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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: Robert D. Pritt • 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, December 4, 2002

Convened 8:57 a.m./Adjourned 4:53 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 – *Pastor Steven Wigdahl, Emanuel Lutheran Church*
3. Announcements – *None*
4. Set agenda (*add or remove items*)
Set agenda continuing Item 14 to 1/8/03, continuing Item 20 to 12/18/02, withdrawing Item 13, and adding Items listed below/Galleberg/MacIlvaine/7-0

Add Item 11-b (3) Royal Harbor Association special event/Herms/MacIlvaine/7-0; Add Item 23 Setting of a meeting date for Hamilton Harbor hearing/Russell/Galleberg/7-0

5. Public Comment *E. Thayer, Avion Park flooding*

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.

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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

First Reading of an Ordinance

Planning

Petitions 02-R5, 92-DSEI1, 02-RIS7

Petitioner: Naples Sailing & Yacht Club

Agent: John M. Passidomo, Esq.

Planning Advisory Board

recommendation for approval with

conditions

Staff recommendation for approval

Continued from 11/06/02

***Approved changing in amended ordinance
Section 2, #1 "revised December 4, 2002"
and #3 "landscape plan...dated November
25, 2002"; adding in the PD document a
Section 9 "Dredging" with the following:
"The City assumes no liability or
responsibility for dredging as a result of
this PD approval. The owner shall assume
responsibility for maintenance dredging
for a period of 5 years from the effective
date of the ordinance upon certification of
proper dredging by the Natural Resources
Manager in accordance with the plans."
MacIlvaine/Galleberg/4-3 (Herms, Taylor,
and MacKenzie dissenting)***

First Reading of an Ordinance

Planning

Text Amendment 02-T8

Petitioner: City of Naples

Planning Advisory Board

Recommendation for Approval

Approved Galleberg/MacIlvaine/7-0

9:30 a.m.

6. Consider a rezone petition for property located at 896 Riverpoint Drive to rezone the subject property from PD, Planned Development, to PD, Planned Development in order to allow for the construction of a new two-story clubhouse facility, the addition of 24 boat slips, and improvements to the stormwater system and the landscaping

10:30 a.m.

7. Consider repealing Section 102-116(7), amending Section 110-37(b), and adding Section 102-124, "Driveway entries, walls and fences," of the Code of Ordinances in order to adopt regulations in the R1-15A zoning district.
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Second Reading of two Ordinances

Planning

Petitioner: First Presbyterian Church

Agent: Dennis P. Cronin, Esquire

Planning Advisory Board

Recommendation for approval

Approved at First Reading 08/21/02

8-a) 02-9890 Galleberg/Russell/7-0

8-b) 02-9891 Russell/MacIlvaine/7-0

Resolution

Planning

**02-9892 Russell/MacIlvaine/5-2 (Taylor
and Herms dissenting)**

2 Resolutions

Community Services

**10-a) 02-9894 selecting Option #4
Wiseman/Taylor/6-1 (Herms dissenting)**

**10-b) 02-9895 MacIlvaine/Russell/6-1
(Herms dissenting)**

**Approve Consent Agenda
Wiseman/MacIlvaine/7-0**

**11/4/02 Workshop, 11/6/02 Regular, and
11/18/02 Workshop**

•Community Services

11:15 a.m.

8. (a) **Public Hearing** to consider approving a Large Scale Comprehensive Plan Amendment changing the Future Land Use designation of property located at the southwest corner of Third Avenue South and Sixth Street from Public/Semi-Public Institutional to Medium Density Residential

(b) **Public Hearing** to consider rezoning the property from PS, Public Service to R3-12 medium density residential district

1:30 p.m.

9. Consider approval of a Second Amendment to the Interlocal Government Agreement between the City of Naples and Collier County relating to the revised Hamilton Harbor Marina project

2:30 p.m.

10. (a) Consider approval of final design for the Norris Community Center

(b) Consider approval of a First Amendment to Agreement for architectural and design services related to the Norris Center: \ Vendor: Warner Architects, Inc., Naples, FL \ Cost: \$136,500.00 \ Funding: CIP 01W06

CONSENT AGENDA

11. 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.

11-a. Approval of Minutes

11-b. Approve the following special events:

(1) Martin Luther King Jr. Parade and Celebration - 01/20/03

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(2) New Years Eve Fireworks (Allen Systems Group) – Naples Pier – 12/31/02

11-b (1,2,3) approved with Consent Agenda

**Resolution
Public Works**

02-9880 Approved with Consent Agenda

**Resolution
Development Services**

02-9881 Approved with Consent Agenda

**Resolution
Development Services**

02-9882 Approved with Consent Agenda

**Resolution
Development Services**

02-9883 Approved with Consent Agenda

**Resolution
Development Services**

02-9884 Approved with Consent Agenda

(3) Royal Harbor Association – annual Association Picnic – 12/8/02

11-c. Approve an Agreement to rebuild a Delroyd gearbox located at the Water Plant: \ Vendor: Miller Bearings, Inc., Ft. Myers, FL \ Cost: \$32,040.00 \ Funding: CIP 03K50

11-d. Approve a First Amendment to Agreement for quantity adjustments related to the Mooring Line Drive Median Project: \ Vendor: Bonness, Inc., Naples, FL \ Cost: \$26,362.42 \ Funding: CIP 00U26

11-e. Approve reimbursement for replacement of a City storm sewer at the Bella Baia Condominium located at 1810 Gulfshore Boulevard North: \ Vendor: A.H.S. Construction Group, Inc., Naples, FL \ Cost: \$22,655.00 \ Funding: Stormwater Other Contractual Services Budget

11-f. Approve a Professional Services Agreement for land surveying services in Drainage Basin V: \ Vendor: Agnoli, Barber & Brundage, Inc., Naples, FL \ Cost: \$12,000.00 (not to exceed) \ Funding: CIP #01V26

11-g. Approve a First Amendment to an Agreement for signalization improvements at the intersection of Park Shore Drive and Crayton Road: \ Vendor: E. B. Simmonds Electrical, Inc., Naples, FL \ Cost: \$25,330.09 \ Funding: Gas Tax Account

END OF CONSENT AGENDA

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<p>Resolution Planning Nonconformity Petition 02-N2 Petitioner: Ronald & Jeanette Sarajian, Boat House Restaurant Agent: Christopher Thornton, Esq. Planning Advisory Board Recommendation for Approval with Conditions</p> <p><u>02-9893 Russell/MacIlvaine/6-1</u> <u>(MacKenzie dissenting)</u></p>	<p>12. Consider amending Resolution 92-6658 that established permitted uses at the Old Cove Condominium in order to allow for the construction of a dock for the exclusive use of short-term patron mooring for the Boat House Restaurant, 990 Broad Avenue South.</p>
<p>Resolution Nonconformity Petition 02-N1 Petitioner: Charter Club Properties Agent: Michael Fernandez, AICP Planning Advisory Board recommendation for approval Continued from 08/21/02</p> <p><u>Withdrawn (See Item 4)</u></p>	<p>13. Consider a request to amend a previously approved site plan for addition and renovations to the Charter Club, 1000 10th Avenue South. <i>(Petitioner requests this item be withdrawn)</i></p>
<p>Second Reading of an Ordinance Street Vacation Petition 02-SV1 Petitioner: Mary Kremer Approved at First Reading on 5/01/02</p> <p><u>Continued (See Item 4)</u></p>	<p>14. Public Hearing to consider a request for approval to remove conditions included in a street vacation dated April 30, 1956 at 960 17th Avenue South. <i>(Petitioner requests this item be continued to 01/08/03)</i></p>
<p>Resolution Public Works</p> <p><u>02-9885 Taylor/Herms/7-0</u></p>	<p>15. Consider approval of an Agreement for the purchase of automotive, truck and heavy equipment tires and road services \ Vendor: National Transport, Inc. d/b/a Production Tire, Bonita Springs, FL\Cost: \$132,000.00 \ Funding: Equipment Services (Tire) budget</p>
<p>Resolution Finance</p> <p><u>02-9886 Galleberg/MacIlvaine/7-0</u></p> <p>First Reading of an Ordinance Finance</p> <p><u>Approved Russell/Wiseman/7-0</u></p>	<p>16. Consider approval of State Revolving Fund Amendment 3 to Loan Agreement CS120712060 between the City of Naples and the Department of Environmental Protection: \ Funding: Water and Sewer Fund Budget</p>
<p>First Reading of an Ordinance City Clerk</p> <p><u>Approved Taylor/Russell/7-0</u></p>	<p>17. Consider amending Section 58-132 and 58-133(b) of the Code of Ordinances of the City of Naples pertaining to the additional homestead exemption</p> <p>18. Consider amending Section 46-36(a) of the Code of Ordinances of the City of Naples in order to alter the membership of the Community Services Advisory Board</p>

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**3 Resolutions
Human Resources**

19. Approve the following as they relate to benefit packages for City employees:

(1) A two-year contract renewal to provide vision care insurance: \ Vendor: Vision Care, Inc., Tampa, FL \ Cost: \$18,000.00 \ Funding: Employee funded

(2) A one-year renewal to provide group dental health insurance: \ Vendor: MetLife, New York, NY \ Cost: \$216,044.00 \ Funding: Employee Health Benefits Fund (*Supplemented by employee contributions*)

(3) A one-year renewal to provide life insurance to eligible employees and retirees, and to provide accidental death and dismemberment, and long-term disability insurance to eligible employees: \ Vendor: Hartford Life Insurance \ Cost: \$372,000.00 \ Funding: Individual Department Personal Services Account (*Supplemented by employee contributions*)

19-1) 02-9887 Herms/Russell/7-0

19-2) 02-9888 Herms/MacIlvaine/7-0

19-3) 02-9889 MacIlvaine/Russell/7-0

**Resolution
City Manager**

Continued (See Item 4)

**First Reading of an Ordinance
Requested by Mayor Bonnie R. MacKenzie**

Approved deleting in Section 1 Paragraphs C and D/Herms/Taylor/4-3 (MacIlvaine, Wiseman, and Russell dissenting)

Requested by Mayor Bonnie R. MacKenzie

Continued giving the City Manager direction to research further information on possible parcels to be drafted into a resolution/Taylor/Herms/7-0

Added Item

Consensus to conduct hearing on 1/21/03 at 1:00 p.m. (after Council Workshop)

Correspondence and Communications

City policy on Council Members' yearly allowance, visitor compliments to Council (Taylor); newspaper article on aquifer storage and recovery (ASR) wells to be sent to County Commission and State representatives (Herms); Third Street traffic improvements, requested curb cuts around Broad

20. Consider amendment to Carver Finance, Incorporated lease

21. Consider adding a new Section 42-6, Squirrel Monkey Protection Regulations, to the Code of Ordinances of the City of Naples in order to protect the free-living squirrel monkeys

22. Consider forwarding to the Board of County Commissioners the City's endorsement for lands proposed for purchase under the Conservation Collier 2002 Ordinance

23. Setting of a meeting date for the Hamilton Harbor hearing

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Avenue and Third Street, inventory of Old Naples properties to determine eligibility for higher fences and walls pursuant to Port Royal fence and wall regulations (Galleberg); anonymous letters and electronic mails (MacIlvaine); waterfront master plan process, possible conversion of residential parcels behind commercial property into a small community park, recognition plaque at the Naples Preserve (Russell); alternative to cordless microphone (Wiseman); consensus of Council to not pursue proposal to create an island behind Fifth Avenue for a pizzeria (MacKenzie); appreciation from Gulf Shore Condominium Association for City tax rate reduction (Rambosk).

Public Comment

None

Adjourn – 4:53 p.m.

Order of Consideration:

1, 2, 3, 4, 14, 20, 13, 5, 11, 15, 16, 17, 19, 23, 6, 7, 8, 9, 12, 10, 18, 21, 22.