

MINUTES OF THE REGULAR MEETING OF NAPLES CITY COUNCIL HELD IN JOINT PUBLIC HEARING WITH THE NAPLES PLANNING ADVISORY BOARD HELD IN THE PARKS & RECREATION BUILDING, NAPLES, FLORIDA, WEDNESDAY, DECEMBER 6, 1978, AT 9:05 A.M.

Present: R. B. Anderson  
Mayor  
C. C. Holland  
James F. McGrath  
Wade H. Schroeder  
Randolph I. Thornton  
Edward A. Twerdahl  
Kenneth A. Wood  
Councilmen

Planning Advisory Board: Clayton Bigg, Chairman  
Lawson Adams  
Roger Billings  
Donald Boyes  
Eugene Pratt

Also Present: George M. Patterson, City Manager  
David W. Rynders, City Attorney  
Bradley Estes, Assistant to the City Manager  
Randy Davis, Director of Parks & Recreation  
Anders Sandquist, Building & Zoning Official  
Norris Ijams, Fire Chief  
John McCord, City Engineer  
Roger Barry, Planning Director  
William Savidge, Director of Public Works  
Mark Wiltsie, Purchasing

Reverend Walter Lauster  
Brad McKinzie  
Charles Andrews  
Hal Yegge  
Robert Russell  
Sam Aronoff  
Ray Wilson  
Ben Anderson  
Jack Miller  
Scott Foster  
Gilbert Weil  
Robert E. Lee Hall  
Robert Tiffany  
Mr. & Mrs. Umlauf  
David McCaven  
Joseph Dinunzio  
Oscar Yanson  
William Gracely  
Steven Dutton

Optmist Club  
 Youth in Government  
 Program:

Don Berry, Sponsor,  
 Greg Johnson  
 Bob Cleary  
 Jeff Anderson  
 Amy Abbott  
 Wendy Haines  
 Jeff Collins  
 Billy Eytel  
 David Workinger  
 Amy Turner  
 Kent Kobelin  
 Marc Hedrich  
 Larry Cunningham  
 Beth Morrison  
 Michelle Munz  
 Jim Kalvin

News Media: John Robinson, TV-9  
 Lori Thalheimer, TV-9  
 Allen Bartlett, Fort Myers News Press  
 Jeff Birnbaum, Miami Herald  
 Kent Weissinger, WRGI  
 Frank Rinella, Naples Daily News  
 Tom Lowe, WBBH-TV

Other interested citizens and visitors.

Mayor Anderson called the meeting to order and noted the presence of Reverend Walter Lauster of the Church of God who presented his youthful counterpart, Brad McKinzie, to give the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. Introduction of Naples High School students elected by their classmates to City Council seats and to serve as various City department heads in the Optimist Club's Youth In Government Program.

Mayor Anderson introduced the Naples High School students who were elected as listed in correspondence from the Optimist Club (Attachment #1); whereupon he read a Proclamation authorizing their participation in the Council meeting (Attachment #2). Mr. Don Berry of the Optimist Club addressed Council with appreciation for the Council's cooperation; whereupon the students joined their City counterparts to participate in the balance of the meeting.

AGENDA ITEM 4. Approval of Minutes.

Mayor Anderson called the Council's attention to the minutes of the Regular Meeting of November 15, 1978. Mr. Twerdahl moved to accept the minutes as presented, seconded by Mr. Wood and carried on voice vote, 7-0.

Chairman Bigg organized the Planning Advisory Board and noted that they were all present.

AGENDA ITEM 5. JOINT PUBLIC HEARING: City Council and Naples Planning Advisory Board. Nonconformity Petition No. 78-N3, expansion of a nonconforming building (present building encroaches six feet into a required ten foot side yard area). Petitioners: William and Francine Umlauf, 615 Ninth Street North.

Mayor Anderson opened the Public Hearing at 9:15 a.m.; whereupon Mr. William Umlauf, representing Sutton House, approached Council in support of his petition. Mr. Bigg pointed out the conditions suggested by the Planning Advisory Board and after further discussion of the conditions, Mr. Adams moved that Nonconformity Petition No. 78-N3 be recommended for approval to Council providing that the parking and landscaping conditions be done in accordance with the site plan at the same time the addition is constructed, seconded by Mr. Boyes and carried unanimously. After further discussion by Council, Mr. Wood moved to accept the Planning Advisory Board's recommendation to approve Nonconformity Petition No. 78-N3 with the conditions as noted, seconded by Mr. Schroeder. There being no one else to speak for or against, the Mayor closed the Public Hearing at 9:26 a.m. Motion carried on roll call vote, 7-0.

Mayor Anderson excused the Planning Advisory Board at 9:28 a.m.

AGENDA ITEM 6. PUBLIC HEARING: To consider a petition for a variance from the Coastal Construction Setback Line established by Ordinance 2247. Petitioner: Homestead Development Company. Description of property: All of Lot 2, Block 17, The Moorings, Unit 5, according to plat recorded in Plat Book 6, Pages 4 and 5, Public Records of Collier County, Florida.

Mayor Anderson opened the Public Hearing at 9:29 a.m.; whereupon City Attorney Rynders read the below titled resolution by title for Council's consideration.

A RESOLUTION GRANTING A VARIANCE FROM THE COASTAL CONSTRUCTION SETBACK LINE ESTABLISHED BY SECTION 7-41 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FOR THE PURPOSE OF PERMITTING CONSTRUCTION OF A MULTI-FAMILY FAMILY BUILDING ON LOT 2, BLOCK 17, THE MOORINGS, UNIT NO. 5, ACCORDING TO PLAT RECORDED AT PLAT BOOK 6, PAGES 4 AND 5, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, SUBJECT TO THE CONDITIONS ENUMERATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Ray Miller of Wilson, Miller, Barton, Soll & Peek addressed Council in support of this petition. A lengthy discussion followed regarding the administrative procedure that resulted in this being heard by Council without other staff input. City Attorney Rynders noted that this procedure was outlined in the existing ordinance and was in accord with the state requirements. Mr. Charles Andrews made a statement regarding the use of rip rap. There being no one else to speak for or against, the Mayor closed the Public Hearing at 10:11 a.m. Mr. Wood moved to approve Resolution 3136, seconded by Mr. Holland and carried on roll call vote, 4-3, with Mr. Schroeder, Mr. Thornton and Mr. Twerdahl voting no.

AGENDA ITEM 7. PUBLIC HEARING: Second reading of ordinances.

AGENDA ITEM 7-a. An ordinance rezoning part of Block "B" of The Moorings, Unit No. 7, located on the eastern side of Binnacle Drive, Naples, Florida, from "HC" Highway Commercial, to "R3-12" Multi-family Residential, said property being more particularly described on Exhibit "A", attached hereto and incorporated herein; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone the within described property to allow construction of a multi-family residential complex.

Mayor Anderson opened the Public Hearing at 10:12 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for Council's consideration on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 10:13 a.m. Mr. Thornton moved adoption of Ordinance No. 3137, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 7-b. An ordinance granting a Special Exception to construct a 30 inch high post and rail cypress fence in the required front yard at 1052 Spyglass Lane, Naples, Florida, more particularly described herein; and providing an effective date. Purpose: To allow construction of a fence in the required front yard which may be permitted by Special Exception only.

Mayor Anderson opened the Public Hearing at 10:14 a.m.; whereupon City Attorney Rynders read the above captioned ordinance by title for Council's consideration on Second Reading. There being on one to speak for or against, the Mayor closed the Public Hearing at 10:15 a.m. and Mr. Thornton moved adoption of Ordinance 3138, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 7-c. An ordinance amending Subsection (j) of Section 8-35, entitled "Definitions", of the Code of Ordinances of the City of Naples, Florida, by amending the definition of the term "Specialty Contractor"; further amending the Code of Ordinances by adding a new Section 8-45.2 thereto, providing for the nullification of any Certificate of Competency issued by the City pursuant to Section 8-45.1 in the event the Certificate of Competency issued by the County is revoked; providing for the repeal of Section 8-40, thereby abolishing the exemption from examination for specialty contractors; and providing an effective date. Purpose: To require examination for specialty contractors; to make the City's definition of "Specialty Contractor" conform to the County's definition thereof for purposes of reciprocity in the issuance of contractors' Certificates of Competency and to provide for nullification of such Certificates of Competency if the same are revoked by the County.

Mayor Anderson opened the Public Hearing at 10:16 a.m.; whereupon City Attorney Rynders read the above titled ordinance by title for consideration by Council on Second Reading. There being no one to speak for or against, the Mayor closed the Public Hearing at 10:17 a.m.; whereupon Mr. McGrath moved adoption of Ordinance 3139, seconded by Mr. Thornton and carried on roll call vote, 7-0.

AGENDA ITEM 7-d. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by adding a new Section 7-27.1 thereto, prohibiting the parking, mooring, tying up or beaching of any commercial watercraft in any residential district within the City of Naples, defining the term "Commercial Watercraft"; and providing an effective date. Purpose: To prohibit the parking of commercial watercraft in residential districts.

Mayor Anderson opened the Public Hearing at 10:18 a.m.; whereupon City Attorney Rynders read the above referenced ordinance for Council's consideration on Second Reading. City Manager Patterson noted that he received further input on this matter and would recommend removing this item from the agenda. Mr. Thornton moved to remove this item from the Agenda, seconded by Mr. McGrath. There being no one to speak for or against, the Mayor closed the Public Hearing at 10:19 a.m.; whereupon motion carried on roll call vote 7-0.

AGENDA ITEM 8. First Reading of ordinances.

AGENDA ITEM 8-a. An ordinance repealing Ordinance No. 2876, which amended Section 4 (o) of Chapter 69-1326, Special Acts of Florida, relating to airport zoning regulations and powers, and which adopted said Chapter 69-1326 as an ordinance of the City of Naples; and providing an effective date. Purpose: To repeal the ordinance which adopted the Airport Authority Act as an ordinance of the City. Requested by City Attorney.

City Attorney Rynders read the above titled ordinance by title for consideration by Council on First Reading. Mayor Anderson ascertained from Mr. Rynders that this action was in accord with the agreement reached between the City and the Airport Authority. Mr. Jack Miller confirmed this information. Mr. Thornton moved approval of this ordinance on First Reading, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 8-b. An ordinance amending the Code of Ordinances of the City of Naples, Florida, by repealing therefrom Paragraph (b) of Section 3-3, which authorized the sale of alcoholic beverages on Sunday, December 31, 1967, and substituting the within ordinance therefor, authorizing the sale of alcoholic beverages on Sunday, December 31, 1978, during designated hours; providing for the automatic repeal of this ordinance; and providing an effective date. Purpose: To permit the sale of alcoholic beverages on New Year's Eve which falls on Sunday, December 31, 1978.

City Attorney Rynders' counterpart, Michelle Munz, read the above titled ordinance by title for consideration of Council on First Reading. Mr. Twerdahl moved approval of this ordinance on First Reading, seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 8-c. An ordinance amending Section 16-20 of the Code of Ordinances of the City of Naples, relating to the City Fishing Pier, by amending Item (f) of Subsection (1) to prohibit the use of the railing or benches on the Pier for cleaning or cutting bait or fish; and providing an effective date. Purpose: To prohibit the use of the railing or benches on the Pier for cleaning or cutting fish in addition to prohibiting the use thereof for cutting bait. Requested by Assistant State Attorney.

City Attorney Rynders read the above titled ordinance by title for Council's consideration on First Reading. He noted that the State Attorney's office had suggested this amendment to the City's ordinance. Mr. Twerdahl moved to approve this ordinance on First Reading, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 8-d. An ordinance amending Paragraph (c) of Section 16-4 of the Code of Ordinances of the City of Naples, Florida, relating to the establishment and composition of the Parks and Recreation Board, by deleting the requirement for board members to be residents of the City of Naples and providing that said members shall be residents of Collier County; and providing an effective date. Purpose: To delete the City residency requirement for appointments to the Parks and Recreation Board in order to allow consideration of qualified persons throughout Collier County for such appointments. Requested by Councilman Schroeder.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Mr. Schroeder moved to approve this ordinance on First Reading. There being no second to the motion, the motion died.

Mr. Schroeder moved to remove the next two items (Agenda Items 8-e and 8-f) from the Agenda, seconded by Mr. Thornton and carried on roll call vote, 6-1, with Mr. Holland voting no.

AGENDA ITEM 8-e. An ordinance amending Section 1A-148 of the Code of Ordinances of the City of Naples, relating to the establishment and composition of the Board of Appeals, by deleting the requirement for board members to be residents of the City of Naples and providing that said members shall be residents of Collier County; and providing an effective date. Purpose: To delete the City residency requirement for appointments to the Board of Appeals in order to allow consideration of qualified persons throughout Collier County for such appointments. Requested by Councilman Schroeder.

REMOVED FROM THE AGENDA. SEE ITEM 8-d.

AGENDA ITEM 8-f. An ordinance amending Section 1A-60 of the Code of Ordinances of the City of Naples, Florida, relating to the creation, composition and qualification for the Planning Advisory Board, by deleting the requirement for board members to be residents of the City of Naples and providing that said members shall be residents of Collier County; and providing an effective date. Purpose: To delete the City residency requirement for appointments to the Planning Advisory Board, thereby allowing consideration of qualified persons throughout Collier County for such appointments. Requested by Councilman Schroeder.

REMOVED FROM THE AGENDA. SEE ITEM 8-d.

AGENDA ITEM 9. Action on the following ordinance, deferred from Regular Meeting of November 1, 1978: An ordinance amending Chapter 8, of the Code of Ordinances of the City of Naples, Florida, by amending Section 8-3 thereof, relating to amendments to the Standard Building Code, by adding a new paragraph (c) to Section 105.2 of the Standard Building Code, 1976 edition, requiring a time schedule prior to the issuance of a building permit for construction which will exceed eighteen months; further, by amending Section 8.5 thereof, providing a time limitation on building permits; and providing an effective date. Purpose: To require a time schedule prior to the issuance of a building permit for construction which will exceed eighteen months and to provide a time limitation on building permits.

City Attorney Rynders read the above referenced ordinance by title for Council's consideration on First Reading. He further stated that the sale of the Towers has been completed and recorded. Mr. Twerdahl moved for approval of this ordinance on First Reading, seconded by Mr. McGrath and carried on roll call vote, 7-0.

AGENDA ITEM 10. A resolution confirming appointment by the City Manager, pursuant to recommendation by the Blue Ribbon Panel, of a member to the City of Naples Public Employees Relations Commission, in accordance with Section 1A-167 of the Code of Ordinances of the City of Naples; and providing an effective date. Requested by City Manager.

City Attorney Rynders read the above titled resolution in its entirety which included the name of Gilbert Weil for Council's consideration. Mr. Thornton moved adoption of Resolution 3140, seconded by Mr. Wood and carried on roll call vote, 7-0. Mayor Anderson noted Mr. Weil's presence and congratulated him on the appointment.

AGENDA ITEM 11. A resolution appointing a member to the Parks and Recreation Board to fill the vacancy created by resignation of Ruth Brashear; and providing an effective date. Requested by Mayor Anderson.

City Attorney Rynders read the above titled resolution by title for Council's consideration. Mr. McGrath moved to appoint Robert Munz to this Board, seconded by Mr. Twerdahl and carried by voice vote. City Attorney Rynders' counter-part, Michelle Munz, read the above titled resolution in its entirety inserting the name of Robert Munz. Mr. Twerdahl moved to adopt Resolution 3141, seconded by Mr. Schroeder and carried on roll call vote, 6-1 with Mr. Wood voting no.

AGENDA ITEM 12. A resolution authorizing the Mayor and City Clerk to execute an agreement, as amended, providing for reciprocal emergency fire protection and medical aid between the City of Naples and other fire departments and/or districts in Collier County, a copy of which agreement is attached hereto and incorporated herein; and providing an effective date. Requested by Fire Chief.

City Attorney Rynders read the above captioned resolution by title for consideration by Council. Mr. Thornton moved adoption of Resolution 3142, seconded by Mr. Twerdahl and carried on roll call vote, 7-0.

AGENDA ITEM 13. A resolution authorizing the Mayor and City Clerk to execute an agreement between the City of Naples and the Seaboard Coast Line Railroad Company for the installation and maintenance of a water main across the right-of-way and under the main track of said railroad company; and providing an effective date. Requested by consulting engineer.

City Attorney Rynders read the above referenced resolution by title for Council's consideration. In answer to Council members inquiries, City Engineer John McCord explained that this was not the 36 inch water transmission main, but a water fire-line. Mr. Twerdahl moved adoption of Resolution 3143, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 14. A resolution authorizing the Mayor and City Clerk to execute an agreement with the State of Florida Department of Transportation for the relocation of certain utilities within the right-of-way limits herein described; and providing an effective date. Requested by City Engineer.

City Attorney Rynders read the above captioned resolution by title for Council's consideration. City Engineer John McCord and his counter-part Amy Turner, replied to questions from Council members, responding that this was in the County's right-of-way and there would be no charge. Mr. McGrath moved adoption of Resolution 3144, seconded by Mr. Thornton and carried on roll call vote, 7-0.

AGENDA ITEM 15. A resolution authorizing a change in plans for construction of the Naples Landing small boat launching ramps to permit the use of precast concrete slabs in lieu of cast-in-place slabs; authorizing the City Manager to execute a change order therefor; and providing an effective date. Requested by City Engineer.

City Attorney Rynders read the above captioned resolution by title for consideration by Council. Mr. Twerdahl moved to adopt Resolution 3145, seconded by Mr. Thornton. In answer to a question from the Mayor and his counter-part, Greg Johnson, City Engineer John McCord responded that the only benefit to the City would be in better quality and that the cost of the fixed price contract would not increase nor decrease. Mr. Sam Aronoff ascertained from Mr. McCord that it was not necessary for the City to get approval of the change from the Department of Natural Resources. Motion carried on roll call vote, 5-2, with Mr. Holland and Mr. Wood voting no. Mayor Anderson outlined the procedure that should be followed in future similar situations.

AGENDA ITEM 16. Consideration of proposed youth center. Requested by City Manager.

Mayor Anderson; his counter-part, Greg Johnson; Mr. McGrath's counterpart; Mr. Anders Sandquist and his counter-part, Jim Kalvin and other members of Council discussed the proposed youth center. Mr. Kalvin's suggestion was that time be allotted to high school level students at different times from the middle school age level. It was the consensus of Council to direct City Manager Patterson to obtain some proposals of the design and build concept type.

AGENDA ITEM 17. A resolution authorizing the purchase of the west 1/4 of Lot 5, all of Lots 6,7 and the east 1 2/3 feet of Lot 8, Block 12, Tier 9, Town of Naples, as recorded in Plat Book 1, Page 8, Public Records of Collier County, Florida to be used for additional parking for the City Hall Complex; and providing an effective date. Requested by City Manager.

City Attorney Rynders read the above titled resolution by title for consideration by Council. Mr. Thornton moved adoption of Resolution 3146, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 18. Discussion of response to revenue sharing complaint. Requested by City Manager.

City Manager Patterson reviewed his proposed response to Mr. Phillips of the Civil Rights Division. Consensus of Council was to approve the proposed draft of his letter as written. (Attachment #3)

AGENDA ITEM 19. Consideration of offer to deed to the City of Naples a parcel of land adjacent to Anthony Park. Requested by City Manager.

Mayor Anderson noted the receipt of a no-strings offer of land contiguous to Anthony Park (Attachment #4). Mr. Thornton moved to accept the offer with thanks seconded by Mr. Wood and carried on roll call vote, 7-0.

AGENDA ITEM 20. Purchasing

AGENDA ITEM 20-a. Traffic counters

City Attorney Rynders read the below titled resolution by title for consideration by Council.

A RESOLUTION AWARDDING BID FOR THE FURNISHING OF FOUR TRAFFIC COUNTERS FOR THE TRAFFIC DIVISION OF THE PUBLIC WORKS DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

He noted the name of the company as Streeter Amet Div., Mangoud Corp., Grayslake, Illinois in the amount of \$3,160.00. Mr. Thornton moved adoption of Resolution 3147, seconded by Mr. Schroeder and carried on roll call vote, 6-1 with Mr. Wood voting no.

AGENDA ITEM 20-b. Wrecker Service

City Attorney Rynders read the below titled resolution by title for consideration by Council.

A RESOLUTION AWARDDING BIDS FOR THE CITY'S ANNUAL REQUIREMENTS FOR WRECKER SERVICE AND AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS THEREFOR.

Mr. Holland spoke in opposition to this award. Mr. Thornton moved adoption of Resolution 3148, seconded by Mr. Schroeder and carried on roll call vote, 6-1, with Mr. Holland voting no.



AGENDA ITEM 20-c. Trash collection trailers

City Attorney Rynders read the below referenced resolution by title for Council's consideration.

A RESOLUTION AWARDDING BID FOR TWO (2) TRASH COLLECTION TRAILERS TO BE USED BY THE PUBLIC WORKS DEPARTMENT; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.

Mr. Thornton moved adoption of Resolution 3149, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

CORRESPONDENCE AND COMMUNICATIONS

City Manager Patterson noted that the employees had received a half-day leave before Christmas last year on an administrative basis and recommended the same action again this year. Any employee not being able to use this half-day on Friday, December 22, would have the option of using it as soon as possible. It was the consensus of Council to approve this recommendation.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 12:01 p.m.

*R. B. Anderson*

R.B. Anderson, Mayor

*Janet Davis Cason*

Janet Davis Cason  
City Clerk

*Ellen P. Marshall*  
Ellen P. Marshall  
Deputy City Clerk

These minutes of the Naples City Council approved on 12-20-78



# OPTIMIST CLUB OF NAPLES

"Friend of the Boy"

P. O. Box 1102  
Naples, Florida 33940  
ATTACHMENT #1

November 22, 1978



Mr. George Patterson, City Manager  
City of Naples  
City Hall  
Naples, Florida 33940

Dear Mr. Patterson:

The Naples High School student elections were concluded on November 21, 1978 and the fifteen "Student Officials" are as follows:

- Mayor - Greg Johnson
- Vice-Mayor - Bob Cleary
- City Council - Jeff Anderson
- Amy Abbott
- Wendy Haines
- Jeff Collins
- Billy Eytel
- Chief of Police - David Workinger
- City Engineer - Amy Turner
- Fire Chief - Kent Kobelin
- City Manager - Marc Hedrich
- Recreation Director - Larry Cunningham
- City Clerk - Beth Morrison
- City Attorney - Michelle Munz
- Building & Zoning Director - Jim Kalvin

These students look forward to sitting in with their counterparts and participating in the business on Wednesday, December 6, 1978. Please give some consideration to an agenda and forward a copy to my office along with a copy of the proclamation when it is available. My business address is 1300 Third Street, So.

Sincerely,

*Don Berry*  
Don Berry, Chairman  
Optimist Club of Naples  
Youth in Government Program

DLB:dw



*City of Naples*

735 EIGHTH STREET, SOUTH NAPLES, FLORIDA 33940

OFFICE OF THE MAYOR

## PROCLAMATION

WHEREAS, the youth of today are the leaders of tomorrow, deserving every opportunity to reach maturity as constructive, responsible citizens; and

WHEREAS, many of their accomplishments toward this goal should have recognition and encouragement of their elders; and

WHEREAS, Optimist International has developed a program of annual recognition, known as Youth Appreciation Week; and

WHEREAS, we should all, by word, deed and example, convey to our alert and eager youth the gratitude that we feel for their responsible acts as they prepare to assume our roles in the future;

NOW, THEREFORE, I, R. B. ANDERSON, by virtue of the authority vested in me as Mayor of the City of Naples, do hereby proclaim December 3 - 9, 1978, to be

YOUTH APPRECIATION WEEK

in the City of Naples and call upon the citizens of Naples to join forces with the Optimists to let our young people know how much we appreciate and value their contributions to the betterment of this community.

IN WITNESS WHEREOF, I have set my hand this 28th day of November, 1978.

*R. B. Anderson*  
R. B. ANDERSON  
MAYOR

AGENDA ITEM #18  
12/7/78



*City of Naples*

735 EIGHTH STREET, SOUTH - NAPLES, FLORIDA 33940

OFFICE OF THE CITY MANAGER

December 7, 1978

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Treadwell O. Phillips, Manager  
Civil Rights Division  
Office of Revenue Sharing  
2401 E Street, N.W.  
Columbia Plaza Highrise  
Washington, D. C. 20226

Dear Mr. Phillips:

We are writing in response to your letter received on November 13, in answer to our letter to you of August 28, 1978. The information in this letter is in addition to a number of points and information we provided you in the August 28, letter.

As it pertains to employment practices of the City, you indicated that our actions regarding pre-employment inquiries and the inquiries on the oral interview form appeared to constitute compliance with appropriate remedies.

Following receipt of your letter on November 13, I discussed with Ms. Elizabeth Thornon, Southeastern Branch Chief, your findings which stated that we should work toward a goal of 17.4% minorities and 37% women in all departments in all positions. I suggested to Ms. Thornon that Naples has considerably more heavy physical type jobs than the majority of other cities of our size. This is due to the fact that in addition to common city functions, we also have our own water operation, sewer operation and garbage and trash operation. For this reason, we would have a higher percentage than other cities of this size of positions requiring certain physical strength and endurance. I believe it is completely reasonable to assume a lower rate of interest by women in the heavier physical jobs such as water, sewer, garbage, fire, etc. In addition to the reasonable expectation of low interest, it is also reasonable to assume that a great many women would not possess the necessary physical requirements for such positions. Consequently, we believe a 37% goal for all departments and all positions to be unrealistic.

ATTACHMENT #3 - page 2

Mr. Treadwell O. Phillips  
December 7, 1978  
Page 2

We are willing to work toward improvement of our position as it relates to the employment of minorities and women.

Remedy: Following receipt of your approval, the City will complete an affirmative action program including the goals for the employment of minorities and women. We will continue to work toward goals of 17.4% minorities in all departments and all positions. We will also work toward the goal of 37% women in all departments and positions except those with a heavy physical requirement in which we believe there will be a low level of interest by women and also in which we believe there will be a reasonably low number of women who can physically meet the requirement. In those positions with the heavier physical requirement, we would agree to hire women, of those who pass a reasonable examination requirement for the specific position, in a percentage no less than those expressing an interest and applying for said positions.

We would continue to advertise as an equal opportunity employer with no discrimination on the basis of race, creed, color, sex or national origin. We would also continue wide coverage of our recruiting efforts, as contained on the bottom of Page 4 and the top of Page 5 of our response in our letter of August 28, 1978.

Pertaining to recreational facilities, you indicated in your latest letter that the installation of drinking fountains and landscaping at Anthony Park appeared to satisfy that remedy and the action to fence the tot lot in River Park appeared adequate to constitute compliance.

You stated on Page 2 of your latest letter that your office is interested in the provision of substantially equal recreational facilities and programs which are available and accessible to all the residents. We contend, regardless of the observations of your investigators, that this is the case. In regard to Anthony Park, it is the only neighborhood park in the City. It is also the newest park in the City. It provides a baseball field with backstop and bleachers, a basketball court, a racquetball court and a tot lot. The tot lot is certainly equal to any in the City and was furnished with excellent quality (Game Time) equipment. In addition to that, a second racquetball court was budgeted and will be completed in Spring, 1979.

Mr. Treadwell O. Phillips  
December 7, 1978  
Page 4

Should you have any other questions regarding the recreational facilities, we will be happy to respond.

Very truly yours,

*George M. Patterson*  
George M. Patterson  
City Manager

GMP/tan  
encs.

Mr. Treadwell O. Phillips  
December 7, 1978  
Page 3

The River Park Recreation Center has new ping pong tables, pool tables that are recovered periodically the same as those in Cambier Park Community Center, and a television set used in the TV room, which is not available at the Cambier Center.

In regard to the use of the two City-wide parks (Fleischmann and Cambier), you asked that we provide you with evidence, contrary to the observations of your investigators, that they are used extensively by black residents. We would first state that with our black population approximately 68 to 78% of the City's total population, these two parks would likely not receive, on a percentage basis, as much use by the black members of the community. Secondly, as a result of the City building Anthony Park, the City's only neighborhood park, it is also likely that the use of the City-wide parks, which are farther away, would not receive quite as extensive use by the members of the black community as they would have previous to the construction of the facilities in their neighborhood.

We are enclosing for your review our parks and recreation bulletin with the activities of all of the parks throughout the City. All residents of the City are welcome to participate in any of the activities and programs at any of the park sites. All programs that the City promotes are advertised, in addition to the pamphlet, throughout the news media the same as Little League, Babe Ruth, Police Athletic League, etc.

In our Police Athletic League, which is conducted for the young people of our City, there are a total of 619 participants, including 425 boys and 194 girls. A further breakdown shows that of these participants, 62 are black, 18 are Cuban, 4 are Indian and 4 are Mexican Americans. The programs are conducted from July through November nearly every week night. In addition, we have boys' and girls' Little League, Babe Ruth, girls' high school softball, boys' high school baseball, a volleyball league and a men's baseball league. These leagues are all mixed and there are minority members participating in all of these league sports.

It is fair to assume that there is greater minority use of Fleischmann Park than Cambier for a number of reasons. One is that the majority of league activities take place at Fleischmann, the fact that Fleischmann is the largest City park (2 1/2 times the size of Cambier), Fleischmann provides more facilities, and due to its proximity to the black community which, as stated in our initial response to you, is closer to the black community than it would be to at least 85% of the balance of the residents of the City.

12/07/78  
November 30, 1978

ATTACHMENT #4



Honorable Mayor and Members of  
Council of the City of Naples,  
Florida

Gentlemen:

I have been authorized to offer as a gift to the City of Naples a piece of land described as follows:

The parcel is comprised of approximately two (2) acres of water front property lying directly north of the City's Anthony Park neighborhood playground facility. It is bounded on the east by the Gordon River; on the north by canals; on the west by the balance of the Watkins, et al properties; and on the south by the Anthony Park property. The parcel commences approximately 50 feet east of the west line of Anthony Park extended and includes all land to the east of said beginning line bounded as described above. Further locational and dimensional information is presented by the attached Exhibit A.

The donors of the property are Henry B. Watkins Jr., Fritz W. Thurner and Alfred J. Hackney. The gift will be made by warranty deed, free of encumbrances, with no strings attached, and transferred to the City prior to December 31, 1978.

Your acceptance of this offer would be greatly appreciated so that we may move forward with our plans.

Yours very truly,

*Alfred J. Hackney*  
Alfred J. Hackney