

Annotated
Naples City Council Agenda
City Council Chamber, 735 Eighth Street South, Naples, Florida
Mayor: Bonnie R. MacKenzie
Vice Mayor: Gary Galleberg

City Council: Joseph Herms, William MacIlvaine, Clark Russell, Penny Taylor, Tamela Wiseman
City Attorney: Beverly Grady • City Clerk: Tara A. Norman • City Manager: Kevin J. Rambosk

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 5 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

Regular Meeting
Wednesday, February 20, 2002
Convened 9:00 a.m. / Adjourned 4:25 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.naplesgov.com> or call the City Clerk's Office, 213-1015. 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 – *Rev. Debra Carter Williams, Unity Church of Naples*
3. Announcements
 Aviation Day Proclamation – *read by Council Member Galleberg*
 Presentation of Donation for River Park Midnight Basketball - *\$5000 by 5/3rd Bank*
4. Set agenda (*add or remove items*) – *Set agenda with following changes as well as removing Items 10-b-1, 10-b-2 and 10-b-4 from the Consent Agenda / Galleberg / MacIlvaine / 7-0*
Add Item 10-b-6 Special event at Naples airport / Galleberg / MacIlvaine / 7-0; Add Item 19-i MPO appointment / Taylor / Wiseman / 7-0; Add Item 19-j Southwest Florida Regional Planning Council appointment / Wiseman / Taylor / 7-0; Add Item 20 Selection committee for banking services / Wiseman / MacIlvaine / 7-0; and Continue Item 9 to 3/6/02 / Herms / Russell / 6-1-0 (Galleberg abstaining)
5. Public Comment – *J. Kramer, auto towing charges; S. Kingston, cost of airport noise litigation to airport businesses; W. Boggess, beach rocks; and D. Castaldini, condition of right-of-way*

City Council will recess from 12:00 noon – 1:30 p.m.

NOTICE

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by the City Council with respect to any matter considered at this meeting (or hearing) will need a record of the proceedings and may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard. Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 213-1015 with requests at least two business days before the meeting date.

Scheduled Agenda Items

Some of the items on the following agenda may have been scheduled for an estimated time, however, none of the items will be considered EARLIER than the scheduled time. This schedule will be followed as closely as possible for the convenience of any citizen(s) wishing to address the Council. Items not listed at an estimated time, including the Consent Agenda, will be considered at the discretion of the Council and may be taken out of numerical order.

	Scheduled Items
<p>·3 Resolutions</p> <p>·General Development and Site Plan Petition 02-GDSP1</p> <p>·Petition for Allocation of On-Street Parking 02-PC1</p> <p>·Downtown Waiver Petition 02-DW2</p> <p>·Petitioner: Sunstream Inc. and/or Olde Naples Land Partners, Ltd.</p> <p>·Agent: John Passidomo</p> <p>·Planning Advisory Board recommendation for approval</p> <p><u>6-a 02-9504 AS AMENDED</u> as follows: 1) on-street parking on Third Avenue South and Tenth Street South to be improved with screening by increasing hedge height (no measurement standard) with landscaping to be negotiated by staff and petitioner; 2) curvilinear sidewalk to be installed, if possible, along Tenth Street as coordinated with the staff; 3) allocate on-street parking on Third Avenue from current paved area and existing landscaping retained north of that paved area; 4) right-of-way connection to the property to the north required; 5) outbuilding adjacent to US 41 can be no larger than 7,000 square feet in total size, no more than two stories in height and with an entrance onto US 41; 6) prohibit any walls or fences not shown on plan submitted; 7) parking needs analysis shall be applied only in favor of additional landscaping or a second entrance/exit onto Tenth Street as based on staff recommendations; 8) final GDSP approval to be placed on the Council's consent agenda; and 9) recorded deed, declaration of condominium and hotel/motel license to be provided to the Planning Director prior to issuance of the Certificate of Occupancy / Herms / MacIlvaine / 6-1-0 (Galleberg abstaining)</p>	<p>9:15 a.m.</p> <p>6. Consider the following as it relates to the redevelopment of property at 221 9th Street South:</p> <p>6-a. A conceptual general development and site plan petition for mixed-use development with transient lodging, restaurant, retail commercial, and offices.</p> <p>6-b. A petition to improve a portion of public right-of-way on 3rd Avenue South and obtain credit for six on-street parking spaces.</p> <p>6-c. A waiver from "D" Downtown District zoning requirements in order to locate buildings 36.5 to 42 feet from the property line and to allow parking closer to a front property line than the façade of one building.</p> <p><u>6-b 02-9505 AS AMENDED</u> with same stipulations as 6-a / Taylor / MacIlvaine 6-1-0 (Galleberg abstaining)</p> <p><u>6-c 02-9506 AS AMENDED</u> with same stipulations as 6-a / MacIlvaine / Taylor 6-1-0 (Galleberg abstaining)</p>

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- Resolution
 - Downtown Waiver Petition 02-DW3
 - Petitioner: Bailey's Antique Mall
 - Agent: C. Matt Joyner
 - Staff recommendation for denial

CONTINUE to 3/20/02

MacIlvaine / Herms / 7-0

- Resolution
 - SAC Waiver Petition 02-1
 - Petitioner: 796 5th Avenue South Building
 - Agent: David Corban
 - Staff Action Committee recommendation for approval
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- 2 Resolutions
 - Conditional Use Petition 02-CU1
 - Downtown Waiver Petition 02-DW1
 - Petitioner: Thomas Taylor
 - Agent: Robert L. Duane
 - Planning Advisory Board recommendation for approval
-

APPROVE CONSENT AGENDA

(except items 10-b-1, 10-b-2 and 10-b-4)

Taylor / MacIlvaine / 7-0

***11/19/01 Regular Meeting and 1/22/02
Workshop (approved with Consent Agenda)***

10:15 a.m.

- 7. Consider a waiver from "D" Downtown District zoning requirements in order to allow renovations and additions to the Bailey's Antiques building, 606 9th Street North, and a petition to allocate 10 parking spaces on 6th Avenue North to serve the building.
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11:00 a.m.

- 8. Consider a waiver from Section 102-1095(b)(4)a of the Code of Ordinances (5th Avenue South Special Overlay District) in order to permit two carports within 15 feet of the alley centerline at 796 5th Avenue South.
-

1:30 p.m.

- 9. Consider the following as it relates to property consisting of 856 3rd Avenue South and 310 9th Street South (southwest corner of 3rd Avenue South and US 41):
 - 9-a. A conditional use to allow three drive-through windows in conjunction with a proposed bank.
 - 9-b. A waiver from "D" Downtown District zoning requirements in order to permit a monument sign on property with less than 150 feet of frontage on US 41.
-

Consent Agenda

- 10. 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.

- 10-a. Approval of Minutes.
-

•Community Services
•Special Events Committee

10-b-1 APPROVE

MacIlvaine / Russell / 7-0

10-b-2 APPROVE

Galleberg / Wiseman / 5-2

(MacIlvaine and Taylor dissenting)

10-b-4 APPROVE WITHOUT

CO-SPONSORSHIP considering co-

sponsorship on 3/6/02 agenda

Russell / Galleberg / 5-2

(MacIlvaine and Herms dissenting)

**10-b-3, 10-b-5 and 10-b-6 approved with
Consent Agenda**

•Resolution

•Bid #037-02

•Police & Emergency Services

02-9507

(approved with Consent Agenda)

•Resolution

•Bid #039-02

•Public Works

02-9508

(approved with Consent Agenda)

•Resolution

•Public Works

02-9509

(approved with Consent Agenda)

•~~Second Reading~~

First Reading of an Ordinance

•Public Works

•Approved on First Reading 2/6/02

APPROVE AS AMENDED

*Deleting in Table 1-A "Lots less than 5 acres
in size: ODD Number Addresses" and
"EVEN Number Addresses"; and deleting
from Table 1-B distinction in lot size for
newly installed landscaping, setting time for
watering at 12:01 a.m. to 8:00 a.m.*

Taylor / MacIlvaine / 7-0

10-b. Approve the following special events:

- (1) McCabe's Irish Pub & Grille - St. Patrick's Day Celebration (Sugden Plaza) - 3/16-17/02
- (2) Celebration Community Church Easter Service (Lowdermilk Park) - 3/31/02
- (3) March of Dimes Walk America - 4/6/02
- (4) Great Dock Canoe Race - 5/11/02
- (5) Naples Community Sailing Center Regatta (Lowdermilk Park) - 3/9-10/02
- (6) Naples Airport Open House - 3/2/02 (added item)

10-c. Authorize purchase of a fire rescue vehicle for use by Police and Emergency Services Department \ Vendor: Hall-Mark Fire Apparatus, Ocala, Florida \ Amount: \$80,654.00 \ Funding: CIP#02E33.

10-d Authorize a contract for installation of landscaping and irrigation at the Port Royal water tank site \ Contractor: Southern Pinnacle Services, Inc., Naples, Florida \ Amount: \$17,081.50 \ Funding: CIP #99K32B.

10-e. Authorize a first amendment to the services agreement with Enviro-Tech, Inc., in order to extend odor and corrosion control services for the Wastewater Collection Division through September 30, 2002 \ Amount: \$75,000.00 \ Funding: Water/ Sewer Chemicals Account.

End of Consent Agenda

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11. **Public Hearing** to consider amending Section 66-41 of the Code of Ordinances and adding Section 66-49 in order to establish year round landscape irrigation restrictions.
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•First Reading of an Ordinance
•Building & Zoning

APPROVE / Wiseman / Taylor / 6-1
(MacKenzie dissenting)

•First Reading of an Ordinance
•Building & Zoning

APPROVE / Russell / Wiseman / 7-0

•Resolution
•Bid #031-02
•Development Services

02-9511 / Wiseman / MacIlvaine / 7-0

•Resolution
•Bid #034-02
•Development Services

15-1 02-9512 / Galleberg / Taylor / 7-0

15-2 02-9513 / Galleberg / Taylor / 7-0

15-3 02-9514 / Taylor / MacIlvaine / 7-0

15-4 02-9515 / Herms / MacIlvaine / 7-0

•Resolution
•Natural Resources

02-9519 / Galleberg / MacIlvaine / 7-0

•Resolution
•Human Resources

02-9516 / Wiseman / MacIlvaine / 7-0

•Resolutions
•City Clerk

18-a 02-9517 (Jones)

18-b 02-9518 (Duane)

•Resolutions
•City Clerk

12. Consider amending relevant sections of the Code of Ordinances in order to adopt the 2001 Edition of the Florida Building Code with amendments to Chapter One "Administration".

13. Consider amending relevant sections of the Code of Ordinances and deleting Sections 38-95, 38-106, and 38-202 in order to adopt the Florida Fire Prevention Code.

14. Consider a contract for sidewalk improvements on Crayton Road (between Harbour Drive and Banyan Boulevard) \ Contractor: Neubert Construction Services, Inc., Fort Myers, Florida \ Amount: \$97,650.00 \ Funding: CIP#00U29.

15. Consider annual contracts for traffic signal and street lighting construction and maintenance \ Various Contractors \ Total Est. Annual Expenditures: \$685,700.00 \ Funding: Various CIP Projects.

16. Consider utilizing Collier County's consultant procurement process in engaging an engineer to assist in the Gordon Pass Jetty Sand Tightening Project.

17. **Public Hearing** to consider the settlement of a Workers' Compensation Claim in the amount of \$35,812.00 -- Norman Odeneal.

18. Consider appointing members to the following advisory boards:

18-a. Planning Advisory Board (Alternate Position)

18-b. Public Art Advisory Committee

19. Consider appointing Council Members to the following boards and committees:

19-a. Board of Directors of the Naples Art Association (1 seat)

19-b. Tourist Development Council (1 seat)

19-c. Florida League of Cities

19-d. Juvenile Justice Council (1 seat)

19-e. Naples Players Board of Directors

(1 seat)

19-f. Airport Noise Compatibility Committee
(1 seat)

19-g. Intergovernmental Affairs Committee
(1 seat)

19-h. Public Art Advisory Committee (1 seat)

Correspondence and Communications

Public Comment

Adjourn