue North. <i>97-7949 to include the recommendations of the PAB/Nocera/Sullivan/6-0 (MacKenzie absent)</i></p>
<p>•Bid #97-31 •Utilities</p>	<p>12. <u>Award of bid for odor and corrosion control for Wastewater Treatment Plant (annual contract) \ Vendor: Lakepointe Environmental Group, Inc., Palm City, Florida \ Expenditure: \$104,000.00 \ Funding: Utilities Maintenance Operating Budget.</u></p>

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

Correspondence and Communications - *City Manager Richard Woodruff announced that the Blue Ribbon Committee (on Council salaries) had completed its work and would make a formal presentation at the first workshop in May*

Open Public Input - *None*

Adjourn - *11:59 a.m.*

Items were considered in the following order: 1,2,3,4,5a,5b,5c,5e,8,9,6a,6b,7,10,11,12