



*City of Naples*

**Index**

**City Council Special Meeting**

**Wednesday, September 16, 1992**

**Convened 2:30 pm / Adjourned 4:15 pm**

ALCOHOLIC BEVERAGES SALE AT OKTOBERFEST .....	2
SWAMP BUGGY PARADE CO-SPONSORSHIP .....	4



*City of Naples*

City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

**City Council Special Meeting - September 16, 1992 - 2:30 p.m.**

---

Mayor Muenzer called the meeting to order and presided.

---

**ROLL CALL**

**ITEM 1**

**Present:** Paul W. Muenzer, Mayor  
Fred L. Sullivan, Vice Mayor

**Council Members:**

Kim Anderson  
R. Joseph Herms  
Alan R. Korest (left meeting at 4:11 p.m.)  
Ronald M. Pennington  
Peter H. Van Arsdale

**Also Present:**

Dr. Richard L. Woodruff,  
City Manager  
Maria J. Chiaro, City Attorney  
John E. Reble, Fire Inspector  
Tara A. Norman, Deputy City Clerk

**Special Events Committee:**

David M. Lykins, Enterprise  
Operations Supervisor  
Jeff Whittaker, Police Lieutenant  
Sheldon P. Reed, Fire Marshal  
Jennifer M. Fritchey, Adm. Asst. II

Paul Steinmetz  
Bernd Purschel

Other interested citizens and visitors

**City Council Special Meeting - September 16, 1992**

---

\*\*\*\*

\*\*\*\*

\*\*\*\*

**RESOLUTION NO. 92-**

**ITEM 2**

**A RESOLUTION PERMITTING THE SALE OF ALCOHOLIC BEVERAGES AT THE OKTOBERFEST SPONSORED BY THE OLDE GERMANY RESTAURANT ON SUNDAY, NOVEMBER 1, 1992, AND SUNDAY, NOVEMBER 8, 1992, BETWEEN THE HOURS OF NOON AND 9 P.M.; AND PROVIDING AN EFFECTIVE DATE.**

Title read by City Attorney Chiaro.

Dr. Woodruff introduced this item by explaining that, in order to plan the event, the sponsor had requested an early decision on the serving of alcoholic beverages on Sunday. It was also clarified by Dr. Woodruff that, regardless of whether Sunday alcoholic beverage sales were proposed, because of its magnitude, the event itself would also require Council approval in accordance with previously established guidelines. It was the function of the Special Events Committee to ascertain whether an applicant for a temporary use permit had met established criteria; other policy decisions were, however, within the purview of the City Council, Dr. Woodruff pointed out.

Lieutenant Whittaker indicated that the Special Events Committee had found that the applicant had largely met the requirements for the event, such as obtaining the necessary State beverage permit and indicating a willingness to commit to the required insurance. The applicant has also been advised of regulations for erecting tents and has been informed that on-site fire and health inspections will be required.

Applicant Paul Steinmetz, who along with Bernd Purschel represented the Olde Germany Restaurant in Ridgeport Plaza, explained that 50% of the proceeds from admission, parking and drawings would be split equally between the American Red Cross and the Junior Golf Association. The Junior Golf Association would handle the sale of alcoholic beverages (beer and wine) and would derive all the proceeds from this concession. Mr. Steinmetz also indicated that the necessary paperwork had been filed with the State Department of Revenue so that none of the sales tax proceeds from the event would go to the State but, instead, would be retained in Naples and Collier County. In addition to its share from admission, parking and proceeds from drawings, the restaurant will receive an amount from the carnival rides which will be part of the event. In further discussion, it was learned that the event site would be arranged similar to the Kiwanis Seafood Festival held on the airport property.

Concern regarding the sale of alcoholic beverages, particularly to benefit a youth-oriented organization, was expressed by various Council Members. They noted that such activity would

## City Council Special Meeting - September 16, 1992

send a message to young people that use of alcohol was condoned. In addition, Mr. Korest said he was concerned about serving alcohol for an extended period of time would create a hazard on the carnival rides to those who had been drinking. Council Member Van Arsdale, however, said he did not oppose the sale of alcoholic beverages at the event on Sunday and that he doubted that the event would be successful without the sale of alcoholic beverages.

Council Members Pennington and Anderson also expressed opposition to using public property, such as the Naples Airport, for commercial activities such as this, since only a portion of the proceeds would be donated to charity. Mayor Muenzer agreed, and also pointed out that while the Junior Golf Association may provide introduction to the sport of golf for underprivileged children, the high costs of playing the sport made it prohibitive for those same young people to participate on their own.

Mr. Steinmetz explained that concern for the safe use of alcohol had been constantly in the forefront during event planning. He said that free coffee and soft drinks would be given to "designated drivers" and that free taxi service would be provided for anyone who did not wish to drive to and from the event or who, because of the use of alcohol, was unable to safely drive a vehicle. Both of these elements would be widely advertised, he added.

Council Members, nevertheless, indicated that their concern remained with the message sent to young people by selling alcoholic beverages to raise funds for youth activities.

**MOTION:** To **DENY** the request to serve alcoholic beverages at this event on Sunday. (It was also indicated that the event would not be approved on the airport site.)

Although Mr. Steinmetz requested an opportunity to speak further on the subject, Mayor Muenzer indicated that following the motion, discussion would be held among the Council Members only.

Anderson		Y
Hermes		Y
Korest		Y
Pennington	M	Y
Sullivan	S	Y
VanArsdale		N
Muenzer		Y
(6-1)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

\*\*\*\*

\*\*\*\*

\*\*\*\*

Mayor Muenzer noted that the first public meeting on the 1992-93 budget had been scheduled for that afternoon at 5:05 p.m. and that another Special Meeting would be held at 5:30 p.m. (discussion of co-sponsorship of the annual Swamp Buggy Parade). Mr. Korest asked City Attorney Chiaro whether the Swamp Buggy Parade could be discussed at that time rather than convening an additional meeting, noting that the Collier County Commission frequently adds items to its agenda. Ms. Chiaro responded that, other than enactment of zoning-related

**City Council Special Meeting - September 16, 1992**

---

ordinances, any item could be added to an agenda regardless of whether it was previously advertised. This includes adding the Swamp Buggy Parade discussion to this meeting agenda rather than considering it later, she said. Although the City Charter requires a two-hour notification of Special Meetings, the City Attorney indicated that when local provisions are contrary to the Home Rule Act, the Act takes precedence over the local requirements.

The Council then began discussion of the following item which appeared on a Special Meeting agenda for Wednesday, September 16, 1992 at 5:30 p.m.

\*\*\*\*

\*\*\*\*

\*\*\*\*

**AUTHORIZATION OF CO-SPONSHORSHIP OF SWAMP BUGGY PARADE.**

Dr. Woodruff explained that the sponsors of the Swamp Buggy Parade were requesting Council's approval of funding to the extent of an estimated \$4,500 in Police and other City employee overtime. When preparing the current year's budget, he said, it was anticipated that the Council might wish to provide this funding, so it was taken into consideration in overtime accounts. Mayor Muenzer noted that the cost of the parade was far greater than the co-sponsorship amount to fund bands and other units.

(It is noted for the record that Council Member Korest left the meeting at 4:11 p.m.)

**MOTION:** To approve co-sponsorship of the annual Swamp Buggy Parade to the extent of an estimated \$4,500 in personnel overtime costs.

Anderson	S	Y	
Herms	M	Y	
Korest			A
Pennington		Y	
Sullivan		Y	
VanArsdale		Y	
Muenzer		Y	
(6-0)			
M=Motion S=Second			
Y=Yes N=No A=Absent			

\*\*\*\*

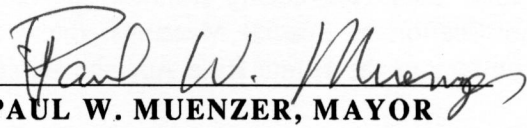
\*\*\*\*

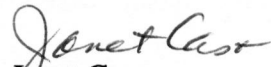
\*\*\*\*

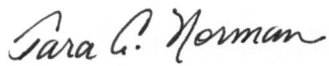
**City Council Special Meeting - September 16, 1992**

---

**ADJOURN: 4:15 p.m.**

  
**PAUL W. MUENZER, MAYOR**

  
**Janet Cason**  
**City Clerk**

  
**Tara A. Norman**  
**Deputy City Clerk**

These minutes of the Naples City Council were approved on 10/7/92.