



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – November 16, 1998 – 8:30 a.m.

Mayor Barnett called the meeting to order and presided.

ROLL CALLITEM 1

Present: Bill Barnett, Mayor
Bonnie R. MacKenzie, Vice Mayor
Council Members:

Fred Coyle
Joseph Herms (Arrived at 8:38 a.m.)
John Nocera
Fred Tarrant
Peter H. Van Arsdale (Arrived at 8:38 a.m.)

Also Present:

Richard L. Woodruff, City Manager
Jon Staiger, Natural Resources Mgr.
Tara Norman, City Clerk
Duncan Bolhover, Admin. Specialist
Daniel Mercer, Utilities Director
George Archibald, Traffic Engineer
Ann Walker, Planner
William Overstreet, Building Official
Ron Lee, Interim Planning Director
Keeth Kipp, Utility/Solid Waste Coord.
Bob Egan, Dock Master
James Rideoutte, PAB Chairman
Arlene Guckenberger
Charles Kessler
Werner Haardt
Dennis Cronin

Grover Whiddon, FPL
Carleton Case, FPL
Randy Camp, FPL
Lindsay Rocco, Port Royal Assn.
Joseph Clausen, Port Royal Assn.
Jeff Hassell
James Dean
Kris Dane
Michael Delate
Harry Timmons
Michael Simokik
Kim Boyd
Dan Spina

Media:

Mike McCormick, Naples Daily News

ITEMS TO BE ADDEDITEM 2

None

JOINT DISCUSSIONS WITH THE NAPLES BAY PROJECT COMMITTEEITEM 3

Kim Boyd, Committees Chairman, opened the discussion by referring to the Quarterly Status Report and offered clarifications. She mentioned that “no swimming” signs in the Bay could not be removed due to bacteria levels. Regarding Item V-7, Southend fueling, Ms. Boyd noted that since Collier County is very opposed to a station at Bayview Park due to purported congestion, it should be located instead at the south end of the Bay. Dr. Woodruff mentioned in regards to Item V-1, Channel signage, that many boaters had been ticketed although they claimed they could not see the speed limit signs necessitating larger ones.

It is noted for the record that Council Members Herms and Van Arsdale arrived at the meeting at 8:38 a.m.

Jeff Hassell, a committee member, expounded on what he described as the present quandary faced by Naples Bay boaters relating to speed and wake issues, noting that variable speeds to reflect various traffic volumes are problematic because boaters could not rely on a definitive speed limit. He also cited state mandated manatee speed zones, and that certain commercial entities may legally disregard the state limits entirely in some cases. The only place, per State regulations, where boaters may travel faster than idle speed is inside the Channel which is rather narrow, he said.

Council Member Coyle, referring to Item V-11 on personal watercraft, asked why the committee had not taken a position. Ms. Boyd confirmed that it was waiting for the state and federal guidelines noting that there is a move to prohibit personal watercraft in the Rookery Bay and the Ten Thousand Islands, but not Naples Bay. Regarding waterfront land use and waterfront commercial issues, Dr. Woodruff said that the committee would most likely have final recommendations on these issues to Council in late January or early February. Likewise, Mr. Coyle learned that Item LM-4, regarding the bay, canal and waterway shorelines, would be addressed in the forthcoming presentation.

In further dialog with Council Members, the committee communicated the following:

Item V-8 – Although the committee feels the police unit is short-staffed, this recommendation is not yet complete.

Item WQ-5 – Data for the study of the Golden Gate canal system, a cooperative effort between the City, Council, and Big Cypress Basin Board, is now being collected.

Item WQ-6 – Artificial habitat installation is a research project of Naples Aquarium which will report back to the committee.

Item WQ-7 – A presentation will be made to City Council when final plans for a voluntary education program for the landscape maintenance association is completed.

Item V-12 – This element is approximately 50% complete and past reports will be used to determine if updated information on the carrying capacity of the Bay is needed.

Chairman Boyd indicated that the committee was not aware of a proposed ordinance requiring conditional use approval for marinas on Class II and Class III waters; this will be provided to them.

Although the Community Services Advisory Board is deliberating a proposal for a waterfront park on the Pulling property on the Gordon River, it was suggested that this committee review the proposal before it is considered by the Council.

Item LM-2 – The committee continues to strive for both simplification and a viable mix of residential and business in the waterfront commercial proposal.

Council Member Coyle stated his agreement with the committee's recommendation on Item WQ-8 regarding the dead end canals. Instead of connecting dead end canals to the Gulf of Mexico, he said canals should be connected to a culvert to improve water quality. Dr. Woodruff noted that the committee had been working with Natural Resources Manager Jon Staiger and one testing device has been installed, with water sampling showing very positive oxygen counts. A series of these devices will most likely be recommended for Aqualane Shores at a cost of \$3,500.00.

Council Member Herms asked the committee about Item WQ-9, the stormwater master plan. Michael Delate, a committee member, explained that this concerns redevelopment of single family residences within subdivisions that did not already have master stormwater management plans. It would require those residences that are being torn down and rebuilt to have on-site storm water management systems that would handle the first flush of runoff from their lawns and rooftops. Regarding the Broad Avenue South and Goodlette Road area, there is an ongoing study on water management basin six, which is the location of the storm water pumping station. The committee recommended that since this pumping station is going to be moved out of the Goodlette Road right-of-way, that part of the City's properties along Goodlette Road be developed with water management systems to handle some of the runoff from the basin six area. Per the study, this water was going to be pumped directly into Naples Bay without any increased water quality treatment. Also on Broad Avenue South, the committee reviewed ideas on the creation of either above ground or under ground water quality treatment areas. Dr. Woodruff related that the pump station on Broad Avenue simply takes water directly from the pipe collection system and discharges it; the creation of underground settling basins would improve the quality of this discharge. Dr. Woodruff stated that a previous City Council had authorized the preparation of a computer model to determine improvements for each of the storm water basins throughout the city.

Dr. Staiger explained that there are now passive ways of dealing with pollutant material through underground devices that can be installed in the areas occupied now by storm drains. When the modeling is complete, increases in technology will avoid using the entire Broad

Avenue right-of way with a cattail marsh as proposed by the study in 1992. Mr. Herms expressed concern over losing trees in this installation.

Council Member Tarrant noted that mangrove growth would be beneficial for water purity and said that The Conservancy had voiced strong opposition to a second Gordon River Bridge due to the destruction of mangroves. Ms. Boyd explained that while healthy mangroves are a component, fresh water intrusion and runoff must end to ensure quality water in Naples Bay.

Harry Timmons, a committee member, asked Council to approve riprap for bayfront residential properties in Royal Harbor, Port Royal, and Aqualane Shores. He also asked for the authorization to hire a consultant at a fee not to exceed \$15,000, and reviewed justifications and funding. (A copy of this material referred to is contained in the file for this meeting in the City Clerk's Office.) However, Council Member Herms commented that the riprap might make boat docking difficult. Council Member Tarrant said that in addition to concern about funding, homeowners would also worry about how this will affect their property in the future. Council Member Coyle said he felt that homeowners should be surveyed before evaluating funding options but that he was not certain a consultant was necessary.

Consensus of Council (Coyle and Tarrant dissenting) to proceed with recommendation R1 (Endorse installation of riprap) and R2 (Authorize use of consultant for permitting and design work).

.....**ITEM 4**
COST UPDATE – PORT ROYAL UNDERGROUND POWER LINE PROJECT.

Assistant City Manager, Bill Harrison, stated that this project was tabled last May when it was discovered that all FPL easements in Port Royal are for overhead lines only; therefore, the property would be required to grant other easements to the City for power line burial. Although there was also opposition from some residents, Mr. Harrison recommended another survey of the neighborhood. He referenced a staff memo containing updated cost projections. (Attachment 1). The proposal for an additional empty conduit to be used for future telecommunications needs was dropped because it would have been of no benefit, and could have conceivably caused legal problems for the city due to the regulations governing special assessment districts, he said. Regarding street lighting, Mr. Harrison explained the residents had protested excessive illumination, so was scaled back. This project would be funded by a non-ad valorem assessment on the homeowner's tax bill, he concluded.

Mr. Harrison reiterated that he would survey two separate decisions; underground power, and if so, an additional expenditure of 1,000,000.00 for street lighting enhancements. Ballot number coding would prevent fraud but would not identify the individual. Council Member Tarrant asked for a supermajority vote on the final decision to establish the assessment district should the survey come back positive.

Mr. Harrison also clarified that FPL requires a separate dedicated easement on the house side of the street but inside the City's right-of-way in order to prevent potential conflicts with other utilities. This will be a benefit to property owners, he said, because trees would be

saved. However, Mr. Harrison conceded, there still may be litigation from property owners which is why the survey is deemed necessary.

Caroline Kendall, a Port Royal resident, stated that she supported the idea of underground power in general, but expressed concern that changing the lighting might inhibit the safety she presently enjoys. She said she felt that the previous proposal was unfair because the property owners would pay to create the underground system which would then be relinquished to FPL and ultimately prevent electric service competition in the future. She also said that in her neighborhood almost all of the utilities are on one side of the street, and did not understand why FPL could not use the opposite side of the street.

Edith Williams, a Port Royal resident, agreed with Ms. Kendall, and added that work should instead be paid through ad valorem taxes. She said the price is prohibitive. The proposed lighting would not make her feel as safe as the present lights.

Building official, Bill Overstreet concurred with Council Member Herms that there are expenses associated with changing from above-ground to underground service but could not specify the exact amount because of the number of variables. He stated normally that in changing service, there is no reason to actually enter the house, but could not guarantee that the City Inspector would not do so and then impose safety requirements as needed. Council Member Tarrant voiced his opposition to the project because he felt there would be litigation from some property owners.

It was the consensus of Council (Tarrant dissenting) to re-survey affected property owners to determine support for the project.

ITEM 8

PLANNING ADVISORY BOARD “GOALS” BY CHAIRMAN RIDEOUTTE

Planning Advisory Board Chairman Jim Rideoutte explained that the PAB is considering expanding its purview, with Council’s approval, into such areas as architectural standards for commercial development, signage standards, landscape standards, a maintenance code for commercial properties, and the preservation of historical structures. City Manager Richard Woodruff explained that by meeting only once a month, the PAB is really a development review commission rather than a true planning commission.

Council Member Tarrant voiced approval while Council Member Coyle commented that the PAB should not be involved in zoning decisions or planned development approval since these are Council functions. Instead, PAB should be more proactively involved in the planning process and should work with the Naples Bay Project Committee. Council Member Van Arsdale agreed and stressed that the PAB should work with the Comprehensive Plan. Vice Mayor MacKenzie also voiced approval and suggested that the PAB also work on possible Code of Ordinance amendments. Council Member Nocera said he also approved the proposal to streamline the petitioning process, and Council Member Herms added that the PAB should examine the density level of commercial development.

DISCUSSION OF TREE PLANTING PROGRAMITEM 5

City Manager Richard Woodruff mentioned that the City has made great progress in meeting the 1,000 tree goal, but because trees cannot be planted within six feet of a utility line in some locations, planting can only be partial. (A copy of the material supplied is contained in the file for this meeting at the City Clerk's office.) He then explained that most of the City's water distribution system is made up of asbestos pipe, which can become brittle in time, and to disturb the adjacent ground could increase the opportunity for pipe failure. He asked that Council approve an experimental violation of the six-foot zone to manually plant trees to determine if planting can be safely accomplished.

Staff authorized to investigate feasibility/safety of planting trees within six feet of City utility lines.

DISCUSSION REGARDING THE RELOCATION OF THE HORTICULTURAL TRANSFER SITEITEM 7

Dr. Woodruff suggested that because this is not a time-sensitive issue, that it be deferred. Mayor Barnett suggested the 11/18/98 regular meeting.

REVIEW OF ITEMS ON THE 11/18/98 REGULAR MEETING AGENDAITEM 6

Item 8 – (Ordinance clarifying procurement procedures) Vice Mayor Mackenzie requested additional information regarding the maximum amount of money covered in amendment. **Item 10 – (Budget amendment to carry forward capital improvement projects)** Council Member Herms requested an analysis of CIP and general fund surplus. **Added item (Landscaping Maintenance Agreement)** Additional material distributed council; **(Horticultural Landfill Discussion)** deferred from this agenda.

BRIEFING BY CITY MANAGER

Dr. Woodruff noted that two identical bids were received on the sale of the 24 acres of City-owned property. This occurred, it was found, because the bidders had divided the exact acreage into the appraisal and thus arrived at \$91,277.89 per acre (\$2,250,000.00 for the entire property). These two bidders will submit new proposals on 11/19/98 at 2:00 p.m.

He also stated that there would be a ceremony recognizing the "Tall Ship" at the fishing pier on Wednesday 11/18/98 at 2:00 p.m. Representatives of the Marine Trade Association, Collier County Recycling, and Council are invited to attend and to board the vessel.

He stated then that the City had donated 5,000 gallons of Neapolitan Springs bottled water to the relief effort for Nicaragua and Honduras. If additional water is needed, more can be available with Council approval.

Regarding the upcoming Thanksgiving holiday, Dr. Woodruff reminded Council that all City Hall offices would be closed both Thursday and Friday. He further stated that garbage collection would be the following two days with larger commercial accounts receiving regular pickup on Thursday.

He informed Council that Adrian Herbst, the City's cable franchise attorney, changed law firms. Mr. Herbst's letter requested authorization to continue to serve as consultant. There were no objections from Council to continuing to retain Mr. Herbst.

Lastly, he stated that MediaOne will devote a total of two channels to the City and County as of January 1, 1999, although in some instances the City and County could broadcast programming on the same channel to reach individual constituencies. Because the school system is not a cable franchising authority, Dr. Woodruff explained that the three governmental entities would seek to divide time on the two channels to accommodate their needs. At a later date individual shows would be rebroadcast.

CORRESPONDENCE/COMMUNICATIONS

At the request of Council Member Nocera, Council agreed to schedule a joint meeting with the Collier County Board of Commissioners in January 1999. Vice-Mayor MacKenzie requested that the Planning Advisory Board consider the proposed supermajority ordinance during their December meeting.

At the request of Council Member Coyle, it was agreed that the Mayor would draft a letter to the Naples Daily News encouraging the retention of reporters in order to ensure consistency and accuracy. Council Member Coyle also requested 11/30/98 workshop discussions regarding the Airport Master Plan.

Mayor Barnett noted recent internal correspondence from Council Member Herms to Council Members Tarrant and Coyle and requested that in the future all Council Members be provided with copies.

OPEN PUBLIC INPUT

None

ADJOURN

12:24 p.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Prepared by:

Jessica R. Rosenberg, Recording Specialist

Virginia A. Neet, Deputy City Clerk

Minutes Approved: 12/16/98