



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – February 1, 1999 – 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
John Nocera
Fred Tarrant
Peter H. Van Arsdale

Also Present:
Dr. Richard L. Woodruff, City Manager
Tara Norman, City Clerk
Ron Lee, Interim Planning Director
Virginia Neet, Deputy City Clerk
Duncan Bolhover, Admin. Specialist
Jessica Rosenberg, Recording Specialist
Naples Bay Project Committee
Don Wirth, Community Services Director
Community Services Advisory Board
Cheryl Coyle
Arlene Guckenberger
Jean Humphries
Jackie Frank
Regina Long
Lindy Thomas

John Garner
Walt Schwartz
Robert Weissenborn
Elizabeth Fox
Evelyn Grace
Other interested citizens and visitors

Media:
Eric Stats, Naples Daily News
David Taylor, Media One
Annalena Foster, Naples Daily News
Ellen Guard, TV 10

**Prior to commencement of the agenda,
the public was notified of procedures to
be followed by speakers and petitioners.**

ITEMS TO BE ADDEDITEM 2

None.

.....ITEM 3

JOINT DISCUSSIONS WITH THE NAPLES BAY PROJECT COMMITTEE REGARDING RIPRAP PROJECT (8:28 a.m.) City Manager Richard Woodruff stated that the Naples Bay Project Committee had previously presented to Council the proposed riprap project; however, Council decided to consider the affected property owner input before further action was taken. He estimated the project cost to be \$1,200,000.00 then reiterated the applicable reasons for proceeding including the reduction of wave action, protection of property, improvement of marine habitat, and improved water quality. He explained the funding options: City taxes, the establishment of an assessment district, the establishment of a special taxing district, joint public funding, and special assessments. Additionally he proposed what he deemed activity approaches such as requirements to install riprap based on seawall failure, the reconstruction of a home, or major renovations to an existing home. Dr. Woodruff stated that the Naples Bay Project Committee had recommended Council authorize hiring a consultant at a fee of \$15,000.00 to obtain Department of Environmental Protection permitting, preliminary design work, cost estimates, and recommendations on funding options.

Council Members briefly discussed the possibility that riprap installation may force some property owners to rebuild their boat docks. Council Member Nocera inquired whether the water quality would be improved by simply slowing down traffic. Kim Boyd, Naples Bay Project Committee Chair, indicated that while slower speeds are certainly beneficial, the committee would further address this issue.

Public Input: (8:50 a.m.) **Jean Humphries, 2002 Kingfish Road**, stated that her seawall is collapsing and that she cannot delay taking action until further studies are completed; she proposed that the property owners share the cost of the project with the City. **Elizabeth Fox, 1600 Dolphin Court**, said that she feels her seawall is in perfect condition and that, in her area, riprap is unnecessary. **George Hamstra, 1932 Kingfish Road**, stated that his seawall is in good condition, but that he is concerned that if the riprap were installed, he would be unable to dock his boat. **Frank Fox, 1600 Dolphin Court**, said that his seawall is protected by an oyster bed in low tides which slows down the wave action; therefore, he does not favor the project. **Michael Welsh, 2211 Marina Drive**, stated that some residences, including his own, have already installed riprap and he questioned how the proposed funding measures would impact him. **Jack Andrews, 1991 Eighth Street South**, stated that he supports the recommendations of the Naples Bay Project Committee and that he has already installed riprap, therefore, he also questioned how he would be affected by the proposed funding. **Tom Ryan, 1905 Eighth Street South**, stated that the Bay is a community asset and that any funding should come from the City and the County. He added that he believes that the property owners have caused very little of the pollution in the Bay.

Mayor Barnett and Council Member Van Arsdale favored the project; Council Member Herms however stated that he felt that the \$15,000.00 consultant fee was excessive. Dr. Woodruff stated that if Council does not approve the expenditure, staff would research the issues and provide recommendations as best it can. He however proposed that Council require property owners to install riprap under certain conditions (the aforementioned activity approaches). Council Member Tarrant also questioned the fee and suggested that Dr. Jon Staiger, Natural Resources Manager, perform the study. Mr. Tarrant also said that he believed the County should contribute funds to the project and that tourist tax dollars would be a good revenue source.

Public Input: (9:16 a.m.) **Linda Brown, 1875 Eighth Street South**, stated that she had just spent \$15,000.00 to install a new dock and that she would not want to rebuild it in conjunction with a seawall project.

Council Member Coyle described the issue as complex and said that it should not be accomplished on a piecemeal basis; additionally, he agreed that Dr. Staiger should perform the study. Although Council Member Nocera stated that he may be unable to vote on this issue due to a potential conflict of interest, he asserted that Dr. Staiger should be afforded the assistance of an outside consultant. Council Member Van Arsdale confirmed his confidence in the competence of staff, but urged using a consultant to obtain the best and most comprehensive study possible. Mr. Tarrant proposed that Council first lower speed limits in the Bay and then investigate funding from the County or the tourist tax.

It was the pending consensus of Council (Herms, Coyle and Tarrant dissenting) to hire a consultant at a cost of \$15,000.00 to research riprap project feasibility. A determination will be made at the February 3rd Regular Meeting as to whether Council Member Nocera must abstain from voting on this issue.

.....ITEM 4

DISCUSSION REGARDING WILKINSON HOUSE SPECIAL EVENT

NAPLES DESIGNER SHOW HOUSE – “OLD NAPLES – 1999” (9:33 a.m.) City Manager Richard Woodruff explained that this event would not conform to the guidelines of the existing conditional use permit, therefore, separate Council approval is required. Wilkinson House representative Regina Long clarified that the event is a fundraiser for both the Collier County Historical Society and a local halfway house. Designer show house chair Lindy Thomas stated that not only would all parties involved benefit from the event, but the Wilkinson House would receive free renovation. She requested that the Wilkinson House remain open seven days a week from March 13 through March 27 from 9:00 a.m. to 5:00 p.m. Monday through Saturday (excepting Thursday and Friday with hours from 9:00 a.m. to 8:30 p.m.) and from 12:00 p.m. to 5:00 p.m. on Sunday. Additionally, she requested approval for an outdoor preview party on March 12.

Mayor Barnett strongly recommended that the representatives apprise the neighboring property owners of the event. In response to Council Member Herms, Ms. Thomas indicated that approximately 200 people are expected to attend the preview party and that there would be no amplified music. She also said that the participants would use the Naples Trolley or private minivans and would most likely park by St Ann’s Church or in the vicinity of Palm Cottage; Mr. Herms, nonetheless, cautioned there may be inadequate parking. Dr. Woodruff recommended that the event representatives and appropriate staff present this overview to the neighboring property owners, and that at the next workshop meeting, he would present the results.

Wilkinson House representatives and City staff will jointly receive input from the neighboring property owners regarding the proposed event; results will be presented at the February 15th workshop meeting.

.....ITEM 5

UPDATE REGARDING IMPROVEMENTS TO THE NORRIS CENTER IN CAMBIER PARK (10:01 a.m.) Community Services Advisory Board representative Clark Russell stated that the committee received significant public response regarding the proposed Norris Center enhancements, and that most people favored making modest upgrades to the existing facility. In response to Vice Mayor MacKenzie, he noted that the committee had not yet resolved the issue of needed parking.

Public Input: (10:10 a.m.) **Evelyn Grace, 634 Seventh Avenue South**, stated that she has played bridge in the park for many years; she expressed concern with respect to adequate

lighting and parking. Council Member Nocera asked Ms. Grace if she was aware of the three project options and if she favored an expansion of the facility. She replied that she favors the expansion with the addition of the theatrical dressing rooms and restrooms. Mr. Nocera stated that he feels the facility should be upgraded and proposed that the City split the cost evenly with the users. **Fred Tobias, 4451 Gulf Shore Boulevard North**, a local writer and director, urged that the theatre section of the facility be upgraded for the comfort and convenience of the performers. He also said he would dedicate proceeds from upcoming revues to raise funds for this effort.

Council Member Van Arsdale suggested, in light of the new 50% Federal Emergency Management Agency rule, a renovation budget of 49% of the value of the facility to avoid the necessity of compliance. Council Member Tarrant voiced his approval of the enhancements and suggested forming a cost review committee; after further discussion, Council decided such a committee would be comprised of one member of Council, one member of the Community Services Advisory Board, architect John Dyehouse, Building Official William Overstreet, and Community Services Director Don Wirth. This committee would analyze the options available and present recommendations to Council. Council Member Herms proposed the stage renovation and the addition of classrooms. City Manager Richard Woodruff stated that the next step would be to obtain the conceptual cost estimates and proceed with the requests for proposals to select an architect.

Architect John Dyehouse will finalize the preliminary plans and develop a construction budget estimate. It was the consensus of Council to establish a cost review committee (comprised of Council Member Herms, one member of the Community Services Advisory Board, architect John Dyehouse, Building Official William Overstreet, and Community Services Director Don Wirth, or his designee) to analyze available options and make recommendations to Council with reference to renovations involving the stage area and adding classrooms to the Norris Community Center within the 50% FEMA threshold.

.....ITEM 8
DISCUSSION REGARDING THE NAPLES DEPOT NOON WHISTLE (10:31 a.m.)

Depot Manager Walt Schwartz reported that he had discussed several noise reduction measures with Council Member Nocera and explained the ramifications. He noted that he had installed a baffle to disperse noise; when this was accomplished, the decibel readings fell to below 90 decibels. He said that raising the whistle height was not possible because the depot roof is not sufficiently sound. Council briefly discussed using a taller pole to mount the whistle farther above ground level. Council Member Herms suggested the Depot try reducing the whistle pressure, but Mr. Schwartz said it may negatively affect the sound, although he would attempt this. Robert Weissenborn stated that he has been bothered by the whistle noise since March 1998 and asked that the decibel level be reduced to 65. Former Naples Depot President Jim Weigel explained that there were two whistles used: the first was installed in November 1994 and a replacement in April 1995. He maintained that this new whistle has been blown every day since with no alteration of the sound or air pressure and, therefore, expressed perplexity regarding Mr. Weissenborn's allegation that there had been a change last year. Council Member Coyle suggested resolving the issue by having staff measure the decibel level and experiment with different air pressure levels, presenting the findings to Council so that Council could decide on the acceptability of the whistle.

It was the consensus of Council (Van Arsdale, MacKenzie, and Nocera dissenting) to have City staff analyze and record the noise levels from the whistle in different locations of the City over a period of several days; a report will be presented to Council shortly thereafter.

Recess 11:06 a.m. – 11:15 a.m. It is noted for the record that Council Member Van Arsdale was not present when the meeting reconvened.

CORRESPONDENCE and COMMUNICATIONS (11:16 a.m., see also Page 6).....
City Manager Richard Woodruff referred to a protest letter sent by the neighboring property owners of Heaven, the cigar bar recently given a waiver to serve alcoholic beverages, and stated that, though it is not required, in the future the City will notify the public of this type of pending action.

It is noted for the record that Council Member Van Arsdale returned to the meeting at 11:19 a.m.

Edward Dodder, 2911 Tenth Street North, stated that Heaven's parking lot becomes noisy late at night and is disturbing to him and other nearby property owners. Dr. Woodruff stated that although it may be too late to reconsider the waiver, he would ask City Attorney Kenneth Cuyler if Council may reevaluate the decision based upon new and potentially relevant testimony. Council Member Nocera mentioned that Heaven served wine and beer before the waiver, and that the serving of alcohol may not appreciably affect noise. However, Mayor Barnett stated that it may attract more people to the establishment.

It will be determined at the February 3rd Regular Meeting whether Council is able to reconsider a waiver granted to Heaven on January 6, 1999, from the 500-foot distance requirement for alcoholic beverage licensees.

BRIEFING BY CITY MANAGER (11:28 a.m.)ITEM 6

City Manager Richard Woodruff commended City staff, Council Member Nocera, and the Bonfire Committee for the Third Annual Naples Bonfire Festival which raised over \$3,000.00 for the Cambier Park Bandshell renovations. He also stated that the City staff is currently working on a pilot project to reduce the number of large trash containers in the Fifth Avenue area through the use of a trash compactor. Dr. Woodruff then stated that a citizen task force is working to determine the impact of the new Federal Emergency Management Agency regulations and that its report would be presented to Council in March; FEMA representatives will then be invited for a presentation.

.....**ITEM 7**
REVIEW OF ITEMS ON THE 2/3/99 REGULAR MEETING AGENDA (11:36 a.m.)

Item 5-b (Approval of Island Club Light Jazz Poolside) – City Manager Richard Woodruff confirmed for Council Member Coyle that special event permits are being considered monthly until the conditional use petition is finalized pursuant to Council direction of 12/16/98. **Item 5-i (Bid award for furnishing and planting of street trees)** – Council Member Herms asked that this item be discussed separately so that staff may present the tree-planting program and discuss the cost savings. **Item 5-e (Bid award for a modular office building)** – Vice Mayor MacKenzie asked for a sketch of the building. **Item 7 (A resolution creating an assessment district for Second Avenue North between US 41 and Tenth Street)** – Dr. Woodruff clarified for Vice Mayor MacKenzie that the price discrepancy between the Fourth Avenue North and the Second Avenue North projects was due to the rebuilding of a street. **Item 8 (An ordinance authorizing the refunding of \$3,000,000.00 Redevelopment Revenue Bonds)** – Vice Mayor MacKenzie asked for the approximate amount of the lump sum and the anticipated use for the proceeds. **Item 9 (Request for a variance on the heights of fences and walls)** – Mr. Herms asked for clarification on the drawings. **Item 11 (A conditional use approval for staged entertainment at Campiello's Restaurant)** – Vice Mayor Mackenzie asked that City Attorney Kenneth Cuyler explain the implications of the conditional use petition language change, and Mr. Herms asked for a presentation on the noise levels. **Item 14 (A request to rezone properties to "D" Downtown District)** – Dr. Woodruff stated that this item would be removed

from the agenda due to a possible error in the legal descriptions; it will be presented in two weeks. **Item 15 (A request to rezone certain properties to be consistent with the Comprehensive Plan)** – Vice Mayor MacKenzie asked if any conditional use petitions would be necessary for the “PS” Public Service rezones. She also asked for a more descriptive map. **Item 17 (Approval of design study and budget estimate for a new dock)** – Dr. Woodruff confirmed for Vice Mayor MacKenzie that the Naples Bay Project Committee had not yet reviewed the project. **Item 18 (Stormwater facility financing)** – Vice Mayor MacKenzie asked for clarification on the funding and Mr. Herms asked for a presentation to explain the specific improvements to each basin. **Added Item 20 (Waiver for balcony flower boxes and beer signs in the Fifth Avenue Overlay District).**

CORRESPONDENCE and COMMUNICATIONS (11:46 a.m.)

Council Member Tarrant stated that he had been advised that new trees planted in Royal Harbor are in poor condition; Mayor Barnett stated he had learned, however, that the trees are now re-budding and are expected to recover. Council Member Herms noted that three mahogany trees on the south side of First Avenue North between Ninth and Tenth Streets have died; City Manager Richard Woodruff stated he would address the issue. Council Member Nocera asked for a map of Naples Bay for the Town Hall Meeting at 7:00 p.m. that evening.

OPEN PUBLIC INPUT
None.

ADJOURN
11:47 a.m.

Bill Barnett, Mayor

Tara A. Norman, City Clerk

Prepared by:

Jessica R. Rosenberg, Recording Specialist