



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – October 15, 2025 – 8:33 a.m.

It is noted for the record that all: 1) documentation electronically appended hereto is also contained in the file for this meeting with the City Clerk's Office; 2) experts who testified during quasi-judicial hearings were accepted as qualified to do so in their respective fields of expertise; and 3) added attachments are referenced in red as "ADDED ATTACHMENT".

1) CALL TO ORDER AND ROLL CALL

City Council Members Present

Teresa Heitmann, Mayor
Terry Hutchison, Vice Mayor

Berne Barton
Ray Christman
Bill Kramer
Beth Petrunoff

Council Members Absent:

Linda Penniman

Staff Present:

Gary Young, City Manager
Chad Merritt, Community Services Director
Robert Middleton, Public Works Director
Natalie Hardman, Natural Resources Manager
Heather Shields, Urban Forest Manager
Danielle Futia, Special Events & Marketing Supervisor
Felix Gomez, Purchasing Manager
Michael O'Reilly, Police Lieutenant

Matthew McConnell, City Attorney
Patricia Rambosk, City Clerk
Mari Gallet, Deputy City Manager
Erica Martin, Planning Director
Kimberly Nudi, Planner I
Alison Bickett, Deputy City Engineer
Jessica Rosenberg, Deputy City Clerk
Jessica Hernandez, Deputy City Clerk

Others Present:

Michael McKellar
Steve Brooder
Mark McLean
Keith West
Jay Kohlhausen
Mark Grafton
Lindsey Watkins, Universal Court Reporting
Charissa Dines, Dines Court Reporting
Jeffrey Hurcomb

Timothy McCarthy
Jamal Daoud
Tim Hall
Francesca Passidomo
Blair Foley
Clay Brooker
Morgan Wheaton
Edward Larson
James Henderson
Andrew Rath

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Michael McKellar, Oasis Church, gave an invocation. Mayor Heitmann subsequently led in the Pledge of Allegiance.

3) SET AGENDA

City Manager Gary Young noted that a Supplement issued for Item 11.A resulted in the renumbering of subsequent agenda items and that one companion document was added to both Items 11.B and 11.C; he also reminded City Council of the 12:30 p.m. Time-certain Executive Session for Item 13.A, Compagnone, Richard v. City of Naples, Case No. 23-CA-003045.

Mayor Heitmann requested to remove Item 7.E from the Consent Agenda for a separate discussion and vote.

MOTION by Hutchison to SET AGENDA subject to removing Item 7.E from the Consent Agenda; seconded by Barton and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

4) ANNOUNCEMENTS AND PRESENTATIONS

4.A) Proclamation Honoring Steve Brooder's Retirement, St. Matthew's House.

Mayor Heitmann presented a Proclamation honoring Steve Brooder's retirement at St. Matthew's House. Mr. Brooder accepted the Proclamation and offered brief remarks.

[Proclamation \(Staff/Added Attachment\)](#)

5) PUBLIC COMMENTS

Jay Kohlhagen urged the City to take a stand against the blanket aerial spraying of the neurotoxin Dibrom (Naled) by Collier Mosquito Control District, citing the view of health risks, the lack of informed consent, and safer alternatives already in use. He referenced bans and changes in other regions like the EU and Miami-Dade County and announced plans to speak at the upcoming Mosquito Control District meeting to oppose the practice. **Mark McLean**, National Director at MHK Architecture informed City Council that MHK has a client interested in developing workforce housing on a particular property, however, there are limitations under the current Code. He provided a draft concept for a Code revision to help move the process forward and urged Council to prioritize workforce housing. **Keith West**, President of the Airport Tenants Council and Owner of Rex Air Flight School, criticized City Council for creating chaos in the management of the Naples Airport and called on the Mayor to resign. He urged City Council to resist pressure from single-interest groups, uphold existing regulations, and appoint aviation experienced individuals to upcoming Naples Airport Authority (NAA) vacancies to protect community interests and lawful airport operations.

[Handout \(M. McLean/Added Attachment\)](#)

APPROVAL OF CONSENT AGENDA

MOTION by Hutchison to APPROVE THE CONSENT AGENDA; seconded by Barton and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

6) MINUTES

6.A) Approval of the August 20, 2025 Regular Meeting Minutes, the September 3, 2025 Regular Meeting Minutes, and the September 22, 2025 Special (Budget) Meeting Minutes.

[Agenda Memorandum](#) [August 20, 2025 Regular Meeting Minutes](#)

[September 3, 2025 Regular Meeting Minutes](#)

[September 22, 2025 Special \(Budget\) Meeting Minutes](#)

7) RESOLUTIONS

7.A) RESOLUTION 2025-15731 - A Resolution Approving Amendment No. 15 to the Professional Engineering Services Agreement between the City of Naples and Graef-USA Inc, F/K/A Erickson Consulting Engineers, Inc. for the Naples Beach Stormwater Outfall Project, Providing for an Increase of the Project Cost in the Amount of \$26,700 in Fiscal Year 2025-26; Authorizing the City Manager to Execute Amendment No. 15 to the Professional Engineering Services Agreement; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#) [Resolution](#) [Fifteenth Amendment](#)

7.B) RESOLUTION 2025-15732 - A Resolution Approving a Fourth Amendment to the Vendor's Software Licensing Agreement Between the City of Naples and IMAGETREND, LLC, a Minnesota Limited Liability Company, Authorized to do Business in the State of Florida to Extend the Term of the Agreement to September

30, 2027, add Additional Products and Services, and Additional Terms and Conditions Required by the City for Fire-Rescue Report Writing Software; Ratifying and Approving the Second and Third Amendments Previously Approved by the Fire Department; Waiving the Requirements for Competitive Bidding; Authorizing the City Manager to Execute the Fourth Amendment to the Software Licensing Agreement, Providing for Scrivener's Errors; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#) [Resolution](#) [Fourth Amendment](#)

7.C) RESOLUTION 2025-15733 - A Resolution Approving Task Order No. 26-01-65-02-531010 Between the City of Naples and LJA Engineering, Inc., A Texas Corporation Authorized to do Business in the State of Florida, for Alleyway Improvement Design Services for the Alley South of 5th Avenue South Connecting 3rd Street South and East Lake Drive in the Amount of \$63,894.67; Authorizing the City Manager to Execute the Task Order; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#) [Resolution](#) [Proposal](#) [Task Order](#)

7.D) RESOLUTION 2025-15734 - A Resolution Amending the Fiscal Year 2025-26 Budget Adopted by Resolution 2025-15701 Appropriating Funds from the Unappropriated Fund Balances of the 430 Beach Fund in the Amount of \$251,000, and the 190 Streets Fund in the Amount of \$500,000, for Additional Paving Work and Costs of Emergency Response Activities from Hurricane Ian as Set Forth Herein; and Providing an Effective Date.

Title of Resolution not read.

[Agenda Memorandum](#) [Resolution](#)
[2025-15701 Adopting City of Naples FY 2025-26 Annual Budget](#)
[Ian Paving and Curbing 3rd Ave South](#) [Ian Paving and Curbing 15th Ave South](#)
[Ian Paving and Curbing 16th Ave South](#) [Ian Seawalls Beach End Sand](#)

8) OTHER

None.

END OF CONSENT AGENDA

9) PUBLIC HEARINGS

9.A) RESOLUTION 2025-15736 - A Resolution Vacating a 20-foot wide Public Utility Easement Lying North of the Naples Diagnostic Imaging Center in Lots 13 through 17 inclusive and the South 32 Feet of Lots 8 through 12 of the Naples Seaboard Replat, Less the East 20 Feet of Lot 8, Tier 11, Block 21, as Recorded in Plat Book 1, Page 59, Public Records of Collier County, Florida, more Particularly Described Herein, Located at 20 10th Street North and Owned by APNI 4 LLC, as the Easement will no Longer Serve any Beneficial Purpose to the City; Directing the City Clerk to Record this Resolution; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex-parte disclosures: Barton / spoke with staff; Christman, Kramer, and Petrunoff / familiar with the site and had spoken with staff; Hutchison / familiar with the site but had not had contact; and Heitmann / visited the site and had spoken with staff.

Andrew Rath, Civil Engineer at Davidson Engineering, reviewed the request to vacate a twenty-foot-wide public utility easement located at 20 10th Street North. He noted that the existing building on the site had been recently demolished and referenced an aerial image identifying the location of the easement along the drive aisle. He utilized an electronic presentation to display a former alley vacated in May 1987, after which a utility easement was recorded. He identified the easement area in green on the exhibit and confirmed that the City's GIS data shows no active City utilities within that easement, though surrounding water and sewer infrastructure are in place.

Engineer Rath further reviewed the proposed site plan, which has been under City review for approximately one and a half years, noting that the ground floor includes commercial space with residential units above. He explained that the easement area aligns roughly with the garage opening shown in the architectural plans and presented renderings depicting the project's 10th Street frontage.

Deputy City Engineer Alison Bickett reviewed the agenda memorandum regarding the request to vacate a twenty-foot-wide public utility easement at 20 10th Street North. She explained that Site Plan Petition 23-SP3 was submitted on January 27, 2023, for a three-story mixed-use building, and that review of the application identified an existing easement encroachment requiring vacation. She stated that the vacation application was submitted on behalf of the property owner, APNI Four, LLC. Deputy City Engineer Bickett noted that the easement originated from a 1987 alley vacation approved under Resolution 87-5244, which retained a public utility easement over the vacated area. She reported that letters of no objection were received from Florida Power & Light (FPL), TECO Gas, CenturyLink/Lumen, and Comcast, with FPL and Comcast granted a new ten-foot easement along the northern property boundary to accommodate rerouted utilities. Deputy City Engineer Bickett confirmed that Public Works verified no existing City-owned utilities within the easement area and determined that no future City facilities are anticipated in that location.

Deputy City Engineer Bickett responded to questions of City Council regarding the vacated public alley and subsequent public utility easement, as well as the functionality of future utilities to the property.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15736; seconded by Kramer and carried 6-0 (Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Penniman-absent, Hutchison-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Vacation Application](#) 
[Proposed Sketch and Description](#)  [Survey](#)  [Easement Exhibit](#) 
[Alley Vacation Resolution OR 1265 PG 1326](#) 
[RECORDED Utility Easement OR 1265 PG 1327](#) 
[Letters of No Objection](#)  [Correspondence - FPL Acceptance of New Easement](#) 
[FPL and Comcast Easement Sketch Legal](#)  [Disclosure of Interest](#) 
[Sunbiz Document](#)  [Recorded Deed](#)  [Resume MHK](#)  [Resume Andrew Rath](#) 
[Civil Plans](#)  [Architecture Plans](#)  [Petitioner Presentation](#) 

REGULAR AGENDA

10) ITEMS PULLED FROM CONSENT AGENDA

- 7.E) RESOLUTION 2025-15735 - A Resolution Approving a Perpetual Access Easement Agreement for Public Access of a Sidewalk between Stella Naples Condominium Association, Inc. a Florida Not-for-Profit Corporation Association, Inc, a Florida Not-For-Profit Corporation and the City of Naples to Allow the Public Access to a Private Sidewalk for Pedestrian Ingress and Egress Located at 82 9th Street South, More Fully Described Herein; Authorizing the City Manager to Execute the Perpetual Access Easement; Directing the City Clerk to Record the Perpetual Access Easement Agreement; Providing for Scrivener's Errors; and Providing an Effective Date (Removed from the Consent Agenda).**

City Attorney Matthew McConnell read the title of the Resolution. In response to Mayor Heitmann, Deputy City Engineer Alison Bickett confirmed that the related project (Site Plan Petition SP2) was administratively approved. She clarified that the sidewalk layout requires a five-foot sidewalk adjacent to the building on private property and, typically, an additional five-foot sidewalk within the public right-of-way where on-street parking is permitted. She noted, however, that due to

safety concerns and the property's proximity to U.S. 41, on-street parking was not authorized along 1st Avenue South in that location, and therefore, the corresponding public sidewalk was not required.

Planning Director Erica Martin clarified that the approved site plan includes the required sidewalk adjacent to the building and that the development provides all required parking within its garage. She noted that the on-street parking spaces originally shown on 1st Avenue South were not needed to meet the project's parking requirements and were not included in the final plan.

Deputy Engineer Bickett subsequently utilized an electronic presentation to review setback requirements for D-Downtown District Zone C and to demonstrate how the applicant routed the sidewalk along the edge of the commercial property, rather than maintaining a continuous path within the public right-of-way. She explained that although there was previously a sidewalk running along U.S. 41, the new plans did not include a direct connection at that location.

Mayor Heitmann expressed concern that the new sidewalk configuration would impact pedestrian and bicycle connectivity along 1st Avenue South. She recalled prior Community Redevelopment Agency (CRA) discussions aimed at ensuring safe and accessible crossings to the west side of the street and noted that, under the current plan, individuals would now have to cross the road and follow the five-foot sidewalk adjacent to the building before continuing toward 8th Street. She emphasized that her preference had been for a direct sidewalk connection. In response, Deputy City Engineer Bickett explained that although staff requested the sidewalk connection be maintained, she confirmed the applicant's plans complied with Code and that an easement was not mandatory.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2025-15735; seconded by Hutchison and carried 5-1 (Hutchison-yes, Penniman-absent, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Easement Agreement](#) 
[Easement Sketch and Description](#)  [Site Plans](#) 

11) LAND USE MATTERS

11.A) **RESOLUTION 2025-15737 - A Resolution Modifying the Plans Approved with Conditional Use Petition 24-CU5, and Adding Conditions to Resolution 2024-15421, Which Granted a Conditional Use Approval Allowing a Private Beach Club in the PS, Public Service District, for the Port Royal Club on Property Located at 2900 and 2755 Gordon Drive; and Providing an Effective Date. (SUPPLEMENT 1/ADDED ITEM).**

City Attorney Matthew McConnell read the title of the Resolution. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex-parte disclosures: Barton / familiar with the site; Christman and Petrunoff / familiar with the site and spoke with staff as well as with the petitioner's representatives; Kramer / familiar with the site and spoke with staff; Hutchison / familiar with and had previously been to the site, received email communications, had exchanged emails with the petitioner's representatives, and had spoken with staff; and Heitmann / visited the site and had spoken with staff. In response to City Attorney McConnell, Council Member Petrunoff responded in the affirmative that she is a member of the Port Royal Club and that she could be impartial in her decision on the matter.

Timothy McCarthy, Architect and Managing Partner at Hart Howerton, utilized an electronic presentation to review modifications to the Site Plan, previously approved by City Council as part of Resolution 2024-15421, which includes: replacing the existing Seawall and increasing the height to eight feet above North American Vertical Datum (NAVD); relocating the American with Disabilities Act (ADA) compliant pool lift to the south edge of the pool; increasing the number of underground stormwater vaults; and reconstructing of the entry gate and columns to accommodate a sliding gate.

During discussion, Architect McCarthy responded to questions regarding the proposed eight-foot seawall, confirming that it would match the elevation of neighboring seawalls; clarifying that the existing seawall is approximately 5.3 feet NAVD; explaining the rationale behind nearly doubling the underground stormwater vaults by citing the Club's long-term resiliency goals and proactive compliance with City Code and State law requirements; confirming that the improvement would reduce peak stormwater discharge by approximately 14 and one-half percent; and stating that the upgraded system would help retain more water on-site before it enters the City's stormwater system.

Planning Director Erica Martin reviewed the staff report and the conditions contained therein. She noted that staff applied the Conditional Use standards set forth Section 46-34(f) of the Land Development Code and found that the standards for approval had been met. She further noted that the Planning Advisory Board (PAB) considered the petition at its September 10, 2025 Meeting and voted unanimously to recommend approval of the request, subject to the seven conditions contained in the Resolution. Planning Director Martin clarified that although the Resolution references a new set of plans, only the revised sheets are attached for approval, and all other plans approved under Resolution 2024-15421 remain in effect. She also confirmed that all but one of the conditions were originally included in the aforementioned Resolution.

Deputy City Engineer Alison Bickett clarified that, instead of installing sidewalks along the entire frontage where no pedestrian connectivity exists, the applicant was required to make a payment in lieu under a previous approval. She noted that a sidewalk will still be installed near the crosswalks at either end of the property's entrance, where it is necessary.

Vice Mayor Hutchison commended the petitioner for relocating the pool lift closer to the stairs, where most individuals enter the pool, stating that the revised placement better meets the standard for equal access and convenience.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15737; seconded by Petrunoff and carried 6-0 (Christman-yes, Petrunoff-yes, Barton-yes, Kramer-yes, Hutchison-yes, Penniman-absent, Heitmann-yes).

[Agenda Memorandum \(Supplement 1\)](#)  [Resolution \(Supplement 1\)](#) 
[Staff Report \(Supplement 1\)](#)  [Application \(Supplement 1\)](#) 
[Disclosure of Interest - Port Royal Club \(Supplement 1\)](#)  [Deeds \(Supplement 1\)](#) 
[Survey 2900 Gordon Drive \(Supplement 1\)](#) 
[Survey 2755 Gordon Drive \(Supplement 1\)](#) 
[Overview of Proposed Changes \(Supplement 1\)](#) 
[Site Plan - Proposed Revision \(Supplement 1\)](#) 
[Resolution 2024-15421 \(Supplement 1\)](#) 
[Credentials - Petitioner \(Supplement 1\)](#) 
[Credentials - Planning Department \(Supplement 1\)](#) 
[Public Notice Mailing Addresses \(Supplement 1\)](#) 
[PRC Naples City Council Presentation \(Supplement 1\)](#) 
[Affidavit of Sign Posting \(Supplement 1\)](#) 

11.B) CONTINUED - A Resolution Determining Conditional Use Petition 25-CU6 Pursuant to Section 46-34 of the Code of Ordinances, City of Naples, Approving Off-Site Parking within 600 Feet Pursuant to Section 50-102(b)(2) of the Code of Ordinances, City of Naples, and Approving a Parking Needs Analysis Pursuant to Section 50-107 of the Code of Ordinances, City of Naples, for the Properties Located at 1148 3rd Street South, Owned by Olde Naples Building LLC, A Florida Limited Liability Company, and 375 Broad Avenue South, Owned by Triple "A" Building LLC, A Florida

Limited Liability Company, More Fully Described Herein; and Providing an Effective Date (SUPPLEMENT 1/UPDATED ITEM).

City Attorney Matthew McConnell explained that Items 11.B and 11.C involve complex legal issues that require further discussion between staff and the applicant's representatives. City Attorney McConnell requested a continuance of both items until the December 10, 2025 City Council Regular Meeting and advised that, if continued, public comment on those items may be offered at the end of the meeting under general public comment. City Attorney McConnell subsequently read the title of the Resolution.

Attorney Mark Grafton, petitioner's agent, agreed to the request.

Public Comment: None.

MOTION by Christman to CONTINUE ITEM 11.B until the December 10, 2025 City Council Regular Meeting; seconded by Petrunoff and carried 6-0 (Penniman-absent, Hutchison-yes, Petrunoff-yes, Barton-yes, Christman-yes, Kramer-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Staff Report](#)  [Application](#) 
[Deeds](#)  [Disclosures of Interest](#)  [Aerial Combined](#) 
[Life Safety Plan - Olde Naples Building](#) 
[Parking Needs Analysis - Olde Naples Building](#) 
[375 Broad - Parking Exhibit Site Plan](#)  [Credentials - Petitioner](#) 
[Credentials - Planning Department](#)  [Public Notice Mailing Addresses](#) 
[Affidavit of Sign Posting](#)  [Correspondence \(Supplement 1/Amended Attachment\)](#) 
[Additional Correspondence Received 10082025](#) 
[Petitioner Presentation - 25-CU6 & 25-OD18 Olde Naples Building](#) 

11.C) CONTINUED - A Resolution Determining Outdoor Dining Petition 25-OD18 Pursuant to Section 56-126 of the Code of Ordinances to Allow Fifteen (15) Tables and Seventy-Six (76) Chairs on Private Property for a New Restaurant in the Olde Naples Building Within the Third Street Commercial Area Special Overlay District on the Property Owned by Olde Naples Building, LLC, a Florida Limited Liability Company, Located at 1148 3rd Street South, More Fully Described Herein; Providing Findings and Conditions; and Providing an Effective Date (SUPPLEMENT 1/UPDATED ITEM).

City Attorney Matthew McConnell read the title of the Resolution. He reiterated the request to continue the item until the December 10, 2025 City Council Regular Meeting.

Public Comment: None.

MOTION by Christman to CONTINUE ITEM 11.C until the December 10, 2025 City Council Regular Meeting; seconded by Barton and carried 6-0 (Hutchison-yes, Christman-yes, Barton-yes, Kramer-yes, Penniman-absent, Heitmann).

[Agenda Memorandum](#)  [Resolution](#)  [Application](#)  [Disclosure of Interest](#) 
[Deed](#)  [Survey](#)  [Life Safety Plan - Olde Naples Building Outdoor Dining](#) 
[Landscape Plan - Olde Naples Building Planting Plan](#) 
[Parking Needs Analysis - Olde Naples Building](#)  [Credentials - Petitioner](#) 
[Credentials - Planning](#)  [Public Notice Mailing Addresses](#) 
[Affidavit of Sign Posting](#)  [Correspondence \(Supplement 1/Amended Attachment\)](#) 
[Additional Correspondence Received 10082025](#) 
[Petitioner Presentation - 25-CU6 & 25-OD18 Olde Naples Building](#) 

11.D) RESOLUTION 2025-15740 - A Resolution Determining Petition 25-V4, Relating to a Variance Pursuant to Section 46-37 of the Code of Ordinances, City of Naples, to Allow a Driveway to Encroach Twenty-Six (26) Feet Six (6) Inches into the Minimum Fifty (50) Foot Required Setback From the Intersection of Extended Street Curb Lines

Pursuant to Section 50-131 of the Code of Ordinances, City of Naples, for the Property Owned by Forest Ave. Properties, LLC, and Located at 1209 Forest Avenue, More Fully Described Herein; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex-parte disclosures: Barton, Christman, Kramer, Petrunoff, and Hutchison / familiar with the site and had spoken with staff; and Heitmann / familiar with and drove by the site and had spoken with staff. City Attorney McConnell disclosed that the property owner was a previous client on a different matter relating to a different property.

Petitioner Jamal Daoud, Managing Member of Forest Ave. Properties, LLC, utilized an electronic presentation to provide an overview of the variance request to allow a driveway to encroach approximately 26 feet and six inches into the minimum 50-foot required setback. He explained that the Lake Park neighborhood, including his property, was designed prior to the adoption of the current fifty-foot driveway setback requirement from intersections. He noted that multiple surrounding intersections contain homes that do not comply with the current Code and stated that it would be impossible to construct a driveway on his lot without the variance. Mr. Daoud emphasized that the proposed driveway location would align with neighboring driveways and that granting the variance would be consistent with the character of the neighborhood.

Planner I Kimberly Nudi testified on behalf of the City and provided an overview of the staff report and the conditions contained therein. Planner Nudi stated that staff reviewed the petition against the variance criteria in Section 46-37(c) of the Naples City Code and found that the petition met Threshold Criteria 1, 2, 3, 4, 5, 6, and 7, met Additional Criteria 1, 2, 3, and 5, and that Additional Criterion 4 is not applicable. She added that staff recommended the following conditions, should City Council approve: 1) the driveway shall be located 26 feet and six inches from the intersection of extended street curblines as requested in the application and shown on the driveway diagram; and 2) the City- managed Cuban Laurel (*Ficus macrocarpa*) will be preserved.

During discussion, Mr. Daoud confirmed he worked with staff to revise the plan in order to preserve the existing Ficus Tree, which increased the required variance to 26 feet and six inches. He noted that without preserving the tree, a smaller variance of 10 to 15 feet would have sufficed; however, a variance was needed regardless due to the intersection setback.

Urban Forest Manager Heather Shields emphasized the environmental and aesthetic importance of shade trees. Urban Forest Manager Shields explained that the current variance request was developed specifically to preserve the tree in question and that staff, including Planning and Traffic Engineering, worked with the petitioner for several months to ensure that access, public safety, and tree protection were all addressed. In response to Council Member Christman, Urban Forest Manager Shields confirmed that tree protection standards are governed by Chapter 38 of the City Code and that the Building Department recently improved efforts to monitor activity during construction to prevent accidental tree removal. Urban Forest Manager Shields acknowledged that construction-related damage to protected trees remains a concern but affirmed that progress is being made in that regard.

Ensuing further discussion regarding Threshold Criteria and staff's recommended conditions, the following motion was proffered.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15740 including staff conditions; seconded by Barton and carried 6-0 (Barton-yes, Penniman-absent, Christman-yes, Petrunoff-yes, Kramer-yes, Hutchison-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Application](#)

[Disclosure of Interest](#)

[Survey](#)

[Architectural Plans](#)

[Driveway Site Plan](#)

[LAKE FOREST PLAT](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Correspondence](#)

[Petitioner's Presentation](#)

11.E) **CONTINUED** - This Item has been Continued. A Resolution Determining Conditional Use Petition 25-CU3 Pursuant to Sections 46-34 and 58-533 of the Code of Ordinances, City of Naples, to Allow for a Residential Dwelling Unit in the C1 Retail Shopping District on Property Owned by Chlumsky -- DAKY, LLC, and Located at 1199 Third Street South, Suite A, More Fully Described Herein; Providing for Scrivener's Errors; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin noted that Petition 25-CU3 had been continued until a date uncertain.

[Continuance Memorandum](#)

11.F) **RESOLUTION 2025-15741** - A Resolution Pursuant To Section 56-125 Of The Code Of Ordinances Determining The Six Month Review Of Live Entertainment Petition 24-LE1 Approved By City Council Resolution 2024-15427 For Amplified Indoor And Outdoor Live Entertainment At Keeywadin's On The Property Located At 711 5th Avenue South, Owned By Larry A. Wynn, Jerry M. Wynn, And Timothy D. Wynn, Trustee Of The Don Q. Wynn And Annie Merle Wynn Irrevocable Trust U/A/D/ 8/26/93, More Fully Described Herein; Providing Findings And Conditions; And Providing An Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin provided a six-month review of Live Entertainment Petition 24-LE1, approved under Resolution 2024-15427, for amplified indoor and outdoor live entertainment at Keeywadin's located at 711 5th Avenue South. She stated that Police, Fire, and Code Compliance Departments reported that the live entertainment has operated in a manner that is consistent with the approved permit, and that no issues, complaints, or violations have occurred within the six-month period.

In response to Council Member Kramer, Planning Director Martin confirmed that Section 56-125 of the City of Naples Code of Ordinances requires City Council to review any live entertainment permit six months after issuance. She noted, however, that staff is preparing a Code amendment for City Council to consider requiring such reviews only when issues, complaints, or violations arise within that period.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2025-15741; seconded by Barton and carried 6-0 (Hutchison-yes, Kramer-yes, Barton-yes, Penniman-absent, Christman-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Resolution 2024-15427](#)

[Public Notice Mailing Addresses](#)

[Noticing Statement 24-LE1 9.15.2025](#)

[Affidavit of Sign Posting](#)

11.G) **RESOLUTION 2025-15742** - A Resolution Pursuant To Section 56-125 Of The Code Of Ordinances Determining The Six-Month Review Of Live Entertainment Petition 24-LE2 Approved By City Council Resolution 2025-15554 For Amplified Indoor Live Entertainment At London Club Dining Room At The Claw Bar Restaurant On The Property Located At 221 9th Street South, Owned By Resort Hospitality Partners, LLC, More Fully Described Herein: Providing Findings And Conditions; And Providing An Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin provided a six-month review of Live Entertainment Petition 24-LE2, approved under Resolution 2024-15554, for amplified indoor live entertainment at London Club Dining Room at the Claw Bar Restaurant located at 221 9th Street South. She stated that Police, Fire, and Code Compliance Departments reported that the live entertainment has operated in a manner that is consistent with the approved permit, and that no issues, complaints, or violations have occurred within the six-month period.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2025-15742; seconded by Petrunoff and carried 6-0 (Penniman-absent, Kramer-yes, Hutchison-yes, Christman-yes, Barton-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Resolution 2025-15554](#) 

[Public Notice Mailing Addresses](#)  [Noticing Statement 24-LE2 9.15.2025](#) 

[Affidavit of Sign Posting](#) 

11.H) RESOLUTION 2025-15743 - A Resolution Pursuant To Section 56-125 Of The Code Of Ordinances Determining The Six-Month Review Of Live Entertainment Petition 24-LE3 Approved By City Council Resolution 2024-15524 For G Indoor Live Entertainment With Doors And Windows Closed With A Maximum Of Two Entertainers Wednesday Through Saturday From 12:00 p.m. To 10:00 p.m. And Sunday From 10:00 p.m. To 6:00 p.m.; Providing Outdoor Amplified Live Entertainment With A Maximum Of Two Entertainers Wednesday Through Saturday From 12:00 p.m. To 10:00 p.m. And Sunday From 10:00 p.m. To 6:00 p.m. For The AC Marriott Hotel On The Property Owned By Palmetto Hospitality Of Naples, A Florida Limited Liability Company And Located At 455 12th Street South, More Fully Described Herein; Providing Findings And Conditions; And Providing An Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin provided a six-month review of Live Entertainment Petition 24-LE3, approved under Resolution 2024-15524, for amplified indoor and outdoor live entertainment at the AC Marriott Hotel located at 455 12th Street South. She stated that Police, Fire, and Code Compliance Departments reported that the live entertainment has operated in a manner that is consistent with the approved permit, and that no issues, complaints, or violations have occurred within the six-month period.

Public Comment: None.

MOTION by Kramer to APPROVE RESOLUTION 2025-15743; seconded by Barton and carried 6-0 (Petrunoff-yes, Kramer-yes, Hutchison-yes, Penniman-absent, Christman-yes, Barton-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Resolution 2024-15524](#) 

[Public Notice Mailing Addresses](#)  [Noticing Statement 24-LE3 9.15.2025](#) 

[Affidavit of Sign Posting](#) 

11.I) RESOLUTION 2025-15744 - A Resolution Pursuant to Section 56-125 of the Code of Ordinances Determining the Six-Month Review of Live Entertainment Petition 24-LE5 Approved by City Council Resolution 2024-15551 for Amplified Indoor Live Entertainment for Soluna Restaurant on the Property Owned by Kevin Stoneburner and Located at 403 Bayfront Place, More Fully Described Herein; Providing Findings and Conditions; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. Planning Director Erica Martin provided a six-month review of Live Entertainment Petition 24-LE5, approved under Resolution 2024-15551, for amplified indoor live entertainment at the Soluna Restaurant Located at 403 Bayfront Place. She stated that Police, Fire, and Code Compliance Departments reported that the live entertainment has operated in a manner that is consistent with the approved permit, and that no issues, complaints, or violations have occurred within the six-month period.

Public Comment: None.

MOTION by Kramer to APPROVE RESOLUTION 2025-15744; seconded by Petrunoff and carried 6-0 (Kramer-yes, Christman-yes, Petrunoff-yes, Barton-yes, Hutchison-yes, Penniman-absent, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Resolutions - City Council- 2025-15551](#) 

[Public Notice Mailing Addresses](#)  [Noticing Statement 24-LE5 9.15.2025](#) 

[Affidavit of Sign Posting](#) 

Recess: 10:28 a.m. to 10:40 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

12) OLD BUSINESS.

None.

13) NEW BUSINESS

- 13.B) **CLERK TRACKING 2025-00140, 2025-00141, 2025-00142** - Consider Appointing One Alternate Member to the Code Enforcement Board, One Alternate Member to the Community Services Advisory Board, and One Alternate Member to the Design Review Board.

City Clerk Patricia Rambosk reviewed the agenda memorandum, noting that City Council interviewed applicant Henry Johnson to serve on the Code Enforcement Board as an alternate at its October 13, 2025 Workshop Meeting. She explained that, since the remaining partial term was nearing expiration and a full-term vacancy would become available in February 2026, both terms were consolidated into a full three-year appointment to avoid the need for reappointment in two months.

MOTION by Christman to APPROVE CLERK TRACKING 2025-00140 appointing Henry Johnson to the Code Enforcement Board as an alternate for the balance of a three-year term commencing October 15, 2025 and expiring February 14, 2026, and subsequently for a full three-year term expiring February 13, 2029; seconded by Kramer and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

City Clerk Rambosk noted that City Council interviewed applicant Suzanne Klym to serve on the Community Services Advisory Board as an alternate. The following motion was proffered.

MOTION by Petrunoff to APPROVE CLERK TRACKING 2025-00141 appointing Suzanne Klym to the Community Services Advisory Board as an alternate for the balance of a three-year term commencing October 15, 2025 and expiring April 30, 2027; seconded by Kramer and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

City Clerk Rambosk noted that City Council interviewed applicant James Knafo to serve on the Design Review Board as an alternate at its October 13, 2025 Workshop Meeting. The following motion was then proffered.

MOTION by Barton to APPROVE CLERK TRACKING 2025-00142 appointing James Knafo to the Design Review Board as an alternate for the balance of a three-year term commencing October 15, 2025 and expiring May 31, 2026; seconded by Christman and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Code Enforcement -Board - Henry Johnson Application](#) 
[Code Enforcement Board - 162.05 Fla. Stat.](#) 
[Community Services Advisory Board - Suzanne Klym Application](#) 
[CSAB Code](#)  [Design Review Board - James Knafo Application](#)  [DRB Code](#) 

- 13.C) **RESOLUTION 2025-15745** - A Resolution Accepting the Recommendations from the Naples Blue Ribbon Committee Regarding Compensation and Benefits for the Mayor and City Council Members; Dissolving the Current Blue Ribbon Committee; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. City Clerk Patricia Rambosk reviewed the agenda memorandum, noting that in accordance with Section 2.5 of the Naples City Charter, a Blue Ribbon Committee was established to evaluate and recommend compensation and benefit levels for the Mayor and City Council Members. She noted that the Committee met on September 17, 2025, fulfilling the Charter's requirement to provide a recommendation at least three months prior to the next municipal election. She stated that the Committee, chaired by Lois Selfon and composed of seven residents, recommended a twenty-two percent salary increase, a

monthly stipend increase from \$300 to \$400 for Council Members and from \$400 to \$500 for the Mayor, and no pension provision for elected officials.

During discussion, Vice Mayor Hutchison and Mayor Heitmann expressed appreciation for the Committee's service. In response to Mayor Heitmann, City Clerk Rambosk clarified that although pension participation is not available, Council Members may participate in the City's 457(b) investment plan.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15745; seconded by Barton and carried 6-0 (Kramer-yes, Barton-yes, Penniman-absent, Hutchison-yes, Petrunoff-yes, Christman-yes, Heitmann-yes).

City Clerk Rambosk noted that the Resolution approved that day formally dissolves the current Blue Ribbon Committee, concluding the process for the next four years.

[Agenda Memorandum](#)  [Resolution](#) 

[September 17, 2025 Blue Ribbon Committee Minutes](#) 

[2025-15670 Appointment of Blue Ribbon Committee](#) 

13.D) - **1) RESOLUTION 2025-15746** A Resolution Approving the Competitive Bidding Process for the Purchase of Goods and Services During Fiscal Year 2025-26 as Provided in Section 2-663(d) of the Code Of Ordinances, City of Naples and Approving a List of Vendors that have Been Previously Approved and that are Entities Regularly Receiving Bids for County, State or City Official Use; Authorizing the Approved List of Vendors During Fiscal Year 2026 In the Total Not-To-Exceed Amounts as Set Forth Herein; Authorizing the City Manager to Execute Purchase Orders Therefore; and Providing an Effective Date; **2) RESOLUTION 2025-15747** A Resolution Approving the Competitive Bidding Process for the Purchase Of Goods and Services During Fiscal Year 2025-26 as Provided in Section 2-663(d) Of The Code Of Ordinances, City Of Naples And Approving A List Of Vendors That Are Entities Regularly Receiving Bids for County, State Or City Official Use; Authorizing the Approved List of Vendors During Fiscal Year 2026 In the Total Not-To-Exceed Amounts As Set Forth Herein; Authorizing the City Manager to Execute Purchase Orders and Piggyback Agreements Therefore; and Providing an Effective Date; **3) RESOLUTION 2025-15748** A Resolution Exempting the Competitive Bidding Process for the Purchase Of Goods and Services During Fiscal Year 2025-26 as Provided in Section 2-666(9) Of the Code Of Ordinances, City of Naples and Approving a List of Vendors that Have Been Previously Approved and that are Single or Sole Source Entities; Authorizing the Approved List of Vendors During Fiscal Year 2026 in The Total Not-To-Exceed Amounts as Set Forth Herein; Authorizing the City Manager to Execute Purchase Orders Therefore; and Providing an Effective Date; and **4) RESOLUTION 2025-15749** A Resolution Exempting the Competitive Bidding Process for the Purchase of Goods and Services During Fiscal Year 2025-26 as Provided in Section 2-666(9) of the Code Of Ordinances, City of Naples and Approving a List of Vendors that are Single or Sole Source Entities; Authorizing the Approved List of Vendors During Fiscal Year 2026 In the Total Not-To-Exceed Amounts as Set Forth Herein; Authorizing the City Manager to Execute Purchase Orders and Sole Source Agreements Therefore; and Providing an Effective Date.

City Attorney Matthew McConnell read the titles of each Resolution. City Manager Gary Young provided an overview of the updated purchasing structure, noting that in prior years, previously approved and new items were combined, which created confusion. He said to improve transparency, staff will separate pre-approved contracts from new requests. City Manager Young referenced a supplemental spreadsheet, developed with staff, that details FY 2025-26 approved vendor capacities, actual expenditures, and proposed FY 2026 requests. He noted that although nearly \$23 million in capacity was approved in FY 2025, only approximately \$9.8 million was utilized, with \$1.6 million still encumbered at year-end. He emphasized that authorizing capacity does not equate to spending and allows the City to be operationally responsive to infrastructure

and equipment needs. He cited examples, such as the increased allocation for fire truck acquisition and a pilot dewatering project to illustrate how capacity adjustments allow flexibility for future projects without obligating funds prematurely.

In response to Council questions, City Manager Young and Purchasing Manager Felix Gomez clarified that although agreements over \$50,000 require Council approval, departments must still seek competitive quotes from approved vendors. Inventory management processes were also addressed, with annual audits occurring for consumable inventory like warehouse supplies, while fixed assets under \$1,000 are not capitalized nor inventoried pursuant to state guidelines. City Manager Young reiterated that the Resolutions simply authorize purchasing capacity, not spending, and support operational flexibility. He stated that staff would bring back additional policy discussions related to mulch use, Christmas lighting, and other procurement topics as appropriate.

Community Services Director Chad Merritt addressed questions regarding the mulch and playground agreement, noting that staff had discussed long-term environmental and cost impacts of mulch use and intends to return with a resiliency-focused policy discussion. He also confirmed that Christmas lighting under the contract applies only to 5th Avenue South, with expenditures historically funded through the Community Redevelopment Agency (CRA).

Purchasing Manager Gomez explained that consultant libraries are competitively established every five years to expedite projects below \$7.5 million in total construction value, with new vendors only added upon renewal. He clarified that departments still request letters of interest from pre-qualified vendors to ensure competitive selection within the library. City Manager Young explained how purchase orders and P-Cards are tracked and how inventory is managed citywide, noting that the City's MUNIS system tracks purchase orders and inventory, with annual audits performed. He acknowledged that implementing a broader perpetual inventory system across all divisions would strengthen oversight and that efforts are underway to expand system capabilities in that direction.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15746; seconded by Kramer and carried 5-1 (Barton-yes, Christman-yes, Hutchison-yes, Petrunoff-no, Penniman-absent, Kramer-yes, Heitmann-yes).

MOTION by Hutchison to APPROVE RESOLUTION 2025-15747; seconded by Barton and carried 5-1 (Christman-yes, Barton-yes, Kramer-yes, Petrunoff-no, Penniman-absent, Hutchison-yes, Heitmann-yes).

MOTION by Hutchison to APPROVE RESOLUTION 2025-15748; seconded by Barton and carried 5-1 (Hutchison-yes, Penniman-absent, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-no, Heitmann-yes).

MOTION by Hutchison to APPROVE RESOLUTION 2025-15749; seconded by Barton and carried 5-1 (Christman-yes, Petrunoff-no, Barton-yes, Kramer-yes, Hutchison-yes, Penniman-absent, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution - Previously Approved Piggyback Agreements](#) 

[Resolution - New Piggyback Agreements](#) 

[Resolution - Previously Approved Sole Source Agreements](#) 

[Resolution - New Sole Source Agreements](#)  [Composite Agreement Document](#) 

It is noted for the record that Items 13.E and 13.F were considered concurrently.

13.E) RESOLUTION 2025-15750 - A Resolution Determining Petition PRMR2504987 to Approve Filling of a Lake on Private Property Located at 2200 Gordon Drive Owned by 2200 Gordon Drive Land Trust; Requiring the Petitioner to Cap and Abandon the

Well on the Property and Upgrade the Property to the Current Stormwater Codes; and Providing an Effective Date.

- 13.F) **RESOLUTION 2025-15751 - A Resolution Determining Petition PRMR2505505 to Approve Filling of a Lake on Private Property Located at 2340 Gordon Drive Owned by 2200 Gordon Drive Land Trust; Requiring the Petitioner to Cap and Abandon the Well on the Property and Upgrade the Property to the Current Stormwater Codes; and Providing an Effective Date.**

City Attorney Matthew McConnell read each title of the Resolutions. This being a quasi-judicial proceeding, Notary Public Jessica Hernandez administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex-parte disclosures: Barton / familiar with the site and had spoken with staff; Christman, Hutchison, and Heitmann / familiar with the property but had not had any communications; and / Kramer and Petrunoff / reviewed the agenda material.

Recess: 11:33 a.m. to 11:45 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

Francesca Passidomo, Attorney at Coleman, Yovanovich, and Koester, P.A., stated that she represents the property owner in a request to fill two ponds on a parcel comprised of 11.548 acres across two parcels, located at 2200 and 2340 Gordon Drive. She utilized an electronic presentation to provide a brief history of the ponds, noting that both were originally dredged between the 1950s and 1980s for aesthetic purposes, are fed by artesian wells, and do not serve any stormwater function or ecological benefit, and that they attract nuisance features. She also confirmed that a compliant stormwater management system would be installed as part of the fill process to replace the current unregulated runoff.

Tim Hall, Senior Biologist at Turrell, Hall & Associates, Inc., provided ecological findings from the Biological Report. He confirmed that the ponds are man-made and artificially hydrated, with no native habitat or rare / endangered species impacted by the fill. He noted that the only species observed were non-native tilapia, considered a nuisance. Biologist Hall stated that all shoreline materials, such as treated wood seawalls and riprap, would be removed, and that no natural wetland conditions would be affected.

Blair Foley, Professional Engineer at Blair Foley LLC, reviewed stormwater improvements proposed for both parcels. He explained that currently, the ponds lack any formal stormwater management system and discharge uncontrollably during storm events, sometimes into adjacent properties or the public right-of-way. He explained that, as part of the fill operation, both sites would be retrofitted with a fully compliant stormwater management system in accordance with the City's current Code, including French drains, catch basins, berms, and infiltration systems designed to improve water quality and quantity management. Engineer Foley stated that the new system would exceed minimum Code requirements and help alleviate pressure on the City's stormwater infrastructure by reducing uncontrolled discharges.

In response to questions from City Council, Attorney Passidomo clarified that the primary motivation for the petition was not redevelopment but rather the desire to eliminate nuisance conditions associated with the existing ponds. While future redevelopment may occur, she stated that the intention is to retain three single-family home sites under current ownership and not to subdivide the property beyond its existing configuration. Regarding tilapia found present in the ponds, Biologist Hall explained that non-native invasive freshwater species displace native fish populations and can pose a threat to local ecosystems if introduced to other water bodies. He noted that although the ponds lack drainage infrastructure that would allow fish migration, tilapia may have been introduced through birds or high-surge events, such as Hurricane Ian. Biologist Hall confirmed that the site retained water during Hurricane Ian and did not experience outside flooding, which may have contributed to stormwater retention on the large parcel. He responded to additional questions regarding the existing artesian wells. Vice Mayor Hutchison questioned whether the well casings could contain lead material. In response, Biologist Hall said he had not

investigated the type of material the well casing is composed of, but that it could be investigated further. He added that wells are typically capped, rather than removed.

Natural Resources Manager Natalie Hardman reviewed the agenda memorandum, noting that the proposed request is in accordance with South Florida Water Management District (SFWMD) guidelines and Section 52-92(e) of the City of Naples Code of Ordinances. She noted that the property currently experiences uncontrolled runoff that is not treated or contained before entering the City's stormwater system. She confirmed that the proposed improvements would help reduce this impact.

In response to Mayor Heitmann, Public Works Director Robert Middleton confirmed that the subject properties were connected to the City's stormwater system. He explained that the area functions as a swale with no curb or gutter infrastructure. He stated that under the proposed stormwater improvements, runoff would be retained on-site and discharged through a control structure once a specified water level is reached. Mayor Heitmann stated that she drives past the subject property daily and has never observed flooding in that area and questioned whether the ponds provide a benefit to the City's stormwater system. In response, Attorney Passidomo clarified that the ponds are not connected to the City's stormwater system and therefore were not considered stormwater lakes. Public Works Director Middleton added that the stormwater swale system must be functioning effectively by capturing runoff. He responded to additional questions regarding the existing ponds and explained that they rely on the artesian wells to maintain water levels, which is not a preferred method by the South Florida Water Management District as such wells are typically unpermitted. Public Works Director Middleton noted that the presence of pumps suggests the artesian pressure is no longer sufficient to sustain water levels, raising further concerns. He stated that capping the wells and bringing the property into compliance would be beneficial regardless of whether the ponds are filled, as the wells themselves may be drawing saltwater due to their proximity to the Gulf. Ensuing further discussion, the following motion was proffered.

Public Comment: None.

MOTION by Kramer to APPROVE RESOLUTION 2025-15750; seconded by Petrunoff and carried 5-1 (Penniman-absent, Hutchison-yes, Petrunoff-yes, Barton-yes, Christman-yes, Kramer-yes, Heitmann-no).

MOTION by Kramer to APPROVE RESOLUTION 2025-15751; seconded by Petrunoff and carried 5-1 (Petrunoff-yes, Hutchison-yes, Christman-yes, Barton-yes, Kramer-yes, Penniman-absent, Heitmann-no).

Item 13.E Attachments

[Agenda Memorandum](#)  [Resolution](#) 
[2200 Gordon Dr. Application, Stormwater Report, Biological Report](#) 
[Affidavit by Trustee Coleman](#)  [Coleman Authorization for Lobbyist Activity](#) 
[Passidomo Lobbyist Registration Form](#)  [Yovanovich Lobbyist Registration Form](#) 

Item 13.F Attachments

[Agenda Memorandum](#)  [Resolution](#) 
[Application, Stormwater Report, Biological Report](#)  [Affidavit by Trustee Coleman](#) 
[Coleman Authorization for Lobbyist Activity](#)  [Passidomo Lobbyist Registration Form](#) 
[Yovanovich Lobbyist Registration Form](#) 

Items 13.E and 13.F Combined Attachments

[Handout \(Petitioner/Added Attachment\)](#)  [Presentation \(Petitioner/Added Attachment\)](#)

13.G) Consideration and Discussion of the following New Special Event Applications: 1) The Great Canoe Races of Naples – Baker Park; and 2) Celebration Beach Church – Cambier Park.

Community Services Director Chad Merritt introduced the item. Danielle Futia, Special Events and Marketing Supervisor, provided an overview of the special event application submitted by Young Professionals of Naples (YPN), for the Great Canoe Races of Naples scheduled for May 16, 2026, at Baker Park. Special Events and Marketing Supervisor Futia stated that the applicant is requesting City co-sponsorship, which would include a waiver for all, or a portion of fees associated with Police and Fire-Rescue personnel, Solid Waste services, and park rental. She noted that the total amount of fees is \$21,645.90.

Morgan Wheaton and Edward Larson, representing YPN, stated that the 2025 event exceeded expectations and was well-received by the community. They explained that the event is not ticketed in order to maintain free public access and that waiving the associated City fees would allow for greater contributions to the selected beneficiaries.

Mayor Heitmann commended the applicants on the success of their 2025 event and acknowledged its positive reception. However, she stated that she could not support waiving any fees, noting that such decisions set precedent and could place undue burden on City taxpayers. She expressed confidence in the group's ability to fundraise and continue to grow the event independently.

Council Member Kramer requested clarification from staff regarding past City co-sponsorship. Community Services Director Merritt explained that the event may have been previously included in the City's Co-Sponsorship Program. He recommended that City Council first take action on approving the event and then revisit the co-sponsorship request once staff could conduct additional research to confirm prior details. The following motion was then proffered.

MOTION by Kramer to APPROVE the Great Canoe Races of Naples Special Event Application; seconded by Barton and carried 6-0 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-absent, Petrunoff-yes, Heitmann-yes).

Special Events and Marketing Supervisor Futia subsequently reviewed the event request submitted by Celebration Community Beach Church for recurring Sunday services at Cambier Park, from November 23, 2025 through November 23, 2026. She noted that the current application was not submitted 120 days prior to the first requested date. Community Services Director Merritt explained that bundling multiple dates into a year-long permit complicated compliance with the application timeline. He further noted that the Police Department recommended road closures surrounding the park to address security concerns, prompting further review.

Pastor James Henderson acknowledged the late submission and emphasized the church's long-standing positive relationship with the City and its commitment to compliance, service, and stewardship, noting their willingness to continue working with staff to address safety requirements.

Council Member Christman expressed support for considering context in instances where deadlines are missed. He raised questions about road closure costs and emphasized the importance of fairness and clarity regarding any new security expectations imposed across all public events.

Police Lieutenant Michael O'Reilly confirmed that recent threat assessments identified Cambier Park as a high-vulnerability area and that events exceeding 500 attendees now require street closures or bollards to secure the perimeter. He explained that the estimated cost for closures, including staffing and barricades, was approximately \$10,000 per event day, to be borne by the applicant.

Mayor Heitmann and the majority of Council Members expressed support for the church's continued use of Cambier Park, while also acknowledging the need to address emerging public safety standards. Council Member Petrunoff asked whether the church had considered relocating

to Baker Park. Pastor Henderson responded that the new restrictions had only recently been brought to their attention, and relocation had not yet been explored. Council Member Kramer expressed concerns about large event sizes at Cambier Park and emphasized the importance of balancing safety with access to public amenities. He acknowledged the legacy of the event but stated a preference for smaller gatherings or relocation to Baker Park, citing reduced security burdens. The following motion was then proffered.

MOTION by Hutchison to APPROVE the Celebration Beach Church Special Event Application; seconded by Christman and carried 4-2 (Barton-yes, Christman-yes, Hutchison-yes, Kramer-no, Penniman-absent, Petrunoff-no, Heitmann-yes).

[Agenda Memorandum](#)  [The Great Canoe Races of Naples 5.16.2026](#) 

[Attachment 1 - Canoe Races Estimate](#) 

[Attachment 2 - The Great Canoe Races of Naples - Co-Sponsor Request Letter](#) 

[Celebration Beach Church 11.23.2025-11.23.2026](#) 

13.A) Executive Session regarding Compagnone, Richard v. City of Naples, Case No. 23-CA-003045, 20th Judicial Circuit, in and for Collier County, Florida (12:30 p.m. Time Certain).

City Attorney Matthew McConnell announced an Executive Session in case styled Compagnone, Richard v. City of Naples, Case No. 23-CA-003045, 20th Judicial Circuit, in and for Collier County, Florida. The following individuals were present during the Executive Session: Mayor Teresa Heitmann, Council Members Terry Hutchison, Ray Christman, Beth Petrunoff, Bill Kramer, and Berne Barton, City Manager Gary Young, City Attorney Matthew McConnell, Attorney Jeffrey Hurcomb, and Charissa Dines from Dines Court Reporting.

Executive Session: 12:51 p.m. to 1:21 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

No action announced.

[Agenda Memorandum](#)  [Public Notice](#) 

13.H) RESOLUTION 2025-15752 - A Resolution Approving a Public Art Partnership Agreement Between the City of Naples and Gulfshore Playhouse, Inc. To Combine Required Escrowed Public Art Funds From the Permits for Building the City Parking Garage and the Gulfshore Playhouse to Procure One Joint Piece of Public Art to Be Located on City Property; Authorizing the City Manager to Execute the Agreement; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. City Manager Gary Young explained that the agreement under consideration between the City of Naples and Gulfshore Playhouse pertains to the procurement of a public art installation.

Deputy City Manager Mari Gallet reviewed the agenda memorandum to provide a brief history of the newly built 1st Avenue South Parking Garage and the Gulfshore Playhouse, noting that each has opened to the public under temporary certificates of occupancy (TCOs). She explained that the City's Code requires that Public Art must be completed within six months following the issuance of a final certificate of occupancy (CO). Deputy City Manager Gallet subsequently reviewed key terms of the Public Art Partnership Agreement between the City of Naples and Gulfshore Playhouse, noting that the selection process would include a selection panel and appropriate City board approval, including final approval by City Council.

City Manager Young explained that Gulfshore Playhouse had acknowledged it does not have space to accommodate public art, therefore, the agreement includes general language allowing installation on any City-owned property should a more suitable location than the parking garage be identified

In response to Council Member Christman, City Manager Young confirmed that staff would schedule a discussion item for the November 5, 2025, Regular City Council Meeting to determine the process for appointing three members to the selection panel, noting that Gulfshore Playhouse would appoint two members.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2025-15752; seconded by Petrunoff and carried 6-0 (Barton-yes, Penniman-absent, Christman-yes, Petrunoff-yes, Kramer-yes, Hutchison-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Resolution](#)  [Public Art Partnership Agreement](#) 

ORDINANCES

14) FIRST READING ORDINANCES

14.A) **FIRST READING** - First Reading of an Ordinance Amending Dock Regulations in the Port Royal Neighborhood. An Ordinance for the Purpose of Amending Regulations Relating to Pier Location and Dimension Regulations in the R1-15A Residence District; Amending Paragraph (c)(5) of Section 56-93, Piers and Boat Lifts, Siting and Dimensions, of Article III, Standards Applicable to Residential Districts, of Chapter 56, Supplemental Standards, Amending Section 58-121, Pier Location and Dimensions, of Chapter 58, Zoning, of the Code of Ordinances, City of Naples; Providing for Codification; Conflicts; Severability; Correction of Scrivener's Error; Construction; Publication; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Ordinance. Planning Director Erica Martin presented an Ordinance amending dock regulations within the R1-15 Zoning District, specific to the Port Royal neighborhood. Planning Director Martin explained that the proposed Ordinance was initiated at the request of the Port Royal Property Owners Association and would increase the allowable dock projection into the waterway from twenty-two feet to twenty-five feet as measured from the toe of the riprap. She said the adjustment would better accommodate boat lifts, which must be located on the interior side of the dock pursuant to Port Royal's specific regulations, noting that the existing twenty-two-foot limit creates spatial challenges, particularly given the neighborhood's riprap shorelines instead of seawalls. Planning Director Martin confirmed that the Planning Advisory Board (PAB) reviewed the request and, after initially continuing the item to allow for additional resident outreach, ultimately recommended approval.

Clay Brooker, Attorney at Cheffy Passidomo, P.A., stated that he represented the Port Royal Property Owners Association. He clarified that although a broader expansion of the dock's shore-parallel dimension had been considered, a survey of the Association's membership indicated a majority did not support that concept. He noted that as a result, the Association chose not to pursue the additional expansion, and the current proposal only involves the three-foot increase in the shore-normal direction.

Council Member Petrunoff disclosed that she had participated in the Port Royal Association's resident survey regarding the proposed dock regulation change and inquired whether doing so necessitated recusal from voting. In response, City Attorney McConnell clarified that the item was legislative in nature, rather than quasi-judicial, therefore, recusal was not required so long as Council Member Petrunoff felt confident in her ability to make an impartial decision based on the information presented. Council Member Petrunoff affirmed she could be fair in her consideration of the Ordinance. The following motion was then proffered.

Public Comment: None.

MOTION by Petrunoff to APPROVE ITEM 14.A AT FIRST READING; seconded by Christman and carried 6-0 (Hutchison-yes, Penniman-absent, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Ordinance - First Reading](#) 

[24-T6 Staff Report](#) 

[Heiderman Email to City Council 6-18-2024 - FW Port Royal Dock Code](#) 

[Sec 56-93 -- Piers and boat lifts, siting and dimensions - As Amended CLEAN](#) 

[Sec 58-121 -- Pier location and dimensions - As Amended CLEAN](#) 

[PRPOA 6.2 Letter to PAB and CC](#)  [2025 PRPOA News Update](#) 

[Resident Survey - Summary Data](#)  [Written Survey Comments](#) 

[PRPOA Presentation](#)

15) SECOND READING ORDINANCES

15.A) [ORDINANCE 2025-15753](#) - An Ordinance Relating To Boards And Committees Of The City Of Naples, Amending Chapter 2 Administration Article II City Council Division 3 Board Of Appeals Section 2-84 Appeals Of Administrative Decisions Of City Manager Relative To Land Development Code; Amending Chapter 2 Administration Article V Boards, Commissions And Committees Division 3 Citizens' Police Review Board Sections 2-451 Created; Composition, And 2-452 Jurisdiction, Powers And Duties; Amending Chapter 2 Administration Article V Boards, Commissions And Committees Division 4 Design Review Board Sections 2-474 Organization; Quorum; Rules Of Procedure, 2-475 Applicability Of Design Review; Prohibitions; 2-476 Procedure For Review Criteria; Review; Amending Chapter 2 Administration Article V Boards, Commissions And Committees Division 5 Community Services Advisory Board Sections 2-502 Officers; Meeting Dates; Minutes, 2-503 Duties, 2-506 Soliciting And Receiving Gifts Or Bequests; Amending Chapter 2 Administration Article V Boards, Commissions And Committees Division 7 Planning Advisory Board Sections 2-552 Jurisdiction; Powers And Duties, And 2-553 Organization; Rules Of Procedure; Testimony Or Contacts By Council Members; Amending Chapter 2 Administration Article V Boards, Commissions And Committees Division 8 Community Redevelopment Agency Advisory Board Sections 2-572 Composition; Term Of Office; Quorum, And 2-573 Duties, Of The Code Of Ordinances, City Of Naples For The Purpose Of Updating The Powers And Duties Of These Boards And Committees Of The City Of Naples; Providing For Codification, Conflicts, Severability, Correction Of Scrivener's Error, Construction, Publication And An Effective Date.

City Attorney Matthew McConnell read the title of the Ordinance amending Chapter 2 of the City Code to update powers and duties for various City boards and committees. He stated that the only change since First Reading was on Page 11, where language in Section (d) was revised, at Council Member Kramer's request and with Council Member Barton's language, to read "for the better development of the City."

Council Member Christman reiterated opposition to amending the sections regarding the Design Review Board (DRB), noting it would reduce two meetings, preliminary and final, to only one review. He expressed the view that the current process works well, citing developer feedback that the change could create confusion and diminish the City's design standards. Mayor Heitmann expressed the view that the revision would improve efficiency by consolidating reviews without limiting the DRB's ability to continue items or for the City Council to refer cases back to the DRB.

Mark McLean, Architect at MHK Architecture, requested a delay in adopting the Ordinance, expressing the view that the process does not delay projects but that longer timelines often stem from the site plan review process. He said eliminating preliminary review could cause costly delays if design revisions later affect site plans. He also asked for clarity on how the General Development Plan (GDP) fits into the sequence and requested scheduling a workshop on the matter.

City Attorney McConnell clarified that the Ordinance before Council addresses boards and committees only, not the site plan process, which is being revised separately. Council Members and staff discussed when DRB approval should occur relative to site plan review. Architect McLean said the language, requiring DRB approval "prior to consideration and approval" by City staff, could be interpreted to mean DRB must precede site plan review entirely, creating delays. He recommended allowing both reviews to proceed concurrently, requiring only final DRB approval before a site plan sufficiency letter is issued. City Attorney McConnell agreed the language could be refined for clarity. Planning Director Martin explained that GDP review involves technical evaluations by all departments, often running parallel to DRB. She confirmed major design changes identified after DRB approval could still be referred back to the DRB for additional

review. City Council Members agreed that the Ordinance should clearly allow DRB and site plan review to occur concurrently to reduce delay.

City Attorney McConnell suggested that allowing Conditional Use petitions to be considered earlier or concurrently with site plan review would streamline the process and align Naples with standard practice elsewhere.

Council Members discussed the scope of DRB review, with Council Member Kramer expressing concern that the Ordinance lacked specificity and could lead to confusion among applicants. He said clear definitions, such as what constitutes a single or multiple DRB reviews, are needed to give developers certainty about timelines and requirements.

City Manager Gary Young noted that the discussion clarified misconceptions regarding process sequencing, and that improved wording could address remaining concerns. He said any revised language should align with the intended function of the DRB and accurately describe concurrent or sequential review steps. He concluded that additional wordsmithing could ensure clarity and transparency without delaying progress.

Vice Mayor Hutchison summarized concerns with the proposed DRB revisions, noting that although the goal is streamlining, added timelines could create new burdens. He said the process should clearly define sequencing and statutory references, and he suggested holding another workshop to ensure the Ordinance aligns with related planning processes. City Manager Young recommended continuing the item to allow staff to incorporate City Council's comments and return with a revised draft.

Mayor Heitmann requested correction of a typo referencing "single-family residence" in design review, noting the intent was single-family within multifamily districts.

Council Member Petrunoff said the goal should be improving the process rather than addressing misconceptions about the DRB's role. She clarified that DRB approval is not a development order and urged focusing on real issues, streamlining reviews, preventing cumulative design changes, avoiding late-stage surprises, and reducing developer costs before determining project viability.

City Attorney McConnell suggested adopting the Ordinance on Second Reading but removing the DRB provisions for separate consideration, since most of the proposed changes in Chapter 2 were unrelated to the DRB. He said the DRB section could return later as a separate Ordinance for focused review. City Manager Young confirmed the existing DRB process would remain in place and said staff would bring a revised draft.

Public Comment: None.

MOTION by Kramer to ADOPT ORDINANCE 2025-15753 subject to removing Division 4; seconded by Hutchison and carried 6-0 (Penniman-absent, Kramer-yes, Hutchison-yes, Christman-yes, Barton-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Ordinance - Second Reading](#)  [Business Impact Estimate](#) 

15.B) ORDINANCE 2025-15754 - An Ordinance Amending Section 26-3 – Firearms Discharge, Chapter 26 – Offenses, of the Code of Ordinances, City Of Naples for the Purpose of Updating the Code of Ordinances Pursuant to Florida Statutes; Providing for Codification; Conflicts; Severability; Correction of Scrivener's Error; Construction; Publication and an Effective Date.

City Attorney Matthew McConnell read the title of the Ordinance.

Public Comment: None.

MOTION by Christman to ADOPT ORDINANCE 2025-15754; seconded by Hutchison and carried 6-0 (Petrunoff-yes, Kramer-yes, Hutchison-yes, Penniman-absent, Christman-yes, Barton-yes, Heitmann-yes).

[Agenda Memorandum](#)  [Ordinance - Second Reading](#)  [Business Impact Estimate](#) 

Recess: 2:54 p.m. to 3:06 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

16) PUBLIC COMMENTS

None.

13.I) Discussion and Direction on City Council Priorities.

City Manager Gary Young introduced the item, explaining the purpose was to reach consensus on scheduling Council's priorities for the remainder of the year. He referenced the updated Council priorities dashboard, which included progress updates and six additional items, numbered 16 through 21, that had recently been discussed but had not yet been formally scheduled. He emphasized the importance of identifying which topics should be prioritized so that staff can begin preparing items for inclusion in upcoming workshop agendas.

During Discussion, City Manager Young requested immediate feedback on whether the Council still supported his intent to bring forward a financially sustainable stormwater infrastructure plan. He reiterated that he had committed to presenting a plan in November, with proposed legislation scheduled for First Reading for the December 10, 2025 City Council Regular Meeting and subsequent Second Reading in January. In response, Council Members expressed support for keeping this item on the November 17, 2025 City Council Workshop agenda.

Council Member Kramer suggested that instead of relying on informal discussions, Council should use a structured ranking system to determine priorities. He asked that the dashboard be revised to clearly separate projects already in motion from those still pending, and that Council Members be given the opportunity to score or rank the remaining items to create a data-driven list of priorities. City Manager Young agreed to this approach and said he would send out a cleaner version of the list to each Council Member. Council Member Christman added that many of the items on the list, such as the Comprehensive Plan, the Beach Outfalls Project, the Naples Pier, and resiliency efforts, were not in dispute and should be considered "uber priorities." He proposed that these major initiatives be placed at the top of the list as ongoing, non-negotiable efforts, while the Council's attention should focus on deciding which additional priorities to address in the next three to six months.

City Manager Young explained that several items were interrelated and could be combined in future presentations for efficiency. He also clarified that some discussion topics brought up during recent meetings had been added to his internal planning list but would need to be scheduled according to Council's direction.

Council Members agreed to schedule one-on-one meetings with City Manager Young, who stated that staff would begin coordinating those appointments. Vice Mayor Hutchison requested that any "common knowledge" items, such as known priorities and major projects, be retained on the dashboard as footnotes, so that new Council Members could understand the broader picture and ongoing initiatives. City Manager Young agreed and said he would delineate more clearly between ongoing efforts and items still needing prioritization. City Manager Young noted that he would continue pursuing the priorities he had already scheduled for November and December unless otherwise instructed.

[Agenda Memorandum](#)  [Council Priorities Dashboard](#) 

17) COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

Council Member Kramer reiterated his previous comments regarding the need for streamlining the development review process. He expressed the view that any proposal involving a variance, conditional use, or a request to vacate an easement or right-of-way should come before City Council early in the process to ensure that Council has the opportunity to reject proposals upfront, before applicants invest a significant amount of time and resources.

Council Member Petrunoff referenced prior discussions with the Naples Airport Authority (NAA) involving curfews, the phasing out of leaded fuel, limiting aircraft volume, and controlling tenant and aircraft types, noting that the NAA's attorney had previously advised that relinquishing Federal Aviation Administration (FAA) grants might be required to accomplish some of these objectives.

With an NAA meeting scheduled the following day to consider additional grant acceptance, she expressed concern that the implications of such actions were not fully understood by the public or City Council. Council Member Petrunoff requested a comprehensive legal review to address five specific points: 1) whether refusing future FAA grants would, in fact, help achieve local control; 2) what benefits local control would provide; 3) what specific restrictions the current or pending FAA grants impose, including limits on curfews, fuel sales, tenant selection, or pricing discrimination; 4) whether previous FAA-funded parcel acquisitions encumber only those parcels or affect the broader airport; and 5) how the City might engage with state and federal legislators to initiate discussions with the FAA about gaining more autonomy. Council Member Petrunoff clarified that her intent was to help establish consensus on the Council's desired outcomes and what "relief" should mean for residents. She emphasized the importance of ensuring that all Council Members receive the same factual and legal information as there are differing opinions among Council Members regarding airport grants.

Mayor Heitmann inquired how this briefing would relate to the recently retained attorney advising on Home Rule matters. In response, Council Member Kramer suggested that the newly retained attorney would address the City's legal options under Home Rule authority, while Attorney Andrew Barr would focus on airport-specific legal questions. Council Member Petrunoff added that the Home Rule attorney was primarily engaged to monitor and respond to state legislative actions but that some overlap might exist. Mayor Heitmann asserted that the City should begin by reviewing its own Code of Ordinances to identify areas where enforcement could be strengthened. She emphasized that this represents a meaningful avenue of local control.

City Attorney Matthew McConnell reinforced that Council's strongest authority lies in its zoning powers and stated that the ordinances currently under review will help clarify procedures that were not consistently followed in the past. He cautioned against tackling too many legal fronts simultaneously and recommended completing ordinance revisions before pursuing other avenues. He affirmed he would update Council on the ordinance timeline and offered to send questions to Attorney Barr and recirculate Attorney Barr's January 2023 memorandum prepared following the prior joint meeting. He added that his office is coordinating a follow-up meeting with the NAA related to the ordinances and plans to present them at the NAA's November 20th meeting.

Mayor Heitmann asserted that a joint meeting with the NAA is overdue. In response, City Manager Gary Young clarified that no joint meeting with the NAA is currently scheduled and explained that he will not place any airport topics on the agenda unless explicitly directed by Council.

Vice Mayor Hutchison referenced a Florida House Bill recently filed regarding the Naples Airport Authority and suggested that the Council consider authorizing coordination between the City's Home Rule attorney, Jamie Cole, and Attorney Barr. He stated that such collaboration would help develop a unified legal and legislative strategy, ensuring that both attorneys' efforts complement rather than conflict with one another. Vice Mayor Hutchison emphasized the importance of aligning timing and messaging so that parallel efforts, such as legal interpretation, lobbying, and ordinance development, support the City's shared goal of gaining greater local control.

Council Member Christman stated that the ongoing issues surrounding the airport are largely political rather than legal in nature. He expressed disappointment that, during the prior meeting, his own request to hold a future discussion regarding FAA grants did not receive support from the majority of Council. He noted that the request had been denied after extensive commentary, yet the current discussion included several grant-related points. Council Member Christman emphasized that this demonstrated the significance of the grant issue and the need for open and equitable dialogue among Council Members. He underscored the importance of consistency in how Council determines which topics are allowed for discussion, stating that he would never oppose a reasonable request from another Council Member to bring forward a matter for open

conversation. Council Member Christman concluded by affirming that if the majority supported Council Member Petrunoff's request for a future discussion on grants, he would vote with that majority.

Council Member Kramer further discussed the potential renegotiation of the City's lease with the NAA, describing it as the City's greatest source leverage in addressing airport-related concerns. Council Member Kramer stated that offering to renegotiate the lease could serve as a strategic gesture of goodwill that may also provide leverage to discourage proposed state legislation threatening local control.

Later in Correspondence and Communications City Attorney McConnell requested direction on whether he could compile questions for Attorney Barr to respond. The majority of City Council supported the request. Vice Mayor Hutchison objected, expressing the view that the issue of Home Rule should be prioritized and although there are questions that need to be answered, there may be a more appropriate time for that to take place. Council Member Christman supported the request but expressed the desire to have Attorney Barr present at a future Council Meeting, in person or virtually, to have a meaningful dialogue. Mayor Heitmann expressed concern with rising legal fees, and suggested receiving a response from Attorney Barr before deciding on whether to schedule his attendance at a future meeting.

Majority consensus reached for the City Attorney to compile written questions from Council Members, including the five specific questions presented by Council Member Petrunoff, for response by Attorney Andrew Barr (Hutchison dissenting).

Council Member Petrunoff thanked City Manager Young and Council Member Kramer for their advocacy before the Board of County Commission regarding the proposed development near Naples High School. She noted that two additional County projects warrant the City's attention: a large-scale development proposed by Alfie Oakes near the Davis Triangle area, and a second project near Seagate, where residents have expressed concern regarding a proposed water park and its potential noise and neighborhood impacts. Council Member Petrunoff emphasized the importance of monitoring both projects closely and maintaining active communication with Collier County to protect the interests of surrounding City neighborhoods.

Council Member Petrunoff sought clarification regarding the City's procedures for spot inspections, site plan verification, and identifying construction errors, citing concerns about recent discrepancies such as the Naples Beach Club as well as the 12th Street South garage footer encroachment. City Manager Young explained the differences between a Temporary Certificate of Occupancy (TCO) and a Certificate of Occupancy (CO), noted that errors are often discovered during post-construction spot surveys, and confirmed that contractors are responsible for addressing and negotiating solutions with affected property owners. He emphasized that staff brings required site plan modifications or public encroachments back to City Council when necessary, that the current garage issue remains under negotiation, and that he would keep City Council apprised of updates. City Manager Young added that he had begun meeting with staff to review all outstanding TCOs, understand why they remain open, and improve tracking and accountability moving forward.

In response to Vice Mayor Hutchison's request to disseminate seawall height data by address to residents, City Manager Young suggested that staff should first evaluate what information is currently available. He recommended a two-step process in which the data is compiled and shared with City Council for review before determining how it should be shared with the community, noting the need to avoid publishing incomplete or inaccurate information. City Manager Young stated that he would conduct a full assessment of the existing data set and return to City Council with a clear summary of what can be provided.

Consensus reached to direct the City Manager to proceed with gathering the seawall height information and returning it to Council for further direction.

City Manager Young explained that staff recently received a request from a school to hold a performance event at Cambier Park that did not meet the current 120-day application requirement. City Manager Young requested consensus on whether he had the authority to administratively approve special event permits for public, private, and charter schools to use City parks, including the use of appropriate amplified sound, when the event purpose is consistent with the park's intended function. He explained that the current manual requires amplified sound approvals to return to City Council, even for school performances at facilities such as the Cambier Park Bandshell. City Manager Young stated that granting this authority would allow staff to apply reasonable, common-sense discretion for school events submitted within a shorter timeframe, pending a future update to the Special Events Manual.

Consensus reached to authorize the City Manager to administratively approve special event permits for schools to utilize City parks, including the use of appropriate amplified sound.

Mayor Heitmann requested an update regarding the Cambier Park renovation, citing that many residents have expressed disappointment with the Playground being closed. She asked whether staff could research grant opportunities for bollards for special events.

18) ADJOURNMENT

Teresa Lee Heitmann, Mayor

Patricia L. Rambosk, City Clerk

Jessica Hernandez, Deputy City Clerk
with assistance by Dave Horton, Executive Assistant

Minutes Approved: 12/3/2025.