



City Council Chamber  
735 Eighth Street South  
Naples, Florida 34102

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**City Council Regular Meeting – November 3, 1999—9:00 a.m.**

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Mayor Barnett called the meeting to order and presided.

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**ROLL CALL .....ITEM 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:**

Richard Woodruff, City Manager  
William Harrison, Assistant City Manager  
Kenneth B. Cuyler, City Attorney  
Jon Staiger, Natural Resources Manager  
Tara Norman, City Clerk  
Donald Wirth, Community Services Director  
Ron Lee, Planning Director  
David Lykins, Recreation Superintendent  
Cory Ewing, Planner  
Jessica Rosenberg, Recording Specialist  
Laura Roys, Administrative Specialist  
Joe Bawduniak  
Scott Cameron  
Ron Pennington  
Ted Soliday

Hixton Helton  
Gilbert Moncivaiz  
Adrian Herbst  
Tom High  
Jacques Groenteman  
Burton Binder  
Clark Russell  
Charles Kessler  
John Passidomo  
John Remington  
Gloria Kovacs  
Other interested citizens and visitors  
**Media:**  
AnneElena Foster, Naples Daily News

**INVOCATION AND PLEDGE OF ALLEGIANCE.....ITEM 2**

Reverend Hixton Helton, North Naples Baptist Church

**ANNOUNCEMENTS .....ITEM 3**

In recognition of 50 years of football at Naples High School, Mayor Barnett proclaimed the 1999-2000 season to be the “Season of Gold” for the Naples High School Golden Eagles Football Team.

**ITEMS TO BE ADDED .....ITEM 4**

**Item 19**      *Consider a sign for Aqualane Shores to be installed on the roundabout at Third Street South and 15th Avenue South.*

**Item 20**      *Consider canceling two current orders for electric vehicles.*

**Item 21**      *Consider amending Change Order #3 for the final payout for Cambier Park Phase I Project / Vendor: State Contracting and Engineering Corporation / Amount: \$40,000.00 / Funding: Utility Tax Fund.*

**Item 22**      *Consider a request by Mayor Barnett to reconsider the approval of the Development of Significant Environmental Impact and runway length extensions conferred at the October 20<sup>th</sup> Regular Meeting.*

**Item 23**      *Consider ranking the top two firms and entering into negotiations for engineering and construction management services for the construction of T-groins along the Naples Beach at South Gordon Drive.*

**Item 24**      *Consider engaging consultant services to review and evaluate the Flood Insurance Rate Maps / Vendor: Tomasello Consulting Engineers / Amount: \$30,000.00 / Funding: General Fund Contingency.*

Mayor Barnett then announced that Council would recess from noon until 1:30 p.m. In addition, Assistant City Manager William Harrison requested that Council consider Item 15, regarding the transfer of the cable television franchise from MediaOne to AT & T, immediately following the Consent Agenda.

**MOTION by MacKenzie to SET THE AGENDA ADDING ITEMS 19 THROUGH 24; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).**

**CONSENT AGENDA**

**APPROVAL OF MINUTES .....ITEM 5-a**

October 6, 1999 Regular Meeting and October 18, 1999 Workshop Meeting.

**.....ITEM 5-b**

**APPROVE THE FOLLOWING SPECIAL EVENTS:**

- (1) Celebration Community Church services at Lowdermilk Park - 10/17 and every subsequent Sunday until issuance of a Conditional Use Permit
- (2) Greater Naples Little League "Boogie for the Ballfield" at Cambier Park - 11/6
- (3) Naples Daily News Jazz Band Concert at Cambier Park - 1/30/00 and 3/31/00
- (4) US Navy Band Concert at Cambier Park - 2/23/00

In reference to Item 5(b)1, Assistant City Manager William Harrison confirmed that the church conducts services from 9:00 a.m. to 10:00 a.m.

**.....ITEM 5-c**

**ISSUE AN AFTER-THE-FACT PURCHASE ORDER FOR ALLEY PAVING BETWEEN 4TH AND 5TH STREETS SOUTH AND 1ST AND 2ND AVENUES SOUTH \ CONTRACTOR: BONNESS, INC., NAPLES, FLORIDA \ AMOUNT: \$23,742.53 (NOT TO EXCEED) \ FUNDING: GAS TAX.**

**MOTION by Herms to APPROVE THE CONSENT AGENDA ITEMS 5-a THROUGH 5-c AND REMOVING ITEMS 5-d AND 5-e FOR SEPARATE**

**DISCUSSION**; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

**END CONSENT AGENDA**

**RESOLUTION 99-8686.....ITEM 5-d(1)**  
**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WITH CHANGES APPROVED BY THE CITY MANAGER AND CITY ATTORNEY, WITH ARCHITECTURAL NETWORK INC. TO PROVIDE DESIGN SERVICES FOR THE BANDSHELL RENOVATION AND EXPANSION; AND PROVIDING AN EFFECTIVE DATE.** (Title was read when discussion on this item resumed later in the meeting.)

**RESOLUTION 99-8687.....ITEM 5-d(2)**  
**A RESOLUTION RANKING THE TOP THREE FIRMS IN ORDER OF PREFERENCE TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE RENOVATION AND EXPANSION OF THE CAMBIER PARK BANDSHELL; AND PROVIDING AN EFFECTIVE DATE.** (Title was read when discussion on this item resumed later in the meeting.)

**It is noted for the record that Item 5-d(1) and 5-d(2) were considered concurrently.**

Assistant City Manager William Harrison noted that the Selection Committee chose D. Garrett Construction for the renovation and expansion of the Cambier Park Bandshell. Council Member Herms took issue with the proposed \$46,000.00 design services fee. Mr. Harrison stated that this is a time-and-materials contract and that the fee may be lower, depending on the scope of services. Council Member (and Selection Committee Member) Van Arsdale stated that obtaining a good design is paramount in order to achieve the best result. Council Member Tarrant stated that architects and engineering consultants equate City projects to high revenue and predicted the City could reduce the cost and still obtain good results. Council Member Herms proposed that staff prepare the drawings. Mayor Barnett suggested that Council invite architects and planners to a future workshop in order to better understand the basis for their fees. Upon further deliberation, Council decided to continue this discussion until later in the meeting. (See Page 10.)

**.....ITEM 5-e**  
**AWARD A BID FOR THE RENTAL OF "ROLL OFF COMPACTORS" FOR USE BY THE SOLID WASTE DIVISION \ LOW BIDDER: OLYMPIC COMPACTOR RENTAL, INC., HOUSTON, TEXAS \ AMOUNT: \$15,600.00 \ FUNDING: CIP #00P17.** Assistant City Manager William Harrison noted that staff recommends this pilot program because it would replace five refuse containers with one compactor at an approximately equivalent cost.

**Public Input:** None.

**MOTION by Herms to APPROVE ITEM 5-e; seconded by MacKenzie and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).**

**RESOLUTION 99-8685.....ITEM 15**  
**A RESOLUTION OF THE CITY OF NAPLES APPROVING THE TRANSFER OF CONTROL OF THE CABLE COMMUNICATIONS FRANCHISE; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison. Mr. Harrison noted the public hearing and staff recommendation to approve with deletion of the section dealing with the third access channel. He explained that MediaOne wishes to avoid a precedent of including this in the transfer resolution. MediaOne Corporate Affairs Manager Gilbert Moncivaiz stated that the third access channel would be available within the franchise area January 1, 2001, that there would be no minimum programming requirements, and that

MediaOne would provide the City a letter of commitment. The City's corporate franchise attorney Adrian Herbst stated that the transfer acceptance agreement includes a requirement that all commitments and obligations that exist at the time of the transfer remain in force and effect. Attorney Herbst clarified for Council Member Tarrant that the resolution under consideration had no bearing on fees charged cable subscribers and that the City can regulate only the most basic cable service. He also confirmed that the present franchise agreement stipulates that the City can require a public access channel. Council Member Herms made a motion to approve but with the understanding that the third access channel be made available January 1, 2000. He explained that the City has attempted to obtain this channel for the last two years, and that Council should not accept further delay. Council Member Tarrant seconded the motion; however, further discussion ensued. Council Member Van Arsdale predicted that the City would not be able to develop suitable programming in such a short time. Council Member Coyle said while waiting for a third channel was not desirable, MediaOne had waived its requirement to review broadcast content, which had been his primary concern. Attorney Herbst stressed that the City could enforce the franchise obligations.

**Public Input:** None.

**MOTION by Herms to APPROVE WITH THE STIPULATION THAT THE CITY RECEIVE THE THIRD ACCESS CHANNEL BY JANUARY 1, 2000; seconded by Tarrant and carried 5-2, all members present and voting (Nocera-yes, Herms-yes, Van Arsdale-no, Tarrant-yes, Coyle-yes, MacKenzie-yes, Barnett-no).**

Mr. Moncivaiz predicted that MediaOne would reject the resolution since programming contracts make designation of a third channel impossible by January 2000. Council Member Herms nevertheless proposed that Council receive a written rejection but that both parties could renegotiate. Council Member Coyle however urged not jeopardizing the agreement in this manner.

**MOTION by MacKenzie to RECONSIDER THE PRIOR MOTION WITH THE UNDERSTANDING THAT COUNCIL WOULD THEN APPROVE AS PRESENTED; seconded by Coyle and carried 5-2, all members present and voting (MacKenzie-yes, Van Arsdale-yes, Tarrant-no, Coyle-yes, Herms-no, Nocera-yes, Barnett-yes).**

**MOTION by Van Arsdale to APPROVE RESOLUTION 99-8685; seconded by Barnett and carried 5-2, all members present and voting (Van Arsdale-yes, Nocera-yes, Tarrant-no, Coyle-yes, Herms-no, MacKenzie-yes, Barnett-yes).**

**ORDINANCE (First Reading) (Option 1) .....ITEM 11**  
**AN ORDINANCE REZONING PARCEL 7, ABUTTING THE SOUTHWEST PORTION OF NAPLES AIRPORT ALONG THE GORDON RIVER AND MORE PARTICULARLY DESCRIBED HEREIN FROM R1-7.5, RESIDENCE DISTRICT, TO C, CONSERVATION DISTRICT TO BE CONSISTENT WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE. Title read by Assistant City Manager William Harrison.**

**ORDINANCE (First Reading) (Option 2) .....ITEM 11**  
**AN ORDINANCE REZONING PARCEL 7, ABUTTING THE SOUTHWEST PORTION OF NAPLES AIRPORT ALONG THE GORDON RIVER AND MORE PARTICULARLY DESCRIBED HEREIN FROM R1-7.5, RESIDENCE DISTRICT, TO PD, PLANNED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S ADOPTED**

**COMPREHENSIVE PLAN; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**It is noted for the record that both Option 1 and Option 2 were considered concurrently.**

Council Members disclosed the following ex parte communications: Mayor Barnett stated that he had spoken to Airport Authority (AA) member Eric West; Council Member Nocera stated that he had spoken to AA Executive Director Ted Soliday and Mr. West; Vice Mayor MacKenzie stated that she had spoken to AA Vice Chairman Ron Pennington, Mr. Soliday and several members of the public; Council Member Coyle stated that he had spoken to AA Chairman Len Thornton and Mr. Pennington; Council Member Herms stated that he had discussed airport issues with Mr. Pennington; Council Members Van Arsdale and Tarrant indicated that they had spoken to no one. A voluntary oath was then administered by City Clerk Tara Norman to those intending to offer testimony on Items 11 and 12; witnesses responded in the affirmative.

Planning Director Ron Lee conveyed staff's recommendation to rezone to Planned Development (PD). He further explained that Parcel 7 is comprised of two parcels, only one of which contains true wetlands as determined by the South Florida Water Management District (SFWMD) and the Army Corps of Engineers. The permitted uses for the first parcel under a PD rezone include the maintenance of environmentally sensitive areas, safety areas, miscellaneous structures related to aviation safety, a noise buffer, and public right-of-way; permitted uses for the other include the aforementioned plus stormwater management, greenway, realignment of North Road, and future mitigation. Any permanent structure on either would require General Development and Site Plan (GDSP) approval. Council Member Tarrant proposed amending zoning standards to designate the entire Parcel 7 as Conservation. Mr. Lee however confirmed that neither PD nor Conservation could absolutely prohibit a structure such as a marina. Council Member Coyle commented that protection can be assured only by placing it in the Naples Land Preservation Trust. Mr. Lee also noted that because Council had recently approved a Development of Significant Environmental Impact (DSEI) which established a conservation easement for Parcel One, SFWMD, The Conservancy of Southwest Florida, and the Naples Land Preservation Trust must agree to appropriate uses. Natural Resources Manager Jon Staiger stated that a marina is a permitted use in the Gordon River through the DSEI process, but voiced doubt that all easement grantees would consent. Mr. Lee added that, in his opinion, PD zoning is more restrictive in terms of uses than Conservation zoning.

**Public Input: Ron Pennington, AA Vice Chairman, 3430 Gulf Shore Boulevard North,** gave assurance that the AA has no intention of constructing a marina and stated that he concurs with staff recommendations for PD zoning.

Vice Mayor MacKenzie referred to the PD section concerning miscellaneous structures related to aviation safety, and requested that AA specify which navigational aide devices will be allowed. Council Member Tarrant proposed a motion rezoning the parcel to Conservation but permitting navigational aides; however, Attorney Cuyler indicated that these devices must then be added to the list of permitted uses for that zoning district.

**MOTION by Tarrant to REZONE TO CONSERVATION (OPTION ONE) WITH THE UNDERSTANDING THAT THE CONSERVANCY WILL MAINTAIN ITS EASEMENT PROVISION AND PERMITTING CERTAIN ESSENTIAL SMALL NAVIGATIONAL AIDES. This motion was seconded by Herms and failed 3-4, all members present and voting (Coyle-yes, Nocera-no, Tarrant-yes, MacKenzie-no, Herms-yes, Van Arsdale-no, Barnett-no).**

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**MOTION by Van Arsdale to APPROVE AT FIRST READING A REZONE TO PLANNED DEVELOPMENT (OPTION TWO) WITH THE UNDERSTANDING THAT COUNCIL WILL CLARIFY DEFINITIONS OF ALLOWED STRUCTURES;** *seconded by Nocera and carried 4-3, all members present and voting (MacKenzie-yes, Tarrant-no, Nocera-yes, Coyle-no, Herms-no, Van Arsdale-yes, Barnett-yes).*

**ORDINANCE (First Reading) (Option 1) .....ITEM 12**  
**AN ORDINANCE GRANTING REZONE PETITION 99-R12 IN ORDER TO REZONE THE WESTERN QUADRANT OF THE NAPLES MUNICIPAL AIRPORT FROM C4 TO PD, PLANNED DEVELOPMENT, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PROVIDE ADEQUATE OPEN SPACE AND BUFFERING ON THE WEST SIDE OF THE AIRPORT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**ORDINANCE (First Reading) (Option 2) .....ITEM 12**  
**AN ORDINANCE GRANTING REZONE PETITION 99-R12 IN ORDER TO REZONE THE WESTERN QUADRANT OF THE NAPLES MUNICIPAL AIRPORT FROM C4 TO C, CONSERVATION, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PROVIDE ADEQUATE OPEN SPACE AND BUFFERING ON THE WEST SIDE OF THE AIRPORT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**ORDINANCE (First Reading) (Option 3) .....ITEM 12**  
**AN ORDINANCE GRANTING REZONE PETITION 99-R12 IN ORDER TO REZONE THE WESTERN QUADRANT OF THE NAPLES MUNICIPAL AIRPORT FROM C4 TO PS, PUBLIC SERVICE, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PROVIDE ADEQUATE OPEN SPACE AND BUFFERING ON THE WEST SIDE OF THE AIRPORT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

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**It is noted for the record that Options 1,2, and 3 were considered concurrently.**

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Planning Director Ron Lee stated that the parcel contains 122 acres, 113 of which are to be rezoned; the remaining land is the mosquito control district site. He added that staff recommends a Planned Development (PD) rezone and noted the permitted uses would include a grass runway, maintenance of environmentally sensitive areas, safety areas, miscellaneous structures related to aviation safety, storm water management, and other uses as determined by Council which are no more intense than the aforementioned. He explained that since the parcel contains only two acres of wetlands, a Conservation zoning would not be consistent with the environmental attributes of the property. He also noted that a Public Service zoning would also provide no certainty regarding future development and may not be consistent with Council's intent to rezone the property. Council Member Herms proposed a motion to rezone the parcel to Conservation; this motion was seconded by Council Member Tarrant, however further discussion ensued.

**Public Input: Ron Pennington, 3430 Gulf Shore Boulevard North**, AA Vice Chairman, stated that the AA has no plans for the western quadrant except for a segment of the Gordon River greenway, which he noted was not specified as a permitted use in the staff PD analysis. He explained that the current Airport Commercial zoning is consistent with the City's Comprehensive Plan and requested that Council maintain this zoning. He confirmed for Council Member Tarrant that this had not however been a unanimous vote of the Airport Authority. **Scott Cameron, Banyan Circle**, President of Friends of the Naples Municipal Airport, also urged that Council maintain the current zoning and stated that a rezone would constitute a taking. **Joe Bawduniak, 803 Knollwood Court**, echoed the comments of Mr. Cameron, and stated that

rezoning would be imprudent and would violate the lease and the airport layout plan, possibly resulting in litigation. (Council Member Tarrant later noted that the AA itself had violated the lease when it failed to make payments to the City.)

City Attorney Cuyler stated that Council should have competent and substantial evidence to reject staff recommendations, although the AA could litigate under the premise that Council attempted to control flight and airport operations as opposed to merely addressing zoning concerns.

Mr. Lee then confirmed that the proposed municipal golf course on airport land would not be permitted under Conservation zoning. Council Member Herms however noted that Transitional Conservation zoning would allow this and many other uses with DSEI approval. Council Member Van Arsdale stated that he believed the main issue to be noise and asked for analysis of how the proposed rezones impact current or future noise levels. Mr. Pennington stated that the AA had not performed this analysis but reiterated that, aside from the greenway, the AA has no plans to develop the Western Quadrant.

**MOTION by Herms to REZONE TO CONSERVATION (OPTION 2);**  
**seconded by Tarrant and failed 3-4, all members present and voting**  
**(Nocera-no, Tarrant-yes, MacKenzie-no, Coyle-yes, Van Arsdale-no,**  
**Herms-yes, Barnett-no).**

Council Member Coyle proposed rezoning the parcel to Public Service because there are no planned aviation uses and because the land could serve as a buffer between the airport and residential areas. Mr. Coyle also suggested that the AA devise some use for this land which could produce revenue, and therefore benefit the public. Mr. Lee added that in this scenario, the AA would have to file for a conditional use and a GDSP for any type of activity, and confirmed that a golf course is an acceptable conditional use.

**MOTION by Coyle to REZONE TO PUBLIC SERVICE (OPTION 3);**  
**seconded by Herms and failed 3-4, all members present and voting (Herms-**  
**yes, Coyle-yes, Tarrant-yes, MacKenzie-no, Nocera-no, Van Arsdale-no,**  
**Barnett-no).**

**MOTION by Van Arsdale to RETAIN AIRPORT COMMERCIAL ZONING**  
**WITH THE RECOMMENDATION THAT FUTURE PROPOSED**  
**REZONES AT THE AIRPORT ARE PRESENTED WITH A FULL**  
**REPORT ON THE IMPACTS OF NOISE;** **seconded by Nocera and carried**  
**4-3, all members present and voting (Van Arsdale-yes, Nocera-yes, Tarrant-**  
**no, Coyle-no, Herms-no, MacKenzie-yes, Barnett-yes).**

**Open Public Input:** John DeBaum, 1300 Curlew Avenue, a member of Friends of the Naples Municipal Airport, referenced a remark regarding sea planes and noted that he operates a small, quiet, two passenger sea plane on Naples Bay.

**RESOLUTION (Direction only).....ITEM 16-a**  
**A RESOLUTION ABOLISHING THE ASSESSMENT DISTRICT FOR SECOND**  
**AVENUE NORTH, DIRECTING THE ASSESSMENT COORDINATOR TO CANCEL**  
**ASSESSMENTS, RELEASE LIENS ON PROPERTIES AND REPAY ASSESSMENTS**  
**MADE; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**RESOLUTION (Direction only)..... ITEM 16-b**  
**A RESOLUTION ABOLISHING THE ASSESSMENT DISTRICT FOR FOURTH**  
**AVENUE NORTH, DIRECTING THE ASSESSMENT COORDINATOR TO CANCEL**

**ASSESSMENTS, RELEASE LIENS ON PROPERTIES AND REPAY ASSESSMENTS MADE; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**RESOLUTION (Direction only).....ITEM 16-c**  
**A RESOLUTION ABOLISHING THE ASSESSMENT DISTRICT FOR FIFTH AVENUE SOUTH, DIRECTING THE ASSESSMENT COORDINATOR TO CANCEL ASSESSMENTS, RELEASE LIENS ON PROPERTIES AND REPAY ASSESSMENTS MADE IN EXCESS OF PAYMENTS REQUIRED BY THE TEN YEAR AMORTIZATION; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**It is noted for the record that Items 16-a, 16-b, and 16-c were considered concurrently.**

**Public Input:** Tom High, 2599 13<sup>th</sup> Street North, requested that the special assessment district established for Bayfront Marketplace also be rescinded, and added that he believed this project has been a major contributor to Tax Increment Financing (TIF) funding. **Jacques Groenteman, 938 Third Avenue North**, President of 41-10 Uptown Association, noted that the increase in TIF funding was generated due to the increased tax bills paid by area property owners, and urged that they not be compelled to pay twice; therefore, he requested the repeal of the special assessment districts. He added that the Association is willing to work with City staff in an effort to appropriately allocate the incoming TIF funds. Council Member Van Arsdale suggested retaining the assessments until Council could set a policy regarding allocation of TIF revenue. Mr. Harrison stated that staff has devised a mechanism to accomplish this, but nevertheless requires direction on the status of the first four years of assessment payments on Fifth Avenue South. **Gloria Kovacs, 677 Banyan Boulevard**, stated that because the large increase in TIF funding was generated by the taxes paid by Fifth Avenue South property owners, the City should first perform the proposed public improvements there prior to returning any monies to property owners.

Mr. Harrison recommended canceling assessments but not refunding monies already paid; however, Vice Mayor MacKenzie and Council Member Van Arsdale questioned whether this policy is equitable for property owners on Fifth Avenue South. He then stated that the City can repay those assessments at Council's direction, but that it may take several years.

**MOTION by Van Arsdale to ABOLISH ALL (TIF) ASSESSMENT DISTRICTS WITHIN THE CRA DISTRICT, INSTRUCT STAFF TO DEVELOP A BUDGET REPAYING FIFTH AVENUE SOUTH ASSESSMENTS, AND TO DEVELOP A CAPITAL IMPROVEMENT BUDGET; this motion failed for lack of a second.**

Mr. Harrison explained that no two property owners had paid the same amount, and that some have actually paid the total assessment, therefore research was needed. Council Member Coyle stated he would first prefer to review a financial analysis. Mr. Harrison noted that the City cannot abolish water and sewer assessment districts.

**COUNCIL DIRECTED STAFF TO PROVIDE A FINANCIAL ANALYSIS NO LATER THAN JANUARY 2000; THERE WILL BE NO FURTHER BILLINGS IN THE INTERIM.**

**ORDINANCE (First Reading).....ITEM 10**  
**AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENT PETITION 99-CPA2, ASSIGNING A PUBLIC, SEMI-PUBLIC AND PRIVATE RECREATION FUTURE LAND USE DESIGNATION TO APPROXIMATELY 319.67 ACRES OF LAND EAST OF GOODLETTE-FRANK ROAD AND SOUTH OF SOLANA ROAD, KNOWN AS ROYAL POINCIANA GOLF CLUB,**



**INC. MORE PARTICULARLY DESCRIBED HEREIN, AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison. Planning Director Ron Lee noted that the Department of Community Affairs will review this matter in 60 to 90 days and confirmed that it may be challenged.

**Public Input:** None.

***MOTION by MacKenzie to APPROVE AT FIRST READING; seconded by Van Arsdale and carried 5-2, all members present and voting (Coyle-yes, Tarrant-no, MacKenzie-yes, Herms-no, Van Arsdale-yes, Nocera-yes, Barnett-yes).***

During the vote, Council Member Coyle stated that although he does not favor the annexation, he does support the proposed land use designation.

**Recess 12:01 p.m. to 1:35 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.**

**ORDINANCE (First Reading).....ITEM 13-a**  
**AN ORDINANCE GRANTING REZONE PETITION 99-R14 IN ORDER TO AMEND THE PLANNED DEVELOPMENT DOCUMENT FOR OLD NAPLES SEAPORT, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO ADD RESIDENTIAL UNITS AS A PERMITTED USE AND MODIFY THE SITE DESIGN; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.**  
Title read by Assistant City Manager William Harrison.

**RESOLUTION..... ITEM 13-b**  
**A RESOLUTION GRANTING APPROVAL OF A RESIDENTIAL IMPACT STATEMENT FOR THE OLD NAPLES SEAPORT PLANNED DEVELOPMENT REZONE LOCATED AT 1001 10<sup>TH</sup> AVENUE SOUTH, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**It is noted for the record that Items 13-a and 13-b were considered concurrently.**

Mr. Harrison noted that although the Old Naples Seaport had submitted a request to continue until January 5, 2000, the developer requests direction from Council regarding the establishment of residential units. Attorney Passidomo stated that the petition was prepared to respond to the marketplace, to Old Naples residents, and to previously established principles in the Comprehensive Plan such as the creation of incentives for less intensive uses, and the encouragement of converting commercial to residential uses. He however noted that the Comprehensive Code also encourages water related uses, and that the Planning Advisory Board (PAB) had denied the petition on account of this. Attorney Passidomo therefore requested that Council continue the matter as requested so that his client could prepare and resubmit the architectural plans and elevations, or that Council direct him to restart the entire process. He noted that his client had already withdrawn the architectural plans and elevations because he had not prepared them, and added that he could resubmit the required information in December and present the petition to the PAB in January. He noted that should this Council give direction to encourage residential, he would request approval to expedite the process so that this present Council could consider the matter at First Reading at the January 19<sup>th</sup> Meeting and Second Reading February 2<sup>nd</sup>. Council Members Tarrant, Coyle, Van Arsdale, and Mayor Barnett stated that they preferred residential. Vice Mayor MacKenzie stated that she preferred commercial. Council Members Nocera and Herms suggested combining the two, however both agreed on residential. Attorney Passidomo stated that the adjacent restaurant, existing public access easements, the commercial fishing fleet, and the boat docks would remain.

Attorney Passidomo also observed that the City would rid itself of a failing retail/commercial project in exchange for 16 residential condominiums and that the public access easements would engender enjoyment of the waterfront. Vice Mayor MacKenzie however cautioned that the City is losing marine repair facilities. Council Member Coyle suggested incorporating a boardwalk or riverwalk into these redevelopments, and added that he would prefer condominiums, rather than boat storage facilities, because they would reduce intensity. Council Member Herms voiced concern regarding the density level. It was the consensus of Council to not allow an expedited process as requested.

**Public Input:** Charles Kessler, 525 Anchor Rode Drive, Vice President of the Old Naples Association, stated that the Association supported the original proposal submitted by Burton Binders, but lacked sufficient information to support the current proposal. He nevertheless noted a preference for residential.

**PETITIONER WILL RESUBMIT THROUGH THE PLANNING ADVISORY BOARD.**

**ORDINANCE (First Reading).....ITEM 6**  
**AN ORDINANCE ADDING SECTIONS 10-3, 10-4, AND 10-5 TO THE CODE OF ORDINANCES OF THE CITY OF NAPLES FOR THE PURPOSE OF REGULATING CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS ON ANY CITY ROAD RIGHT-OF-WAY OR SIDEWALK IN A COMMERCIAL ZONING AREA, DOWNTOWN DISTRICT OR PLANNED DEVELOPMENT DESIGNATED FOR COMMERCIAL USE; REGULATING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON PROPERTY LICENSED FOR OFF-PREMISES CONSUMPTION; REGULATING VISIBILITY OF PREMISES WHERE ALCOHOLIC BEVERAGES ARE SOLD; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**Public Input:** None.

**MOTION by Coyle to APPROVE AT FIRST READING; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).**

Council Member Herms noted that no one would be permitted to consume alcoholic beverages under an awning recently approved at that location over the City right-of-way. Vice Mayor MacKenzie however noted the exception for licensed sidewalk cafes. Council Member Tarrant proposed reconsidering the awning at the Wynn Building (See November 1, 1999 Workshop minutes.) Council Member Herms requested the City Attorney to research whether Council would now have to grant exceptions to establishments with outdoor dining.

**(Discussion on Item 5-d(1) continued from Page 3)**

Mr. Harrison confirmed that a portion of the \$46,000.00 architectural fee would be used for acoustical engineering, and that Architectural Network is the only firm that responded to the request for quotations. Community Services Advisory Board (CSAB) Member Clark Russell expressed confidence in the firm. Mr. Harrison concurred, saying that the principal architect had performed work on many municipal projects. Council Member Coyle nevertheless requested a breakdown of the price of each segment of the project.

**Public Input:** None.

**MOTION by Van Arsdale to APPROVE RESOLUTION 99-8686 (ITEM 5-d(1)); seconded by Nocera and carried 5-2, all members present and voting (Herms-no, Coyle-yes, Tarrant-no, MacKenzie-yes, Nocera-yes, Van Arsdale-yes, Barnett-yes).**

**(Discussion on Item 5-d(2) continued from Page 3)**

Mr. Harrison reiterated that the committee selected D. Garrett Construction and requested direction to begin negotiations.

**Public Input:** None.

**MOTION by MacKenzie to APPROVE RESOLUTION 99-8687 ITEM 5-d(2); seconded by Tarrant and unanimously carried, all members present and voting (MacKenzie-yes, Herms-yes, Van Arsdale-yes, Nocera-yes, Tarrant-yes, Coyle-yes, Barnett-yes).**

**ORDINANCE (First Reading).....ITEM 7**  
**AN ORDINANCE AMENDING SECTION 1.2 OF THE CHARTER OF THE CITY OF NAPLES, FLORIDA, IN ORDER TO ANNEX A 9.97-ACRE PARCEL KNOWN AS THE CITY OF NAPLES WATER STORAGE FACILITY PROPERTY, LOCATED AT 1601 BURNING TREE DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, AND TO REDEFINE THE BOUNDARIES OF THE CITY OF NAPLES TO INCLUDE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison. Planning Director Ron Lee stated that this is City-owned property and that staff recommends its annexation. He also provided clarification on the total frontage of the property.

**Public Input:** None.

**MOTION by Nocera to APPROVE AT FIRST READING; seconded by MacKenzie and carried 5-2, all members present and voting (Coyle-yes, Herms-no, MacKenzie-yes, Nocera-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes).**

**RESOLUTION 99-8688.....ITEM 8**  
**A RESOLUTION GRANTING EASEMENT VACATION PETITION 99-EV1 FOR VACATION OF A TWENTY-FOOT WIDE EAST WEST UTILITY EASEMENT; ACCEPTING A TWENTY-FOOT WIDE EAST WEST REPLACEMENT EASEMENT ALONG THE SOUTH PORTION OF THE PROPERTY WITHIN THE 700 BLOCK OF TENTH STREET SOUTH, MORE PARTICULARLY DESCRIBED HEREIN, FOR RE-ROUTING OF A WATER MAIN AND STORM DRAIN PIPE; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison. Petitioner's agent Robert Duane provided background on previous locations of the easement on the property. He added that the site would contain 13 condominium units in a two-story building, 6,000 feet of office space, and that it would be elevated on stilts. Council Member Van Arsdale noted his opposition to stilt construction in general as well as the significant length of this building. Council Member Herms requested clarification of land ownership. City Attorney Kenneth Cuyler stated that generally the underlying fee owner or abutting property owners would take title to the right-of-way easement property once it is vacated. Council Member Herms requested that staff review the land ownership and Planning Director Ron Lee noted a title search may be necessary. Attorney Cuyler clarified that there should be a replacement easement, and assurance that any existing facilities will be reconstructed. Mr. Lee confirmed that the approval of the easement would not approve the building plans, which are as yet to be reviewed. Because relinquishing the easement may preclude restoring the vacated portion of Seventh Avenue South, Council Member Van Arsdale proposed a motion to deny, seconded by Council Member Nocera; however further discussion ensued. Mr. Duane stated that the easement relocation would accrue to no expense to the City, that his client has complied with the existing zoning and Comprehensive Plan regulations, and that this denial would pose a financial burden. City Attorney Cuyler urged that Council consider only the propriety of the easement relocation. Council Member Van Arsdale however stated that although he does not favor the proposed

building, he believed it important to maintain current easements as well as the alignment that ties to the traditional grid system. Mr. Duane disagreed saying that there is no access through the property, and no grid system in place.

**Public Input:** None.

**MOTION** by Van Arsdale to **DENY**; seconded by Nocera and failed 3-4, all members present and voting (Nocera-no, Tarrant-no, MacKenzie-no, Coyle-yes, Van Arsdale-yes, Herms-yes, Barnett-no).

**MOTION** by Nocera to **APPROVE RESOLUTION 99-8688**; seconded by Barnett and carried 4-3 (Coyle-no, Nocera-yes, Tarrant-yes, MacKenzie-yes, Herms-no, Van Arsdale-no, Barnett-yes).

**RESOLUTION (Continued).....ITEM 9**

**A RESOLUTION GRANTING VARIANCE PETITION 99-V11 FROM SECTION 102-148 OF THE CODE OF ORDINANCES OF THE CITY, WHICH LIMITS BUILDING HEIGHT TO 30 FEET IN THE “R1-15,” RESIDENCE DISTRICT, IN ORDER TO PERMIT A BUILDING HEIGHT OF 31 FEET 8 INCHES AT 3054 GORDON DRIVE, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.** Title not read.

**Public Input:** None.

**MOTION** by MacKenzie to **CONTINUE TO NOVEMBER 17<sup>TH</sup> REGULAR MEETING**, seconded by Van Arsdale and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

**ORDINANCE (First Reading) .....ITEM 14**

**AN ORDINANCE ADDING SECTION 50-433, SPECIAL RETIREMENT ELECTION FOR MEMBERS OVER AGE 44, TO THE CODE OF ORDINANCES OF THE CITY OF NAPLES TO PROVIDE FOR A SPECIAL RETIREMENT OPTION FOR MEMBERS OF THE POLICE OFFICER’S PENSION AND RETIREMENT SYSTEM REACHING THE AGE OF AT LEAST FORTY-FOUR (44) YEARS AND COMPLETING A MINIMUM OF TWENTY (20) YEARS OF SERVICE AS OF NOVEMBER 1, 1999; PROVIDING FOR WAIVER OF EARLY RETIREMENT PENALTIES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.**

Title read by Assistant City Manager William Harrison. Mr. Harrison noted that the ordinance would affect all members of the Police System 44 (modified from 45) years of age with 20 years of service but would have minimal financial impact. Mr. Harrison also stated that this ordinance would directly relate to contracting for the new City Manager. Vice Mayor MacKenzie noted she had requested City Attorney Kenneth Cuyler to research whether this approval and the one for Mr. Rambosk’s contract would compel the City to fund two different retirement systems. Mr. Harrison noted that full normal retirement is granted at age 50, or the attainment of 25 years of service, and that currently no one meets this standard. Council Member Herms questioned whether it may be beneficial to retain older individuals because of their experience; however, Mr. Harrison noted the increased physical risk to the individual as well as the increased financial risk to the City of retaining such persons.

**Public Input:** None.

**MOTION** by MacKenzie to **APPROVE AT FIRST READING (APPROVAL INDICATES ACCEPTANCE OF REVISED ORDINANCE LOWERING MINIMUM REQUIRED AGE TO 44)**; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

**ORDINANCE 99-8689.....ITEM 17**  
**AN ORDINANCE ADDING ARTICLE III TO CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES ESTABLISHING REQUIREMENTS FOR TITLE LOAN TRANSACTIONS IN ORDER TO PROVIDE A MAXIMUM INTEREST RATE CHARGEABLE BY SECONDHAND DEALERS ON MOTOR VEHICLE TITLE LOAN TRANSACTIONS; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**Public Input:** None.

**MOTION by Tarrant to ADOPT ORDINANCE 99-8689; seconded by Nocera and carried 6-1, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-no, Barnett-yes).**

**RESOLUTION 99-8690.....ITEM 18-a**  
**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WITH CHANGES AS APPROVED BY THE CITY ATTORNEY, FOR TOURIST DEVELOPMENT TAX FUNDING FOR BEACH RESTORATION USING THE PARKER SAND WEB SYSTEM; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**RESOLUTION 99-8691.....ITEM 18-b**  
**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH PARKER BEACH RESTORATION, INC. IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WITH CHANGES AS APPROVED BY THE CITY ATTORNEY, TO RESTORE TWO THOUSAND SIX HUNDRED FEET OF THE NAPLES BEACH USING THE PARKER SAND WEB SYSTEM; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison.

**It is noted for the record that Items 18-a and 18-b were considered concurrently.**

William Parker confirmed that his system is patented. Natural Resources Manager Jon Staiger explained that the nets would be placed between 15<sup>th</sup> and 21<sup>st</sup> Avenues South perpendicular to the shoreline, would extend approximately 200 feet, and be spaced 100 feet apart. He added that they would be in place for six months and regularly monitored, and then be removed when turtle nesting season begins. Vice Mayor MacKenzie noted that although the Beach Renourishment/Maintenance Committee recommended it, she had voted against this method because of expense, that it would merely relocate sand the City had already purchased, and would not be permanent. She said installation of wooden groin fields would be more effective. She also noted that, according to the contract, the City must abide by survey results obtained by the contractor's surveyor; however, City Attorney Kenneth Cuyler noted that he would add stipulations to the resolution to aid in dispute resolution. Council Member Van Arsdale stated that the sand webs would be unsightly, and that they would be capturing sand that is moving in anyway. Dr. Staiger however stated that this sand might continue to move south past this beach, which has already lost a significant amount of sand. Mr. Parker stressed that his system could restore and maintain the beaches with high quality results.

**Public Input:** None.

**MOTION by Herms to APPROVE RESOLUTION 99-8690; seconded by Nocera and carried 5-2, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-no, Nocera-yes, Tarrant-yes, Van Arsdale-no, Barnett-yes).**

**MOTION** by Herms to **APPROVE RESOLUTION 99-8691**; seconded by Nocera and carried 5-2, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-no, Nocera-yes, Tarrant-yes, Van Arsdale-no, Barnett-yes).

.....ITEM 19  
**CONSIDER A SIGN FOR AQUALANE SHORES TO BE INSTALLED ON THE ROUNDABOUT AT THIRD STREET SOUTH AND 15TH AVENUE SOUTH.** Assistant City Manager William Harrison noted that the Aqualane Shores Association would fund the sign, but that it requires Council approval because it is in the City right-of-way.

**Public Input:** None.

**MOTION** by Herms to **APPROVE ITEM 19 WITH A RECOMMENDATION FOR LANDSCAPING/LIGHTING AT THE BASE**; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

.....ITEM 20  
**CONSIDER CANCELING TWO CURRENT ORDERS FOR ELECTRIC VEHICLES.**

**Public Input:** None.

**MOTION** by Herms to **CONTINUE TO THE 12/1/99 REGULAR MEETING**; seconded by Nocera and carried 6-1, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-no, Van Arsdale-yes, Barnett-yes).

**RESOLUTION 99-8692.....ITEM 21**  
**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO CHANGE ORDER #3 TO ADD \$40,000 TO THE ORIGINAL \$32,322.11 CHANGE ORDER, FOR THE FINAL PAYOUT TO STATE CONTRACTING AND ENGINEERING CORPORATION FOR CAMBIER PARK PHASE I PROJECT; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant Manager William Harrison. Mr. Harrison noted that staff recommends approval. Community Services Director Don Wirth stated that the percentage overrun on the total project is 2.5%.

**Public Input:** None.

**MOTION** by Herms to **APPROVE RESOLUTION 99-8692**; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

.....ITEM 22  
**CONSIDER A REQUEST TO RECONSIDER THE APPROVAL OF THE DEVELOPMENT OF SIGNIFICANT ENVIRONMENTAL IMPACT AND RUNWAY LENGTH EXTENSIONS CONFERRED AT THE OCTOBER 20<sup>TH</sup>, 1999 REGULAR MEETING.**

**Public Input:** None.

**MOTION** by Herms to **RECONSIDER AT THE NOVEMBER 17<sup>TH</sup> REGULAR MEETING**; seconded by Coyle and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).

**RESOLUTION 99-8693.....ITEM 23**  
**A RESOLUTION RANKING THE TOP TWO FIRMS IN ORDER OF PREFERENCE TO PROVIDE ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE CONSTRUCTION OF T-GROINS ALONG THE NAPLES BEACH FRONT AT SOUTH GORDON DRIVE; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A**

**CONTRACT WITH THE TOP-RANKED FIRM; AND PROVIDING AN EFFECTIVE DATE.** Title read by Assistant City Manager William Harrison. Mr. Harrison noted that staff recommends approval.

**Public Input:** John Remington, 2490 Gordon Drive, provided background information on the project, noting the coalition between private property owners and the City, and expressed appreciation for Council support.

**MOTION by Herms to APPROVE RESOLUTION 99-8693 SELECTING HUMISTON AND MOORE ENGINEERS; seconded by Nocera and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).**

.....**ITEM 24**  
**CONSIDER ENGAGING CONSULTANT SERVICES TO REVIEW AND EVALUATE THE FLOOD INSURANCE RATE MAPS / VENDOR: TOMASELLO CONSULTING ENGINEERS / AMOUNT: \$30,000.00 / FUNDING: GENERAL FUND CONTINGENCY.** Assistant City Manager William Harrison noted that the City's share of this purchase order is \$12,500.00.

**Public Input:** None.

**MOTION by Coyle to APPROVE ITEM 24; seconded by Herms and unanimously carried, all members present and voting (Coyle-yes, Herms-yes, MacKenzie-yes, Nocera-yes, Tarrant-yes, Van Arsdale-yes, Barnett-yes).**

Council Member Herms referenced beach nourishment and its potential effect on elevations, and recommended that Council instruct the staff to obtain a cost estimate of performing the modeling with an additional beach of 100 or more feet. Mr. Harrison stated he would contact FEMA Coordinator Bob Devlin on that issue.

**CORRESPONDENCE & COMMUNICATIONS .....**  
Council Member Herms requested Council support for a referendum question on a charter amendment limiting commercial building heights to 35-feet measured from the required Federal Emergency Management Agency (FEMA) elevation to the peak of the roof; however, it was the consensus of Council not to place the issue on the ballot. / Assistant City Manager William Harrison explained that material being processed on the City's horticultural site and hauled to the Pulling property is not usable and would otherwise cost the City for disposal. / Mr. Harrison also clarified that Council had authorized the Mobil Station on Central Avenue to use flat light covers. / Council Member Tarrant then noted that C.B.E. Trucking Company (Bobby Cadenhead) has failed to clear the debris from a demolished residence in Old Naples engendering a health hazard; staff will require removal by November 9th or retain another contractor to do so. / Council Member Nocera referenced a request to rename an alley south of Fifth Avenue after Ad Miller; Council will first obtain details on the name selection process prior to taking action. / Mr. Harrison noted that during a safety drill at the City Water Plant, one chlorine line was broken slightly injuring one employee; however, safety precautions functioned effectively and no chlorine escaped.

In discussion of Item 6, Council Member Tarrant requested reconsideration of Council's 11/1/99 approval of a tin roof awning on a restaurant at the Wynn Building, Fifth Avenue South.

**ADJOURN** (3:30 p.m.) .....

\_\_\_\_\_  
Bill Barnett, Mayor

\_\_\_\_\_  
Tara A. Norman, City Clerk

Prepared by:

\_\_\_\_\_  
Jessica R. Rosenberg, Recording Specialist

Minutes approved: 12/15/99



