

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

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. Thank you for your interest and participation in City government.

Regular Meeting
Wednesday, October 21, 1998
Convened 8:58 a.m. / Adjourned 11:51 a.m.

All proposed ordinances and information on other items listed below and provided in advance of this meeting 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. See also City of Naples home page, <http://www.naples.net/govern/city> or call the City Clerk's Office, 434-4701. All written, audio-visual and other materials presented to the City Council in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

1. Roll call - *Council Member Herms arrived at 9:02 a.m.*
2. Invocation and Pledge of Allegiance - *Reverend Charles Mann, St. John Episcopal Church*
3. Announcements

Proclamation of "Red Ribbon Week"

City Manager Richard Woodruff also noted that Police & Emergency Services volunteer Joan Phalen would be moving out of state and recognized her years of service to the City.

4. Items to be added

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

Item 13 *Consider a change order in the amount of \$33,322.11 with State Contracting & Engineering Corporation, for additional work in Cambier Park Phase I redevelopment, and authorize a transfer from the 1998 Capital Improvements Program Fund in order to provide the balance required for this change order.*

Item 14 *Consider creating an Intergovernmental Affairs Coordinating Committee with the City of Marco Island and appointing a member(s) to the committee.*

Item 15 *Consider appointing one member to the Code Enforcement Board.*

Dr. Woodruff also requested that Council delete Item 5-e from the agenda due to the unavailability of grant funds for this purchase.

Set Agenda, adding Items 13, 14, 15, and deleting Item 5-e/Herms/Coyle/7-0

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 Items 5-a, 5-c, and 5-d, and remove Item 5-b for separate discussion/ Nocera/Van Arsdale/7-0.

5-a. Approval of Minutes - *10/5/98 Workshop Meeting*
Approved/Nocera/Van Arsdale/7-0.

•Special Events Committee

- 5-b. Approve the following Special Events:

- (1) Dodge Celebrity Invitational Golf Tournament - 11/3-8

Approved contingent upon the sponsors agreeing to provide some portion of the proceeds to the City's Land Preservation Trust/Coyle/Herms/6-1 (Van Arsdale dissenting)

- (2) 2nd Annual Greyhound Promenade - 11/21

- (3) Old Naples TUBA CHRISTMAS - 12/8

Approve Items 5-b(2) and 5-b(3)/Herms/MacKenzie/7-0.

•Bid #99-07

- 5-c. Award an annual bid for equipment rental for use by Utilities and Community Services Departments \ Various Contractors \ Est. Annual Expenditures: \$50,000.00 \ Funding: Departmental Rental and Leases Budget.

Approved/Nocera/Van Arsdale/7-0.

•Resolution •Community Services

- 5-d. Authorize an agreement with Fred Tobias pertaining to the 1998-99 musical review at the Norris Community Center \ Compensation: 70% of net revenues (not to exceed \$21,000.00).

98-8388/Nocera/Van Arsdale/7-0.

·Purchase Order
·Police & Emergency Services

- 5-e. Authorize a purchase order for communications equipment to implement Police & Emergency Services Department's conversion to Collier County's 800 MHz system \ Vendor: Ericsson, Inc., Naples, Florida \ Cost: \$57,448.25 and Vendor: Communications, Inc., Naples, Florida \ Cost: \$7,540.06 \ Funding: CIP #99H21.

Deleted from the Agenda.

End Consent Agenda

·Second Reading of an Ordinance
·City Manager
·Approved on First Reading 10/7/98

6. **Public Hearing** to consider amending Section 106-239(b) of the Code of Ordinances in order to clarify hours of operation for tree trimming and tree removal.

98-8389/MacKenzie/Nocera/7-0.

·Second Reading of an Ordinance
·Text Amendment Petition 98-T7
·Petitioner: City of Naples
·Approved on First Reading 10/7/98

7. **Public Hearing** to consider amending Sections 102-532 and 102-533 of the Code of Ordinances in order to require conditional use approval for charter boats with a carrying capacity of 150 or more persons.

**98-8390/Nocera/MacKenzie/6-1
(Tarrant dissenting).**

Staff will research additional Code amendments in order to define water taxis as carrying 10 or fewer people and to add ferries to the definition of charter boat. Additionally, alternative legislation regulating dock size and parking will be explored as a means of controlling charter boats.

·Second Reading of an Ordinance
·Rezone Petition 98-R7
·Petitioner: Pamlico Terrace Ltd.
·Agent: John Passidomo, Esquire
·Approved on First Reading 10/7/98

8. **Public Hearing** to consider amending the Planned Development Document for Little Harbour, 2177 Gordon Drive, in order to provide standards for development of homes on one and one-half lots.

98-8391/Nocera/Van Arsdale/7-0.

**•2 Resolutions
•Human Resources**

9. Consider ratifying changes to Article 18 "Education" of the current contracts with the International Association of Firefighters, Local 2174, and the International Association of Fire Lieutenants, Local 2174.

98-8392 (Item 9-a)

98-8393 (Item 9-b)

Approved with one motion/Nocera/MacKenzie/7-0.

**•Resolution
•Human Resources**

10. Consider renewing the Preferred Provider Payor Agreement with Community Health Partners (Naples PHO) to provide managed care services for City employees.

98-8394/Herms/MacKenzie/7-0.

A prior motion by Herms, to approve this provider for a one-year contract ending 12/31/99, in order to consider alternatives that may be submitted by Cleveland Clinic, was later amended to approval of the plan as submitted. (based on the understanding that the number of employees in the plan may be modified if an alternative plan is obtained).

**•Collier County Bid 98-2837
•Utilities**

11. Consider an annual bid award, under Collier County Bid 98-2837, for water and wastewater treatment chemicals \ Various Vendors \ Est. Annual Expenditures: \$561,800.00 (Pebble Quick Lime), \$85,425.00 (Polymer), \$16,760.00 (Sodium Fluoride), \$98,610.00 (Chlorine), \$24,300.00 (Sodium Hydroxide) \ Funding: Water and Wastewater Operating Accounts.

Approved/Van Arsedale/Nocera/7-0.

•Development Services

12. Report and recommendation regarding bicycle lanes and sidewalks from 12th Avenue South to Gordon Drive.

Direct staff to extend the striping of the roadway on Gulf Shore Blvd. South, not including Gordon Drive from 18th Avenue South to Kings Town Drive; proceed with linking Gulf Shore Blvd. South with Gordon Drive; and develop a sidewalk and striping on Gordon Drive, south of Kings Town Drive.

In addition, re-stripe Gulf Shore Blvd. (from 12th Avenue South to 21st Avenue South) and Gordon Drive (south of Kings Town Drive) to a 9-foot width; whenever the City resurfaces either of these sections, they will be rebuilt to 9-foot travel lanes with appropriate widths for bike paths on both sides.

*The design of the sidewalk on Gulf Shore Blvd. South is to extend from 5th Avenue South to 18th Avenue South.
Coyle/Van Arsdale/7-0.*

•Resolution
•Community Services

13. Consider a change order in the amount of \$33,322.11 with State Contracting & Engineering Corporation, for additional work in Cambier Park Phase I redevelopment, and authorize a transfer from the 1998 Capital Improvements Program Fund in order to provide the balance required for this change order.

98-8395/Van Arsdale/Nocera/6-1 (Herms dissenting).

•Resolution

14. Consider creating an Intergovernmental Affairs Coordinating Committee with the City of Marco Island and appointing members to the committee.

98-8396 Appointing Council Member Herms as City representative/MacKenzie/Coyle/6-1 (Tarrant dissenting).

•Resolution
•City Clerk

15. Consider appointing one member to the Code Enforcement Board.

98-8397 Appointing James Dean/MacKenzie/Barnett/7-0.

Correspondence and Communications

Mayor Barnett informed Council that Attorney William Povlitz, who represents the City in its current litigation with Shannon Development Company (re: Naples Landing), would provide a status report on the case during the 11/2/98 Workshop Meeting. Mayor Barnett also relayed that Attorney Povlitz will file the City's response in this litigation, which is due 10/26/98.

Council Member Nocera was selected as an alternate City representative to the Southwest Florida Regional Planning Council on a motion by/Van Arsdale/Tarrant/7-0.

Council requested a status report from the Naples Bay Project Committee at the 11/16/98 Workshop and a discussion of issues such as building heights in the waterfront district.

Staff will seek Attorney William Povlitz' direction relative to use of the Naples Landing facility, by Keewaydin Island developers, in a manner permitted for any other marine contractor (loading and unloading and repair of any existing dock facilities)/Herms/Tarrant/7-0.

Joint discussions with the 41-10 Special Committee will take place during the 11/2/98 Workshop (2:00 p.m.) in order to address Council, Planning Advisory Board and citizen concerns and questions.

Council Member Herms questioned the status of an ordinance that will, under certain conditions, allow a commercial property owner to obtain a construction permit.

Vice Mayor MacKenzie informed Council that the City's first 30-minute television program (Channel 10) had been taped and asked for recommendations regarding future topics. She also commented on the availability of North Naples United Methodist Church property (600 Seagate Drive) and requested a consensus of Council as to whether the City should pursue acquisition of this property (or portion thereof) for use as a City park. It was determined that no action would be taken until the adjacent church communicates its intent in writing relative to acquisition.

Open Public Input - Philip McCabe, 699 Fifth Avenue South, requested Council action in order to permit a day spa and beauty salon, open to the public, on the third floor of the Inn on Fifth. Mr. McCabe contended that the spa had always been included in the approved hotel plans

Permit a waiver as it relates to the proposed day spa (open to the public); however, require that the petitioner comply with the City's waiver approval process for the proposed beauty salon/Nocera/Tarrant/4-3 (Coyle, MacKenzie, Barnett dissenting).

Adjourn - 11.51 a.m.

Items were considered in the following order:

1,2,3,4,5-a,5-c,5-d,5-b(1),5-b(2),5(3),6,7,8,9-a,9-b,10,11,13,14,15,12