

MINUTES OF THE REGULAR MEETING OF THE NAPLES CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,  
NAPLES, FLORIDA, ON WEDNESDAY, APRIL 1, 1981, AT 9:01 A.M.

Present: R. B. Anderson  
Mayor

C. C. Holland  
Harry Rothchild  
Wade H. Schroeder  
Randolph I. Thornton  
Edward A. Twerdahl  
Kenneth A. Wood  
Councilmen

Also present: George M. Patterson, City Manager  
David W. Rynders, City Attorney  
Roger Barry, Community Development Director  
Franklin Jones, Finance Director  
Edward C. Smith, Assistant to the City Manager  
Norris Ijams, Fire Chief

Reverend Harold B. Brown, Jr.  
Charles Andrews  
Anders Sandquist  
Elaine Finklestein  
George Mohlke  
Edward Kant  
Florence Menzel  
Elizabeth Sita  
Anita Utter  
John Rice  
John Penner  
John Schedel  
Thomas Hickley  
Arthur Lee  
John Hertz  
Thomas Gross  
Shirley Holland  
Betty Van Arsdale  
William Shearston  
Ben Anderson  
Philip Morse  
Mr. & Mrs. Grant  
Lyle Richardson  
Sam Aronoff  
Eleanor Steinman

News Media: Ned Warner, TV-9  
Bob Barber, TV-9  
James Moses, Naples Daily News  
Brian Blanchard, Miami Herald  
Jerry Arnold, WRGI  
Brad Rittner, WBBH-TV  
Allen Bartlett, Fort Myers News Press

Other interested citizens and visitors

Mayor Anderson called the meeting to order at 9:01 a.m.; whereupon the Reverend Harold B. Brown, Jr. of the East Naples United Methodist Church delivered the Invocation, followed by the Pledge of Allegiance to the Flag.

AGENDA ITEM 3. APPROVAL OF MINUTES

Mayor Anderson called Council's attention to the minutes of the Regular Meeting of March 18, 1981; whereupon Mr. Thornton moved approval of the minutes as submitted, seconded by Mr. Twerdahl and carried by consensus of the Council.

AGENDA ITEM 4. Community Development Department/Naples Planning Advisory Board: PUBLIC HEARING and second reading of ordinance. Rezone Petition No. 81-R1. Petitioner: Mr. Shirley Holland, Agent for property owners. Location: Lots 33-52, Naples Bayview Subdivision; east side of Naples Bay, located on the north side of Danford Street, east of Bayview Park and immediately west of the City Limits line.

An ordinance rezoning Lots 33 through 52, Naples Bayview Subdivision from "R1-15", Single-family Residential, to "R1-7.5", Single-family residential; directing that the Zoning Atlas be revised to reflect said rezoning; and providing an effective date. Purpose: To rezone said property at the request of the property owners.

Mayor Anderson opened the Public Hearing at 9:05 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 9:06 a.m.; whereupon Mr. Twerdahl moved adoption of Ordinance 3744, seconded by Mr. Schroeder and carried on roll call vote, 7-0.

AGENDA ITEM 5. First reading of ordinance. An ordinance relating to a fire district; amending Section 8-2.1 of the Code of Ordinances of the City of Naples, providing for the establishment of a fire district and the adoption of a fire district map identifying the properties to be included in said district; and providing an effective date. Purpose: To identify those properties which, by virtue of the value of the improvements on the property, the intensity of development, the potentially hazardous nature of the uses permitted and other similar factors, should be subject to additional building regulations and restrictions to minimize fire hazards. Requested by Fire Chief and Community Development Director.

City Attorney Rynders read the above captioned ordinance by title for Council's consideration on First Reading. Mayor Anderson asked Norris Ijams, Fire Chief to review the background of this ordinance for Council and members of the audience which he did. Mr. Rothchild expressed his concern that enactment of this ordinance would create a possibility of increased fire insurance premiums for structures in districts designated as "high risk". Roger Barry, Community Development Director, explained that the majority of the areas designated as "high risk" on the map were similarly designated as such by zoning ordinance at the present time. Philip C. Morse, citizen, addressed Council and noted his strong objections to the ordinance as it was written and pointed out where he felt it was vague. After much discussion by Mr. Morse, Mr. Barry, Chief Ijams and Council members, Mr. Wood moved that action on this matter be deferred until the first meeting in May, seconded by Mr. Holland and carried on roll call vote, 7-0.

AGENDA ITEM 6. A resolution authorizing the City Manager to retain the services of the accounting firm of Coopers and Lybrand to conduct a water and sewer rate study and to execute all contracts relating thereto; and providing an effective date. Requested by City Manager.

City Attorney Rynders read the above referenced resolution by title for consideration by Council. Mr. Schroeder moved adoption of Resolution 3745, seconded by Mr. Twerdahl. Mr. Rothchild inquired about the provisions of the state's consultants competitive negotiations act and whether or not they applied in this case. City Attorney Rynders explained they did not. Franklin Jones, Finance Director, further noted that for professional services of this type, the City was not obligated to go out for bids. Mr. Rothchild also asked the reasons for preferring an accounting firm over CH<sub>2</sub>M Hill, the City's consulting engineering firm to which Mr. Jones responded that the City would have to furnish the engineering firm with the accounting statistics or the accounting firm with the engineering statistics. He noted that Coopers and Lybrand's service would meet the City's requirements at a savings to the City. Motion carried on roll call vote, 7-0.

AGENDA ITEM 7. Discussion/presentation by Gulf Coast Sailing Club regarding request to hold Naples Michelob Regatta '81 at Lowdermilk Park. Requested by Gulf Coast Sailing Club.

Mayor Anderson noted receipt of this request in a letter dated March 24, 1981 from Charles L. Shumway, president of the Gulf Coast Sailing Club (Attachment #1). Mr. Shumway addressed Council outlining the details of their request. City Attorney Rynders explained that this would not be an exclusive use of the area in question, but would be temporary permission to launch the boats which is now not allowed there. Elaine Finklestein, chairman of the Parks and Recreation Advisory Board, addressed Council regarding clean-up of the area, use of the sponsor's product, and the safety factor for swimmers in the area. Mr. Shumway assured Council that the Club would take care of these matters. Mr. Thornton suggested that the record reflect a consensus of Council favorable to this request and that the City Attorney be directed to draw up a resolution to that effect for this year only. Mayor Anderson confirmed the consensus of Council and so directed the City Attorney.

AGENDA ITEM 8. Discussion of the formation of a committee for consideration of a future civic center. Requested by Councilman Thornton.

Mr. Thornton noted that he was not certain that there was a need to form a committee for consideration of a civic center inasmuch as one existed, and he requested Betty Van Arsdale to address Council about their activities, progress and possible proposed goals. She reviewed these matters and noted that H. Alvin Smith was presently spearheading this project. She mentioned the possibility of tying this facility in with Edison Community College and/or University of South Florida for some combined uses. Several proposed locations were discussed and in response to Mrs. Van Arsdale's question about available City property, Mr. Schroeder referred to City-owned property north of the City limits that might be of interest to the committee. Mr. Rothchild suggested that Mrs. Van Arsdale also address the Collier County Commissioners asking for an expression of interest from them. Mrs. Van Arsdale completed her presentation by requesting input to this committee from any interested sources.

AGENDA ITEM 9. Resolution for annual adjustment of salaries and fringe benefits for confidential employees. Requested by City Manager.

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

A RESOLUTION RELATING TO SALARY INCREASES AND HEALTH AND LIFE INSURANCE BENEFITS FOR CONFIDENTIAL EMPLOYEES OF THE CITY OF NAPLES; RESCINDING ALL RESOLUTIONS OR PORTIONS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Mr. Wood moved adoption of Resolution 3746, seconded by Mr. Schroeder. In response to an inquiry from Mr. Thornton about who these employees were, City Manager Patterson explained the terminology and noted the positions that it covered. He added that there were positions on which a ruling would be requested from the City's Mini-PERC. Roll call on the motion carried it, 7-0.

CORRESPONDENCE AND COMMUNICATIONS

Mr. Schroeder reviewed the positions taken in the past by the City opposing the proposed traffic patterns contained in the plans for Pelican Bay and offered his suggestions regarding what the City could do to reduce the traffic that could be generated by the present County proposals. He noted correspondence from the County Engineer Cliff Barksdale directed to City Manager Patterson. It was the consensus of Council that the City and County staffs be requested to meet to try to find a satisfactory solution to the potential problem and Mayor Anderson directed the City Manager to follow up on this.

\*\*\*

\*\*\*

\*\*\*

Mr. Schroeder read into the record an editorial from the March 20, 1981 issue of the Naples Daily News (Attachment #2).

\*\*\*

\*\*\*

\*\*\*

Mr. Twerdahl noted the Department of Transportation's apparent interest in a fly-over at the intersection of Davis Boulevard and U.S. 41. City Manager Patterson added that if the County could see their way clear to obtain the rights-of-way and come up with a proposed design satisfactory to D.O.T., the whole project could be brought forward as far as scheduling was concerned.

\*\*\*

\*\*\*

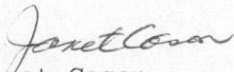
\*\*\*

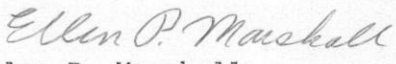
Mr. Wood asked Mayor Anderson about the status of the County's plans for housing ambulances and staff upon their take-over of the service. Mr. Holland asked that City Attorney Rynders and City Manager Patterson be directed to investigate the feasibility and legality of the City forming their own ambulance service if it was felt that the County plan was not providing adequate coverage for City needs. Council discussed the information received from County personnel regarding their proposed plans. In answer to questions from Mayor Anderson, Norris Ijams, Fire Chief, reported on his attendance at the meetings of the Emergency Medical Service Advisory Board and he confirmed the fact that he had suggested the use of City Fire Stations as bases for ambulances. It was

the consensus of Council to have the City Attorney and City Manager report back to them about a possible City ambulance service.

There being no further business to come before this Regular Meeting of the Naples City Council, Mayor Anderson adjourned the meeting at 11:36 a.m.

  
R. B. Anderson, Mayor

  
Janet Cason  
City Clerk

  
Ellen P. Marshall  
Deputy Clerk

These minutes of the Naples City Council were approved on 04/15/81

*First Plaza Corporation*

3401 NORTH TAMiami TRAIL  
NAPLES, FLORIDA 33940  
(813) 261-8423

March 24, 1981

Honorable Roland B. Anderson, Mayor  
City of Naples  
735 Eighth Street South  
Naples, Florida 33940

Dear Mayor Anderson:

On behalf of the Gulf Coast Sailing Club, Naples Michelob Regatta '81 and Mental Health of Collier County, I am writing to request permission to use the southern most 120 feet of Lowdermilk Park for hosting and facilitating the launching of small boats during this years Naples Michelob Regatta '81 on April 23, 24, 25, and 26.

We expect around 10 enthusiasts in each of the three classes, Lasers, Force 5, and Sunfish, for a total of approximately 30 small boats. We are anxious to be able to receive this permission in future years. As Co-Chairperson of the Regatta this year, we have attempted to establish permanent facilities, locations, dates and events. Since we have a sponsor now with Michelob and Anheuser-Busch Beer, we believe we can host a major event for one of the three classes every other year. We have searched the entire county and have concluded that a public beach would serve our interests as well as any other possible location. Lowdermilk Park would be the best location, since our main assembly off the water will take place at the Coast Guard Auxiliary and/or the Depot.

The Gulf Coast Sailing Club will organize the event for the small boats on Saturday and Sunday. We will rope off 120 feet of the beach, and put a pull line out in the water with bouys on the end to mark where the sailboats should return to after the races, and where swimmers should avoid.

We would like to be able to keep the trailers on the grounds at the park for the weekend. Again, we would rope off a section of the park for this purpose. We will provide security for the boats and will hold the City harmless for any loss or damage to the boats.

Hon. Roland B. Anderson, Mayor

-2-

March 24, 1981 99

ATTACHMENT #1 - page 2

If you have any questions, please feel free to call me at home or at my office. Home 262-2957; Office 261-8423.

I believe this event is a worthwhile event for the City, County, and Mental Health and for all who are interested in the water and the sport of sailing. I am enclosing our proposed schedule for your review and comments.

Thank you for your consideration in this matter.

Sincerely,

*Charles L. Shunway*

Charles L. Shunway,  
President

CLS/mal

CC: David W. Rynders, City Attorney  
Randy Davis, Director Parks and Recreation Department

## THURSDAY APRIL 23:

- 5-6:30 P.M. Registration Coast Guard Auxiliary at the Cove Inn and J/24 launching at the Marine Center.
- 7:00 P.M. Welcoming Michelob party, Coast Guard Auxiliary at the Cove Inn
- 7:30 P.M. J/24 Skippers Meeting, Coast Guard Auxiliary at the Cove Inn

## FRIDAY APRIL 24:

- 10:30 A.M. Start first race - Sunshine Classic - J/24'S  
Second race to follow immediately after first race  
Third race to follow immediately after second race
- 7:30 P.M. Free beer Michelob Party, Coast Guard Auxiliary
- 8:00 P.M. Skippers Meeting - Naples Cup, Coast Guard Auxiliary at the Cove Inn
- 8:30 P.M. Nautical Auction and Lands End Fashion Show, Coast Guard Auxiliary at the Cove Inn

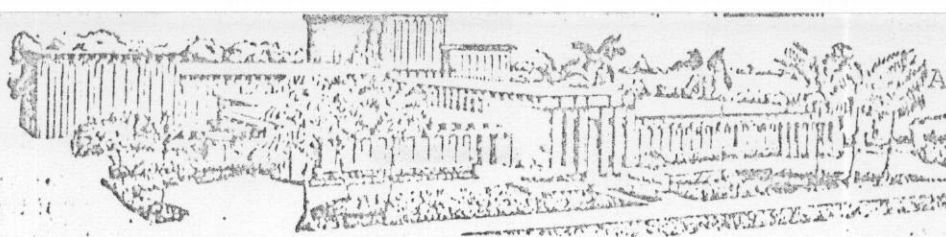
## SATURDAY APRIL 25:

- 10:00 A.M. 10:00 A.M. Sunfish, Laser, Force 5 start  
Second race to follow immediately after first race  
Third race to follow immediately after second race
- 11:00 A.M. Start Naples Cup and J/24 race #4
- 8:30 P.M. Steel Band Dance - Naples Depot - Cash Bar
- 10:30 P.M. Naples Cup - Presentation of Trophies - Naples Depot

## SUNDAY APRIL 26:

- 10:00 A.M. Start - Races 5 & 6 J/24 Sunshine Classic
- 10:00 A.M. Start - Races 4 & 5 Sunfish, Laser, Force 5
- 10:00 A.M. Start - Youth Pram races - Naples Bay
- 4:00 P.M. Awards presentation - Sunshine Classic, Prams, Sunfish, Lasers, Force 5  
Closing party - Coast Guard Auxiliary





# Naples Daily News

TIMOTHY A. O'CONNOR  
Publisher

GEORGE CECIL  
Executive Editor

CORBIN A. WYANT  
General Manager

THOMAS E. HAYER  
Senior Editor

J. PATRICK BERLING  
Advertising Director

KENNETH W. TANNER  
Circulation Director

1075 Central Ave. Naples, Fla. 33940

Fri., Mar. 20, 1981

Ph: 813-262-3161

## One More Word On Dave Rynders

There is something left over from Wednesday's City Council session that we don't like.

The council was holding a second and final hearing on a new ordinance amendment that would prohibit council members, the decision-makers, from attempting to influence the Planning Advisory Board, whose business is to do just that — advise.

As we said before, we think it was unfortunate that such an ordinance amendment should be considered necessary; the two bodies were properly constituted to perform separately, not jointly, and that should have been enough. But since City Councilman Harry Rothchild wouldn't peacefully accept this separation, the amendment was placed before council — and adopted, 5-2.

We agree with the council majority that the amendment, unfortunately, was necessary.

However, during the Wednesday session of council, Rothchild not only challenged the worth of the amendment, he also threw in

implications that seemed to cast shadows on the integrity of City Attorney David Rynders.

Councilman Ken Wood, in total disagreement with Rothchild, called for a vote of confidence in Rynders. There was some nodding of heads from other council members but no formal confidence vote was taken, probably because Mayor Roland Anderson didn't think it was called for.

We don't think a vote of confidence in Rynders was necessary, either, but we don't like the thought that Rothchild had the last word on the matter, or the last shot, without public response.

Rynders, in our book, is one of several outstanding city officials, with nobody we know having the slightest doubt about his integrity, except Rothchild.

We can understand the feeling of Councilman Wood in calling for the vote of confidence, but we think council did the right thing in refusing to dignify the matter with a formal vote. It just wasn't need-