

Amended Annotated
Naples City Council Agenda
City Council Chamber, 735 Eighth Street South, Naples, Florida
Mayor: Bill Barnett

Vice Mayor: Bonnie R. MacKenzie

City Council: Fred W. Coyle, Joseph Herms, John R. Nocera, Fred Tarrant, Peter H. Van Arsdale

City Attorney: Kenneth B. Cuyler · City Clerk: Tara A. Norman · City Manager: Dr. Richard L. Woodruff

Notice of Special City Council Meeting
Wednesday, July 22, 1998 –
Convened 9:00 a.m. / Adjourn 12:59 p.m.

Welcome to today's Special 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 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.

Pursuant to Section 2.42 of the Code of Ordinances of the City of Naples, you are hereby notified that there will be a Special Meeting of the Naples City Council on Wednesday, July 22, 1998 at 9:00 a.m. in the City Council Chamber, 735 Eighth Street South, Naples, Florida. All items listed below may be inspected in the Office of the City Clerk, Room B, First Floor, City Hall, or at the Collier County Public Library Research Section, 650 Central Avenue. For further information, please call the City Clerk's Office, 434-4701.

1. Roll call - *All present.*
2. Invocation and Pledge of Allegiance - *Reverend David Mallory, First Assembly of God*
3. Announcements - *None*
4. Items to be added:
City Manager Richard Woodruff requested the following item be added to the Agenda:
Item 18 *Consider approval of a budget amendment for transfer of \$15,000 from the General Fund contingency to the Human Resources Department for anticipated legal expenses through the remaining fiscal year.*

Dr. Woodruff also announced that Item 15 would be removed from the Agenda with no future time certain established. Further, Items 5f, 5g and 5j were to be removed from the Consent Agenda for separate discussion.

Set Agenda adding Item 18/Van Arsdale/Herms/ 7-0

NOTICE

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by the City Council with respect to any matter considered at this meeting (or hearing) will need a record of the proceedings and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard. Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 434-4701 with requests at least two business days before the meeting date.

Scheduled Agenda Items

Some of the items on the following agenda may have been scheduled for an estimated time. 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 an estimated time will be considered at the discretion of the Council.

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 removing Items 5f, 5g and 5j for separate discussion/Herms/Coyle/7-0

•City Clerk

- 5-a. Approval of Minutes – *5/6/98 Regular Meeting; 5/18/98 Workshop Meeting; 5/20/98 Regular Meeting; 6/3/98 Special Workshop Meeting; 6/3/98 Regular Meeting; 6/8/98 Special Workshop Meeting; 6/15/98 Workshop Meeting; 6/25/98 Budget Workshop Meeting; 6/17/98 Workshop Meeting*

Approved/Herms/Coyle/7-0

•Bid #98-34 •Police and Emergency Services

- 5-b. Award a bid for a replacement 250hp outboard motor (police boat) \ Vendor: Pine Ridge Boating Center, Naples, Florida \ Price \$10,993.00 \ Funding: CIP Project #98H02.

Approved/Herms/Coyle/7-0

•Purchase Order •Community Services / City Dock

- 5-c. Approve after-the-fact purchase order for installation of 8 mooring systems at the Naples City Dock \ Vendor: Dor-Mor, Inc., Claremont, NH \ Total cost \$15,796.00 \ Funding: CIP Project #98Q06.

Approved/Herms/Coyle/7-0

•Resolution •Development Services

- 5-d. Accept a grant of easement from Prime Hospitality Corp. (Wellesly Inn) for relocation of a sanitary sewer force main in conjunction with widening of US 41.

98-8286/Herms/Coyle/7-0

•Resolution
•Development Services

- 5-e. Accept a grant of easement from LeJardin of Naples, Ltd., (Park Shore, Unit 5) for water meter and backflow prevention device.

98-8287/Herms/Coyle/7-0

•Resolution
•City Manager

- 5-f. Authorization to enter into a contract not exceeding \$73,500 with Angie Brewer & Associates for assistance in applying for state subsidized interest rate loans for stormwater capital improvement projects.

98-8291/Nocera/Herms/7-0

•City Manager

- 5-g. Authorization for Florida Power & Light to provide engineering for undergrounding of overhead power lines in Royal Harbor \ Cost: \$21,852.00 \ Funding: General Fund (with reimbursement from future assessment district).

Approved/Nocera/Van Arsdale/7-0

It was agreed that staff will prepare an assessment procedure with accompanying resolution.

•Purchase Order
•Community Services

- 5-h. Approve after-the-fact purchase order for installation of landscaping and irrigation improvements on Riviera Drive \ Contractor: Sunny Grove Landscaping, Inc., Estero, Florida \ Cost \$17,722.01 \ Funding: CIP Project #98F33.

Approved/Herms/Coyle/7-0

•Resolution
•City Manager

- 5-i. After-the-fact approval of premium for flood insurance for City properties through the National Flood Insurance Program \ Cost: \$29,620.00 \ Vendor: American Banker's Insurance Group \ Funding: Risk Management Fund (self-insurance program).

98-8288/Herms/Coyle/7-0

•Resolution
•Police & Emergency Services

- 5-j. Increase fine for Notice to Appear citations from \$25.00 to \$50.00.

98-8292/Van Arsdale/Herms/6-1(Tarrant dissenting)

•Resolution
•Police & Emergency Services

- 5-k. Adopt citation form for ordinance violations.

98-8289/Herms/Coyle/7-0

•Resolution
•Development Services

- 5-1. Accept an underground utility easement from CSM Lodging, L.L.C., for installation of sanitary sewer service to the proposed Marriott Residence Inn at Old Trail and Park Shore Drives.

98-8290/Herms/Coyle/7-0

End Consent Agenda

•Resolution
•City Manager

6. **Public Hearing** to consider the final assessment resolution and to approve the assessment roll to fund street lighting and street improvements within the Fourth Avenue North Assessment District.

98-8293 using Option #2/Van Arsdale/Coyle/5-1(Tarrant dissenting, Nocera abstaining)

•Resolution
•Natural Resources

7. **Public Hearing** to consider a request for a variance to demolish three existing single-family residences, a guest house, and a swimming pool and to construct a new single-family residence, a swimming pool, a driveway, and landscaping Gulfward of the Coastal Construction Setback Line at 3350, 3400 and 3406 Gordon Drive.

98-8294/Van Arsdale/Tarrant/6-1(Coyle dissenting)

•Resolution
•Natural Resources

8. **Public Hearing** to consider a request for a variance to demolish an existing single-family residence and construct a new single-family residence, a driveway, and landscaping, Gulfward of the Coastal Construction Setback Line at 3054 Gordon Drive.

98-8295/Van Arsdale/Herms/6-1(Coyle dissenting)

•Second Reading of an Ordinance
•Approved on First Reading 6/17/98

9. **Public Hearing** to consider repealing Ordinance 97-7934 which voluntarily annexed a 3.27 acre unimproved parcel of land located within the Wilderness PUD.

98-8296/Van Arsdale/Nocera/7-0

A prior motion by Tarrant for City reimbursement of Wilderness Country Club legal fees not to exceed \$15,000, subject to further discussion to substantiate those fees and contingent on settlement of the lawsuit, seconded by Van Arsdale/failed 4-3 (Nocera, Van Arsdale, MacKenzie and Barnett dissenting)

- Second Reading of an Ordinance
 - City Manager
 - Approved on First Reading 6/3/98
(withdrawn from 6/17/98 agenda)
-

- Resolution
 - City Manager
-

- Development Services
-

- Bid Award
 - City Manager
-

- Bid Award
 - Purchase Order
 - Development Services
-

- Resolution
 - Alley Vacation Petition 98-AV1 (98-21)
 - Petitioner: Victor Erday, Jr., Trustee
 - Agent: Douglas A. Wood, Esquire
 - Planning Advisory Board
recommendation for denial
 - Continued from 6/17/98
-

10. **Public Hearing** to consider amending Subsection 2-119(c) "Personal Vehicles" of the Code of Ordinances in order to update mileage reimbursement rates to meet Internal Revenue Service guidelines.
98-8297/Van Arsdale/Nocera/7-0
-

11. Consider authorizing a quit-claim deed to correct a legal description on property purchased in 1995 by the City located east of Goodlette-Frank Road.
98-8298 amended to direct staff to negotiate with Collier Development Corp. to have the property donated/Herms/MacKenzie/7-0
-

12. Authorization to implement lighting and bridge railing recommendations from the Gateway Committee for US 41/Gordon River Bridge Project.
Approved/Nocera/Herms/7-0
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13. Consider awarding a bid for construction of the Fifth Avenue South Plaza, pursuant to pending contract negotiations.
Continued to 8/5/98 Regular Meeting/Van Arsdale/Herms/7-0
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- 14-a. Consider awarding a bid for construction of the intersection at Goodlette-Frank Road and Third Avenue South \ Contractor: Better Roads, Inc., Naples, Florida \ Amount \$133,697.00 \ Funding: Special Assessment District.

Approved/Van Arsdale/MacKenzie/7-0

- 14-b. Consider a purchase order for installation of a signal system at the above intersection \ Contractor: Mid-Continent Electric, Inc., Naples, Florida \ Amount: \$100,000.00 (not to exceed) \ Funding: Gas Tax.

Approved/Van Arsdale/Nocera/7-0

15. Consider vacating the 15 x 190-foot alley described as the South 15 feet of Lots 4, 5, and 6, Block C, Lakeview Terrace Replat (south of 600 5th Avenue South).

Removed from the Agenda and not rescheduled

**•Resolution
•Pursuant to 7/21/98 Special Meeting**

16. Consider a variance from Section 110-88(b) of the Code of Ordinances in order to permit exterior lighting above the first habitable floor at The Brittany, 4021 Gulf Shore Blvd. North.

Denied/MacKenzie/Herms/5-2 (Barnett and Van Arsdale dissenting)

17. Appointment of a City Attorney.

Removed/See minutes of 7/21/98 Special Meeting

•City Manager

18. Approval of budget amendment

Approved/Barnett/Coyle/7-0

Correspondence and Communications – Jackie Frank, President of the Historical Society, appealed to Council for financial assistance to preserve an historic home on the beach that is slated for demolition. It was the consensus of Council to seek a solution to preservation of the home so long as the City's position was adequately secured.

Council Member Nocera noted a vacancy of the Community Redevelopment Advisory Board and City Clerk Tara Norman said action will be taken at the next meeting.

Council Member Herms stated that he will not be present for the Cambier Park review scheduled for the 8/3/98 Workshop Meeting. It was agreed to postpone this item to the Workshop of 8/17/98.

Open Public Input – Stella Thomas, 2658 Gordon Drive, commended Council and Jackie Frank for their efforts to preserve an historic home.

Adjourn – 12:59 p.m.

Items were considered in the following order: 5a, 5b, 5c, 5d, 5e, 5i, 5k, 5l, 5f, 5g, 5j, 13, 6, 7, 8, 9, 10, 11, 12, 14a, 14b, 18, 16