

Revised
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 Speaker Request Box located 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, January 20, 1999
Convene 8:58 a.m./Adjourn 12:11 p.m.

All proposed ordinances and information on other items listed below, which have been 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/index.htm> 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 – *All present.*
2. Invocation and Pledge of Allegiance – *Council Member Nocera.*
3. Announcements – *None.*
4. Items to be added – *City Manager Richard Woodruff requested that the following items be added to the agenda:*

Item 15 – *Consider a resolution regarding the conversion of grassed right-of-way into hard surface right-of-way for parking purposes.*

Item 16 – *Consider a request by Vice Mayor MacKenzie to reconsider Council's 1/6/99 denial of Paddy's Murphy's Irish Pub's petition to add a storage facility at 457 5th Avenue South.*

Set Agenda and Add Items 15 and 16 /Van Arsdale/Nocera/7-0

Scheduled Agenda Items

Some of the items on the following agenda may have been scheduled for an estimated time. (See Scheduled Agenda Items Section at the end of this agenda.) 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 and may be taken out of numerical order.

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.

Approved, removing Items 5-b and 5-c for separate discussion/Van Arsdale/MacKenzie/7-0

5-a. Approval of Minutes.

12/16/98 Regular Meeting and 1/4/99 Workshop Meeting/Van Arsdale/MacKenzie/7-0

•Special Events Committee

5-b. Approve the following special events:

- (1) Naples Art Association art shows - 2/6,3/6,4/3
- (2) 20th Annual National Art Festival - 2/19-21
- (3) St. Patrick's Day Parade - 3/13
- (4) Naples Downtown Festival of the Arts on 5th Avenue South - 3/20-21
- (5) Walk the MS Walk - 3/21
- (6) March of Dimes WalkAmerica "99" - 4/17

Approved with Items (3), (5), and (6) to include City co-sponsorship and with the understanding that the duration of all the events is limited to 48 hours (set-up to tear-down)/Herms/Coyle/7-0

Council requested future workshop discussions regarding the City's Special Event Policy.

•Budget Amendment •Police & Emergency Services

5-c. Authorize a budget amendment in the amount of \$22,966.70 to provide for overtime expenses (Police Operations) related to tobacco enforcement contracts with the State of Florida.

Approved Van Arsdale/Nocera/6-1 (Tarrant dissenting)

End Consent Agenda

- Second Reading of 2 Ordinances
 - Comprehensive Plan Amendment Petition CPASS3
 - Rezone Petition 98-R10
- Petitioners Timothy and Janet Conroy
- Agent: McAnly Engineering and Design
- Approved on First Reading 1/6/99

6. Consider the following as it relates to property located at 669 9th Avenue South (current location of the Collier County Chapter of the American Red Cross) in order to subdivide the property into 3 single-family lots:

6-a. **Public Hearing** to change the Future Land Use Map of the Comprehensive Plan from "Public, Semi Public Institutional" to "Low Density Residential".

99-8448/Herms/Nocera/7-0

6-b. **Public Hearing** to rezone the property from "PS," Public Service to "R1-7.5," Residence District.

99-8449/Van Arsdale/Nocera/7-0

Council requested future workshop discussions on sub-division of property.

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- Second Reading of an Ordinance
 - Text Amendment Petition 98-T12
 - Petitioner: City of Naples
 - Approved on First Reading 1/6/99

7. **Public Hearing** to consider amending Subsections 106-39(b)(1)(a) and 106-39(b)(2) of the Code of Ordinances in order to correct a wording error and adding Subsection 106-39(b)(2)(g) in order to define additional standards for signs that are exempt from permit requirements.

99-8450/Nocera/Herms/7-0

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- Second Reading of an Ordinance
 - Text Amendment Petition 98-T11
 - Petitioner: City of Naples
 - Approved on First Reading 1/6/99

8. **Public Hearing** to consider amending Section 102-538, "Maximum Height," of the Code of Ordinances in order to modify how boat storage buildings are measured.

99-8451/Van Arsdale/Nocera/7-0

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- Second Reading of an Ordinance
 - Text Amendment Petition 98-T10
 - Petitioner: City of Naples
 - Approved on First Reading 1/6/99

9. **Public Hearing** to consider amending Section 78-170, "Definitions," of the Code of Ordinances in order to permit ferryboats and to provide a definition of water taxi.

99-8452/Van Arsdale/Nocera/7-0

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- Resolution
 - Planning

10. Consider adopting the 1999 Comprehensive Plan Amendment Schedule.

99-8453/Tarrant/Coyle/7-0

Council directed staff to provide list of 1998-1999 Comprehensive Plan objectives/ accomplishments.

•First Reading of an Ordinance
•Building & Zoning

11. Consider amending Sections 94-74(a)(b) and 94-43 of the Code of Ordinances in order to provide for owner-builder construction of commercial buildings (based upon Florida Statutes) and to establish the "City of Naples, Standard for Floodplain Management".

Approved Nocera/Herms/5-2 (MacKenzie, Tarrant dissenting)

•Bid #99-12
•Community Services

12. Consider an annual bid for City-wide landscape maintenance (parks, landscaped areas surrounding public buildings, medians, and rights-of-way) \ Contractors: TLC Lawn Maintenance, Inc., Naples, Florida, Macia's Lawn Service, Inc., Naples, Florida, and A Personal Touch Lawn Service, Inc., Naples, Florida \ Total Annual Amount: \$239,455.00 \ Funding: Parks & Parkways (Other Contractual Services)

Approved MacKenzie/Nocera/7-0

•City Manager

13. Consider waiving competitive bids and authorizing the purchase/installation of lighting and bridge railing improvements as part of the Gordon River Bridge reconstruction (Gateway Project) \ Contractor: Mid-Continent Electric, Inc., Naples, Florida \ Amount: \$589,942.00 \ Funding: Street Fund.

Approved/Nocera/Herms/7-0

•Second Reading of an Ordinance
•Text Amendment Petition 98-T13
•Petitioner: City of Naples
•Approved on First Reading 1/6/99

14. **Public Hearing** to consider amending Sections 86-201.1(b), 86-203(c)(6), 86-205(c)(1), 106-103(e)(2), 106-107(c) of the Code of Ordinances in order to require an affirmative vote of 5 City Council Members for zoning district text amendments, rezones, conditional uses, and variances which have the effect of increasing or decreasing permitted building heights or density beyond existing zoning or have the effect of reducing or increasing parking requirements and to require an affirmative vote of 5 City Council Members to approve a valet parking plan and a parking needs analysis.

99-8454/MacKenzie/Herms/6-1 (Van Arsdale

dissenting)

A future workshop is planned to devise wording to be placed on the general election ballot in February 2000/ Herms/Van Arsdale/7-0

•Resolution

15. Consider a resolution regarding the conversion of grassed right-of-way into hard surface right-of-way for parking purposes.

99-8455/Van Arsdale/Coyle/7-0

City Attorney Kenneth Cuyler will review resolution language.

•Requested by Vice Mayor MacKenzie

- 16 Consider a request by Vice Mayor MacKenzie to reconsider Council's 1/6/99 denial of Paddy's Murphy's Irish Pub's petition to add a storage facility at 457 5th Avenue South.

Denied Herms/Coyle/4-3(Tarrant, MacKenzie, Barnett dissenting)

Correspondence and Communications

Council Member Tarrant noted a possible miscommunication regarding procedure in a letter sent by City Manager Richard Woodruff to Ross Obley, Pelican Bay Property Owners Association Chair. A vote was taken (Tarrant/Herms/4-3 Van Arsdale, Nocera, and Barnett dissenting) to redraft the letter. Council Member Coyle requested a workshop on waterfront zoning. It was the consensus of Council to place the issue pertaining to the Naples Depot whistle noise level on the next meeting agenda. Mr. Herms requested workshop discussions regarding a possible requirement that all City advisory board members be City residents and having Council assume the duties of the Staff Action Committee; Dr. Woodruff stated that he would prepare an analysis regarding the residency of the current advisory board membership. Dr. Woodruff requested agenda items for the February 1st meeting with the Board of County Commissioners by January 21st. He also updated Council on the wastewater spillage in the Gordon River and indicated that the contractor would reimburse the City for expenses. Dr. Woodruff stated that a basketball league has asked that it be allowed to begin play at 8:30 a.m. Sunday mornings; it was the consensus of Council to allow this start time pending the Eighth Avenue South residents' approval.

Open Public Input – None.

Adjourn – 12:11 p.m.