

**Naples City Council Notice of Meeting and Agenda  
City Council Chamber, 735 8th Street South, Naples, Florida  
Mayor: Bill Barnett**

**Vice Mayor: Gary Price**

**City Council Members:**

**Reg Buxton, Raymond Christman, Terry Hutchison, Michelle McLeod, Ellen Seigel**

**City Attorney: James Fox • City Clerk: Patricia Rambosk • City Manager: Charles Chapman**

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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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**City Council Regular Meeting  
Wednesday, October 16, 2019  
8:30 AM**

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 on the City of Naples home page <https://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
2. Invocation and Pledge of Allegiance
3. Announcements
  - 3.A. Collier Heart Walk Day Proclamation
  - 3.B. A presentation of the seven identified core values for the staff of the City of Naples.  
[Agenda Memorandum](#)  
[Core Values Committee Members](#)

**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 (239) 213-1015 WITH REQUESTS AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING DATE.**

3.C. Florida City Government Week Proclamation  
[My City I'm Part of It, I'm Proud of It Flyer](#)

4. Set agenda (add or remove items)

5. Public Comment

#### CONSENT AGENDA

6. City Clerk

6.A. Approval of the September 18, 2019 Regular Meeting minutes.  
Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[September 18, 2019 Regular Meeting minutes](#)

7. Community Services

7.A. Special Events - Repeat Events

(1) Annual Lake Park Neighborhood Block Party - Lake Park Homeowners Association - vacant lot corner of 10th Avenue N and 11th Street N - 11/9/2019

(2) Empty Bowls - Empty Bowls of Naples Inc. - Cambier Park - 1/25/20

Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

8. Police

8.A. Resolution - Legislative - A resolution amending the FY 2019-20 budget adopted pursuant to Resolution 2019-14400 to appropriate funds from the State Confiscation Trust Fund (Florida Contraband Forfeiture Act) and the Federal Confiscation Trust Fund (Federal Equitable Sharing Program); and providing an effective date.

Recommended Action: Approve the Resolution.

[Agenda Memorandum](#)

[Resolution](#)

#### END OF CONSENT AGENDA

9. Human Resources - Risk Management

9.A. 12:00 PM TIME CERTAIN

Executive Session regarding Case No. 2:18-cv-00274 being handled under the City's Risk Management program.

Recommended Action: Meet in closed session.

[Agenda Memorandum](#)

9.B. IMMEDIATELY FOLLOWING AGENDA ITEM 9.A.

Executive Session regarding Case No. 2017-CA-01845 being handled under the City's Risk Management program.

Recommended Action: Meet in closed session.

[Agenda Memorandum](#)

10. City Manager

10.A. 2:00 PM TIME CERTAIN

Executive Session regarding security matters.

Recommended Action: Hold Executive Session.

[Agenda Memorandum](#)

11. Community Services

11.A. Special Events - Revised Repeat Events

(1) The Fifth Avenue South Day/Evening on Fifth and Sidewalk Sale - Fifth Avenue South Business Improvement District (FASBID) - 5th Avenue S - 11/27/19

(2) The Fifth Avenue South Christmas Walk, Tree Lighting, Holiday Village and Savor the Avenue-Long Table Event - Fifth Avenue South Business Improvement District (FASBID) - 5th Avenue S - 12/6/19 and 12/7/19.

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

[Application - The Fifth Avenue South Day/Evening on Fifth and Sidewalk Sale](#)

[Application - The Fifth Avenue South Christmas Walk, Tree Lighting, Holiday Village and Savor the Avenue-Long Table](#)

11.B. Special Events - New Events

(1) Fitness Classes - The French Restaurant - 365 5th Avenue S (private property) - 10/27/19, 11/24/19, 12/8/19 and 12/22/19

(2) Neighborhood Bash-Party at the Clinic - The Neighborhood Health Clinic - 88 12th Street N (private property) - 11/1/19

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

[Application - Fitness Classes and Breakfast](#)

[Application - Neighborhood Bash - Party at the Clinic](#)

12. Planning

12.A. Ordinance - Second Reading - Legislative - an ordinance relating to fences and walls; amending Chapter 56, Supplemental Standards, Article II, Standards Applicable to all Districts, Section 56-37, Fences and walls, of the Code of Ordinances, City of Naples, to change the regulations governing fence height and placement; providing a severability clause; providing a repealer provision; and providing an effective date.

Recommended Action: Approve the Ordinance at Second Reading.

[Agenda Memorandum](#)

[Ordinance](#)

[Staff Memorandum](#)

[PAB Meeting Minutes 19-T7](#)

- 12.B. Resolution - Quasi-Judicial - a resolution relating to Outdoor Live Entertainment; determining Live Entertainment Petition 19-LE5 to allow amplified outdoor live entertainment consisting of up to two performers from 5:00 p.m. to 10:00 p.m. on Sunday through Wednesday, and from 5:00 p.m. to 12:00 a.m. on Thursday through Saturday, at The Bevy Restaurant on property owned by 360 Twelfth Avenue Holdings, LLC, located at 360 12th Avenue South, more fully described herein, and providing an effective date.

[Agenda Memorandum](#)

[Resolution](#)

[Supplemental Memorandum](#)

[Memo from Police](#)

[Application and Disclosure](#)

[2018-14230 Resolution](#)

[Bevy Exterior Photo](#)

[Front stage](#)

[Rear Stage](#)

[Aerial](#)

[10/17/18 City Council Regular Meeting Minutes](#)

[Correspondence](#)

[Live Entertainment Master List](#)

[Planning Staff Resumes](#)

[Public Notice Mailing Labels](#)

- 12.C. (1) Resolution - Quasi Judicial - a resolution relating to outdoor live entertainment; determining Live Entertainment Petition 19-LE3 to allow outdoor live entertainment on Wednesday through Saturday from 5:00 p.m. to 10:00 p.m. for Lake Park Diner, on property owned by Market, LLC, and located at 944 7th Avenue North, more fully described herein; and providing an effective date.
- (2) Resolution - Quasi Judicial - a resolution determining Outdoor Dining Petition 19-ODPV7 to allow outdoor dining on private property facing a residential zoning district for Lake Park Diner on property owned by Markit, LLC, and located at 944 7th Avenue North, more fully described here; and providing an effective date.

[Agenda Memorandum](#)

[Supplemental Memorandum](#)

[\(1\) Resolution](#)

[\(2\) Resolution](#)

[\(1\) Application - Petition 19-LE3 Live Entertainment](#)

[\(2\) Application - Petition 19-ODPV7 Outdoor Dining](#)

[Disclosure](#)

[Site Plan](#)

[Civil Site Plan](#)

[Aerial](#)

[Entertainer Area](#)

[Warranty Deed](#)

[Letter to Neighbors](#)

[Landscape Plans](#)  
[Travira Seating](#)  
[Travira Tables](#)  
[Correspondence](#)  
[Live Entertainment Master List](#)  
[Matt Kragh credentials](#)  
[Christian Andrea credentials](#)  
[Andrew Rath credentials](#)  
[Planning Staff Resumes](#)  
[Public Notice Mailing Labels](#)

- 12.D. Resolution - Quasi-Judicial - a resolution determining Live Entertainment Petition 19-LE4 to allow for indoor live entertainment with doors and windows closed on Fridays from 6:00 p.m. to 9:00 p.m. throughout the year, and on Sundays from 4:00 p.m. to 7:00 p.m. during the months of February through September for Tavern on the Bay, on property owned by Kevin Stoneburner, and located at 489 Bayfront Place, more fully described herein, and providing an effective date.

[Agenda Memorandum](#)  
[Resolution](#)  
[Supplemental Memorandum](#)  
[Application](#)  
[Disclosure](#)  
[Condominium Disclosure](#)  
[Tavern Interior Site Plan](#)  
[Correspondence](#)  
[1/27/16 Police Memo](#)  
[Live Entertainment Master List](#)  
[Planning Staff Resumes](#)  
[Public Notice Mailing Labels](#)

- 12.E. Resolution - Quasi Judicial - a resolution determining Public Art Petition 19-PAAC4 pursuant to Section 46-42 of the Code of Ordinances, City of Naples, to authorize a public art installation and reimbursement of the Public Art Fee for Baker Park, owned by the City of Naples, Florida, located at 100 Riverside Circle, more fully described herein; and providing an effective date.

Recommended Action: Approve the Resolution.  
[Agenda Memorandum](#)  
[Resolution](#)  
[Application](#)  
[Baker Park - Jason Krugman Proposal and Background Information](#)  
[Baker Park Building Images](#)  
[9/24/19 PAAC Meeting Agenda Memorandum](#)  
[PAAC Meeting Minutes](#)  
[Credentials - Staff](#)

13. City Attorney

- 13.A. Request for an Attorney/Client Executive Session to be held at 12:00 p.m. during the November 6, 2019 Regular meeting to discuss settlement negotiations and strategy in reference to the following pending litigation cases:

CRISWELL, ET AL vs. CITY OF NAPLES, FEDERAL MIDDLE DISTRICT OF FLORIDA, CASE NO. 2:19-cv-00305-JES-MRM; and

CRISWELL vs CITY OF NAPLES, TWENTIETH JUDICIAL CIRCUIT COURT OF COLLIER COUNTY, STATE OF FLORIDA, CASE NO. 11-2017-CA-000977-0001-XX.

Recommended Action: Schedule an Attorney/Client Executive Session at 12:00 p.m. during the November 6, 2019 Regular meeting.

[Agenda Memorandum](#)

[City Attorney's Request](#)

Public Comment

Correspondence and Communications

Adjourn