

*This document is promulgated solely for the purpose of providing a brief reference to City Council action. It is not to be construed as minutes of the City Council meeting or in any way the official record of said meeting.*

**Annotated**

**Notice of Meeting and Agenda  
Naples City Council**

**City Council Chamber, 735 Eighth Street South, Naples, Florida**

**Mayor: John F. Sorey III**

**Vice Mayor: Gary Price**

**City Council Members:**

**Bill Barnett, Doug Finlay, Teresa Lee Heitmann, Sam J. Saad III, Margaret Sulick**

**City Attorney: Robert D. Pritt · City Clerk: Patricia L. Rambosk · City Manager: Bill Moss**

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

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**Regular Meeting  
Wednesday, June 6, 2012**

***Convened 8:29 a.m. / Adjourned 11:40 a.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, City Hall, or on the City of Naples website [www.naplesgov.com](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 - City Attorney Robert Pritt.
3. Announcements - Mayor Sorey
  - Life Saving Recognition
  - Distinguished Budget Presentation Award
  - Proclamation of Mother Perry Youth Empowerment Project Second Annual Serving to Save Our Youth Brunch
  - Proclamation of Classical South Florida, WNPS 88.7FM Day
4. Set agenda (*add or remove items*) - As submitted / Saad / Sulick / 7-0.
5. Public Comment - B. Donald, Congressional candidate.

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**City Council may recess for lunch**

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**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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**CONSENT AGENDA**

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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.

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**Approve Consent Agenda**  
**Sulick / Barnett / 7-0**

**City Clerk**  
**Approval of Minutes**

**Approved with Consent Agenda**

**Resolution**  
**Community Services**  
**Budget Amendment**

**12-13128 Approved with Consent Agenda**

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**Resolution**  
**City Clerk**

**12-13129 Approved with Consent Agenda**

6-a. Approval of Minutes; *as submitted*

March 26, 2012 - Town Hall  
April 16, 2012 - Workshop  
May 1, 2012 - Town Hall

6-b. Approve a Resolution amending the Fiscal Year 2011-12 Budget adopted by Ordinance 11-12953 to clarify that the position of Aquatic Supervisor at the River Park Pool be designated as a regular full-time position

6-c. Approve a Resolution appointing Vicki L. Smith as a Deputy City Clerk

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**END OF CONSENT AGENDA**

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Resolution - **Quasi-Judicial**  
**Planning**

**Conditional Use Petition 12-CU2**  
**Petitioner: The Posh Plum, LLC**

**Agent: Jim Paul**

**Planning Advisory Board Recommendation**  
**for Approval**

**12-13130 Price / Barnett / 7-0**

**Second Reading of an Ordinance**  
**Planning**

**Text Amendment Petition 12-T3**  
**Petitioner: City of Naples**

**Planning Advisory Board Recommendation**  
**for Approval**

**First Reading 05/16/2012**

**12-13131 Price / Barnett / 6-1**

**(Heitmann dissenting)**

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**Resolution**  
**Code Enforcement/City Manager**  
**Release of Lien**

**12-13132 Approved reducing fine to \$10,000, contingent upon receipt of funds within 10 working days / Barnett / Finlay / 5-2 (Price and Sulick dissenting)**

7. **Public Hearing** to consider a Resolution determining Conditional Use Petition 12-CU2 pursuant to Section 58-503, to allow the retail sale of secondhand merchandise in the Highway Commercial Zoning District on property owned by Naples Private Financial Group, LLC, located at 2840 Ninth Street North

8. **Public Hearing** to consider an Ordinance relating to Outdoor Dining; amending Section 56-126 (c) (1); moving Section 56-127, Outdoor Dining on Public Property, to Section 56-126, Outdoor Dining, for the purpose of combining provisions regarding outdoor dining under one heading in the Code of Ordinances

9. Consider a Resolution determining the request to release a lien under Code Enforcement Board Case No. 11-294 on property located at 318 Seventh Street South

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<p><b>Utilities</b> <b>Award of Contract for Sealing and Painting Water Storage Tanks</b></p>	<p>10. Award a contract for sealing and painting the potable water ground storage tanks and buildings located at East Naples, Solana Road and Port Royal: \ Vendor: Gemini Inc. of Florida, Tarpon Springs, Florida \ Cost: \$124,500 \ Funding: CIP 12 K17 - Tank Sealing and Painting</p>
<p><u>Clerk's Tracking #12-00029</u> <b>Sorey / Barnett / 6-1 (Price dissenting)</b> <b>First Reading of an Ordinance</b> <b>Building</b> <b>Floodplain Damage Prevention</b> <b>First Reading and Scheduling for Public Hearing</b></p>	<p>11. Approve First Reading of an Ordinance relating to floodplain management; amending Chapter 16-82 variances to Floodplain Management Regulations; amending Chapter 16-112 Florida Building Code adopted; amendments; amending Chapter 16, Article IV of the Flood Damage Prevention Ordinance of the Code of Ordinances, City of Naples, Florida for the purpose of designating a Floodplain Administrator, adopting procedures and criteria for development in flood hazard areas, and for other purposes; and adopting local administrative amendments to the Florida Building Code</p>
<p><b>First Reading declared / Second Reading to occur on 06/13/12.</b> <b>First Reading of an Ordinance</b> <b>City Manager</b> <b>Amending the General Pension to Clarify Benefits</b> <b>First Reading and Scheduling for Public Hearing</b></p>	<p>12. Approve First Reading of an Ordinance relating to the Retirement System of the City of Naples, Florida; adding Paragraph (e) to Section 29-66, established, effective date, merger of systems; amending paragraph (a) of section 29-113, Voluntary Retirement; of the Code of Ordinances, City of Naples, Florida, for the purpose of clarifying that the benefits will not be reduced for members who attained normal retirement age as of September 30, 2011; directing the City Clerk to file a copy of this Ordinance with the Division of Retirement of the Florida Department of Management Services</p>
<p><b>First Reading declared/ Second Reading to occur on 06/13/12.</b> <b>Resolution</b> <b>Police and Fire</b> <b>Interlocal Agreement for Airport Rescue Firefighting Personnel</b></p>	<p>13. Consider a Resolution approving an Interlocal Agreement between the City of Naples and the City of Naples Airport Authority for airport rescue, firefighting staffing; and authorizing the City Manager to execute the Interlocal Agreement</p>
<p><b>12-13133 Sulick / Barnett / 7-0</b> <b>Utilities</b> <b>Discussion of Horticulture Collection</b> <b>(Continued from</b> <b>May 14, 2012 Workshop and</b> <b>May 16, 2012 Regular Meeting)</b></p>	<p>14. Horticultural Collection. The discussion will be a summary of the City Code pertaining to horticultural collection that is managed by the Solid Waste Division. Landscape debris is placed on the public right-of-way for collection on a weekly basis</p>
<p><b>Discussion only</b></p>	

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**Planning  
Discussion of Land Development  
Regulations**

*(Continued from May 14, 2012 Workshop  
and May 16, 2012 Regular Meeting)*

***No support for establishment of Zoning  
and Planning Board; remainder of topics to  
proceed per discussion.***

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15. Land Development Regulations. The discussion will summarize conceptual amendments to the Land Development Regulations that will update regulations, remove conflicts, and decrease the time associated with the development review process
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Public Comment - None.

***Correspondence and Communications-Results from testing of debris found in Old Naples area found to be pollen, not aircraft pollution residue (Barnett and City Manager); appreciation to Sample family for donation to River Park Community Pool project and commended staff for annual budget document (Finlay); recognized new City Clerk Patricia Rambosk, noted receipt of annual report from Naples Players and Council to consider possible referendum regarding waiver of height limitation for Renaissance Village property (northwest corner of US 41 and Goodlette-Frank Road) to allow development as hotel / convention center (Sorey); questioned loss of two parking spaces abutting Riley Park (located along Gordon Drive between 18<sup>th</sup> and 21<sup>st</sup> Avenues South) and thanks to staff for restriping of crosswalks on Third Street South (Heitmann).***

Adjourn - 11:40 a.m.

***Order of Consideration - 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, Public Comment, and Correspondence and Communications.***