



City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

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**City Council Joint Workshop Meeting – May 5, 1997 – 8:30 a.m.**

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Mayor Barnett called the meeting to order and presided.

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**ROLL CALL** ..... **ITEM 1**

**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 Woodruff, City Manager  
Kenneth Cuyler, City Attorney  
Missy McKim, Planning Director  
Tara Norman, City Clerk  
Dr. Jon Staiger, Natural Resources Mgr.  
Virginia Neet, Deputy City Clerk  
Pam Mac'Kie, County Commissioner  
Gil Sherburne, Zoning Inspector  
Molly Reed, Recording Secretary  
Dave Hedrich, Collier County Code  
Enforcement.  
George Henderson  
Werner Haardt  
Fred Coyle  
Wilson Chockley  
Dr. A.D. Cumming  
Larry Ingram  
Ronald Soulard  
Sam Wilson

Russell Ferguson  
JoAnn Quinn  
James Rideoutte  
Kim Patrick Kobza  
John Passidomo  
Alan Witt  
Michael Williams  
David Szempruch

**Naples Airport Authority**

Edwin Putzell  
Joseph Freni  
Joseph Bawduniak  
Barbara Cawley  
Ted Soliday

Other Interested Citizens and Visitors

**Media:**

Gina Edwards, Naples Daily News  
Frank Kinsman, WNOG  
Fox TV

.....**ITEM 10**  
**DISCUSSION OF LOWDERMILK PARK PARKING RESTRICTIONS.** (Requested by Mayor Barnett) (8:31 a.m.)

County Commissioner Pam Mac’Kie addressed Council requesting reconsideration of Council’s action to reserve parking at Lowdermilk Park for City residents. She urged Council to consider County and City residents alike, and requested Council, instead, address the total beach parking situation. Council Member Van Arsdale urged proceeding cautiously since hotel operators had not been heard. Mayor Barnett and Council Member Nocera, however, indicated the solution previously approved by Council was intended merely as a one year experiment. Vice Mayor Prolman said, however, that she welcomed the opportunity to review the situation more comprehensively.

Council Member Tarrant stated that he was comfortable with Council’s prior decision. He added that the County had failed to provide beach access for County residents, and the City should not be held responsible for the County’s exploding population. Commissioner Mac’Kie responded that the County pays the City for beach parking spaces, and Mr. Tarrant indicated that he felt that the money received from the County was insignificant. Council Member Sullivan contended that Council was obligated to City residents, pointing out that the County population outnumbers the City 8 to 1. Mayor Barnett also said that Council’s duty was to respond to City residents. Council Member MacKenzie requested the County aggressively pursue beach parking for County residents and asked that Council resolve this issue prior to the summer break in June, adding that the City cannot be expected to solve a County problem. Commissioner Mac’Kie noted that the County was working to obtain beach access in Vanderbilt Beach.

Mayor Barnett stated that Council would have an option in place in June. Council Member Sullivan reported that the preference of the Coquina Sands Property Owners Association Board of Directors was Option #1 (remove all parking meters and limit Park use to permit parking only--City and County Stickers). Council Member MacKenzie requested that residents of Coquina Sands be included in the discussions; Vice Mayor Prolman requested staff input; and Council Member Van Arsdale called for a study of the carrying capacity of all beach ends. Commissioner Mac’Kie agreed to inform the County Commissioners of Council Member MacKenzie’s request that the Commission make a commitment for the future to provide beach access for their residents.

**ITEMS TO BE ADDED** .....**ITEM 2**  
None.

.....**ITEM 3**  
**DEMONSTRATION REGARDING NOISE/DECIBEL LEVELS.** (8:52 a.m.)

City Manager Richard Woodruff described the difficulties of understanding a decibel level, and invited everyone outside for a demonstration conducted by him and David Hedrich, County Code Enforcement Investigator. The presentation demonstrated a variety of decibel levels for such things as a lawnmower, conversation, and recorded music.

Following the demonstration, Mayor Barnett informed Council that a review of the agenda items for the Regular Meeting on the 7<sup>th</sup> would take place after a discussion with the Naples Airport Authority and interviews for the Code Enforcement Board.

.....ITEM 5  
**JOINT DISCUSSIONS WITH NAPLES AIRPORT AUTHORITY REGARDING  
NEW NAPLES NUMICIPAL AIRPORT MASTER PLAN. (9:06 a.m.)**

Edwin Putzell, Chairman of the Naples Airport Authority (NAA), explained that the airport Master Plan was mandated by the FAA and prepared by the consulting firm of Post, Buckley, Schuh and Jernigan, Inc. (A copy of the Master Plan is included with the record and on file in the City Clerk's Office.) He added that the preparation of the Master Plan had taken several years and entailed additional sub-studies. (Attachment 1) He described the objective of the report which was to provide guidelines for development of the airport in order to satisfy future aviation demand as outlined in the report's table of contents. (Attachment 2) Chairman Putzell also pointed out that NAA members were volunteers who had donated many hours in preparation of the report.

Authority Member Joseph Freni, speaking on the growth, demand and capacity assumptions of the airport, stated that it was believed that some of the planning presumptions in the report were flawed. He explained that since the document was designed to assist the FAA in anticipating aviation growth, it becomes one-dimensional and does not favor allowing the NAA to make its own decisions. He pointed out, for example, that no effort was made to adjust forecasts and calculations after Comair had discontinued service. Further, he said, the FAA combined Naples Airport and Regional Southwest (RSW) to determine a weighted average in its calculations, resulting in an inaccurate analysis of activity at Naples Airport. Nor, he stated, did the report consider the potential effect on Naples of either the scheduled expansion of RSW or activity at nearby County airport facilities. In conclusion, Mr. Freni stated that the use of this report for the next five years assumed a constancy of activity at the airport.

Airport Director Ted Soliday, speaking for Airport Member Louis Amato, who was absent, reviewed safety and facilities construction. He indicated that a major FAA consideration related to safety, and described the steps being taken to meet FAA requirements, including an FAA analysis that aircraft using the airport are limited by the length of the runway. He noted that the FAA required the relocation of the TVOR (a high-frequency radio) from mid-field and upgrading the radar to a Doppler system, and said that Federal funding would be required to expedite both stipulations. He concluded that the NAA had demonstrated an ability to meet the 20-year time frame required by the FAA for various improvements.

Authority Member Joseph Bawduniak spoke regarding the impact of the F.A.R. 150 Noise Study on the Master Plan and the Capital Improvement Plan. He described three ways to reduce noise:

- Flight path modifications
- Aircraft restrictions
- Land use protection

He said the Airport Authority had already altered flight paths and placed restrictions on jet aircraft, adding that land use protection is a function for the County. He described the methods used to reduce noise and the airport's noise abatement program, concluding that the FAA

requires noise abatement compliance from all airports in the Country. Mr. Bawduniak then said the capital improvement plan totaled \$750,000 and the funding process would begin in July 1997.

Authority Member Barbara Cawley spoke on environmental aspects and mitigation described in the Master Plan. She described five areas of concern: 1) aircraft safety; 2) off-site water management; 3) an abandoned landfill on site; 4) off-site mitigation options; and 5) best use of the property for growth. She concluded that the solutions to these issues would cost up to \$1 million and said the NAA expected to receive state and federal funding for the project.

Chairman Putzell explained that 90 percent of the funding for all capital improvements is derived from the FAA trust fund and five percent is from the State. He pointed out that the airport is the only governmental agency that does not receive local tax money, cannot levy taxes, and receives its revenue from on-site fees and federal grants. He described the airport's economic impact on the local economy which, he said, combined with the economic "ripple effect" amounted to over \$150 million.

Mr. Putzell submitted a letter to Council from Attorney Judith Richards Hope outlining an analysis of FAA restrictions on revenue sharing with the City. (Attachment 3) He explained the FAA restrictions limiting airport allocation of revenues to reimbursement for direct services rendered by the City.

Mayor Barnett thanked the volunteer members of the Airport Authority board for their efforts. Council Member MacKenzie asked Mr. Freni if the guidelines for the Master Plan precluded local input. He responded that the board was making every effort to proceed slowly, question FAA data, and remain independent while concentrating on safety. Mr. Soliday explained to Council that the two areas of non-aviation related development, when completed, would maximize the development of the airport.

Council Member MacKenzie reiterated the City's Vision 2005 request to define the maximum carrying capacity of the airport in terms of airport growth, noise levels, and hours/types of operations. She stated that Council's approval of the Master Plan was contingent upon clarification of these specific questions. Mr. Soliday responded that these matters were addressed in the Master Plan and made clear in the capital improvement plan which emphasized safety and the environment. Council Member MacKenzie then asked Mr. Bawduniak if the Airport Authority was intending to fund the F.A.R. 161 Study. He responded that a contingency provision had been made to fund the study in the event it became important to do so.

Council Member Nocera questioned the status of the taxiways, and Mr. Soliday responded that taxiway D2 was under reconstruction since it was in disrepair. He added that commercial areas in the south quadrant would probably be developed before another taxiway would be built. Mr. Soliday also said that both taxiways would be state funded. In addition, he informed Council that no additional hangars would be built in the short term until the safety and environmental requirements had been met. He reported a waiting list of 78 for hangar space.

Council Member Nocera noted that if runway 14-32 were to be shortened, larger aircraft would be precluded from using the airport. Mr. Soliday responded that the existing runways already

restricted airplane types, explaining that non-commercial aircraft were more difficult to control than commercial since the airport weight-bearing limit of 75,000 pounds eliminates all commercial airliners.

Council Member Sullivan asked about plans to eliminate Stage 1 jets from using the airport, and Mr. Bawduniak reported that if the Airport Authority pursued this issue, they would be taken to court by the National Business Aircraft Association or its individual operators. In addition, FAA and Florida Department of Transportation (FDOT) grant funding to the City of Naples would cease. Therefore, he explained, the NAA elected to ban Stage 1 jets only at night. Mr. Soliday told Council that Stage 1 aircraft constituted less than one percent of airport traffic and consisted mainly of medical flights which had special dispensation.

Mayor Barnett inquired if the FAA would give notice prior to curtailing funds, and Mr. Bawduniak related that FAA grant funding has a 20-year consideration, so the impact would be felt in 20 years. He added that the FAA would likely consider their first letter, which outlined the repercussions of banning Stage 1 jets, would be viewed as sufficient notice.

In response to Council Member Van Arsdale, Mr. Soliday said that the Part-150 Noise Abatement Plan could be changed by adhering to a FAA 180-day review process. Mr. Van Arsdale pointed out significant fluctuations in general aviation operations and questioned the Master Plan's competency to accurately forecast airport traffic by using inconsistent data. Mr. Freni agreed and expressed a lack of confidence in the plan's calculations noting that some important variables were ignored. Mr. Soliday concurred.

Council Member Van Arsdale asked for discussion of options available if the Airport Authority stopped accepting federal grants. Mr. Soliday itemized the procedures and results of refunding grants:

1. It would be necessary to calculate over the past 20 years to determine the amount of money to be returned to the FAA;
2. If grants were not accepted during the next five years, the safety repairs and related development would not be made; and
3. The airport requires substantial FAA grants for general maintenance.

Council Member Van Arsdale remarked that the airport managed without grants until 1972. He called on the Airport Authority to investigate the pay-back amount since there is precedence for severing ties to the FAA.

Vice Mayor Prolman asked if the two non-aviation areas of airport development were exempt from the attorney's opinion that shared revenues required direct services rendered by the City. Mr. Putzell responded that the NAA must first deal with the west quadrant safety requirements and environmental problems. Following that, he said, areas that were considered non-aviation related could be developed to provide taxable revenue to the City. Vice Mayor Prolman stated that another goal is to eliminate exotic vegetation within the City, adding that mitigation of the airport wetlands would not be possible. She then asked Mr. Freni if Comair would return to Naples. Mr. Freni stated that this was a market decision based on revenue rather than airport facilities and, therefore, Comair had the option to return.

Council Member Tarrant expressed the opinion that the City had not benefited from the rights and privileges referenced in the City's lease agreement with the Airport Authority. He stated that, in spite of statements to the contrary, it appeared the Airport Authority was moving toward increased growth and a large county-wide airport of no revenue benefit to the City. He called for the resignation of the Airport Authority Members and stated that the City did not receive the revenue it deserved from the airport. Mr. Freni responded that the NAA did not intend to grow in the next five years and stated that the emphasis of the NAA presentation had been on safety and environmental issues. Mr. Freni said that Council Member Tarrant's comments demeaned the board's effort to work and contribute to the community, and stated that he resigned from the Board, effective immediately.

Mayor Barnett urged Mr. Freni to reconsider and Council Member Sullivan stated that he would vote against accepting his resignation. Council Members MacKenzie, Nocera, Van Arsdale and Vice Mayor Prolman concurred. Mayor Barnett concluded that a consensus of 6-1 would vote against accepting Mr. Freni's resignation.

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**Break - 10:45 a.m. to 10:53 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened**

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Mayor Barnett apologized for delaying the candidates who had appointments for interviews. In response to Council Member Tarrant, Mayor Barnett explained that the public may speak at the close of a workshop and noted that this policy is stated on the speaker sign-up form. However, public input was interspersed with interviews of Advisory Board candidates as time permitted.

.....**ITEM 6**  
**INTERVIEWS WITH CANDIDATES FOR THE CODE ENFORCEMENT BOARD.** (10:54 a.m.) Council interviewed James Boughton. Council then interviewed candidates Steven Coplin and James Dean.

**Public Input:** (10:59 a.m.)

**Fred Coyle, 1966 4<sup>th</sup> Street South**, representing Citizens for Control of Airport Noise, stated that in September 1996, Council had requested the NAA to determine the airport's acceptable carrying capacity, permissible noise level, hours of operation, and allowable number and type of aircraft. He noted that after eight months, the Master Plan did not address any of these concerns. He said the capital improvements exceed \$40 million and would upgrade the facility to a total of 269 new hangars along with a boundary extension that would result in a longer runway. He urged Council to demand a response to the concerns they expressed in September.

.....**ITEM 7**  
**INTERVIEWS FOR THE PLANNING ADVISORY BOARD.** (11:01 a.m.) Council interviewed Stanley Hole, James Rideoutte, Rhona Saunders, and Falconer Jones.  
**It is noted for the record the remaining interviews were continued later in the meeting.**

Vice Mayor Prolman requested the City Clerk to include candidates' backgrounds as part of the pre-interview information chart as well as the residency requirements for Board positions.

**Public Input:** (11:33)

**Wilson Chockley, 512 21<sup>st</sup> Avenue South**, said he had not heard any concerns from Council or the Airport Authority regarding airport noise, adding that Council should focus on the feelings of the citizens. **Sam Wilson** was not present when called. **Dr. A. D. Cumming, 176 18<sup>th</sup> Avenue South**, said the goal of the noise committee should be to eliminate Stage 1 jets. He suggested the airport charge a \$5,000 to \$10,000 landing fee so these aircraft would land elsewhere. **Larry Ingram, 631 17<sup>th</sup> Avenue South**, stated that Council should not receive legal advice from the Airport Authority and suggested Council obtain an independent legal opinion. Mr. Ingram informed Council that he had examined the 2000-page title abstract to the airport and related that the lease makes the airport subject to City ordinances. He said there is case law to confirm that when the FAA makes grants subject to conditions precedent, the burden of resolving problems rests with the FAA rather than with the owner of the airport. He stated that an independent analysis of the airport title abstract would demonstrate that the City could terminate the lease, evict the Airport Authority, and operate the airport according to City standards. **Ron Soulard, 1595 Avion Place**, Vice President of Citizens for Control of Airport Noise, said he regretted the events of the morning, and added that he was pleased to hear Mr. Freni challenge the data in the Master Plan. He expressed objection to the westward expansion of the airport, closing North Road, and relocating the VOR because he said he anticipated these changes would result in a request for a longer runway. He concluded by saying that the Airport Authority should be concerned for the City and its residents rather than safety and the environment.

**It is noted for the record that at this time, (11:48 a.m.) Council returned to Item 7.** Interviews for the Planning Advisory Board were conducted with Michael Williams, David Szempruch, and Robert Ashbaugh.

.....**ITEM 4**  
**REVIEW OF ITEMS ON 5/7/97 REGULAR MEETING AGENDA. (11:57 a.m.)**

**Item 5d (Special Events, March for Jesus -5/17)** - Council Member MacKenzie requested clarification that co-sponsorship was not requested; **Item 6 (Amend sign ordinance for “no trespassing” and real estate signs)** – Council Member MacKenzie questioned the size of the “no trespassing” signs, and City Planner McKim explained the signs will be made locally in a size deemed most effective by the Police Department; **Item 11b (Conditional use approving a parking needs analysis for hotel located west of US 41, south of Myrtle Terrace)** - Vice Mayor Prolman requested that a workshop on density issues be scheduled prior to Council’s summer break. She questioned staff’s report for the parking needs of the proposed hotel, and noted that the policy had been to control density by restraining parking. Council Member Van Arsdale said he would like to have an analysis done on the number of hotel rooms in the city and the overall impact of transient guests; **Item 12 (Variance to demolish residence at 56 Gulf Shore Boulevard South)** - Council Member MacKenzie requested information regarding the height of the existing house; **Item 15 (Bayfront Marketplace Planned Development Amendment)** - Council Member Van Arsdale requested wording to clarify that Council is to arbitrate any impasses among parties; **Item 16e (Consider approval of traffic calming techniques)** - Vice Mayor Prolman requested that Item 16e pertaining to Gordon Drive and Aqualane Shores be heard at the June 4th Regular Meeting. In response to Vice Mayor Prolman, City Manager Woodruff said the 1997 budget allotted \$150,000 for traffic calming devices, noting that the Aqualane Shores and Gordon Drive project would cost approximately \$250,000. He proposed that, for a period of one year, the \$700,000 paving program be halved to cover the cost of selected traffic calming projects. The City would then monitor the results of the projects

for the ensuing one or two years. New funding sources would have to be created after the test period, he said. In order to prioritize, Vice Mayor Prolman requested an itemization of the paving projects that would be delayed as a result of dividing the budget.

**It is noted for the record that at this time, (12:38 p.m.) Council returned to Item 7.**

An interview for the Planning Advisory Board was conducted with Tamela Weisman.

**It is noted for the record that candidate Michael Brown was not present when called at 12:30 p.m.**

.....**ITEM 9**  
**DISCUSSION REGARDING A REQUEST TO AMEND THE FIFTH AVENUE SOUTH**  
**REGULATING PLAN IN ORDER TO RELOCATE OR REMOVE AN EXISTING**  
**PARKING GARAGE DESIGNATION AT THE SOUTHEAST CORNER OF 4TH**  
**AVENUE SOUTH AND 4TH STREET SOUTH.**

Attorney John Passidomo explained to Council that the property in question was privately owned, was designated as a parking garage, and had little opportunity for redevelopment. He stated that because the value of the land exceeds \$1 million, it was not practical to construct a parking garage. Planning Director Missy McKim informed Council that staff was seeking direction, and the options she suggested were:

- Remove the parking designation altogether; or
- Remove the parking designation from the portion of the property scheduled for multi-family development.

Council instructed the Planning Department to proceed with separating the parking designation on the property from the proposed multi-family development section and return to Council after the PAB has made a recommendation regarding this change.

**ADJOURN**.....  
12:44 p.m.

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Bill Barnett, Mayor

Tara A. Norman  
City Clerk

Prepared by:

Molly Reed  
Recording Secretary

Minutes Approved: June 4, 1997