



City of Naples

City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Regular Meeting – January 21, 2026 – 8:43 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
Linda Penniman
Beth Petrunoff

Staff Present:

Gary Young, City Manager
Andrew Dickman, Assistant City Attorney
Chad Merritt, Community Services Director
Sean Phillips, Master Police Officer
Michael O'Reilly, Police Lieutenant
Danielle Futia, Special Events & Marketing Supervisor
Tasheema Lewis, Senior Planner
Jennifer Ponchak, Lakes Water Quality Project Mgr.
Natalie Hardman, Natural Resources Manager

Matthew McConnell, City Attorney
Patricia Rambosk, City Clerk
Ciro Dominguez, Police Chief
Stefan Massol, Finance Director
Erica Martin, Planning Director
Corey Adamski, Deputy Fire Chief
Jeffrey Brammer, Senior Planner
Alison Bickett, Deputy City Engineer
Ali Duran, Executive Assistant
Jessica Hernandez, Deputy City Clerk

Others Present:

Jesse Barrett
Helen McGrath
Stanley Karpf
Kataleya Zuniga
Mariana Gonzalez
Lucy Bustamante
Jonathan Herrera Rodriguez
Patrick O'Connor
Frank Perucci
Linda Oberhaus
Jon Stevenson
Jill Yavorsky
Vincent Keays
Craig Sutherland
Mike Rogan
Francesca Passidomo
Nicholas Chlumsky
Salvador Muñoz

Clay Brooker
Tim Hall
Sofia Christodoulou
Chris Christodoulou
Anna Christodoulou
Greg Dougherty
Ana Perez
Cynthia Odierna
Jake Maulin
June Kalustian
Robert Kalustian
Robert Costello
David Corban
Jeff Rogers
Branimir Brankov
Jennifer Hollander
Jose Cabrera
Sean Nash

Maureen Minker
Diego Angarita
Jay Newman
Bob Menzies
Gregory Lampert
Kim Heaslip
Callhan Soldavini
Cori Craciun
Jacqueline Rogue Escobar
Madelyn Werder
Richard Schroeder
Maria Werder
Caroline Tanner
Terri Caspersen
Susan Garry
Kevin Garry
Cathy Orein

Andrea Worder
Jay Kohlhagen
Karen Ratliff-Foss
Kristina Heuser
John Meo
Janice Hoeschler
Donna Adan
Linda Spano
Darren Aquino
John Strand
Megan Titcomb
Reverend Dr. Sharon Harris-Ewing
Chris Schmeckpeper-Kobzina
Chris Auron
Lisa Freund
Janet Hoffman
Karen Coney

2) INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Jesse Barrett, New Hope Ministries, gave an invocation. Vice Mayor Hutchison subsequently led in the Pledge of Allegiance.

3) SET AGENDA

Due to the large number of anticipated public speakers, Mayor Heitmann asked that public comments be limited to one minute each. City Attorney Matthew McConnell stated that, under Section 286.0114, Florida Statutes, the public comment limitations described are reasonable and lawful, allowing the City to set time limits while ensuring public participation.

MOTION by Hutchison to SET AGENDA; seconded by Barton and unanimously carried, all Members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

4) ANNOUNCEMENTS AND PRESENTATIONS

4.A) Do the Right Thing Presentation.

Master Police Officer Sean Phillips recognized the Gulf Shore Association of Condominiums (GSAC) as that month's sponsor of the Do the Right Thing (DTRT) Program, represented in attendance that day by President Helen McGrath and Vice President Stanley Karpf.

Master Officer Phillips then announced the recipients of that month's DTRT Award, Gulfview Middle School students Kataleya Zuniga and Mariana Gonzalez. He commended them for courageously intervening to protect an eighth-grade student from repeated harassment on a school bus by blocking access to the victim, offering reassurance and support, and encouraging the student to report the behavior, actions that reflected exceptional maturity, compassion, and character. Next, Master Officer Phillips recognized Lucy Bustamante, an eighth-grade student at Saint Ann School who partners with her older sister to visit children in the Naples Community Hospital Pediatrics Unit, where they provide free tutoring and raise money for crafts, calling themselves the "Academic Angels." Finally, Jonathan Herrera Rodriguez was recognized for his Eagle Scout Project, Project Reverence. The project restored and honored Plot "N" at Rosemary Cemetery, a historic African American burial site in Naples, through the installation of headstones, a historical marker, a bench, and fencing, supported by \$20,000 in fundraising and community coordination. The effort resulted in the site being designated as historically protected. Patrick O'Connor, Chair of the DTRT Program, concluded with recognition of the exemplary efforts of all the award recipients.

4.B) Proclamation for Human Trafficking Prevention Month.

Mayor Heitmann read a proclamation designating January 2026 as Human Trafficking Awareness Month, recognizing local organizations working to combat human trafficking and urging the community to remain vigilant and support victims.

Linda Oberhaus, Chief Executive Officer of the Shelter for Abused Women, noted that Naples and Collier County rank among the highest in Florida for human trafficking hotline calls and outlined local prevention efforts through partnerships with schools, law enforcement, and the State Attorney's Office using the Identify, Support, and Prosecute approach.

Jon Stevenson, Co-Founder and Executive Director of Path2Freedom, thanked City Council and described the organization's work of providing housing and comprehensive services to adolescent female survivors, highlighting the continued need for expanded care and community collaboration. [Proclamation for Human Trafficking Prevention Month \(Staff/Added Attachment\)](#)

4.C) 2026 City of Naples Christmas Parade Awards.

Community Services Director Chad Merritt thanked parade participants, attendees, City staff, County partners, sponsors, and City leadership for their support of the annual Christmas Parade.

Danielle Futia, Special Events and Marketing Supervisor, recognized participants and announced the award winners: Collier Area Transit (CAT) received Best Commercial Float; Aubrey Rogers High School Marching Band and Lely High School Trojan Marching Band tied for Most Illuminated High School Band; Journey Church of the Nazarene and The Village School of Naples tied for Best Nonprofit; and Germain Lexus received Best Overall Float.

[2025 Christmas Parade Winners - Presentation](#)

4.D) 2026 Marine Industries Christmas Boat Parade Awards.

Frank Perucci, representing Marine Industries Association of Collier County, thanked the City Council, staff, first responders, and partners for their support. He explained that proceeds from the event benefit the Ricky King Foundation, which supports children with unmet medical needs, and reported that nearly \$20,000 was raised that year.

Mr. Perucci then utilized an electronic presentation that revealed the following 2025 Christmas Boat Parade winners; *In the Pink* captained by Julie Pate for Commercial A (up to 40'), *Naples Princess* captained by Ken for Commercial B (41' and up), *Sea Suite* captained by Jeffery Gage for Sail A (up to 35'), *Miss Naples* captained by Daniel Schaffer for Sail B (36' and up), *Days Dream* captained by Monty Hilmoe for Power A (up to 30'), *Artemis* captained by Matt Foy for Power B (31'–40'), and *Eden* captained by Eric Trager for Power D (51' and over). The Theme Award for "Five Golden Rings" was awarded to *Almost Enough* captained by Adam Mortellaro, and the Overall Winner was *Naples Tiki Fun Tours*, captained by John Paul and Melissa Wilinski.

[Marine Industries Christmas Boat Parade Winners - Presentation](#)

5) PUBLIC COMMENTS

Mike Rogan expressed concern about recent "Meet the Candidate" discussions suggesting shorter City Council meetings. He expressed the view that open, public debate is essential for transparency, accountability, and a healthy democracy. He urged the City Council to preserve thorough public discussion and public comment. **Craig Sutherland**, speaking on behalf of the Pettitt Square Condominium Association, expressed concerns regarding a proposed gym and coffee shop beneath the existing residential units, which are located within a C-1 Zoning District. He questioned whether the uses are permitted under the City Code, cited a lack of notice to residents, and raised potential quality-of-life impacts to residents. He requested that the City Council review the approval process and withhold issuance of a certificate of occupancy until all required procedures are properly followed. **Vincent Keeyes** thanked City Council, City staff, and the Naples Police Department for their support and sponsorship of the MLK Day Parade, noting that the event was well-run, safe, and reflective of the strong sense of community in Naples.

APPROVAL OF CONSENT AGENDA

MOTION by Christman to APPROVE THE CONSENT AGENDA; seconded by Penniman and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

6) MINUTES

- 6.A) Approval of the December 3, 2025 Regular Meeting Minutes, the December 8, 2025 Workshop Meeting Minutes, and the December 10, 2025 Regular Meeting Minutes.

[Agenda Memorandum](#)

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

[December 8, 2025 Workshop Meeting Minutes](#)

[December 10, 2025 Regular Meeting Minutes](#)

7) RESOLUTIONS

- 7.A) **RESOLUTION 2026-15791** - A Resolution Approving A Settlement in Lamonda, Joseph v. City of Naples, Case No. 2024-CA-001301, Pending in the Twentieth Judicial Circuit Court in and for Collier County, Florida; Authorizing the City Manager to Execute all Necessary Documents; Providing for Scrivener's Errors; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

[General Release](#)

[Lamonda, Joseph v. City of Naples General Release \(Staff/Added Attachment\)](#)

- 7.B) **RESOLUTION 2026-15792** - A Resolution Declaring a City-Owned, Solid Waste Front-Loading Refuse Truck, as Surplus Property in Accordance with Section 2-669 of the Code of Ordinances, City of Naples, in Order to allow the Truck to be Sold; and Providing an Effective Date.

Title of the Resolution not read.

[Agenda Memorandum](#)

[Resolution](#)

8) OTHER

- 8.A) Consideration of the following Repeat Special Event Applications: **1)** After Tax Season Party – 40 3rd Ave South; and **2)** Steel Drums with Speaker Event – Hyatt House.

[Agenda Memorandum](#)

[After Tax Season Party 4.18.2026](#)

[Steel Drums with Speaker Event 4.24.2026](#)

- 8.B) Consideration of the following New Special Event Applications: **1)** Private Wedding Ceremony – Cutlass Cove; **2)** LEAD Benefit Concert – Cambier Park; **3)** Spring Into Sunset 5K – Baker Park and **4)** Private Wedding Ceremony– Cutlass Cove.

[Agenda Memorandum](#)

[Private Wedding Ceremony 2.21.2026](#)

[LEAD Benefit Concert 2.26.2026](#)

[Spring Into Sunset 5K 3.20.2026](#)

[Private Wedding Ceremony 3.27.2026](#)

END OF CONSENT AGENDA

9) PUBLIC HEARINGS

None.

REGULAR AGENDA

10) ITEMS PULLED FROM CONSENT AGENDA

None.

11) LAND USE MATTERS

It is noted for the record that Items 11.A and 11.B were considered concurrently.

- 11.A) **RESOLUTION 2026-15793** - A Resolution Determining Nonconformity Petition 25-N5 Pursuant to Section 46-35 of the Code of Ordinances, City of Naples, to Allow for a Change in Nonconformity Related to Parking on Property Located in the C1 Retail Shopping District at 1199 Third Street South, Suite A, Owned by DAKY, LLC, More

Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; and Providing an Effective Date.

11.B) *RESOLUTION 2026-15794* - 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 to be Located in the C1 Retail Shopping District, on the Property Owned by DAKY LLC, and Located at 1199 3rd Street South, Suite A, More Fully Described Herein; Providing for Scrivener's Errors; and Providing an Effective Date.

City Attorney Matthew McConnell read the titles of Items 11.A and 11.B and explained that, although the items would be heard together, separate motions would be required for each. 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: Kramer / had spoken to staff and the petitioner's agent; Petrunoff / had spoken to staff; Hutchison / was familiar with the project, had been by the project, and disclosed that his business is a tenant of the petitioner, but not at the location under discussion; Christman / was familiar with the site, had visited the building in the past and had spoken to staff; Barton / was familiar with the site, had spoken to staff and had received correspondences from the petitioner's agent; Penniman / was familiar with the site, had gone by the site but had not had contact with staff nor the petitioner; and Heitmann / was familiar with the site, had watched the pertinent Planning Advisory Board (PAB) meeting and received correspondences.

City Attorney McConnell asked Vice Mayor Hutchison whether, due to his relationship with the LLC, he or any member of his immediate family would receive any benefit from the vote, to which Vice Mayor Hutchison responded no. City Attorney McConnell also asked whether Vice Mayor Hutchison could be impartial in his decision-making, and Vice Mayor Hutchison responded yes.

Petitioner's representative, Francesca Passidomo, Attorney with Coleman, Yovanovich & Koester, presented the companion petitions on behalf of Mr. and Mrs. Chlumsky to convert the second-floor office space into a single residential dwelling unit within the historic Chlumsky Building. Using an electronic presentation, she noted that no exterior changes were proposed and that approval of the Nonconformity Petition would reduce the second-floor parking requirement by nine spaces, returning those spaces to the City's on-street parking supply. She cited City policies supporting historic preservation, adaptive reuse, and mixed-use development.

Petitioner Nicholas Chlumsky (sworn separately) stated that the request was intended to preserve a family legacy property for personal residential use, reduce parking demand compared to the former office use, and maintain the historic character of 3rd Street South.

Senior Planner Jeffrey Brammer reviewed the staff report and explained that the property is a historic two-story commercial building on a small urban lot with no on-site parking and operates as a lawful parking nonconformity due to historical zoning standards and subsequent redevelopment. He stated that the proposed conversion of the second-floor offices to a single residential dwelling unit requires both a change in nonconformity and conditional use approval; staff recommended approval of both petitions contingent upon one another, having found that all review criteria had been met. He added that public notice was provided, correspondence was received, and the PAB recommended approval subject to conditions.

For the Conditional Use Petition, Senior Planner Brammer outlined recommended conditions, which included prohibiting transient rentals and requiring sound-attenuating windows, acknowledging the area's high activity levels, and making approval contingent upon approval of the companion nonconformity petition.

City Council discussion focused on potential noise impacts from introducing a residential use near an active restaurant, enforcement of the City's noise ordinance, and measures to prevent future conflicts. Planning Director Erica Martin and City Attorney McConnell clarified that required

conditions do not waive residents' rights to file complaints or the City's obligation to enforce the Code. City Manager Gary Young confirmed the change in use raised no incremental concerns and that any complaints would be handled through standard procedures.

The City Council also reviewed the surrounding mixed-use context. Planning Director Martin confirmed that the unit would not be used as a transient rental and discussed the striped loading and taxi zone in the City right-of-way. She clarified that the taxi zone was converted from parking decades ago by the City, that the applicant is not requesting changes or control over it, and that any future restriping would be at the City's discretion. She noted no formal proposal exists to alter the area and that further analysis would be required before any changes are considered.

Public Comment: None.

Vice Mayor Hutchison expressed appreciation for the commitment but noted concerns that details regarding loading activity, vehicle types, and current use of the striped area had not been fully analyzed, stressing the importance of transparency and accurate information given congestion in the area.

Planning Director Martin clarified that the petitions do not create or assign nine physical parking spaces but instead reduce parking demand by converting upper-floor commercial office space to a single residential unit, thereby decreasing the number of vehicles seeking public parking in the 3rd Street District.

Council Member Kramer expressed the opinion that issues related to loading zones, taxi use, rideshare activity, and potential restriping of the City right-of-way are separate matters not required for approval of the nonconformity or conditional use petitions.

MOTION by Kramer to APPROVE RESOLUTION 2026-15793 subject to the following: 1) replacing the word "relaxation" to "reduction" in Condition No. 2; and 2) in regard to Condition No. 3, the City Manager will direct staff to review the potential for re-striping and report back to City Council on any progress on the matter, if any; seconded by Penniman and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

MOTION by Kramer to APPROVE RESOLUTION 2026-15794 subject to the conditions contained therein; seconded by Petrunoff and unanimously carried, all members present and voting (Hutchison-yes, Penniman-yes, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes).

Item 11.A Attachments

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report - PAB](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Warranty Deed](#)

[Survey](#)

[Aerial](#)

[Site Plan](#)

[Architectural Plans - Existing](#)

[Architectural Plans - Proposed](#)

[Supporting Document - Schedule 1](#)

[Supporting Document - Schedule 2](#)

[Supporting Document - Schedule 3](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)
[Correspondence - Support](#)
[Affidavit of Sign Posting 1](#)
[Affidavit of Sign Posting 2](#)
[Affidavit of Sign Posting 3](#)
[Petitioner's Presentation](#)

Item 11.B Attachments

[Agenda Memorandum](#)
[Resolution](#)
[PAB - Staff Report](#)
[Application](#)
[Disclosure of Interest - Property Owner](#)
[Warranty Deed](#)
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[Aerial](#)
[Architectural Plans - Existing](#)
[Architectural Plans - Proposed](#)
[Permit History](#)
[Architect Letter](#)
[Credentials - Staff](#)
[Public Notice Mailing Addresses](#)
[Correspondence](#)
[Affidavit of Sign Posting](#)
[Affidavit of Sign Posting 2](#)
[Affidavit of Sign Posting 3](#)
[Petitioner's Presentation](#)

Items 11.A and 11.B Attachments

[11.A and 11.B Additional Correspondence \(Staff/Added Attachment\)](#)

Recess: 10:58 a.m. to 11:16 a.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

11.C) *RESOLUTION 2026-15795* - A Resolution Determining Petition 25-V7, Relating to a Variance Pursuant to Section 56-41 of the Code Of Ordinances, City Of Naples, to Allow for a Home Generator and Equipment Platform to Encroach Approximately Four Feet into the Secondary Front Yard Along 9th Avenue South, Where a 25-Foot Minimum Front Yard is Permitted on Lots Which Front Two or More Streets, Pursuant to Section 58-176 of the Code Of Ordinances, City Of Naples, for the Property Owned by Gregory J. Lampert, Trustee, and Located at 875 Gulf Shore Boulevard South, 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: Kramer / had met with staff; Petrunoff / was familiar with the property and had met with staff; Hutchison / was familiar with the property but had no other contact; Christman and Barton / were familiar with the property and had spoken with staff; Penniman / was familiar with the property; and Heitmann / was familiar with the property and had spoken with staff.

Property owner Gregory Lampert presented his request for a variance to allow placement of a home generator encroaching into the secondary front yard at 875 Gulf Shore Boulevard South. He explained that the home, built in 2000, includes an existing south-side concrete pad screened by mature hedging and currently used for mechanical equipment. Citing repeated storm-related flooding and extended power outages from recent hurricanes, he stated the generator is needed for safety and resiliency, particularly for visiting family members. He noted that alternative

locations were evaluated but found infeasible due to safety setbacks, proximity to windows and equipment, or the removal of mature landscaping, and that the proposed location is screened, set back more than 20 feet from 9th Avenue South, and the request received support by neighboring property owners. Utilizing an electronic presentation, he concluded the proposed placement best meets safety, aesthetic, and neighborhood considerations and requested approval, noting prior Planning Advisory Board (PAB) support.

Senior Planner Tasheema Lewis reviewed the staff report. She noted that Sections 56-41 and 58-176 of the City Code generally prohibit mechanical equipment in required yards, allow limited side-yard encroachments for older homes but not front-yard encroachments, and that the subject corner lot has two front yards. She said the petition was properly noticed, with four letters of support received. She added that pursuant to Section 46-37(c) of the Land Development Code, staff applied the variance criteria to the request to allow a home generator and equipment platform to encroach approximately four feet into the secondary front yard along 9th Avenue South at the subject property. She stated that the site is subject to a 25-foot minimum front yard requirement on lots fronting two or more streets pursuant to Sections 56-41 and 58-176 of the Code of Ordinances, and staff determined that Threshold Criteria 3 and 4 are met. In addition, she said that Threshold Criteria 1, 2, 5, 6, and 7, as well as Additional Criteria 1, 2, and 3, are not met, and Additional Criteria 4 and 5 are not applicable. She noted that the PAB recommended approval by a 5–2 vote. If approved, she said staff recommended conditions limiting the encroachment, requiring screening, an as-built survey, noise mitigation, and requiring any future expansion or modification of the generator or its encroachment to obtain separate City approval.

Planning Director Martin noted that the City has received several generator-related variance requests following recent storms and said a workshop is planned to discuss potential City Code amendments. Council Member Kramer expressed support, viewing the request as a reasonable accommodation for a homeowner, while Vice Mayor Hutchison cited staff's findings and stated he did not support approval where all variance criteria were not met. City Attorney McConnell clarified that the City Council may approve the variance if it determines the petitioner's testimony provides competent and substantial evidence satisfying the required criteria.

Public Comment: None.

MOTION by Petrunoff to APPROVE RESOLUTION 2026-15795 subject to the conditions contained therein; seconded by Christman and carried 6-1, all members present and voting (Barton-yes, Christman-yes, Hutchison-no, Kramer-yes, Penniman-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Attachment #1 - Markup](#)

[Resolution](#)

[PAB Staff Report](#)

[Attachment #1](#)

[Application](#)

[Disclosure of Interest - Property owner](#)

[Warranty Deed](#)

[Survey](#)

[Site Plan](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Correspondence](#)

[Affidavit of Sign Posting](#)

[Presentation - Petitioner](#)

[Additional Correspondence \(Staff/Added Attachment\)](#)

11.D) RESOLUTION 2026-15796 - A Resolution Determining Live Entertainment Petition 26-LE2 Establishing Amplified Indoor Live Entertainment with Doors and Windows Closed for a Single Disc Jockey and Small-Scale Performances which Include

Acoustic Music and No More than a Three-Piece Band, from 6:00 P.M. to 11:00 P.M. Monday Through Sunday, for the Restaurant Known as Unidos A Latin Kitchen and Bar, on Property Owned by One South Main, LLC, a Massachusetts Limited Liability Company and GORFI Properties Corp., a Massachusetts Corporation, Located at 1 9th Street South; 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: Penniman / was familiar with the site, had visited the site but had not had contact; Barton / was familiar with the site; Christman / was familiar with the site, had dined at the restaurant multiple times and the only contact was with staff; Hutchison / was familiar with the site, had been to the location for inspection and had heard numerous comments from the public about how well the business is managed; Petrunoff / was familiar with the site, was a patron of the site and had spoken with staff; Kramer / was familiar with the site and had spoken with staff; and Heitmann / was familiar with the site, had visited the site and had spoken with staff.

Salvador Muñoz, representing Unidos Latin Kitchen and Bar, requested approval for amplified indoor live entertainment to enhance the dining experience while remaining compatible with surrounding properties. He explained the proposal would allow a single disc jockey or small-scale acoustic performances of no more than a three-piece band, noting the restaurant is not intended to operate as a nightclub and that entertainment would be managed by staff to control noise.

Senior Planner Tasheema Lewis reviewed the staff report. She stated internal review by Code Enforcement, Police, and the Fire Marshal found no objections and that staff recommended approval with conditions limiting the type and hours of entertainment, requiring compliance with the noise ordinance, and providing for a City Council review approximately six months after approval.

Planning Director Erica Martin clarified that doors and windows must remain closed during performances, and that Fire Department staff confirmed the performance area meets life safety requirements.

Council Members discussed and the petitioner agreed to adding a condition requiring a manager or designee to be on site at all times during live entertainment and to control a centralized, locked volume system. City Attorney McConnell clarified this requirement is not mandated by Code but is a condition commonly included in live entertainment approvals, and the City Council expressed support for making it standard practice.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2026-15796 subject to the following : 1) the conditions contained therein; and 2) adding a condition in Section 2 to read as follows: “(4) All live entertainment shall be played through speakers regulated by a central volume control system. Access to the controls shall be centralized, locked and accessible only to the manager on duty or their designee, and there shall always be such a manager or designee on site when the music is being played.”; seconded by Barton and unanimously carried, all members present and voting (Penniman-yes, Hutchison-yes, Petrunoff-yes, Barton-yes, Christman-yes, Kramer-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest - Property owner](#)

[Disclosure of Interest - Business owner](#)

[Warranty Deed](#)

[Life Safety Plan](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Presentation - Petitioner](#)

11.E) *RESOLUTION 2026-15797* - A Resolution Determining Nonconformity Petition 25-N6 Pursuant to Section 46-35 of the Code of Ordinances, City of Naples, to Allow for the Vertical and Horizontal Expansion of a Nonconforming Single-Family House on Property Located in the R1-10 Residence District at 2171 South Winds Drive, Owned by Yerger Family Trust, More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; 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: Penniman / had driven by the site but had not had contact; Barton, Christman and Kramer / were familiar with the site and had spoken with staff and the petitioner's agent; Petrunoff / was familiar with the site and had spoken with staff; Hutchison / was familiar with the site but had not had contact; and Heitmann / was familiar with the site, had spoken with staff, but had not had contact.

Maureen Minker, Residential Studio Director with MHK Architecture, presented the petition on behalf of the owner, requesting approval to elevate the existing 1963 home to the current required flood elevation and to add a second story within the existing footprint, with a limited horizontal expansion solely for required stairs and means of egress. She utilized an electronic presentation to explain the property's zoning history, double-frontage condition, existing setback nonconformity along South Winds Drive, flood vulnerability and proposed improvements. She noted that portions of the existing nonconformity would be reduced and that all other additions would comply with current Code standards. She then submitted letters of support from adjacent neighbors.

Senior Planner Jeffrey Brammer reviewed the staff report, noting that staff found that the petition met the criteria of Section 46-35 of the Land Development Code, no objections had been received, and the Planning Advisory Board (PAB) recommended approval by a 6-1 vote. He noted that staff recommended approval subject to two standard conditions limiting the approval to the existing structure and requiring full Code compliance or a new variance if the nonconformity is removed or demolished.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2026-15797 subject to the conditions contained therein; seconded by Hutchison and unanimously carried, all members present and voting (Petrunoff-yes, Hutchison-yes, Christman-yes, Barton-yes, Kramer-yes, Penniman-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report - PAB](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Warranty Deed](#)

[Survey](#)

[Aerial](#)

[Architectural Plans - NEW](#)

[Historical Zoning Information](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addresses](#)

[Correspondence](#)

[Affidavit of Sign Posting](#)

[Petitioner's Presentation](#)

Recess: 12:32 p.m. to 1:01 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

11.F) *RESOLUTION 2026-15798* - A Resolution Determining Live Entertainment Petition 26-LE1 Establishing Amplified Indoor Live Entertainment with Doors and Windows Closed for a Maximum of Two Performers or One Disc Jockey from 6:00 p.m. to 12:00 a.m. Wednesday Through Sunday for the Restaurant Known as Old Town Saloon, on Property Owned by 600 Good, LLC, a Florida Limited Liability Company, Located at 600 Goodlette-Frank Road North, Suites 111-113; More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. This being a quasi-judicial proceeding, Notary Public Ali Duran administered an oath to those intending to offer testimony; all responded in the affirmative. Council Members then made the following ex parte disclosures: Penniman / was familiar with the site but had not had contact; Barton / was familiar with the site, had spoken with staff and the petitioner and disclosed that the petitioner is an insurance client; Christman and Kramer / were familiar with the site and had spoken with staff; Petrunoff / was familiar with the site and had spoken with the petitioner and staff; Hutchison / was familiar with the site but had not had contact; and Heitmann / was familiar with the site, had received numerous communications, and had met with staff.

City Attorney McConnell asked Council Member Barton whether, due to his relationship with the property owner, he could remain impartial in his decision. Council Member Barton responded in the affirmative and confirmed that his decision would not result in any special benefit or loss to himself or any relative.

Bob Menzies, Attorney at FisherBroyles, representing Old Town Saloon and owner Mike Bono, stated the location previously operated with an existing live entertainment permit, including karaoke, and is not adjacent to residential uses. He noted that the business is family-oriented, has retained private security for nights when music is played, and he agreed to staff-recommended conditions and use of a centralized volume control system.

Senior Planner Jeffrey Brammer provided the staff report, noting the site has had live entertainment for many years, the petition was reviewed by City departments, including Police and Fire, the Fire Marshal approved the life safety plan, and that no objections were received following public notice. He noted that staff recommended approval with conditions, including limits on performers, compliance with the noise ordinance, centralized locked volume controls accessible only to management, and a six-month Council review. He added that City Code generally limits Sunday and Wednesday entertainment to 11:30 p.m. unless the City Council grants a waiver.

Attorney Menzies requested amending the hours of operation to allow live entertainment until 12:00 a.m. on Wednesday through Sunday. During City Council discussion, members expressed support for the request and emphasized the six-month review as a safeguard.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2026-15798 subject to amending Condition No. 1 as follows: "... from 6:00 p.m. to 11:30 p.m. Sunday and Wednesday and from 6:00 p.m. to 12:00 a.m. Thursday Wednesday through Sunday; seconded by Petrunoff and unanimously carried, all members present and voting (Barton-yes, Penniman-yes, Christman-yes, Petrunoff-yes, Kramer-yes, Hutchison-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest - Property Owner](#)

[Disclosure of Interest - Business Owner](#)

[Warranty Deed](#)

[Aerial](#)

[Life Safety Plan](#)

[Credentials - Petitioner](#)

[Credentials - Staff](#)

[Public Notice Mailing Addressess](#)

[Affidavit of Sign Posting](#)

[Petitioner's Presentation](#)

11.G) *RESOLUTION (Continued)* - A Resolution Determining Live Entertainment Petition 26-LE3 Establishing Amplified Indoor and Outdoor Live Entertainment 7 Days Per Week in Multiple Locations on Private Property Pursuant to Section 56-125 of the Code of Ordinances, for the Naples Beach Club Owned by Naples Beach Club Land Trust Trustee, LLC, a Delaware Limited Liability Company, Naples Beach Club Owner, LLC, a Delaware Limited Liability Company, and Naples Beach Club Phase II and III Land Trust Trustee, LLC, a Delaware Limited Liability Company, and Located at 801, 802, 811, 891, 896, and 898 Gulf Shore Boulevard North, More Fully Described Herein; Providing for Scrivener's Errors; Providing Findings and Conditions; 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: Penniman / was familiar with the site but had not had contact; Barton / was familiar with the site and had spoken with the petitioner and staff; Christman / was familiar with the site and had spoken with staff and petitioner's representative; Kramer / was familiar with the site and had spoken to staff and petitioner; Petrunoff / was familiar with the site and had spoken to staff, the petitioner and surrounding residents; Hutchison / was familiar with the site, had received numerous emails but had not had contact; and Heitmann / was familiar with the site, had visited the site, had communications with members of the community, and had spoken with the petitioner and staff.

Diego Angarita, General Manager of the Naples Beach Club, used an electronic presentation to overview a request for amplified indoor and outdoor live entertainment at multiple locations throughout the resort, emphasizing that numerous locations were requested for operational flexibility and not for simultaneous use. He stated the resort would limit outdoor live entertainment to no later than 10:00 p.m., comply with Code-required decibel limits at the property line, and carefully manage speaker placement to avoid impacts to neighboring properties. General Manager Angarita described the resort's luxury Four Seasons positioning, noting the intent is low-volume, background entertainment to enhance guest experiences rather than high-intensity events, and explained that only a small number of locations would be used regularly, with most designated for occasional or one-off use.

Council Member Petrunoff expressed concern about the number and placement of outdoor entertainment locations and suggested additional coordination with nearby residents before approval. She recommended community meetings to review locations and conditions, noting that live music has historically generated neighborhood concerns. City Manager Gary Young confirmed that staff has taken a cooperative, interim approach by monitoring events for life-safety compliance and reasonableness, stating the Naples Beach Club has acted as a good community partner to date. He supported continued collaboration with the applicant and residents, including interim accommodations, while the formal approval process proceeds.

Planning Director Erica Martin expressed concern that the application, as submitted, was overly broad, noting it listed numerous potential locations with limited parameters, and requested that

the petitioner return with a more clearly defined and written proposal outlining realistic limits on locations, performers, and hours. She then clarified that the application was later separated between outdoor and indoor entertainment because required life-safety plans for indoor locations had not yet been reviewed and explained that this caused separate public notices and hearing dates.

Jay Newman, Principal and CEO of the Athens Group, affirmed the petitioner's willingness to work collaboratively with residents and staff, narrow the request, and document specific operational limitations. He stated that commitments could include limiting the number of simultaneous locations, capping outdoor entertainment hours at 10:00 p.m., restricting certain areas to background or acoustic music only, and limiting events to no more than two at any given time. He added that while the petitioner would welcome a decision at the current meeting, they would defer to City Council's judgment, accept interim oversight by the City Manager if deemed appropriate, and undertake additional community outreach as directed.

Council Members supported continued community outreach and refinement of the proposal prior to formal approval, while expressing openness to an interim, cooperative process under City Manager Young's oversight for limited, responsibly managed events. They also favored allowing time for neighborhood discussions, clearer written parameters, and consolidation of the indoor and outdoor entertainment requests into a more concise future petition.

General Manager Angarita explained that proposed hours differ from earlier statements and noted that life safety plans cannot be finalized for areas not yet constructed, including residential components and golf facilities still under development. He agreed to amend the request to include only completed areas at that time and to return with additional requests as other areas are completed.

City Attorney McConnell advised that it would not be appropriate to engage in a substantive discussion if the matter were to be continued, explaining that, consistent with quasi-judicial procedures, detailed questions and discussion regarding the proposed live entertainment should occur at the subsequent hearing.

Clay Brooker, Attorney at Cheffy Passidomo, stated the applicant is willing to engage with the community if directed by the City Council. He suggested continuing the entire application, including both indoor and outdoor live entertainment, to a date certain of February 18, and requested that, in the interim, the applicant be allowed to work with the City Manager to continue limited hotel operations for a small number of events until the matter returns to City Council.

MOTION by Kramer to CONTINUE Item 11.G (Outdoor Live Entertainment) until February 18, 2026, to be heard concurrently with the Indoor Live Entertainment petition, subject to the condition that the City Manager will continue to review and approve Live Entertainment applications at the property as he has been; seconded by Petrunoff and carried 6-1, all members present and voting (Hutchison-yes, Penniman-no, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Application](#)

[Disclosure of Interest - Tract H-2](#)

[Disclosure of Interest - Tract OS-1](#)

[Disclosure of Interest - Tracts BE and H-1](#)

[Disclosure of Interest - Tract RT-1](#)

[Deed](#)

[Deeds - West of Gulf Shore Blvd N](#)

[Plat - The Naples Beach Club](#)

[Resolution 2020-14523 - Subdivision](#)

[Live Entertainment Master Site Plan](#)

[Life Safety Plan - Golf](#)

[Life Safety Plan - Hotel](#)

[Life Safety Plan - Landward](#)

[Life Safety Plan - Residences](#)

[Credentials - Planning Department](#)

[Public Notice Mailing Addresses](#)

[Affidavit of Sign Posting](#)

[Petitioner's Presentation - NBC Live Entertainment](#)

[Revised Memorandum \(Staff/Added Attachment\)](#)

Recess: 2:03 p.m. to 2:17 p.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.A) Consideration of the following Repeat Special Event Applications: 1) St. Patrick Parade – Golden Anniversary – Downtown Naples; and 2) Naples Pride Fest – Cambier Park.

City Attorney Matthew McConnell introduced the item and advised that Item 13.A involved two separate applications and that the St. Patrick's Day Parade would be addressed first.

Danielle Futia, Special Events and Marketing Supervisor, noted that the Naples St. Patrick's Day Parade was celebrating its 50th anniversary and that the applicant was the Naples St. Patrick Foundation, a nonprofit organization. She added that the event was scheduled for March 14, 2026, throughout downtown Naples with a setup time from 8:00 a.m. to 11:00 a.m., the parade from 11:00 a.m. to 1:00 p.m., and takedown from 1:00 p.m. to 2:00 p.m., with an estimated attendance of approximately 10,000 people. She described the community event as a gathering with amplified sound, no alcohol, no tents, and additional sanitary facilities. She noted that City Council approval was required due to anticipated attendance, street closures, and amplified sound.

Supervisor Futia noted that the applicant requested a waiver of municipal fees. Community Services Director Merritt, stated that, to his knowledge, the event had not previously requested nor received a waiver of City costs during his tenure.

Kim Heaslip, President of the Naples St. Patrick Foundation, requested that the City waive municipal fees and barricade costs, estimated at approximately \$43,000. She cited rising expenses, the parade's volunteer-run structure, its 50-year history, positive economic impact, support of youth and charitable organizations, and its longstanding record as a safe, family-friendly event. She added that without City assistance, the future of the parade would be in jeopardy.

The City Council expressed support for the parade as a valued community tradition but not for waiving the fees, noting public safety costs, precedent concerns, and consistency with how other events are handled.

City Attorney McConnell clarified that City Council action was required to approve the event itself, separate from the request to waive fees.

MOTION by Barton to APPROVE the St. Patrick Parade Special Event Application but DENY the request to waive fees; seconded by Hutchison and unanimously carried, all members present and voting (Penniman-yes, Kramer-yes, Hutchison-yes, Christman-yes, Barton-yes, Petrunoff-yes, Heitmann-yes).

Director Merritt presented the special event application submitted by Naples Pride, a nonprofit organization, for a community event scheduled for April 18, 2026, at Cambier Park. The event would include setup from 6:00 a.m. to 11:00 a.m., programming from 11:00 a.m. to 4:00 p.m., and breakdown from 4:00 p.m. to 6:00 p.m., with an estimated attendance of approximately 4,000

people. He said the application includes amplified sound, alcohol service, tents, sanitary facilities, off-site parking, and street closures.

Director Merritt outlined concerns based on the 2025 event and the proposed 2026 footprint, including impacts to normal park operations, temporary closure of nearby facilities, parking and street closures, security staffing demands exceeding Naples Police Department capacity, and increased City costs related to traffic control. In addition, the Special Events Committee identified the need for additional French barricades, resulting in an estimated cost increase of \$20,000 to \$30,000. He also noted that City Council approval is required due to crowd size, amplified sound, street closures, and off-site parking.

Callhan Soldavini, Naples Pride Board Member stated that the event had been approved in previous years and operated without safety incidents, and emphasized its long-standing, family-friendly nature. Cori Craciun, Naples Pride Executive Director, stated that the Pride Festival has remained a family-friendly community celebration at Cambier Park and that increased controversy in recent years reflects broader societal changes rather than changes to the event itself. She emphasized that the festival fosters inclusion, belonging, and community support, noted the absence of safety incidents, and urged the City Council to uphold constitutional principles by approving the permit without restrictions so attendees may choose for themselves whether to participate.

Police Lieutenant Michael O'Reilly, Naples Police Department (NPD), explained that street closure decisions for large events are based on attendance, event footprint, park vulnerabilities, and factors such as alcohol service and amplified music. He stated that, consistent with Department of Homeland Security guidance, the NPD now requires closures of 8th Street South and potentially Park Street around Cambier Park to create safety buffers against vehicle threats, noting similar closures have been successfully implemented for multiple recent events and would apply regardless of event content.

Public Comment: The following individuals expressed support for the upcoming Naples Pride Event: **Megan Titcomb**, **Reverend Dr. Sharon Harris-Ewing** (on behalf of the Interfaith Alliance of Southwest Florida), **Chris Schmeckpeper-Kobzina** (on behalf of GLSEN Collier), **Chris Auron**, **Lisa Freund**, **Janet Hoffman**, and **Karen Coney**.

The following individuals expressed opposition to the upcoming Naples Pride Event: **Jacqueline Rogue Escobar**, **Madelyn Werder**, **Richard Schroeder**, **Maria Werder**, **Andrea Worder**, **Jay Kohlhagen**, **Karen Ratliff-Foss**, **Kristina Heuser** (on behalf of Liberty Council), **John Meo** (on behalf of the Collier County Executive Committee), **Janice Hoeschler**, **Donna Adan**, **Linda Spano** (on behalf of Darren Aquino), and **John Strand**.

The following speakers did not speak when called: Ana Perez, Cynthia Odierna, Greg Dougherty,

Council Member Kramer expressed a need to revisit the City's overall event policies, noting that not every proposed event is necessarily appropriate for the community. He emphasized the need for clearer standards and better management of special events going forward.

MOTION by Barton to APPROVE the Naples Pride Fest Special Event Application as it was approved the previous year, subject to the drag show being held indoors with a minimum age requirement of 18 years and that the street closures are made as recommended by the Naples Police Department; seconded by Hutchison and unanimously carried, all members present and voting (Petrunoff-yes, Kramer-yes, Hutchison-yes, Penniman-yes, Christman-yes, Barton-yes, Heitmann-yes).

[Agenda Memorandum](#)

[St. Patrick Parade - Golden Anniversary 3.14.2026](#)

[Naples Pride Fest 4.18.2026](#)

[Statement Read into Record \(C. Soldavini/Added Attachment\)](#)

Recess: 3:36 p.m. to 3:44 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened except for Council Member Kramer, who arrived during Item 13.B discussion.

13.B) *RESOLUTION 2026-15800* - A Resolution Approving A Right-Of-Way Use Agreement Between SAWCC, Inc., A Florida Not For Profit Corporation And The City Of Naples For Construction Of A One-Way Driveway Connection And Landscape Islands Within The Public Right-Of-Way At 960 2nd Avenue North; Authorizing The City Manager To Execute The Agreement; 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: Penniman / was familiar with the site but had not had contact; Barton and Christman / no contact; Petrunoff / familiar with the site but had not had contact; Hutchison and Heitmann / were familiar with the site but had not had contact. Council Member Kramer was not present at the time that disclosures were made.

David Corban, Principal Architect with David Corban Architects, representing the Naples Women's Shelter Options Shoppe, explained that the request is intended to address congestion and safety concerns within the existing parking area. He utilized an electronic presentation to describe the proposed one-way circulation from 2nd Avenue North through the parking lot and exiting to the alley, revised angled parking, added landscaping, and removal of three on-street parking spaces within the right-of-way. He stated that the proposal would improve traffic flow and pedestrian safety while maintaining adequate parking for the site.

Alison Bickett, Deputy City Engineer, reviewed the staff report and explained that the application requests approval to remove three on-street parking spaces within the D-Downtown District to accommodate the one-way driveway connection and donation drop-off area. She noted that the proposed plan improves circulation and safety. She stated that staff reviewed the proposal and found it acceptable, subject to further permitting review for on-site improvements.

Public Comments: None.

MOTION by Hutchison to APPROVE RESOLUTION 2026-15800; seconded by Petrunoff and carried 6-0-1 (Kramer-yes, Christman-yes, Petrunoff-yes, Barton-yes, Hutchison-yes, Penniman-yes, Heitmann-abstain).

Mayor Heitmann disclosed that she abstained from the vote because she owns the adjacent building and would file the required Memorandum of Voting Conflict Form (Form 8B) with the City Clerk's Office.

[Agenda Memorandum](#)

[Resolution](#)

[ROW Agreement](#)

[Site Plans](#)

[Landscaping Plan](#)

[Options Project Summary](#)

[Aerial view of The Options Shoppe](#)

[Form 8B Memorandum of Voting Conflict \(Heitmann/Added Attachment\)](#)

13.C) *RESOLUTION 2026-15801* - A Resolution Determining Petition PRMR2506496 to Approve Filling of a Lake on Private Property Located at 205 South Lake Drive, Owned by Matthew J. Allain, as Trustee of the 205 S. Lake Drive Land Trust Dated March 4, 2019; 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: Penniman and Barton / no contact; Christman / was familiar with the site but had not

had contact; Kramer / had discussions with staff; and Petrunoff, Hutchison and Heitmann / were familiar with the site, but had not had contact.

Jeff Rogers, Senior Biologist at Turrell, Hall and Associates, explained that the request involves construction of a single-family recreational dock extending from the shoreline of Alligator Lake at 205 South Lake Drive. He described the existing conditions as a single-family residence with a sod shoreline and invasive vegetation, primarily cattails, along the lake edge. He stated that the proposal includes a five-foot-wide access walkway extending approximately 17 feet from the mean high-water line to a 20-foot by 20-foot dock platform supported by nine pilings. He noted that similar docks exist on the lake and that the proposed structure complies with City Code requirements. He explained that invasive vegetation would be removed and replaced with native littoral plantings approved by staff, which would improve shoreline conditions and water quality. He assured that there would be no adverse impacts to stormwater capacity, erosion, or neighboring properties, and that no lake fill is proposed.

Natalie Hardman, Natural Resources Manager, introduced Jennifer Ponchak, Lakes Water Quality Project Manager, who presented the staff report. Project Manager Ponchak confirmed that the proposal includes removal of exotic nuisance vegetation and replacement with native littoral plantings. She stated the dock location allows owner access with minimal impact to lake ecology and that staff had no objection to approval of the petition. She noted that building permits would be required prior to construction.

Council Member Penniman asked questions regarding the pilings and materials proposed. Tim Hall, Senior Ecologist at Turrell, Hall and Associates, explained that treated wood pilings wrapped with PVC sleeves would be used to prevent chemical leaching, a standard practice in freshwater and marine environments. He added that the minimal displacement caused by the pilings would be offset by shoreline recontouring for littoral plantings, resulting in a net increase in lake storage capacity.

Natural Resources Manager Hardman clarified that, despite the Resolution title, no physical filling of the lake is proposed. She explained that under Section 52-92(e) of the Code of Ordinances, a Lake Fill Petition is required for the construction of structures over a lake, which is why the item is before the City Council.

Public Comment: None.

MOTION by Christman to APPROVE RESOLUTION 2026-15801; seconded by Hutchison and carried 6-1, all members present and voting (Kramer-yes, Barton-yes, Penniman-yes, Hutchison-yes, Petrunoff-yes, Christman-yes, Heitmann-no).

[Agenda Memorandum](#)

[Resolution](#)

[Application and Supporting Documents](#)

[Site Survey](#)

[Presentation](#)

13.D) RESOLUTION 2026-15802 - A Resolution of the Naples City Council, Establishing an Auditor Selection Committee, In Accordance with Section 218.391, Florida Statutes; Providing for Committee Purpose, Membership, and Duties; And Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution. City Manager Gary Young explained that Florida Statutes require the City Council to establish an independent Auditor Selection Committee for the selection of the City's external auditor and is separate from a forthcoming request for proposals related to an internal and forensic audit, which would be pursued independently. He stated that the internal audit initiative is intended to review purchasing practices and internal procedures and would be brought back to the City Council at a later date for consideration.

Finance Director Stefan Massol provided background, explaining that the Auditor Selection Committee was last formed in 2021 following statutory changes to the auditor selection process. He stated that the committee is responsible for developing a solicitation for external audit services, reviewing and ranking proposals, and making a recommendation to the City Council, with compensation considered but not as the predominant factor.

He explained that the committee would consist of three members: one City Council Member serving as Chair and two City of Naples residents with a general understanding of governmental financial reporting and auditing, along with an alternate member to ensure a quorum due to scheduling constraints. He noted that the committee's role is limited to selecting the City's external financial auditor and does not include internal or forensic audit services. He further stated that the goal is to complete the selection process by June, in advance of summer recess and in preparation for the audit covering Fiscal Year 2025–2026.

City Manager Young added that a separate solicitation would be issued for internal audit services to allow that work to begin sooner, with the intent to return to City Council by April for contract award.

Discussion followed regarding the process for appointing committee members. City Manager Young explained that, consistent with prior practice, the City Clerk's Office would solicit applications, and City Council would appoint members in a manner similar to other ad hoc committees.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2026-15802; seconded by Petrunoff and unanimously carried, all members present and voting (Barton-yes, Christman-yes, Hutchison-yes, Petrunoff-yes, Penniman-yes, Kramer-yes, Heitmann-yes).

[Agenda Memorandum](#)

[Resolution](#)

[Auditor Selection Guidance](#)

[Florida Statutes 218.391](#)

13.E) RESOLUTION 2026-15803 - A Resolution Establishing a Procedure by which the City Council Votes on Applicants for Appointment/Reappointment to Various Boards and Committees, Including the Naples Airport Authority; and Providing an Effective Date.

City Attorney Matthew McConnell read the title of the Resolution, a request to establish a formal, uniform procedure for City Council voting on appointments and reappointments to City boards and committees after the rescission of the prior ranked-order ballot process. He explained that, at the direction of the City Council during the prior meeting, the City Manager's Office and the City Clerk worked collaboratively to develop a clear and direct appointment procedure for consideration at the January 21st meeting. He stated that the proposed Resolution reflects the process used during the most recent Naples Airport Authority appointments and is intended to provide consistency going forward.

City Clerk Patricia Rambosk reviewed the appointment procedure, noting that the ranked-order ballot process had been rescinded and outlining that appointments would be made by motion and vote, with ballot voting to be used with multiple applicants or multiple vacancies. She explained that additional ballots would be utilized as needed to resolve tie votes.

City Attorney McConnell suggested removing the second-to-last sentence in Section 1.3., which states "A ballot vote shall be conducted for each vacancy in which each Council Member votes for one applicant.", as that language creates confusion and is unnecessary. He further noted that Section 2. of the Resolution expressly preserves City Council's authority to modify the process when deemed in the City's best interest.

City Clerk Rambosk clarified that alternate positions would be selected separately from regular board and committee appointments, as outlined in Section 1.5. of the Resolution. She explained that alternates would not automatically be appointed based on the result of the vote for regular vacancies and alternate vacancies would be appointed by a separate vote. She added that if applicants remain after regular vacancies are filled, those applicants may be considered for alternate positions, and if only one applicant remains for one vacancy, the appointment would be made by just a motion and vote of the City Council.

Public Comment: None.

MOTION by Hutchison to APPROVE RESOLUTION 2026-15803 subject to amending Section 1.3. to remove the second to the last sentence; seconded by Kramer and unanimously carried, all members present and voting (Hutchison-yes, Penniman-yes, Christman-yes, Barton-yes, Kramer-yes, Petrunoff-yes, Heitmann-yes) (Note: the City Attorney referenced a duplication of language addressing tie votes and removed the duplication).

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

13.F) Announcement of an Executive Session regarding Riccardo, Theresa v. City of Naples, Case No. 24-CA-002400, 20th Judicial Circuit, in and for Collier County, Florida.

City Attorney Matthew McConnell read the public notice of a request to schedule an Executive Session for the purpose of seeking legal advice regarding settlement negotiations or litigation strategy related to litigation expenditures in Ricardo, Theresa v. City of Naples, Case No. 24-CA-002400, in and for Collier County, Florida. The Executive Session is scheduled for February 18, 2026, at approximately 12:30 p.m., in the City's second-floor conference room at City Hall.

[Agenda Memorandum](#)

13.G) Announcement of an Executive Session regarding Oyola, Carmen v. City of Naples, Case No. 24-CA-002335, 20th Judicial Circuit in and for Collier County, Florida.

City Attorney Matthew McConnell read the public notice of a request to schedule an Executive Session closed to the public for the purpose of seeking legal advice regarding settlement negotiations or litigation strategy related to litigation expenditures in Oyola, Carmen v. City of Naples, Case No. 24-CA-002335, in and for Collier County, Florida. The Executive Session is scheduled for February 18, 2026, at approximately 1:30 p.m., or immediately following the previously announced Executive Session scheduled for 12:30 p.m. and will be held in the City's second-floor conference room at City Hall.

[Agenda Memorandum](#)

Recess: 4:41 p.m. to 4:48 p.m. It is noted for the record that the same Council Members were present when the meeting reconvened.

13.H) Discussion Seeking City Council Confirmation and Approval of Baker Park, Specifically the 34-Foot-High Elevated Knoll Overlook with Space for Art Display, as the Preferred Location for the Developer Public Art Requirement Associated with the 1st Avenue South Parking Garage and Gulfshore Playhouse Partnership. In Addition, Provided City Council Approves the Selection Of The Baker Park Elevated Knoll, Given Its Location And City Significance, Request Council Consider a Contribution to the Art Project on the Knoll of an Additional \$150,000-\$200,000 from the Public Art Fund for the Project.

City Manager Gary Young explained that the item relates to the public art component associated with the City's parking garage project and its partnership with the Gulfshore Playhouse. He stated that approximately \$163,000 has been set aside for public art under the agreement and that, due to site limitations at both the garage and the Playhouse, staff evaluated alternative locations consistent with prior City Council direction. City Manager Young announced that Baker Park emerged as the preferred location, with particular focus on the knoll, which was designed to accommodate a significant art installation and includes electrical infrastructure originally contemplated for lighting or artwork. He described the knoll as a prominent highly used destination within the park. City Manager Young emphasized that the item was presented for

discussion and consensus direction only and that no vote was requested. He asked whether the City Council supported proceeding with a Request for Proposals (RFP) focused on the knoll and whether additional funding should be considered to allow for a more substantial installation.

City Manager Young utilized an electronic presentation to share details of the proposed knoll location of the art. He explained that the existing \$163,000 allocation may be insufficient for a signature piece at that location and asked the City Council to consider supplementing the project with an additional \$150,000 to \$200,000 from the Public Art Fund. He noted that approximately \$796,000 remains available in the Fund, excluding deposits held in trust. He added that any additional funding, along with a maintenance plan and required board reviews, would be returned to the City Council for formal approval.

Consensus reached to direct the City Manager to pursue the knoll location at Baker Park for a public art installation and for augmenting the available funding to allow for a higher-quality, signature public art installation.

[Agenda Memorandum](#)

[Presentation](#)

ORDINANCES

14) FIRST READING ORDINANCES

14.A) First Reading of an Ordinance. An Ordinance Amending Section 44-8 – Definitions, Chapter 44 – General Provisions, Adding Section 46-46 – Airport Planning and Site-Specific Development, Chapter 46 – Administration, Procedures and Enforcement, Amending Section 58-681 – District Purpose, Section 58-682 – Uses Permitted, Section 58-683 – Conditional Uses and Section 58-691 – Maximum Declared Distance of Runway, Division 23 C4 Airport Commercial District, Chapter 58 – Zoning, of the Code of Ordinances, City of Naples for the Purpose of Updating the Code of Ordinances; 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. He explained that the City Council previously directed staff to clarify the approval process for airport utilization plans, which resulted in a legal opinion and a temporary Resolution adopted prior to the past summer recess. Following receipt of correspondence citing recently adopted state legislation, City Council rescinded the Resolution in October 2025, with the understanding that staff would continue drafting an Ordinance to clarify existing procedures within the Comprehensive Plan and Code of Ordinances.

City Attorney McConnell offered a summary of the efforts that led up to the draft Ordinance, stating that staff coordinated extensively with the Naples Airport Authority (NAA), the City Planning staff, the City Manager, and legal counsel through multiple meetings during the summer and fall of 2025; that many suggested revisions were incorporated; that the item was presented to the Planning Advisory Board (PAB) and the NAA prior to first reading; and that subsequent correspondence raised concerns regarding potential preemption. He reiterated that the Ordinance is intended to clarify existing policy rather than to create new regulatory authority.

Planning Director Erica Martin summarized the PAB’s recommendations, including clarifying Comprehensive Plan references, defining noise contour terminology, adding the PAB as a reviewing body for airport plans, requiring periodic review of the Airport Master Plan, using general references to City departments, and defining “stopway” and “runway.”

Council Members expressed concern regarding the timing of correspondence received immediately prior to first reading, noting that prior discussions reflected ongoing collaboration. He stated that the Ordinance represents a significant improvement in clarity and process, while acknowledging that additional refinement may be appropriate. Council Member Kramer recommended continued collaboration, including requesting that NAA counsel provide specific proposed ordinance language to better identify areas of agreement and disagreement. Council Member Barton noted that the City Attorney’s opinion letter remains in effect during the interim.

Council Member Christman suggested that City Attorney McConnell continue discussions with the NAA and other stakeholders, with the expectation that the item would return to the City Council in February or March, 2026.

Council Member Petrunoff stated that Council Members should rely on the advice of their own legal counsel and asked whether the Ordinance reflects existing approval processes already contained in the Comprehensive Plan and Code of Ordinances. City Attorney McConnell responded that the Ordinance is intended to clarify, not change, existing processes, and that additional time would be beneficial to review recently received correspondence and consult with aviation counsel.

Public Comment: Branimir Brankov, President of Responsible Government Naples, stated that the proposed Ordinance raises concerns regarding process, cost, and legal authority, including potential conflicts with state and federal law and impacts on airport operations and public resources. He pointed out that the organization prepared written comments and expert feedback and requested that the documents be entered into the public record. **Jennifer Hollander**, legal counsel for Responsible Government Naples, stated that the organization submitted a letter outlining legal and practical concerns with the proposed Ordinance, including potential federal preemption, conflicts with state law, administrative burdens, and duplicative review processes. She noted concerns that the Ordinance could delay safety-critical airport projects and create unfunded and unenforceable review requirements. She acknowledged staff's efforts and respectfully requested that the City Council postpone first reading that day to allow additional time for review with legal experts. **Jose Cabrera**, Director of Operations for Naples Jet Center and Vice President of the Florida Aviation Business Association, expressed concern that the proposed Ordinance would create unclear, duplicative, and impractical approval processes that could disrupt safe and consistent airport operations. He stated that additional review layers and undefined procedures would make compliance and planning difficult for airport operators and could conflict with state and federal aviation authority. Director Cabrera emphasized the need for specialized aviation expertise and collaborative refinement of the Ordinance and encouraged postponement to allow consensus to be reached in a timely manner. **Sean Nash**, summarized a letter submitted by multiple national aviation organizations expressing concern that the proposed Ordinance is preempted by federal law and conflicts with Federal Aviation Administration (FAA) grant obligations. He stated that the proposed requirements would improperly insert City authority into areas reserved exclusively to the FAA and the NAA, could delay or invalidate airport planning and development, and risk violating federal grant assurances. He urged the City Council not to proceed with the Ordinance as written and expressed willingness to work collaboratively on revisions.

Mayor Heitmann stated that she has concerns with the proposed Ordinance, particularly regarding the process and the timing of the legal opinion. She cited concerns related to runway length definitions, consistency with FAA requirements, and the addition of new allowable uses. She said there appeared to be a general agreement among Council Members to continue working on the Ordinance and noted that concerns remain on multiple sides of the issue.

City Attorney McConnell stated that concerns raised in recent correspondence about restrictive runway expansion language were ironic, explaining that the language in question was originally proposed by counsel for the NAA. He emphasized the need for greater clarity and consistent information among all parties and suggested the possibility of joint public meetings to ensure transparency. He explained that certain Code revisions, including runway length definitions and allowable uses, were intended to align the Code with existing airport conditions and operations. Assistant City Attorney Andrew Dickman stated that stakeholders are advocating for their individual interests, while the City and City Council are responsible for acting in the public interest. Council Member Petrunoff emphasized that the City relies heavily on the airport and must depend on competent expert advice, noting confidence in the expertise being provided.

City Manager Gary Young stated that staff supports continued collaboration and a joint meeting if requested but recommended that such a meeting be separately noticed to avoid displacing other City priorities. Council Members expressed agreement that further work should focus on identifying areas of common ground prior to returning to Council.

Consensus reached to direct staff to continue working on the Ordinance without setting a date certain and acknowledging that any substantive revisions would require Planning Advisory Board review and a new first reading.

No formal action was taken on the item that day.

[Agenda Memorandum](#)

[First Reading - Ordinance](#)

[A Letter provided by Jennifer Hollander dated January 20, 2026 \(Staff/Added Attachment\)](#)

[Statement read into Record \(B. Brankov/Added Attachment\)](#)

15) SECOND READING ORDINANCES

None.

16) PUBLIC COMMENTS

None.

17) COMMUNICATIONS FROM MAYOR, CITY COUNCIL, AND STAFF

Council Member Barton requested confirmation that the Pettitt Square matter discussed earlier in the meeting under Item 5 was being addressed. City Manager Gary Young confirmed that the Planning Department, Building Department, and City Manager's Office were actively working on the issue.

Council Member Christman noted that this was the final City Council meeting prior to the February 3rd election and offered remarks recognizing the service of outgoing Vice Mayor Hutchison and Council Member Petrunoff. He stated that both members consistently came prepared, worked diligently, and acted in what they believed to be the City's best interests, emphasizing mutual respect, accountability, and high standards.

Council Member Barton echoed appreciation for the outgoing Council Members, emphasizing the importance of preparation, efficiency, and meaningful debate within time constraints. He stated that City Council performance had improved over time and reaffirmed a commitment to continuous improvement while maintaining Naples' values.

Council Member Kramer stated that the Pettitt Square matter remains a priority and expressed confidence that it would be addressed appropriately. He responded to suggestions that additional debate was needed, noting that Council deliberations are thorough but must remain efficient and respectful of the time of petitioners and the public. He emphasized the importance of preparation, accountability, and high standards, stating that Council Members are expected to come prepared and contribute meaningfully. He noted that continuous improvement remains a goal while maintaining the City of Naples' strong civic culture, and he thanked the outgoing Council Members for their dedication and service.

Council Member Petrunoff expressed gratitude for the opportunity to serve and described the role as demanding and wide ranging. She stated that she consistently advocated for residents and valued the diverse perspectives of Council Members. She raised continued concerns regarding the proposed Pettitt Square project, noting that the proposed use appeared more intensive than initially represented and warranted further review.

Vice Mayor Hutchison reflected on his service on City Council, acknowledging the difficulty of the role and the importance of dedication, preparation, and collaboration. He expressed appreciation for fellow Council Members, staff, and community support.

Mayor Heitmann noted that she had received inquiries regarding the City's transition between document retention systems and requested that City Clerk Patricia Rambosk be scheduled to provide an overview for the new City Council. In response, City Manager Young explained that the City transitioned from Laserfiche to Questys due to the cost of maintaining two systems, noting that Questys had advanced in functionality and was already in use by the Building Department, and that documents were fully migrated prior to terminating the Laserfiche contract.

Mayor Heitmann stated that recent discussion regarding generator setbacks and lot line requirements was intended to support sound planning, future expansion, and resiliency, rather than to restrict property rights. She noted the importance of green space for stormwater management and encouraged a broader planning perspective. She also addressed confusion related to lake fill and dock permitting, citing the lack of clear policy and the need for continued workshops to clarify ordinances and definitions. She acknowledged that current code language can be misleading. In addition, she emphasized the importance of careful review and attention to detail when discussing an item before the City Council, cautioning against rushed decisions.

City Manager Young stated that his intent regarding airport-related matters was to manage a heavy City workload within limited meeting time and suggested that additional meetings may be appropriate for complex issues. He thanked the City Council for its work over the past year, expressed appreciation for the professionalism, preparedness, and thoughtful questions raised by Council Members, and noted that such engagement strengthens staff performance and decision-making.

City Attorney Matthew McConnell thanked the City Council for the opportunity to serve and noted the professionalism, candor, and respect shown during deliberations.

Mayor Heitmann thanked the outgoing Council Members for their service and dedication, acknowledged the demanding nature of City Council service, and encouraged public participation in the upcoming election.

18) ADJOURNMENT

6:49 p.m.

Teresa Lee Heitmann, Mayor

Patricia L. Rambosk, City Clerk

Meeting clerked by:

Jessica Hernandez, Deputy City Clerk

Minutes prepared by:
David Horton, Executive Assistant

Minutes Approved: 3/4/2026.