



Gulfview Middle School
255 6th Avenue South
Naples, Florida 34102

City Council Workshop Meeting – June 16, 1997 – 8:30 a.m.

Mayor Barnett called the meeting to order and presided.

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
Susan Wiesing, Human Resources
Director
Richard Gatti, Development Services
Director
Jon Staiger, Natural Resources Manager
George Archibald, Traffic Engineer
Ronald Lee, Planner
Keeth Kipp, Utilities/Solid Waste
Coordinator
Molly Reed, Recording Secretary
Ron Soular
Russell Ferguson
David Rice

Amy Rego
Fred Coyle
Sam Wilson
Mardon Collins
Bob Schmeckpeper
Joe Bawduniak
Ned Putzell
Virginia B. Corkran
Joe Herms
Everett Thayer

Other interested citizens and visitors

Media:

Tara Beer, Naples Daily News
TV 2 - WBBH

ITEMS TO BE ADDEDITEM 2

Council Member Nocera requested the following item be added to the agenda:

Item 8 – Consider payment of fees, in excess of the \$1000 limit, for Council Member Nocera to attend Leadership Collier and the Florida League of Cities conferences.

City Attorney Kenneth Cuyler requested the following item be added to the agenda:

Item 9 – Consider the June 30th expiration of the contract for City Attorney Kenneth Cuyler.

**.....ITEM 3
DISCUSSIONS WITH THE OLD NAPLES ASSOCIATION RELATING TO
VARIOUS COMPONENTS OF THE PROPOSED COMPREHENSIVE PLAN. (8:41
a.m.)**

Members of the Old Naples Association Board of Directors delivered a presentation covering specific issues of concern, accompanied by their request that Council include their items in the Comprehensive Plan. Association President Mary Beck explained that Association members were primarily concerned with issues directly affecting their neighborhoods. Pam Watson explained that the goal was to preserve the village atmosphere in Old Naples and to limit mega-houses and condominiums, which are replacing the traditional cottages. She then stated that the proposed Comprehensive Plan does not go far enough to preserve historic homes, and named three recently sold addresses in Old Naples that were in peril of destruction. Joe Herms called for an ordinance that would allow the residents of a specific neighborhood to voluntarily restrict destruction of historic homes in their area. Council Member Van Arsdale noted, however, that since the proposed restrictions were to be voluntary, residents could implement them now. Council Member MacKenzie pointed out that Old Naples had a considerable amount of multi-family zoning which resulted in replacing single-family homes with condominiums, and she suggested the board of the Old Naples Association present Council with a draft of their suggestions.

David Rice requested a cap on the number of hotel rooms permitted in the Old Naples area, noting that the County has a more restrictive ratio of rooms per acre than the City, and called for Council to examine its policy. Amy Rego suggested the City determine the point at which additional hotel rooms violate the character of the area. Council Member Tarrant said additional regulations that were not adhered to became meaningless, adding that the City had recently put aside established regulations regarding the Hilton Hotel and Naples Landing. Council Member Van Arsdale related that City staff was currently conducting a study regarding hotel densities that would be completed in September.

Council instructed the Old Naples Association to appoint one member to work with the City staff in preparation of a study to determine alternatives to the parking needs analysis for transient lodging.

Mr. Herms then called for restrictions on the rentals of mopeds, beach chairs, etc. in the downtown area, stating that rentals of these items encourages use of the beaches near the rental location. Mayor Barnett, however, asked for a legal opinion on this concept, and City Attorney Kenneth Cuyler responded that the City could enact a reasonable restriction but it would have to apply City wide. City Manager Richard Woodruff said the City was able to monitor rentals by requiring the vendor to comply with the conditional use procedure.

Mr. Herms then appealed to Council for Planned Development (PD) rezoning in Old Naples that would give more attention to the prevailing zoning standards already existing in the area.

David Rice expanded on the concept by suggesting that similar rezoning should likewise apply to the overlay districts which are currently excluded from that consideration in the Comprehensive Plan. Kim Case, also of the Old Naples Association, stated that the present system tends to be “spot zoning,” pointing out that a consistent, overall plan should be implemented through the Comprehensive Plan. Council Member Van Arsdale observed that the Association’s concept was not clear, citing as an example the underlying standards on Fifth Avenue South that were not effective and had to be abandoned in order to improve the street. He added that PD zoning is useful for enforcing more specific zoning and had proven to be effective in retaining the unique character of a district, and concluded that he could not support their proposal.

Mr. Herms, however, said that if the existing zoning was not appropriate, it was up to the City to work with the residents to remedy the improprieties based on existing zoning standards. Mr. Rice stated that they would like to correct the impact of PD zoning which, he said, leads to zoning that is, overall, more intense than the original underlying zoning.

The Old Naples Association also requested Council to initiate parking restrictions on residential streets since the residents were not able to control parking on the easements at their homes. Council Members Tarrant said he supported the need for a solution, and Council Member Sullivan agreed, adding that the problem exists because there were insufficient County beach facilities to accommodate an expanding County population. Council Member MacKenzie observed that overcrowded beach parking throughout Old Naples presented a safety hazard because the streets became too narrow for emergency vehicles. Mayor Barnett remarked that Council would soon be dealing with the beach parking issue and urged patience

In conclusion, Mr. Herms mentioned that the Association would like Council to consider designating the Old Naples bumper sticker as the official beach parking permit for Old Naples residents.

.....**ITEM 4**
A DISCUSSION REGARDING POSSIBLE LAND USE RESTRICTIONS AT THE
NAPLES MUNICIPAL AIRPORT. *(Requested by Council Member Tarrant) (9:11 a.m.)*

Council Member Tarrant said that the purpose of the discussion was to determine the impact of airport activity on the quality of life in Naples and pointed out that the Naples Airport Authority (NAA) master plan did not address Council’s September 1996 request to establish the carrying capacity of the airport. Council Member Nocera agreed, and presented a proposal for inclusion into the Comprehensive Plan that enumerated specifics for future land use at the airport. (Attachment 1) Mr. Tarrant said he had reviewed the document, found it relevant and unobjectionable. Mayor Barnett, however, said he considered the document premature since Council had not seen the final airport master plan. He continued that, following FAA approval, Council would be the body to either approve or reject it. Council Member Tarrant, however, pointed out that the airport constituted a square mile of the City and, as such, should be integrated into the Comprehensive Plan regardless of the airport master plan.

Council Member MacKenzie asked whether it would benefit Council to make the proposal part of the Comprehensive Plan in the event Council chose to alter or amend the airport master plan, and City Attorney Kenneth Cuyler responded that so long as the master plan was generally consistent with the Comprehensive Plan, Council could accept or reject it. Council Member Van Arsdale said that language in Section 11 of the Comprehensive Plan related to the airport and suggested Council present the proposal to the Airport Authority for comment prior to any action. Mr. Nocera replied that he had no objection to Airport Authority input on his proposal, but Mr. Tarrant stated that the past nine months was sufficient time to receive a response regarding carrying capacity adding, further, that the matter had been discussed repeatedly and nothing in the proposed policy statement would be new to the NAA.

Mr. Van Arsdale said he had received the document 20 minutes prior to the meeting and was, therefore, not prepared to take action. Vice Mayor Prolman recommended that the proposal first be reviewed by the NAA and City staff to determine whether the language was consistent with the Comprehensive Plan; however, she concurred with the intent of the proposal.

City Manager Richard Woodruff reviewed the relationship between the Comprehensive Plan and the Airport Authority master plan:

- In 1984 an airport master plan was adopted which was very site-specific regarding changes permitted at the airport.
- The Comprehensive Plan, adopted in the late 80's, lacked the ability to impact the 1984 airport master plan.
- When the new airport master plan comes before Council in late 1997 or early 1998, Council will be required to review, challenge, and formally amend it as they do with any other petitioner.
- Council has the final jurisdiction over the airport master plan whether or not additional statements are added to the Comprehensive Plan.
- Until a new airport master plan is adopted, the stipulations of the 1984 master plan remain in effect.

Council Member Tarrant stated that if Council were to add specific requirements to the Comprehensive Plan, it would send a clear message to the Airport Authority about the intentions of Council; Dr. Woodruff agreed.

Public Input: (9:40 a.m.)

Ron Soulard, 1595 Avion Place, stated that he objected to the proposed airport master plan because it failed to define maximum carrying capacity. **Russell Ferguson, 540 12th Avenue South**, said that Naples Community Hospital, Gulfview Middle School, St. Ann's School, Cambier Park, and many residences are located within one mile from the principal runway at Naples Airport which he described as a hazardous, polluting enterprise. **Fred Coyle**, representing Citizens for Control of Airport Noise, urged that Council should provide guidance to the Airport Authority by inserting a section into the Comprehensive Plan regarding future land use plans, stating that the State will reject the Comprehensive Plan unless it contains such a provision. **Sam Wilson, 1165 Clam Court**, said he supported

Council Member Nocera's proposal in order to safeguard the 70% of Naples residents who want protection from the noise and pollution of the airport. **Mardon Collins, 1685 Airway Drive**, stated that Council should stop the expansion plans of the Airport Authority by including restrictions on land use in the Comprehensive Plan. She added that overflow from the Naples Airport should be handled by the three other Collier County airports. **Bob Schmeckpeper, 675 Anchor Road** said he does not object to airport noise adding that he uses Naples Airport and objects to attempts to curb access to a local facility. **Joe Bawduniak, 282 Bahia Point**, said that as a member of the Airport Authority, he objected to the questions of safety referred to in Council Member Nocera's proposal. He questioned whether Mr. Nocera had personally conceived the recommendations. Although Mr. Nocera indicated that he had not, he said he had, however, researched and verified the facts in the document. Mr. Bawduniak then asked what document specifies that schools exist in the clear zones of three runways in violation of State Statute as stated in the Nocera proposal. Mr. Nocera responded that St. Ann School is in the zone referred to but had not been substantiated by and official statute.

Council Member Tarrant asked whether the Airport Authority had complied with Council's request of September 1996 to determine the carrying capacity of the airport and Mr. Bawduniak responded that an answer had been computed in the proposed master plan. He explained that such a determination depended on a required formula incorporating many variables such as weather, delays, etc. and, therefore, the question could not be answered in those terms. Mr. Tarrant questioned whether he had any objections to including Council Member Nocera's policy statement in the Comprehensive Plan, and Mr. Bawduniak said that he did.

Ned Putzell, 1285 Gulf Shore Boulevard North, as a member of the Airport Authority, objected to having received the Nocera proposal on June 13th thus precluding advance review by the Authority. He said he considered the proposal premature. Council Member Nocera reiterated that this was a preliminary document and noted that the NAA would be permitted comment, adding, however, that he felt the NAA should incorporate the proposal in the airport master plan as proper for the community. Mr. Putzell, noting that other jurisdictions are affected by the document, questioned whether the City could legally implement such a proposal. Council Member Tarrant explained that the issue would be determined at the June 18 Regular Meeting when the Comprehensive Plan would be reviewed, thus allowing sufficient time for NAA review. Mayor Barnett pointed out, however, that a consensus of Council would determine whether or not the issue would be part of the Regular Meeting.

Addressing Mr. Putzell, Council Member Van Arsdale explained that the concept of carrying capacity refers to the community's definition of an acceptable standard. He urged the NAA to work with the City on the issue, adding that to consider the airport merely in terms of what will fit on the land is unacceptable because it results in more expansion than citizens want. Mr. Putzell responded that he would welcome help from Council to determine an acceptable carrying capacity definition. Council Member Tarrant expressed the view, however, that carrying capacity it is not a complicated concept because the impact from the airport exceeds the space available in the City and degrades property values and standard of living. Mr. Tarrant also noted that consultant Dr. Herbert Marlow had recently determined that Naples had reached maximum carrying capacity.

Recess: 10:30 a.m. to 10:46 a.m. It is noted for the record that the same members of Council were present when the meeting reconvened.

Public Input Continued: (10:46 a.m.)

Virginia B. Corkran, 213 9th Avenue South, said the expansion of the airport affected the entire community in terms of noise, safety and land use, expressing concern that the airport master plan included destruction of over 149 acres of wetlands along with future runoff piped into the Gordon River. She said that the water quality and level of the river pertained to carrying capacity and urged approval of Council Member Nocera's proposal. **Joe Herms, 167 3rd Avenue North**, stated that the Old Naples Association supported limitations on airport expansion and intensification of use due to an increase in frequency and noise of flights over Naples. He urged Council to adopt the Nocera proposal. **Everett Thayer, 1690 Avion Place**, noted that in December he had urged Council to abolish the Airport Authority due to the cost to Avion Park residents for improvements in the area, such as a lift station and pipes under North Road.

City Manager Woodruff clarified that Avion Park residents had paid 75%-80% of the cost for their collection system remarking that the lift station and the drainage work were not, in any way, paid for by Avion Park.

Mayor Barnett requested a consensus from Council regarding Council Member Nocera's proposal to include airport future land use in the Comprehensive Plan, pointing out that he, along with Council Members Van Arsdale and Prolman, felt it was premature for Council to act at that time. Council Member Sullivan concurred, thus forming a consensus.

Council Member MacKenzie, however, remarked that as it was clearly the intent of the public to limit airport expansion; Council should take a leadership role in resolving the issue rather than risk a referendum that could result in closing the airport altogether. She then stated that because the airport belongs to the City it was within the City's jurisdiction to deal with it.

Council Member Tarrant requested a discussion on the issue at the Regular Meeting in order for a fourth Council Member to join the minority, and Mayor Barnett said that if a fourth member chose to come forward, there would be further debate.

.....**ITEM 5**
REVIEW OF ITEMS ON THE JUNE 18, 1997 REGULAR MEETING AGENDA.

(10:59 a.m.)

Item 5c (Agreement for horse and carriage operation) City Manager Richard Woodruff said he would look into the status of an agreement with the current horse and carriage firm operating in the City.

Item 5j (Replacement of air conditioning in City Council Chamber) City Manager Woodruff said he would report on cost to repaint, recarpet, and mildicide the Council Chamber. In addition, he would determine the cost of maintaining the air conditioner during the past year.

Item 5k (Bid for Emergency Generator for Solana Station) City Manager Woodruff indicated that he would report to Council on the plans for use of the old generator.

Item 5m (July 4th Fireworks display) City Manager Woodruff will provide Council with an update on the fundraising efforts.

Item 5e (Installation of a backflow preventer at Books-A-Million Store) It was agreed to make landscaping and painting a stipulation.

Item 9 (Amendment to provide guidelines for landscaping around backflow prevention devices) City Manager Woodruff and City Attorney Cuyler will rewrite the amendment to include landscaping and painting provisions.

Item 13 (Cambier Park Phase I Redevelopment) City Manager Woodruff said that the \$2 million budget would identify the revenue source for each budget item.

Item 18 (Confirmation of acceptance of the Pulling property gift) The City Manager will determine the status of boat slip rights on the property.

Item 19 (Parking plans for Lowdermilk Park) City Manager Woodruff will report on the number of parking spaces created by the County in the past 10-15 years.

Item 20 (A hurricane recovery mutual aid agreement between several local communities) This item will be added to the June 18th Agenda.

.....**ITEM 8**
CONSIDER PAYMENT OF FEES IN EXCESS OF \$1000 LIMIT IN ORDER THAT COUNCIL MEMBER NOCERA MAY ATTEND LEADERSHIP COLLIER AND THE FLORIDA LEAGUE OF CITIES CONFERENCE. *(Requested by Council Member Nocera)* (11:06 a.m.)

Council Member Nocera reported that he had been accepted into the Leadership Collier program which carries a fee of \$895, however, Council had allotted a total of \$1000 per Member per year for each to attend special events. In addition, he was scheduled to attend the Florida League of Cities conference which costs \$722; he was therefore requesting payment for both. Council Member Sullivan said that the \$1000 limit was originally for travel, adding that Leadership Collier is a community function and does not entail travel. Vice Mayor Prolman questioned the \$1000 limit and pointed out that a previous Council Member had saved the City over \$5 million by acquiring a loan while attending the League of Cities conference. Council Member Tarrant said he opposed increasing the spending limits for Council Members, and City Manager Woodruff suggested Council amend the \$1000 policy to permit Council approval for expenditures in excess of \$1000.

It was the Consensus of Council to allow each Council Member a \$1000 annual travel budget and to approve trips exceeding the allowance separately, based on the merits.

.....**ITEM 9**
CONSIDER THE JUNE 30TH EXPIRATION OF THE CONTRACT FOR CITY ATTORNEY KENNETH CUYLER. *(Requested by City Attorney Kenneth Cuyler)* (11:15 a.m.)

Mayor Barnett opened the discussion by stating that he favored renewing the contract with the City Attorney up to January 1998 at which time Council would make a final decision. Council Member MacKenzie said she favored continuing the contract on a month-to-month basis while Council continued to solicit proposals from other law firms as well as individual attorneys to work in-house; Council Members Tarrant, Nocera, and Van Arsdale agreed.

Vice Mayor Prolman reminded Council that this was a fiscal responsibility issue and should be evaluated very cautiously.

It was the consensus of Council to continue with the present legal counsel, Attorney Cuyler, on a month-to-month basis while continuing to accept proposals from both individual attorneys and law firms prior to making a decision in July.

Recess: 11:11 to 11:17. It is noted for the record that Council Member MacKenzie returned at 11:19 a.m. and Council Member Van Arsdale returned at 11:32 a.m.

.....ITEM 7
DISCUSSION OF TEXT CHANGES - COMPREHENSIVE PLAN. (11:17)

Planner Ron Lee presented Council with a brief overview of a two-and-a-half-year process leading to the present Comprehensive Plan. He reported that the First Reading of the adoption of the ordinance will occur at Council's Regular Meeting on June 18th, and the Second Reading will be in October. Once adopted, the plan that will be in effect for eight years. Mr. Lee led Council through a step-by-step review of changes to the plan informing Council that the City Attorney, the Planning Advisory Board, Planning Department staff, and Vice Mayor Prolman had suggested changes that were incorporated into the presentation. (This material is contained in the file for this meeting in the City Clerk's Office.) Council Member Sullivan and Mayor Barnett made recommendations for changes in wording, and Mr. Lee accepted the revisions.

Public Input: (11:23 a.m.)

Virginia B. Corkran, 213 9th Avenue South, requested that the language used in Vision 2005, section 4-1.8, be included in the public facilities section in order to establish a link between water use planning and land use planning with a deadline in 1999.

Natural Resources Manager Jon Staiger addressed Vice Mayor Prolman's change of the wording for plugging abandoned wells to capping the wells (page 10, policy 211), since the processes are actually different. He explained that the County required plugging abandoned wells by filling them with concrete so the well-casing would not corrode and seep surface water into the aquifer. Planner Lee said he would make that change in the wording. Council Member Tarrant remarked that although the County takes the precaution of plugging the wells, they are involved in deep well injection, which is a serious threat to the entire aquifer system, and Dr. Staiger agreed that this was a major concern. Mr. Tarrant suggested that the Comprehensive Plan contain a statement about this issue.

It was the consensus of Council to accept the changes in wording in the Comprehensive Plan as presented by Planner Ron Lee.

.....ITEM 6
DISCUSSION REGARDING STREET REDESIGN, LIGHTING IMPROVEMENTS, AND INTERSECTION TRAFFIC CONTROL FOR 6TH AVENUE SOUTH FROM 8TH STREET SOUTH TO TIN CITY. (Requested by City Manager Richard Woodruff) (11:43 a.m.)

Traffic Engineer George Archibald presented plans for 6th Avenue South between Cambier Park and Naples Bay. He informed Council that the plans were designed to compliment the 5th Avenue project and encourage pedestrian traffic on the street. He discussed the intersection at 10th Avenue South, now a four-way stop, noting that alternatives for managing the traffic must consider several factors: safety for pedestrians, promotion of traffic flow, and be aesthetically pleasing. Staff had recommended a traffic signal system for the intersections on 6th Avenue at both 9th Avenue and 10th Avenue, he said.

Council Member MacKenzie asked for an estimate of the impact on traffic counts when the intersection at 11th Street is closed by construction on the Gordon River bridges. Mr. Archibald responded that 10th Street will become the entryway to 6th Avenue and will absorb an additional 3,000 southbound trips so that in peak season the southbound traffic on 10th Street will increase to an estimated 12,000 per day. He acknowledged that backup-traffic would occur, but the traffic signal system would minimize the extent of stacking. Council Member Sullivan expressed concern that the four-way stops on 10th Avenue at 6th Street and 9th Street, along with a stop light at 10th Street, would create a traffic stacking problem and Mr. Archibald pointed out that 6th Street would absorb much of the additional traffic. Council Member Van Arsdale called for additional on-street parking on 6th Avenue South rather than the proposed islands, and Mr. Archibald agreed.

Landscape Architect Hank Buckhannan presented the conceptual plans for landscaping the 6th Avenue South project which included low planters and seating. Council Member Van Arsdale said he felt the proposed plan should be more urban and structured rather than the proposed suburban design.

City Manager Richard Woodruff enumerated Council's consensus:

- 1. To move forward with the improvements;***
- 2. To install traffic signals at the intersections;***
- 3. To eliminate the medians;***
- 4. To create as much parallel or angle parking as possible; and***
- 5. To concentrate on creating a pedestrian area with seating, sidewalks, lighting and landscaping.***

Council Member MacKenzie stated that she was not certain about eliminating the medians and suggested there were alternative methods to incorporate both landscaping and parking. Council Member Van Arsdale said, however, that he objected to the medians and preferred to see the 5th Avenue example extended to 6th Avenue.

City Manager Woodruff introduced the conceptual plans for improvements at the 8th Street Landing at Crayton Cove. Mr. Buckhannan described the location as the extension of 8th Street South and showed Council the proposal which included angled parking, landscaping and a waterfront pavilion. Dr. Woodruff reported that the project was budgeted for \$45,000 and would be paid for from surplus dock revenue.

CORRESPONDENCE / COMMUNICATIONS

None. (12:24 p.m.)

OPEN PUBLIC INPUT

None. (12:24 p.m.)

ADJOURN

12:24 p.m.

Bill Barnett, Mayor

Tara A. Norman
City Clerk

Prepared by:

Molly Reed
Recording Secretary

Minutes approved: July 23, 1997.