



City Council Chamber
735 Eighth Street South
Naples, Florida 34102

City Council Workshop Meeting – June 18, 2001 – 8:30 a.m.

Mayor MacKenzie the meeting to order and presided.

ROLL CALL ITEM 1

Present:

Bonnie R. MacKenzie, Mayor
Joseph Herms, Vice Mayor

Council Members:

Gary Galleberg
William MacIlvaine
Fred Tarrant
Penny Taylor
Tamela Wiseman

Jane Dunn
Jeanette Kessler
Charles Simmons
Joseph Silva
Mark Simmons
Willie Brice
Tom Bamrick
Robert Iamurri
Nancy Francis
Barbara Walker
David Walker
Virginia Corkran
Henry Brehm
Joe Foster
George Lange
Natasha Alveshire
Other interested citizens and visitors.

Also Present:

Kevin Rambosk, City Manager
Ron Lee, Planning Director
William Harrison, Assistant City Manager
Don Wirth, Community Services Director
Tara Norman, City Clerk
David Lykins, Community Serv. Rec. Mgr.
William Overstreet, Building Official
Robert Devlin, FEMA Coordinator
Steven Moore, Acting Chief, PESD
Dinny Neet, Deputy City Clerk
Laura Spurgeon, Planner
Brenda Blair, Senior Administrative Specialist
Karen Kately, Administrative Assistant

SET AGENDA..... ITEM 2

It is noted for the record that Vice Mayor Herms arrived at 8:32 a.m.

City Manager Kevin Rambosk noted changes to the June 20 regular meeting agenda which are embodied in the motion below.

MOTION by Galleberg to ADD ITEM 18 (REQUEST FOR AN ADDITIONAL EXECUTIVE SESSION ON 6/20/01 RELATIVE TO THE WHARTON SMITH LITIGATION - SEWER PLANT); CHANGE ITEM 14 FROM 1:30 P.M. TO 8:30 A.M.; AND ADD ITEM 12-C (OVERVIEW BY ACTING CHIEF MOORE); seconded by MacIlvaine and unanimously carried, all members

present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

Council Member Taylor reported on a request she had received from the Nuveen Tennis Championships to hold an event at Cambier Park; she therefore recommended Council discuss it that day, and possibly place it on the regular meeting agenda for action. City Manager Rambosk noted that documentation of this request had been received for distribution to Council.

MOTION by Taylor to ADD ITEM 19 (DISCUSSION OF PROPOSAL FOR 2002 NUVEEN TENNIS CHAMPIONSHIPS AT CAMBIER PARK); seconded by Herms and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

MOTION by Herms to SET AGENDA WITH ABOVE REVISIONS; seconded by Taylor and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

.....ITEM 14
DISCUSSION REGARDING POSSIBLE EXECUTIVE SESSION RELATING TO WILKINSON HOUSE LITIGATION. KEVIN A. DENTI AS TRUSTEE VS. CITY OF NAPLES VS. PAMELA SIBCY, COLLIER COUNTY HISTORICAL SOCIETY, INC. AND KEVIN A. DENTI, TRUSTEE, COLLIER COUNTY CIRCUIT COURT CASE NO. 00-4591-CA-TB).

Attorney Joe Foster of Cummings & Lockwood, pursuant to Section 286-011(8)(A), Florida Statutes, requested that the City Council conduct an executive or closed attorney/client session at 1:30 p.m. during the Council meeting of June 20, 2001, to discuss settlement negotiations and strategy related to litigation expenditures in reference to pending litigation: Kevin A. Denti as Trustee vs. City of Naples vs. Pamela Sibcy, Collier County Historical Society, Inc., and Kevin A. Denti, Trustee, Collier County Circuit Court Case No. 00-4591-CA-TB, filed in the Circuit Court for the 20th Judicial Circuit Collier County. The following persons may or will be present: Mayor Bonnie MacKenzie, Vice Mayor Joseph Herms, Council Members Gary Galleberg, William MacIlvaine, Fred Tarrant, Penny Taylor, and Tamela Wiseman; City Manager Kevin Rambosk; Attorney Lawrence Farese; Attorney Jason Korn; and a certified court reporter. The time estimated for the attorney/client session was one hour.

MOTION by Galleberg to CONDUCT CLOSED, ATTORNEY/CLIENT EXECUTIVE SESSION AT 1:30 P.M. (DURATION APPROXIMATELY ONE HOUR) DURING THE CITY COUNCIL MEETING OF WEDNESDAY, JUNE 20, 2001, TO DISCUSS SETTLEMENT NEGOTIATIONS AND STRATEGY RELATED TO LITIGATION EXPENDITURES IN REFERENCE TO PENDING LITIGATION; seconded by MacIlvaine and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

PRESENTATION OF THE NAPLES PLAYERS ANNUAL REPORT.....ITEM 3
John Sorey, President of the Naples Players, reported that as of the fiscal year ending April 30, an operating surplus had occurred over the previous three years following the move into the new facility. He added that performances are virtually sold out during the winter season, with approximately 65,000 attending annually. Mr. Sorey explained that the summer program includes a show choir and a combined visual arts and theatre experience program, both of which

are joint efforts with the City, von Liebig Art Center, and Naples Players. Eleven students are on scholarship with funds provided by the Theatre Guild. Other organizations use the facility (Naples Jazz Society and Classic Chamber Society) several times during the year, Mr. Sorey reported. He thanked Council for its continued support, recognizing Council Member Wiseman, the Council's designee on the Naples Players Board of Directors, and noted that James Rideoutte is the new Executive Director. Mr. Sorey further noted that the theatre would begin a two-year rolling calendar following the 2002 season to better facilitate the scheduling needs of the arts community. Mayor MacKenzie questioned whether the Board contemplated using the outdoor plaza for performances, an item which had been discussed during the planning stages of the facility. Mr. Sorey said that a Strategic Planning Committee had in fact discussed expansion of product offerings. Council Member Tarrant thanked Mr. Sorey for his work with the theatre, and asked whether any further increases in ticket prices were anticipated in the following year. Mr. Sorey said that ticket prices during the winter season are \$25 for individual tickets, and approximately \$20 if a season ticket package is purchased. While this is a slight increase, he said, the theatre has an obligation in its use agreement with the City to remain financially solvent. He explained that only ten fulltime employees are associated with the theatre, with the majority being volunteers, including the performers, and that ticket prices had not increased that year. Council Member Tarrant requested that the theatre make every effort to retain the current ticket prices; Mr. Sorey explained that part of the theatre's mission statement is the commitment to affordable theatre.

.....**ITEM 4**
INTERVIEWS WITH CANDIDATES FOR THE PLANNING ADVISORY BOARD, AFFORDABLE HOUSING COMMISSION, AND COMMUNITY SERVICES ADVISORY BOARD The following interviews were conducted:

8:47 a.m. - Rene' Rodriguez (Planning Advisory Board)
8:59 a.m. - Ruth Grant (Affordable Housing Commission)
9:05 a.m. - Richard Snyder (Affordable Housing Commission)
9:13 a.m. - J.D. Loden (Community Services Advisory Board)

.....**ITEM 5**
DISCUSSION REGARDING THE COLLIER COUNTY ARTS NEEDS ASSESSMENT AND THE "GATORS GALORE" FUNDRAISER *(Requested by Council Member Taylor - See also related items on 6/20/01 Regular Meeting Agenda)*

Council Member Taylor recommended hearing the presentation of United Arts Council prior to discussing the Gators Galore fundraiser, noting that this matter had already been heard by the Public Arts Advisory Committee.

Collier County Arts Needs Assessment George Lange, a Director for the United Arts Council of Collier County, explained that his organization is designated by County ordinance as the local arts agency. One of its responsibilities is to perform cultural assessments which will lead to a cultural strategic plan for the entire County, including the cities of Naples and Marco Island. Preliminary data searches with sister organizations in other counties have been conducted to determine the format for the assessments, the costs involved, and the level of participation. Mr. Lange stated that the United Arts Council was requesting two things from City Council that day: 1) a budgetary item of \$5,000 to support the cultural assessment (estimated total cost of approximately \$75,000 in a combination of public/private funds such as \$10,000 from the United Arts Council; \$25,000 from the Community Foundation; \$5,000 received to-date from private donations; and \$10,000 approved in a budget request to the Board of County Commissioners);

and 2) a request for an appointment of a representative on the Stakeholders Committee, the makeup of which will come from a broad base of the community groups, to formulate the outline of the assessment and to hire a consultant to collect the data pertaining to questions to be identified. In response to Vice Mayor Herms, Mr. Lange clarified that the \$5,000 requested to conduct the assessment is to identify the needs in the community at various levels (full or part-time residents, and businesses relative to the cultural arts) as well as to identify the needs of the various arts groups, such as the von Liebig Art Guild, Sugden Theater, art dealers, and other businesses. Also to be addressed are student needs and ways to support the growth and development of the arts within the school system. Another level of the assessment will be to examine ways of integrating all segments of the community into the process. The final element is to identify the scope and breadth of what the arts community provides to the City and County with regard to jobs and revenue impact. Vice Mayor Herms then questioned whether the Arts Council Board had representation from the minority community, and Mr. Lange explained that the school district representative is an African-American. However, invitations have been extended to a cross-section of the Hispanic, African-American, and other communities, in all parts of the County. Vice Mayor Herms pointed out that the City is planning a major expansion to the River Park Community Center, and that the African-American community has a strong interest in a facility there to promote their heritage, culture, and art. He added that if the City is going to support the Arts Council's request, he would seek to ensure that it would take into consideration Hispanic, African-American, and other minority community representation. Mr. Lange concurred, and explained that the intent is to have representatives from all segments of the community.

Council Member Tarrant questioned whether the Arts Council receives state or federal grant monies; Mr. Lange stated that the group receives a small state grant on an annual basis of approximately \$35,000-\$40,000. Mr. Tarrant questioned whether part of the goal in obtaining the \$75,000 for a consultant would benefit the United Arts Council in terms of satisfying requirements for grant applications. Mr. Lange said he was unsure whether additional funding would result from the assessment; however, the assessment could generate funding from a broad category of sources, or parts of the assessment may be implemented by other organizations, governmental or otherwise. Mr. Tarrant said he was surprised that the United Arts Council would not do its own assessment and use the funding in other ways. Mr. Lange explained that the desire was to make this assessment as unbiased and broad-based as possible, noting that there could be an underlying agenda if the organization performed its own assessment. Therefore, the Arts Council is seeking a broad base of funding, and will strive to bring all segments of the community together to form an independent Stakeholders Committee to hire a consultant to collect the data, some of which is confidential and not shared with the United Arts Council, such as financial information or member lists. Mr. Lange further clarified that the United Arts Council had received support from 43 different arts groups.

Gators Galore Fundraiser Natasha Alveshire, speaking on behalf of the Naples Art Association (NAA) and the Boys & Girls Club of Collier County, referred to the meeting packet outlining the public art display proposed from January to April 2002. She explained that alligators designed by Kathy Spalding would be displayed on the streets of Naples and Collier County in a manner fashioned after the cow exhibitions in Chicago and New York, the fish in New Orleans, and the buffalo in Buffalo, New York. The plan is to have 50 to 100 life size fiberglass alligators decorated by local artists, and sponsored by local businesses. Ms. Alveshire said that the group

would seek guidance from City Council on placement of the gators in such areas as Fifth Avenue South, Third Street South, the Pier, City Dock, and other public locations within the City, as well as in front of patrons' businesses. Ms. Alveshire clarified for Council Member MacIlvaine that this is an attempt to bring art to the entire community and to involve the community in a project, explaining that this would be a joint venture with the von Liebig Art Guild, Naples Art Association, and Boys & Girls Club of Collier County, with proceeds going to the Boys & Girls Club and Naples Art Association. Ms. Alveshire said she hoped that at least \$200,000 would be raised. The gators will be auctioned at the end of the four-month period.

Council Member MacIlvaine questioned whether there was a plan to monitor the works to ensure against vandalism. Ms. Alveshire said the assistance of patron businesses will be enlisted and the Naples Police and Collier County Sheriff's Department have been asked to assist in monitoring in the early morning hours. There will also be a location to perform repairs if necessary. Council Member Wiseman spoke in support of the project, but questioned whether consideration had been given to holding the event in the off season months. Ms. Alveshire explained that the timing had been selected for the organizations to participate and had originated as a fundraiser, not as a tourist event. Council Member Galleberg requested further clarification on the proposed number of sculptures and their location. Ms. Alveshire explained that after proposing 50 placements, due to the popularity of the project, the number of gators had been raised and confirmed that a minimum of 30 gators must be sponsored in order for the project to go forward; it would therefore depend on business locations to determine the number of gators which would actually be located within the City. Council Member Galleberg said that while he was inclined to support the project, an important consideration is the number in the City, particularly during the tourist season. He said it would be difficult to make a decision without this information. Ms. Alveshire said that as many as 50 gators could be placed within the City with 30 to 40 on public property, if sidewalks on Third Street and Fifth Avenue were considered. She also confirmed that the \$5,000 requested from participants would fund the actual sculpture. She then noted that the gators would be between five and six feet in height, and three to four feet in width, weighing approximately 45 pounds, and placed on a 300-pound concrete base, designed by a structural engineer to prevent the statue from overturning. Ms. Alveshire further noted that the gators will be insured for liability and damage, using the same insurance company that insured the cow exhibit in Chicago.

Council Member Tarrant asked how this project would benefit children. Ms. Alveshire explained that the Boys & Girls Club sponsors such things as after school programs, programs for disadvantaged children, homework programs and teaches children how to make responsible decisions and how to react to peer pressure. The intent, she continued, is to provide an avenue for children to grow and become responsible citizens by teaching them how to make good decisions and providing an arena where they are loved and receive feedback on their decisions. The program originated as Girls, Inc., which is now affiliated with the national Boys & Girls Club of America, Ms. Alveshire said. Council Member Tarrant said that he would support the project since it will benefit the children. Ms. Alveshire confirmed for Vice Mayor Herms that the gators would be auctioned at different prices since the artwork will be unique.

(Jane Dunn deferred to Jeannette Kessler when called.) Jeannette Kessler, President of the Naples Art Association, said that over the past several years NAA has had a full time summer program, with 600 children participating this year. The NAA grants scholarships, and with

additional funds raised, more could be provided. She further noted that all funds raised always go toward education, and that a winter program could be started with the additional funds as well as expanding the summer program. She explained that in the summer high school and college students are employed as interns to work with the children, some as volunteers and others receiving a small stipend. The NAA also has a scholarship program for teens, the largest amount given to an individual being \$1,500 paid directly to the college for admission. Mayor MacKenzie then noted that this item was on Wednesday's agenda for a decision.

.....**ITEM 8**
REVIEW OF PROPOSALS BY LOCAL YOUTH FOOTBALL LEAGUES TO LEASE
THE FLEISCHMANN PARK FOOTBALL FACILITY

City Manager Kevin Rambosk explained that after the Naples Gators Football League had requested review of its lease for the use of Fleischmann Park, another group, Gulf Coast Youth Football, had also requested to provide a football program for the City. The Community Services Department and the Community Services Advisory Board had reviewed both proposals, and although a review of the recommendations had been scheduled for the June 20 regular meeting, Joseph Silva of the Gulf Coast Youth Football had requested to provide a program overview at the workshop. There will also be a presentation by the Naples Gators prior to a final determination, he said.

Charles Simmons, Naples Gators Vice President, said that he had been involved with youth programs for many years and that the Gators had been in Naples since 1958, 29 of those years at Fleischmann Park. Through volunteers and local contractors, the Naples Gators built the field house, locker rooms, announcement and scorekeeper tower, fences, scoreboard, and concession stands. Thousands of children and hundreds of volunteers have gone through the Gators program, he said, expressing the hope that the City Council would give the new Gator leadership an opportunity to rebuild the program.

Mr. Simmons listed plans for player registration and noted that in only one of the last 40 years had problems occurred. Vice Mayor Herms however pointed out that the national Pop Warner organization had excluded the Naples Gators and that several members of the Naples Gators had been banned from the organization for life. Mr. Simmons responded that those four banned individuals were no longer affiliated with the Naples Gators. He further reported a \$600 cash balance held by the organization, approximately \$30,000 in liabilities, and equipment assets of over \$100,000, with funds currently coming into the organization from registrations and private donations. He further clarified that the new organization has been in existence approximately two to three months.

Bill Spencer, President of the Naples Gators, said that the organization has raised more than \$4,000 toward reducing debt and recouping the pawned equipment. He clarified for Vice Mayor Herms that the current schedule depicts the local intramural flag program which will be expanded to include older children. After mentioning the proposed game schedule, Mr. Spencer indicated that the Naples Gators are currently associated with the American Youth Football League. In response to Council Member Wiseman, Mr. Spencer explained that while the flag football team would be intramural only this year, tackle team members would travel at \$10 per bus trip. Mrs. Wiseman expressed concern that some disadvantaged children might not be able to pay this fare, but Mr. Simmons noted that no child had ever been turned away. He also noted that there is a scholarship program and funds come from private donations.

Council Member Galleberg requested further clarification regarding the loss of the affiliation with the Pop Warner program. Mr. Spencer explained that the Pop Warner organization had canceled the charter for the entire Southwest Florida League, and that the tribunal of Pop Warner had suspended the Naples Gators for one year. All teams in the Southwest Florida League have been accepted into the Peace River League, except the Naples Gators., while the Naples Gators can apply to Pop Warner next year. Mr. Simmons clarified for Council Member MacIlvaine that the issue with Pop Warner had involved a physician who had failed to date annual cheer leader physicals although the physician had confirmed to Pop Warner that the physicals had been performed and that the date had been inadvertently omitted. Pop Warner however had not agreed, he said.

In questioning by Vice Mayor Herms and Council Member Galleberg, Mr. Simmons indicated that the Naples Gators organization was attempting to join the American Youth Football League although the goal was to rejoin Pop Warner. Mr. Galleberg asked for clarification regarding the Naples Gators adverse financial position. Mr. Spencer explained that the previous Board had not paid for the equipment, although it was expected that upcoming fundraisers would net sufficient funds to pay off the debt at the end of the year. Mr. Simmons also asserted that it is not unusual for such an organization be occasionally short of cash.

Council Member Galleberg questioned whether the Gators had considered staff's recommendation to participate in discussions with the City and the Gulf Coast Youth Football concerning potential merger of the programs. Mr. Simmons said that the Board had not as yet been approached concerning a possible merger. He confirmed that approximately 60-80 children had registered to date, although approximately 320 children were expected to apply prior to the start of the season. Council Member Tarrant thanked the Naples Gators for the money, time and energy put into this effort which, he said, is a tremendous benefit to the children and the community.

Joseph Silva, President of Gulf Coast Youth Football, said his group had originated from the disbanded City League, had obtained equipment from the Naples Gators, and that most of the individuals involved with Gulf Coast had been associated at one time with either the Naples Gators or another local youth football program. Mr. Silva reviewed the organization's financial status: current balance of approximately \$10,000; no debt; more than 140 applicants with another sign-up scheduled for June 23; and approximately 400 children expected to participate this year. He explained that Gulf Coast Youth Football had worked with the St. John Neumann High to restart its football program in exchange for the use of the Neumann field. He said that although the Naples Gators information flyer included the assertion that American Youth Football League (AYFL) rules would be used, he read into the record correspondence from Steve Alongi, President of the AYFL (Attachment 1) stating that the only association with the Gators had been a contact concerning scheduling scrimmage games. Mr. Silva said that Gulf Coast would be willing to take over Gator reservations and would consider purchasing the Gators equipment. He noted that Gulf Coast charges \$80 for the tackle program and \$30 for the flag program. In response to Mayor MacKenzie, Mr. Silva clarified that their agreement for flag football is a verbal one with the Collier County School Board for use of playing fields. He also noted that the St. John Neumann High School field had been made available on a yearly basis to Gulf Coast Youth Football, and that Neumann supported Gulf Coast's desire to utilize the Fleischmann Park facility. Mr. Silva further noted that Gulf Coast operates the concession

facility as a business, and controlling the concession can be very lucrative. Mr. Silva said he felt that Gulf Coast Youth Football is equal to other youth sports programs in the country.

In response to Council Member MacIlvaine, Mr. Silva explained that Gulf Coast had been invited to register River Park children and had also received a request from the Hurricanes (North Naples Gators) to register children because their roster is full. He clarified that during the previous year approximately 400 children participated. With the inclusion of a flag football program, Gulf Coast Youth Football could accommodate a total of 650-700 children, including cheerleaders, and would add more teams if necessary so that no child would be turned away. All areas, including concession operations, had been addressed, he said, and the move to Fleischmann Park would be easily accomplished.

Mr. Silva responded to Vice Mayor Herms that he had lived in Naples and worked for the same company over 23 years. He confirmed that he had already spoken to Community Services Director Don Wirth about a possible merger with the Naples Gators, that he was willing to discuss the issue, but that he had reservations about a merger taking place. Council Member Galleberg said he understood that both organizations are providing children with a recreational outlet, and questioned who would benefit if Gulf Coast continued to use St. John Neumann High School and the Naples Gators continued to use Fleischmann Park. Mr. Silva said that although St. John Neumann has allowed Gulf Coast to utilize its facilities in the past, there are no guarantees for the future.

In response to Council Member Tarrant, Mr. Silva explained that since he had been with Gulf Coast, only one child had been seriously injured and further explained that Gulf Coast is primarily an instructional league.

In response to Council Member Taylor, Gators President Bill Spencer confirmed that Gators Board Members had in fact met with the American Youth Football League (AYFL) and had learned that the Naples Gators would be allowed to affiliate with the AYFL that year to fill AYFL open weeks (home and away). If successful, the Naples Gators would propose to join the AYFL the following year. Discussions included other teams currently affiliated with the Pop Warner program interested in joining this new League, which would provide local teams with local games. Mr. Spencer clarified for Vice Mayor Herms that the affiliation that year with the AYFL was a verbal agreement. Mr. Herms then requested the telephone number of the President of the AYFL in order to confirm that information.

Community Services Director Don Wirth explained that the Community Services Advisory Board had recommended approval of staff's recommendations (Attachment 2), noting that the City currently has an agreement with the Naples Gators although it had been determined during discussions with the City Manager that future agreements would be in lease form. Mr. Wirth indicated that based on discussions with the Naples Gators approximately six months before, he had felt that the Gators were getting their affairs in order; however, he had been disappointed in hearing conflicting information regarding the American Youth Football League. He said that during prior discussions with the Naples Gators he had received assurances that the debt incurred would be resolved, and that State corporate status and insurance would be obtained. Mr. Wirth further explained that although the City and the Naples Gators had been working on the lease at Fleischmann Park, subsequently the Gulf Coast Youth Football had submitted a proposal, and

Mr. Silva had indicated that he would object if the Naples Gators were recommended to City Council for the Fleischmann lease. The Gator representatives had then made the same assertion, he said. Firm proposals were then requested from both organizations, although an unofficial commitment has been made to the Gators and they had acted accordingly, Mr. Wirth said.

Council Member MacIlvaine questioned the Naples Gators' ability to raise sufficient funds to retire debt as well as run the program. Vice Mayor Herms echoed Mr. MacIlvaine's concerns and also questioned the organization's ability to attract concession vendors and its use of the (AYFL) name and by-laws without permission. Mr. Wirth indicated that misrepresentations would however cause him to withdraw his recommendation for the Naples Gators. In response to Council Member Galleberg, Mr. Wirth stated his understanding that the Gators would add teams if necessary to accommodate the number of children who register.

In further discussion Mr. Wirth explained that both organizations had indicated that the concession operation is a major source of revenue but that it would be impossible to control the concession facility if both organizations were transporting items for sale several times a week to Fleischmann Park. It would also be impossible to accommodate both organizations with regard to field utilization, particularly since the City also operates two other football programs. In response to Mayor MacKenzie, Mr. Wirth explained that the football program operates and occupies the lower part of the Fleischmann Park field house; that equipment is stored in lockers which require security; and that conducting a concession stand would be impossible to control if two teams utilized Fleischmann Park. He however noted that the proposed renovations at Fleischmann Park would be performed during the off season and would not affect the football programs.

Public Input: (11:05 a.m. to 11:23 a.m.) **Mark Simmons**, Naples Gators board member, said that he is a City resident, had worked with the Naples Gators for eight years, and had previously served on the Naples Gators board of directors. He said that the flag football program is a good foundation for children and commended the Fleischmann Park staff for its assistance. He suggested various accountability measures which, he said, the City staff should implement; namely, penalizing teams for leaving fields in disarray, requiring coaching staff to be certified, and requiring background checks. He also suggested that coaching staff wear identification badges on the field. He said that he rejoined the Naples Gators Board in order to assist in enhancing the program. Mayor MacKenzie questioned Mr. Simmons regarding his knowledge of an affiliation with the AYFL. Mr. Simmons said that he had not been present at a meeting with the AYFL, but what had been presented to the Naples Gators Board was that there was an affiliation with the AYFL, although not actually for regular season play, that a sponsor was needed to join the AYFL, that non-regular season games would be scheduled, and that this initial affiliation would be to allow the Naples Gators to become familiar with the AYFL. Mayor MacKenzie requested that the Naples Gators obtain that information in writing from the AYFL. Mr. Simmons agreed to contact those involved and provide the City with an answer the following day.

Council Member Tarrant asked Mr. Simmons to identify the biggest problem these organizations experienced from parents. Mr. Simmons explained that it is mainly a desire to win and that he had suggested that parents attend the youth sports clinics which teach that winning is not everything. Willie Brice, Naples Gators board member, said that he is a former Naples Gator

player and coach and that he currently has two children in the program. He, too, said that it is the parents, not the children, who cause problems. Mr. Brice also said that some children who cannot afford the program had nevertheless participated for a number of years without payment. Although the Naples Gators is in debt, all the board members are committed to raising the necessary funds, he said, and stressed the importance of the program to children. Mayor MacKenzie questioned whether corporate sponsorships would help alleviate the debt, and Mr. Brice named such participating organizations as Bank of America and Friendly Bank and indicated that each member of the board had committed to raising \$1,000 or more. He also noted that the equipment is new, and that the Naples Gators had always used state-of-the-art equipment.

Council Member Taylor questioned whether the Naples Gators would be precluded from competing on a national level since it is not affiliated with either the Pop Warner organization or AYFL. Mr. Brice explained that after the AYFL observes the Naples Gators, the Naples Gators could be eligible to join the AYFL through a sponsor the following year. Vice Mayor Herms said he had just spoken with Steve Alongi, President of the AYFL, who had indicated that they were not interested in the Naples Gators becoming a part of their league at anytime since Naples is too far for the children to travel; the children would not return home from a game in Naples until after 10:00 p.m. Mr. Herms said he had learned from Mr. Alongi that although such organizations as West Pembroke Pines had been approached about scrimmage games with the Gators, West Pembroke Pines was not interested; Mr. Alongi had also indicated that he would recommend that no AYFL teams play the Naples Gators but would be willing to speak to City staff, the Mayor, or Council Members regarding this issue. Mr. Herms also reported that Mr. Alongi had clarified that the Naples Gators had without permission used AYFL by-laws and claimed to be part of the league.

Mr. Spencer then read into the record an e-mail from Brian Crowe of AYFL confirming interest in games with the Naples Gators (Attachment 3). Mr. Spencer characterized the information just presented by Vice Mayor Herms as a shock to him and, in response to Council Member Taylor, explained that Mr. Crowe, as well as other individuals he had spoken to are members of the AYFL Board. Mr. Spencer said that he thought the Naples Gators had a working relationship with the AYFL since AYFL had faxed the Naples Gators their by-laws so that the Naples Gators could meet the AYFL requirements; this was the first he had heard that everything was not in order, he added. City Manager Kevin Rambosk confirmed that all the organizations involved would be contacted so that City Council could make a determination. Mr. Spencer then reviewed the Naples Gators schedule for playing AYFL teams in August through November which he said had been established by contact with the various teams. Vice Mayor Herms said that AYFL President Steve Alongi had indicated that he was aware of only two communities having committed to playing the Naples Gators but that both had unresolved issues with the Gators organization. Mr. Spencer again indicated that Mr. Alongi's comments were new information.

Staff to contact all the organizations involved in order to obtain information for June 20, 2001 regular meeting.

.....**ITEM 9**
STATUS REPORT ON THE GREATER NAPLES LITTLE LEAGUE'S FUNDRAISING EFFORTS RELATING TO CAMBIER PARK BALL FIELD IMPROVEMENTS

Community Services Director Don Wirth advised that on March 15, 1999, City Council had approved upgrading the girls' softball diamond facility as follows: new seating, dugouts, and

pitching wall, to be financed by the girls' program; and refurbishment of the concession building to be funded by the City. Architectural costs and construction drawings were to be underwritten by the organization, and the City would manage the construction project.

Tom Bamrick of the Greater Naples Little League, commended City Manager Rambosk and Community Services Director Wirth for their assistance in this program and reviewed a financial summary of the project (Attachment 4). He noted that the \$155,000 requirement for the stands and roofing was to date made up of approximately \$50,000 pledged and approximately \$55,000 in projected fundraising events; the League would continue with fundraising efforts, he said. Mr. Bamrick said that it was hoped construction would commence in August with completion in November. In response to Council Member Galleberg, Mr. Wirth noted that while the former City Council had insisted that the outfield fences be able to be opened, due to the intense scheduled use, it was not anticipated that other leagues would use the facility due to needed field maintenance and repair. In the future, however, another league desiring to use that field would not be precluded, he said.

Vice Mayor Herms questioned whether the proposed Cambier renovations and River Park Community Center work could be done simultaneously. City Manager Rambosk said he felt this could be accomplished. After reviewing various other specifics of the construction project, Mr. Bamrick assured Council that further donations would be forthcoming to fund the remaining \$50,000. Council Member Tarrant urged that this important project move forward as quickly as possible. League representatives Robert Iamurri and Nancy Francis both declined to speak when called.

.....**ITEM 6**
DISCUSSION REGARDING THE USE OF SANDWICH BOARD SIGN ADVERTISING

Planning Director Ron Lee reported that at a previous workshop meeting it was the consensus of City Council to eliminate sandwich board signs in the three districts where they are currently permitted; namely, Fifth Avenue South Special Overlay District, Third Street Commercial Area Special Overlay District and "D" Downtown District. However, City Council had requested staff to first contact all property owners in those districts to advise them of Council's intent and to notify them of an opportunity for input. Mr. Lee then reviewed the current standards for sandwich board signs (Attachment 5). It was clarified that although only a restaurant's daily specials are to be advertised, other types of businesses are using sandwich board signs for various advertising purposes; City Attorney Bob Pritt had indicated that content could however not be regulated. Since City Council had been working with staff on this issue, enforcement has been relaxed, Mr. Lee said. Council Member Taylor suggested that, if sandwich board signs are allowed, the reference to restaurants be eliminated and uniform standards adopted. Mr. Lee said that staff had also noted alternatives for restaurants such as a menu case of limited size and depth on the side of a building, or improved directional signs for other types of establishments.

Public Input: (11:44 a.m. to 11:51 a.m.) **Barbara Walker, representing Neapolitan Enterprises, 255 13th Avenue South,** recalled that when the standards for the three aforementioned zoning districts were being developed, all had concluded that restaurants should be allowed sandwich board signs; to ban them simply because other business desire to use them is inappropriate, Ms. Walker said. She indicated that the committee had nevertheless recommended establishing uniform standards for size, materials, and location and urged that the City continue to allow restaurants and valet parking activities to utilize sandwich board signs

since these uses are different from retail. Ms. Walker then suggested that each of the three district associations be allowed to recommend other businesses with unique circumstances that might have a need for sandwich board signs and suggested a permitting and appeal process. **David Walker, co-owner of Brambles Tea Room, Fifth Avenue South**, said that his establishment currently uses a sandwich board sign since it is set back from Fifth Avenue and not readily visible from the street. Without an alternative to sandwich board signs, many small businesses would be forced to obtain landlord approval for alternative signage; he therefore requested a clause which would require landlords to comply. He noted that the previous owner of Brambles had experienced difficulty in obtaining approval from the landlord to use a sandwich board sign, and had gone through the Planning Department and Staff Action Committee (SAC) approval processes to obtain permission. He also concurred with establishment of uniform regulations. Mr. Walker questioned why only property owners were notified of this meeting and had not included the owners of the businesses.

In light of the opinion that regulations be content neutral, Mayor MacKenzie sought guidance from City Attorney Beverly Grady as to the possibility of imposing any regulations. Mrs. Grady explained that the Council could either adopt a sign ordinance that prohibits sandwich board signs or allow all businesses to use them under certain regulations; however, special regulations could be tied to a specific time, place or manner, such as a restaurant displaying a sign only during the lunch hour; however, City Attorney Grady cautioned against regulating the content. Council Member Tarrant said he felt that it was reasonable to limit the use of these types of signs to avoid proliferation, and Mayor MacKenzie suggested that directional signage be considered in the three aforementioned overlay districts such as the pyramid-type directional signs on Third Street. Council Member MacIlvaine recommended the use of permanent directional signs and restricting sandwich board signs to restaurants at certain times and on private property, while Mayor MacKenzie suggested that the Fifth Avenue, Third Street, and 41-10 (Heart of Naples) Associations discuss this issue and submit their preferences to City Council at a future date. Council Members Galleberg and Wiseman concurred that the three Associations work with City staff and legal counsel. Vice Mayor Herms said he preferred elimination of sandwich board signs because of the difficulty in discriminating among businesses; he concurred that directional signage for hidden businesses would be advisable. Council Member Tarrant urged clear placement guidelines in order to allow sandwich board signs for businesses that lack visibility; he said he felt that the various area organizations would prefer trial implementation rather than further study over several months. Mayor MacKenzie asked public speaker Barbara Walker to meet with City Attorney Grady to share information.

Consensus of City Council that staff receive input from area business associations.

BRIEFING BY CITY MANAGER.....ITEM 16

City Manager Kevin Rambosk reported that the State Attorney had determined that a grand jury would be impaneled with regard to the River Park shooting incident as early as the following week and that deliberations would not be public.

Recess: (12:11 p.m. to 1:31 p.m.) It was noted for the record that Vice Mayor Herms was absent when the meeting reconvened.

**.....ITEM 10
DISCUSSION ON THE STATUS OF THE FEDERAL EMERGENCY MANAGEMENT
AGENCY'S FLOOD INSURANCE RATE MAPS**

City Manager Kevin Rambosk reported that in 1998, the area had been provided with the proposed FEMA flood maps followed by considerable discussion concerning their impacts; therefore, a complete technical evaluation had been accomplished and forwarded to FEMA. Subsequently, FEMA had however responded unfavorably, necessitating a discussion of appeal options.

FEMA Coordinator Bob Devlin displayed the current flood zone map and referred to a second map which, he said, is significantly different. Mr. Devlin said that the only means to reduce flood losses is to require that homes be built higher; however, the impact of revised FEMA regulations on the community will be widespread and significant. For example, he said, FEMA is proposing to increase from 50 to 600 the number of properties located in the VE Zone where, in the event of a hurricane, waves would be a minimum of three feet or higher; added cost of construction is approximately \$50,000 per building and considerably higher in the future.

It was noted for the record that Vice Mayor Herms arrived at 1:37 p.m.

Mr. Devlin then listed other potential impacts in the various zones which cover the City. Mayor MacKenzie questioned whether FEMA had eliminated the option of breakaway walls, requiring homes to be built on stilts; Mr. Devlin indicated that he was unaware of any such change. Council Member Galleberg commented that FEMA is attempting to minimize insurance losses although losses in this area have been minimal; Mr. Devlin concurred, citing approximately \$2-million in claims over the past 20 years compared to more than \$24-million in insurance premiums paid over the same period. Council Member Galleberg called the FEMA regulations a federally-mandated scam and an attempt to ensure that no claims will ever be paid out.

FEMA Coordinator Devlin then explained that Doug Bellomo, the City's contact person at FEMA in Washington, had reversed his previous position and will now seek a second opinion from another study contractor instead of accepting Collier County's study. Mr. Devlin said he believed that FEMA had already obtained a second opinion and would be asking the City to go through the appeal process. A conference call had been requested by FEMA on June 21, at which time FEMA will provide the City with the guidelines for the appeal process as well as a resolution agreement, with which Mr. Devlin said he felt FEMA is anticipating the City to concur.

Mr. Devlin noted that the FEMA Map Review Committee wholeheartedly agreed with the City's study contractor and that the City should not acquiesce. He also noted that representatives of the Collier Building Industry Association (CBIA) were recently in Washington to discuss construction issues with the legislature and had conveyed this information to Congressman Porter Goss. Mr. Devlin said that he had also been in contact with a Goss aide in Ft. Myers; however, it appears that the City must nevertheless undergo the appeal process. Mr. Devlin noted that options include accepting the FEMA maps and guidelines or proceeding with the appeal process based on the conflicting data provided by the City's study contractor. Following a two-week advertising period, the FEMA appeal process would begin.

Building Official William Overstreet said that despite FEMA's confidence about not losing a case the City can also appeal to a federal court in Miami. He also questioned FEMA's partiality due to relationships between the various study contractors used by FEMA. Mr. Overstreet urged the City Council to go forward with the appeal process due to the severe impact of the new maps, particularly in Old Naples and Port Royal. Council Member MacIlvaine characterized FEMA's

action as an underhanded way to increase insurance premiums. Council Member Tarrant requested that the City staff, along with a City Council Member, determine the number of cities in the State with similar problems with FEMA and recommended organizing a coalition, along with Congressman Porter Goss and Governor Jeb Bush, to solicit assistance in this matter. Building Official Overstreet agreed to begin determining what other communities are involved; he further noted that Florida is contributing 51% of all FEMA dollars received nationwide.

FEMA Coordinator Devlin then mentioned a third option open to the City Council if rejected by FEMA, that being an appeal to the U.S. District Court. In response to Council Member Galleberg, Building Official Overstreet said that the City is requesting that FEMA allow the City to operate under current regulations, and FEMA Coordinator Devlin clarified that an injunction would be sought in order to use existing rules during the appeal process. After reviewing with staff requirements of various flood zones, Vice Mayor Herms noted that the new 15 foot elevation in the VE Zone 14 would require structures to be built on stilts, while the existing homes are at an elevation of 11 feet from the top of the floor, making new construction a minimum of three feet above existing structures, and all on piers.

FEMA Coordinator Devlin clarified that while Marco Island had participated in the flood study, Marco flood zones were actually reduced by approximately one foot; therefore, Marco Island had not participated in the later stages of the process.

A motion was proffered by Council Member MacIlvaine, seconded by Council Member Taylor, to move forward with the appeal; however, additional discussion ensued. Building Official Overstreet explained that the cost of appeal is estimated at \$50,000, with the City's portion to be approximately one-third, and with the process estimated from six months to several years. City Manager Rambosk stated that the City had a period of only 90 days to become involved in an appeal, and Mr. Overstreet confirmed that during the appeal process, property owners can obtain insurance under the current rules. He urged all property owners to therefore keep their insurance coverage up-to-date.

MOTION by MacIlvaine TO DIRECT STAFF TO MOVE FORWARD WITH AN APPEAL BASED ON STAFF'S RECOMMENDATION AND, DEPENDING ON OUTCOME, CONSIDER APPEAL TO FEDERAL DISTRICT COURT; seconded by Taylor and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

MOTION by Tarrant to DIRECT STAFF TO CONTACT THE FLORIDA LEAGUE OF CITIES AND THE STATEWIDE COUNTY ORGANIZATION TO DETERMINE THEIR POSITIONS ON THIS MATTER, OBTAIN THEIR LOBBYING SUPPORT, DETERMINE OTHER FLORIDA CITIES WITH SIMILAR PROBLEMS, AND ENCOURAGE COLLIER AND OTHER COUNTIES TO WORK ON THEIR SIDE OF THE ISSUE IN ORDER TO ACT AS A UNIFIED GROUP TO APPLY THE MAXIMUM LEVERAGE POSSIBLE AT FEDERAL AND STATE LEVELS. This motion was seconded by MacIlvaine and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

Council Member Tarrant pointed out that FEMA had become a very powerful military element and had recently been delegated responsibility for acts of domestic terrorism; he said he felt that agencies of that type can be extremely aggressive in their operations. FEMA Coordinator Devlin clarified that the maximum amount of insurance allowed for residential property is \$250,000 and \$500,000 for commercial property.

Public Input: (2:02 p.m.) **Virginia Corkran, 213 9th Avenue South**, said that every neighborhood should be provided with hurricane evacuation routes and suggested that these routes be in the form of a welcome map from the City. Mrs. Corkran urged the City to provide its elderly citizens with critical information about available shelters and transportation. She further reported that in 1997 the Florida Department of Community Affairs had stated that the City should specify emergency plans instead of merely continuing to cooperate with the County. If evacuation is not practical, she said, then the alternative is vertical evacuation into high, well-built structures which had been recommended some 20 years ago by the National Oceanic and Atmospheric Administration (NOAA). Based on these and other considerations, Mrs. Corkran urged that more time, attention and action be devoted to the City's hurricane plan.

City Manager Rambosk stated that he would provide information on evacuation, shelters and other issues during the forthcoming hurricane preparedness overview (see Agenda Item 11) which includes a hurricane evacuation plan by neighborhood. He stressed coordination with both the County and the State on evacuation and pointed out that those needing shelter space for the elderly and disabled are to contact Collier County; approximately 700 people are now on the list. Mayor MacKenzie advised that the County will provide transportation to shelters for persons on the list. City Manager Rambosk also noted that the State has taken the position that evacuation not occur in preparation for Category 1 or 2 storms and clarified for Council Member MacIlvaine that all activities must be coordinated through the the County and the State. A Category 3 or higher hurricane could require mandatory evacuation, City Manager Rambosk said. Mayor MacKenzie also noted the difficulty in obtaining shelter qualification due to ever changing regulations; therefore, the Red Cross will not staff an uncertified shelter. It was further noted that although a number of schools are no longer qualified as shelters, approximately five other schools in the County are so designated.

Virginia Corkran (previous speaker) stated that East Coast residents evacuating to the Naples area would compound the population in the shelters. She then cited a map produced by Tourism Alliance for people evacuating from the East Coast. City Manager Rambosk said that shelter information would be completed, confirmed and provided to residents. Council Member Galleberg noted that information regarding hurricane preparedness appears on the Naples Daily News website and recommended that the City also include such information as well as appropriate links to others.

.....**ITEM 7**
DISCUSSION REGARDING PROPOSED REGULATIONS PERTAINING TO
ROOFTOP ARCHITECTURAL EMBELLISHMENTS AND HEIGHT AND LOT
COVERAGE ALLOWANCES

City Manager Kevin Rambosk reported that, at the direction of City Council, the Planning Advisory Board had reviewed proposed regulations for rooftop architectural embellishments and height, and for lot coverage allowances. The PAB had recommended further changes which would be reviewed by staff (Attachment 6). Mayor MacKenzie recommended that the Council

continue action on that portion of the regulations applying to the R3T-18 zoning district in order for the City to work with condominium and co-op apartment residents on the east side of Gulf Shore Boulevard south of Doctors Pass. These property owners, she said, wish to eliminate the 12-foot height and 5% lot coverage bonus but do not wish to adversely affect the two hotels (Naples Beach Hotel and Edgewater Beach Hotel) in the area, making them nonconforming and affecting their borrowing power. Nevertheless, it is desirable to eliminate transient lodging from the R3T-18 zoning district in order to prevent conversion of the apartments in this area to this purpose. In discussions with Planning Director Ron Lee, Mayor MacKenzie said she had determined that this particular revision could be accomplished by the end of the year.

Planning Director Lee noted that the City Council had recommended that all multifamily properties no longer be eligible for the 12-foot height increase nor the 5% lot coverage bonus available when a portion of the parking is placed beneath a building. After reviewing flood plane maps, the PAB recommended that the height and lot coverage bonus apply only to those properties under Department of Environmental Protection (DEP) regulations. This equates to the Coastal Construction Control line which would automatically permit under-building parking since the DEP levels commence at 18 feet for the first habitable floor. Existing grades in this area are four to five feet. However, Mr. Lee said, under-building parking is not automatic for properties on the east side of Gulf Shore Boulevard.

Council Member Galleberg recommended separation of the ordinances into two parts: 1) rooftop embellishments; and 2) standards for lot coverage and building heights. Mayor MacKenzie concurred, and pointed out that those considering the purchase of an entire building in the apartment area on the east side of Gulf Shore Boulevard would be notified that eliminating the 12-foot height and 5% lot coverage bonuses was contemplated and that properties would therefore not be grandfathered. Vice Mayor Herms, however, urged immediate action on the architectural embellishment regulations, noting that the Council had agreed to do so when approving a recent coastal construction setback variance. City Attorney Beverly Grady indicated that City Council could make the various suggested revisions at first reading at the upcoming regular meeting.

Planning Director Lee presented an overview to distinguish the initial version of the ordinance as directed by Council (a copy of which is contained in the file for this meeting in the City Clerk's Office) and the PAB version (Attachment 6). In response to Council Member MacIlvaine, Planning Director Lee characterized the PAB changes as an improvement in such areas as standards for rooftop mechanical equipment which would account for 10% of the area allowed for rooftop embellishments. Planning Director Lee agreed to provide Council with additional information the following day regarding calculations for various sizes of cupolas in relation to various types of roofs to determine the percentage of rooftop coverage.

Consensus of Council to direct staff to draft two separate ordinances utilizing the PAB version: 1) establish standards for rooftop embellishments; and 2) standards for lot coverage and building heights.

.....ITEM 12
POLICE & EMERGENCY SERVICES DEPARTMENT OVERVIEW

City Manager Kevin Rambosk stated that discussion of the Human Relations Committee would be deferred to the June 20 regular meeting (Item 24).

Complaint Procedure Acting Police Chief Steve Moore noted the draft Citizen Complaint Form (Attachment 7) which he said was designed for ease of filing and would be available in the lobby of the Police and Emergency Services Department (PESD), at City Hall, on the Police web site, from Police Officers and City Council Members, and other locations. A closing report will be issued for all complaints, regardless of the action taken, to ensure that the complainant is advised of disposition. All complaints will be assigned a number and contain an appended memo showing the status of the complaint, the reason for closing the complaint, and document that the complainant was fully advised. Council Member MacIlvaine recommended that the form specify when and how the complainant will be contacted. Chief Moore recommended noting a five-day maximum for response. Council then discussed various options for filing complaint forms with Council Member Tarrant recommending that one location at City Hall be designated so that citizens would not be intimidated by going to PESD; this would also facilitate maintenance of a permanent record, he said. Vice Mayor Herms suggested a repository apart from the Police Department such as the Mayor's or City Clerk's Offices where the complaint could be receipted and a number assigned before forwarding to PESD. This, he said would eliminate the possibility of a complaint form being destroyed or lost. Council Member Galleberg, however, took the position that citizens should be afforded alternative locations to file complaints and called it unfair to assume that any department would destroy such a document. Council Member MacIlvaine said that citizens visiting the Police Department should not be told to go to City Hall to file a complaint form and that the complainant should receive a signed copy of the completed form to eliminate the possibility of its being destroyed or lost; he also suggested that a copy could be forwarded to City Hall for filing. In response to Council Member Taylor, Chief Moore explained that a set time could be established for citizen complaints to be filed at River Park Community Center, although registering a complaint at PESD would allow a citizen to immediately meet with a police officer. PESD intake personnel, Chief Moore said, would be trained in procedures for handling complaint forms.

Chief Moore indicated that 20 to 40 complaints are filed per year, with generally 5 to 10 internal affairs investigations. City Manager Rambosk noted that the three areas of concern had been ease of submission, complaint tracking, and response to the complainant. He also noted that PESD can accommodate 137 languages through a language line, and it was suggested that notification of this service be added to the form. City Manager Rambosk cautioned that staff in departments other than PESD would not have been trained to handle irate individuals who have the potential for acting out relative to an incident that may have occurred on the street. He requested that staff be allowed to review complaint form submission locations and tracking so as to make recommendations to City Council at a later date.

Human Relations Committee *Deferred to June 20, 2001 regular meeting.*

Briefing by Acting Police Chief Moore Chief Moore then reported an incident wherein African-American juveniles at the beach had been harassed by Caucasian juveniles. While the first incident was being investigated a second encounter had occurred between the two groups resulting in a broken jaw on one of the African-American juveniles. A warrant relative to this incident was anticipated in a few days.

Chief Moore reported on a continuing investigation of an incident in River Park which had commenced at 1:32 a.m. the prior Saturday with a complaint of loud music at the area near

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Jasmine Cay known as the Big Tree. Another complaint received within six minutes indicated that a fight had broken out in that location and that guns were visible but not fired. Later, at 2:18 a.m., a suspect relative to shots having been fired had escaped from officers by running through a nearby apartment. The investigation of this latter incident is continuing. The crowd at the scene had disbursed without an incident, and the officers had cleared the scene by 3:00 a.m. Chief Moore expressed the need for initiative to halt violence and crime in this area.

Chief Moore explained that shots had repeatedly been fired and numerous calls for assistance had been received from the neighborhood regarding increased drug activity and late night gatherings. It is the desire of PESD, Chief Moore said, to work with residents, apartment complex managers and area businesses to ensure an environment wherein residents and guests can enjoy a safe and peaceful community. To that end, PESD is redeploying its entire community policing unit to work with the community. The community policing unit will brainstorm action plans which could include door-to-door surveys, enlisting apartment managers or others. Chief Moore said that there is also a desire to meet regularly with representatives of the various apartment complexes as well as the single family area to address criminal activity or social concerns; however, much of this activity occurs on private property where officers are unable to require people to leave. Other goals are to recognize positive role models within the community and to provide training and information to residents. Chief Moore also noted that an officer would attend Safe and Legal Traffic Stops (SALTS) training the following week; this officer will train others with the goal of better communication with citizens. The community policing officers will also be assisted by the various minority officers, some of whom speak other languages. Chief Moore noted that these steps are not to increase patrol presence but to work together with the community to solve problems, concerns, and issues. He explained that the focus must also be on respect for all members of the community; and the City must work together to achieve positive changes.

Recess: (3:55 to 4:04 p.m.) It was noted for the record that Council Members Taylor, Wiseman and Galleberg were absent when the meeting reconvened.

DISCUSSION WITH COLLIER COUNTY COMMISSIONER PAM MAC'KIE ..ITEM 15
Commissioner Mac'Kie did not appear at this meeting.

.....ITEM 13
REVIEW OF OPTIONS FOR THE CITY'S HORTICULTURAL TRANSFER SITE
This item was deferred to the budget review session that evening.

HURRICANE PREPARATION OVERVIEWITEM 11
This item was deferred to the June 20, 2001, regular meeting.

It was noted for the record that Council Members Taylor and Galleberg returned at 4:05 p.m. and that Council Member Wiseman returned at 4:06 p.m.

.....ITEM 18
**REQUEST FOR AN EXECUTIVE SESSION BY CITY ATTORNEY GRADY
RELATIVE TO THE WHARTON SMITH, INC., LITIGATION FOR A TIME CERTAIN
ON WEDNESDAY, JUNE 20, 2001, AT 2:45 P.M.**

MOTION by Herms to APPROVE adding the aforementioned Executive Session to the June 20, 2001, regular meeting agenda for a time certain at 2:45 p.m.; seconded by MacIlvaine and unanimously carried, all members present and voting (Galleberg-yes, Herms-yes, MacIlvaine-yes, Tarrant-yes, Taylor-yes, Wiseman-yes, MacKenzie-yes).

DISCUSSION REGARDING HOSTING THE 2002 NUVEEN CHAMPIONSHIPS AT CAMBIER PARK

Henry Brehm, Executive Producer, Nuveen Champions Tour, reported that the Naples area had hosted the event since 1995, that the tournament is seeking a new site for March 2002, and that the tournament would most likely find it necessary, although costly, to move to a different location every year. Surveys, he said, had shown that patrons prefer a location closer to Old Naples, there being sufficient space to place a stadium in Cambier Park with minimal disruption. In addition to discussion with City staff, Mr. Brehm listed various other nearby parking lot owners who had been contacted for space and indicated that the Naples Trolley would be used to shuttle spectators. The stadium is anticipated to accommodate 2,800 to 3,000 seats. He assured City Council that regular members of the Cambier Park tennis center would be accommodated during the tournament since approximately four tennis courts would be displaced during the tournament and that one of those four would in fact be available for member play several hours of the day (Attachment 8).

Mr. Brehm cited a positive economic impact on local businesses, free clinics for children, programs for senior citizens, and offers of specific benefits to the tennis members at Cambier Park. The Nuveen Champions will guarantee a minimum contribution of \$15,000 to the Cambier Park Enterprise Fund, plus several other opportunities proposed to engage the members and the youth to raise an additional \$40,000 to \$50,000, normally are offered to other organizations in the community, which will help offset improvement costs.

In response to Council Members, Mr. Brehm explained the following: parking tickets for a specific satellite parking site would be issued and that security will preclude parking in and around Cambier Park; tickets will be available through a toll-free number with information including maps and parking instructions forwarded by return mail; and tournament play would commence at approximately 7:00 p.m. Tuesday of the second week of March and occur each afternoon and evening through Friday as well as on Saturday and Sunday afternoons. In response to Vice Mayor Herms, Mr. Brehm said that the previous year the highest number of cars was 1,050 and that a professional parking company had been used in the past. Mr. Brehm also noted that although the Vineyards was still interested in having the tournament, sales and attendance had dropped substantially at that location.

Mr. Brehm then reviewed the reconstruction of Cambier Park necessary for the tournament, but assured Council that the public would have access to the park with the only restriction being stadium seats. Although the stadium would be removed following the tournament, Mr. Brehm said that there was a possibility of building 300-400 permanent seats. He explained that construction would occur six to seven days prior to the tournament with six days for the tournament and three to four days to return Cambier Park to its original state. During construction, one or two courts will be unavailable to members, and during the week of the tournament, all but eight courts will be used.

Vice Mayor Herms expressed concern about added impact upon residents in March which he identified as the peak of the winter season. He also expressed concern with the impact to Broad Avenue South with 900 parking spaces allocated to the tournament, as well as parking around Cambier Park impacting the residential community. City Manager Rambosk said he could not

~~Vice Mayor Herms expressed concern about added impact upon residents in March which he identified as the peak of the winter season. He also expressed concern with the impact to Broad Avenue South with 900 parking spaces allocated to the tournament, as well as parking around Cambier Park impacting the residential community. City Manager Rambosk said he could not recommend a tournament be held during that time of the year and that no parking plan, regardless of how effective, could eliminate the impact.~~

Reviewing a computer-generated color drawing of the completed stadium and surrounding facilities (a copy of which is contained in the file for this meeting in the City Clerk's Office), Community Services Director Don Wirth expressed concern that significant demolition would occur which the majority of Cambier tennis members would not favor and noted that at that time of the year, Cambier Park hosts concerts and art shows as well as other events that may be scheduled for downtown Naples. Mr. Wirth recommended that the City contractually receive additional compensation from the sponsoring organization due to lost revenue during the aforementioned period of time.

While commending the Nuveen tournament, Mayor MacKenzie said that there is not sufficient space at Cambier Park to construct the required facilities, especially in a well established neighborhood like Old Naples and at the height of the tourist season. She pointed out that the City had just requested the Fifth Avenue Association to limit events and that she could not support bringing the tournament to Cambier Park.

Consensus of Council to disallow the Nuveen Championships at Cambier Park and not add the matter to the June 20, 2001 regular meeting agenda.

.....ITEM 17
REVIEW OF ITEMS ON THE 6/19/01 SPECIAL MEETING AND 6/20/01 REGULAR MEETING AGENDAS

It was the consensus of Council to separate the budget workshops into Monday and Tuesday sessions, June 18 and 19, 2001.

6/20/01 Regular Meeting Agenda: Add Item 25 release of liens / Add Item 26 Executive Session regarding the Wilkinson House litigation / Add Item 27 Executive Session regarding the Wharton Smith litigation / Separate Item 11 into two parts (a) standards for rooftop embellishments and (b) standards for lot coverage and building heights / Add Item 28 (amendment to a purchase order) Item 8 (live entertainment petition and residential impact statement) petitioner may withdraw (Rambosk) / Item 15 (right-of-way paving request) may be withdrawn (Rambosk) Item 6-f. (Comcast Cable) remove from the consent agenda (requested by a member of the public) / Item 6-c (1) & (2) (United Arts Council) remove from consent agenda (Taylor) / Item 6-k (Naples Preserve boardwalk) remove from the consent agenda (Taylor) / Item 6-d (Airport Authority Airport Road beautification) remove from the consent agenda (Wiseman) Item 6-a (approval of minutes) remove from consent agenda (Galleberg) / Item 6-g (landscaping and irrigation improvements) MacKenzie noted medians close to but not directly in front of her residence / Item 10 (Fleischmann Park Master Plan, grant funding) determine extent of City's continued flexibility under grant requirements (MacKenzie) / Item 16 (parallel water line on Rum Row) additional information to be distributed / Item 17 (antenna tower on Naples High School property) information requested on whether current site lighting is 100 feet in height (Herms); advise principal's office of approximate time item will be heard (Taylor) / Item 22 (board appointments) resolutions to be provided in meeting packet supplement (MacKenzie)

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Item 22a (Planning Advisory Board) information concerning potential conflict to be provided (Wiseman).

PUBLIC COMMENT (4:52 p.m.).....
None.

CORRESPONDENCE/COMMUNICATIONS

Receipt of letters concerning noise level of radios at the Naples Fishing Pier and noise from Comfort Inn (Taylor); placing lavatory facilities at various locations on the beach (Tarrant).

ADJOURN
4:56 p.m.

Bonnie R. MacKenzie, Mayor

Tara A. Norman, City Clerk

Minutes prepared by:

Brenda A. Blair
Senior Administrative Specialist

Minutes Approved: 10/3/01 (As amended)

City Council Workshop Meeting – June 18, 2001 – 8:30 a.m.

001 15:25 3056372121

JJSHOEINC

Attachment 1
City Council Workshop
6/18/01 Page 1 of 1

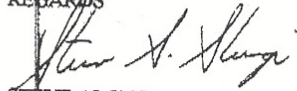
AMERICAN YOUTH FOOTBALL LEAGUE

TO WHOM IT MAY CONCERN

6/14/01

THIS LETTER IS TO INFORM YOU THAT THE NAPLES GATORS FOOTBALL AND CHEERLEADING PROGRAM, ARE IN NO WAY SHAPE OR FORM PART OF THE AMERICAN YOUTH FOOTBALL LEAGUE. THEY HAVE SENT OUT FLYERS FOR REGERSTRATIONS USING THE A.Y.F.L. NAME WITH OUT PERMISSION AND ALSO ARE SETTING UP THIER LEAGUE USING THE A.Y.F.L. BILAWS AGAIN WITH NO PERMISSION. THE NAPLES GATORS FOOTBALL AND CHEERLEADING PROGRAM ARE NOT NOW OR WILL THEY EVER BE A MEMBER OF THE A.Y.F.L. IF YOU NEED ANY FURTHER INFORMATION PLEASE FEEL FREE TO CONTACT ME AT 954-431-4863.

REGARDS



STEVE ALONGI
PRESIDENT A.Y.F.L.

B. Weaknesses

- Has considerable debt
- Mostly new members on Board of Directors
- Discredited by Pop Warner, Inc. issues

Both leagues are in process of completing registration. Both anticipate the ability to operate as representative to the City. There are some real philosophical differences. The Gators emphasize competition through the feeder flag concept. Also, the Gators' tackle program for the coming year will be participating in a travel league (previously was an intramural/local league with state and national play-offs). The Gulf Coast Football League is a local intramural league that de-emphasizes competition.

In discussions with both groups, it was agreed that both would engage in further future discussions with the City about merging the two organizations into one. There would be a number of advantages to the youth being served, if this could be accomplished.

RECOMMENDATION:

It is recommended that staff be authorized to prepare a proposed one year lease with Gators Football League, to include the requirement that the Gators agree to following conditions:

- 1) Eliminate current organizational debt at end of one-year lease period.
- 2) Conduct a local flag football league for 5,6 and 7 year olds, in addition to older age groups, if there is sufficient registration to be practical.
- 3) Participate in discussion with the City and Gulf Coast Football League concerning potential of merging both programs, to provide opportunity for both local flag and tackle programs in the future at Fleischmann Park.
- 4) Participate in the American Football traveling football league with as many age groups as registration make possible.

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Attachment 3 *workshop*
City Council ~~Special~~ Meeting
6/18/01 Page 1 of 1

www.AYFL.com

Page 1 of 1

spencer_b

From: BCrowe7236@aol.com

Sent: Thursday, April 26, 2001 9:26 AM

To: spencer_b

Subject: ayfl sch

BILL

WE ARE ALL SET TO COME OVER ON AUG. 11 TH AND FOR YOU GUYS IN OUR BUY WEEK IN OCTOBER. MOST OF THE GUYS WERE INTERESTED IN PLAYING YOU I'VE GIVEN THEM ALL YOUR NUMBERS

CAMBIER PARK RENOVATION- "CPR" BALLFIELD PROJECT

*'Home of the Braves'
2000 World Series Champions*

ESTIMATED COST OF PROJECT	\$300,000
Covered Bleachers & Stadium Seating	\$155,500
Masonry Work & Supplies -Dug Outs, Pitching Walls	'donated'
Engineering, Architectural Plans	'donated'
Planning, Permitting, Construction, Concession Building, Grounds, Irrigation Costs, etc.	'committed'

FINANCIAL STATEMENT

Cash Donations Received To Date	\$ 26, 287
Pledges Uncollected	\$ 3, 050
Pledges for Championship Signs	\$ 15, 000

NOTE


The Cambier Park Renovation Committee (CPR) exists as a special committee under the auspices of the Greater Naples Little League, Inc. Fundraising for 'CPR' has been conducted under separate accounting and authority. Fundraising for 'CPR' will continue during renovation and after completion of the project.

Recognition ceremonies will be conducted upon completion of the project in collaboration with the City of Naples, Greater Naples Little League, Inc., and the CPR Committee.

The partnership with the City of Naples, founders, donors, and volunteers will be honored at the time of the recognition ceremony. There will be a special 25 Year Anniversary Program available at that time.



M E M O

 TO: Honorable Mayor and Members of City Council
FROM: Ron Lee, Planning Director
DATE: June 14, 2001
RE: Sandwich Board Signs

As background information for the subject item I have outlined below the current standards.

EXISTING SANDWICH BOARD STANDARDS

Currently the code allows sandwich board signs in the 5th Avenue, 3rd Street, and D-Downtown districts for restaurants and cafes only. Sandwich board signs are not allowed in other commercial districts. The regulations for each are as follows:

- 5th Ave: One Portable restaurant menu board with a dimension of 21" wide and 48" high. The sign may be placed on private property or within the right-of-way subject to SAC approval.
- 3rd Street: One portable restaurant menu board not exceeding 6 square feet. The sign may be placed on private property or within the right-of-way.
- D-Downtown : One portable restaurant menu board not exceeding 8 square feet, no taller than 4' in height and 2.5' in width. The sign must be placed within 20' of the main entrance and must not interfere with pedestrian or vehicular movement.

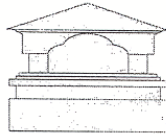
As requested by City Council at the last workshop, staff reviewed City records and found no approvals for the Gallery Row sandwich board signs.

ATTACHMENT "A"

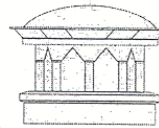
Sec. 82-10. Definitions.

...
Architectural embellishment means a non-habitable design element surmounting a building's roof, including minor cupolas, towers, monitors, and other decorative features. See Section 110-39, "Height requirements, exceptions thereto."

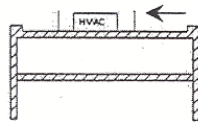
Minor cupola means a small, non-habitable structure surmounting a building's roof, which usually is in the form of a domed or paneled roof placed on a circular, polygonal, or square base or on small pillars. See Section 110-39, "Height requirements, exceptions thereto."



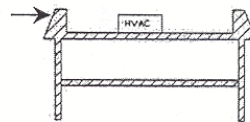
Examples of minor cupolas



Ornamental screening means framed construction or other material, including a parapet wall, which conceals rooftop heating, ventilating and air conditioning equipment, and which is integrated into the overall design, textures, materials, and colors of the building. See Section 110-39, "Height requirements, exceptions thereto."



Examples of ornamental screening



PAB VERSION

Sec. 110-39. Height requirements, exceptions thereto.

- (a) Chimneys, elevator shafts, stair towers, rooftop heating, ventilating and air conditioning equipment, ornamental ~~screens~~ screening for such equipment, and ~~minor cupolas~~ architectural embellishments not for habitation may extend seven feet above the peak of the building roof, however, in no case shall the maximum commercial building height limit of 42 feet as measured from the first floor FEMA elevation be exceeded to accommodate such structure or equipment. Rooftop heating, ventilating and air conditioning equipment and ornamental ~~screens~~ screening for such equipment are not exempt in single-family residence districts (see fences, walls and screening regulations).
- (b) In single-family residence districts, exemptions to the maximum height requirement may only extend a maximum of five feet above the maximum height requirement in single-family zoning districts.
- (c) For any building, the aggregate area of the bases of architectural embellishments shall not exceed 10% of the building's roof area.

PAB VERSION

PAB
VERSION

Sec. 110-40. Lot coverage, maximum permitted.

- (a) Generally. Within districts R3-6, R3-12, R3T-12, R3-15, R3T-18, R3-18 and HC, and PD for multifamily residences and transient lodging facilities or nursing, group or rest homes, the combined area of a lot or parcel of land occupied by all principal and accessory buildings and roofed structures, except for covered motor vehicle parking structures, shall not exceed the percentage given in the following table for various heights of buildings, such height of building being the height of the highest principal building on the lot:

Height of Building	Percent of Lot Area
30.0 feet or less	25
30.1 feet to 40.0 feet	24
40.1 feet to 50.0 feet	23
50.1 feet to 60.0 feet	22
60.1 feet to 70.0 feet	21
70.1 feet to 80.0 feet	20
80.1 feet to 87.0 feet	19

- (b) Buildings utilizing ground floor parking. For buildings not subject to the Coastal Construction Control Line, wherever a minimum of three-fourths of the ground floor is to be devoted to enclosed motor vehicle parking, and wherever there are to be no dwelling units located on the ground floor except for one manager's dwelling unit, such ground floor area shall not be counted in the determination of the building height relative to the permitted lot coverage specified in subsection (a) of this section.

- (c) ^{Small level} Additional lot coverage.

- (1) Separate^Agarage structures. In addition to the percentages of maximum lot coverage specified in subsection (a) of this section, an area not to exceed ten percent of the combined area of a lot or parcel of land may be devoted solely to structures used exclusively for motor vehicle parking.
- (2) Parking within principal building. The basic permitted lot coverage by all principal and accessory buildings and roofed structures, except for covered motor vehicle parking structures, may be increased by five percent if at least two-thirds of the minimum required parking in R3-6, R3-12 and R3T-12 districts, and PD districts designated for multifamily or transient

lodging use, or one-half of the minimum required parking in R3-15, R3T-18 and R3-18 districts, is located within the applicable principal building and the applicable principal building is not subject to the Coastal Construction Control Line.

- (3) *Limitation.* In no case may the basic maximum lot coverage be increased by both the ten percent increase, or a portion thereof, for separate parking structures (reference subsection (c)(1) of this section) and the five percent increase for a principal structure that includes parking (reference subsection (c)(2) of this section).

PAB
VERSION

PAB
VERSION

Sec. 102-328. Maximum height.

Maximum height of structures in the R3-15 district is 60 feet, plus an additional 12 feet if at least 75 percent of the ground floor is devoted to automobile parking, and if there are no dwelling units located on the ground floor except one manager's dwelling unit, and if the structure is not subject to the Coastal Construction Control Line.

Sec. 102-358. Maximum height.

Maximum height of structures in the R3T-18 district is 75 feet, plus an additional 12 feet if at least 75 percent of the ground floor is devoted to automobile parking, and if there are no dwelling units located on the ground floor except one manager's apartment, and if the structure is not subject to the Coastal Construction Control Line.

Sec. 102-388. Maximum height.

Maximum height of structures in the R3-18 district is 75 feet, plus an additional 12 feet if at least 75 percent of the ground floor is devoted to automobile parking, and if there are no dwelling units located on the ground floor, except one manager's dwelling, and if the structure is not subject to the Coastal Construction Control Line.



City of Naples

POLICE AND EMERGENCY SERVICES DEPARTMENT

355 Riverside Circle Naples, Florida 34102



Professional Standards Bureau – Citizen Complaint Form

Tell Us About It

Completely fill it out this citizen complaint form and mail or bring it to:

Naples Police and Emergency Services Department
355 Riverside Circle
Naples, Florida 34102

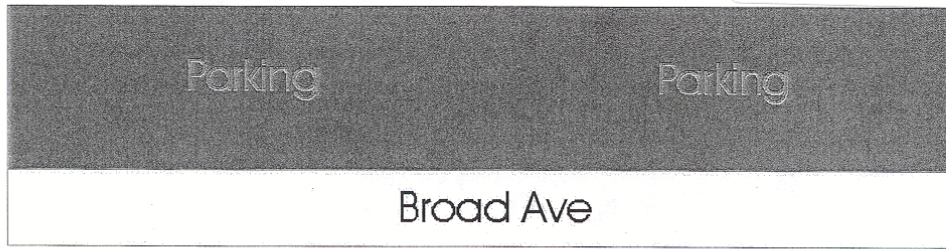
Attention: Internal Affairs Unit

Information About You

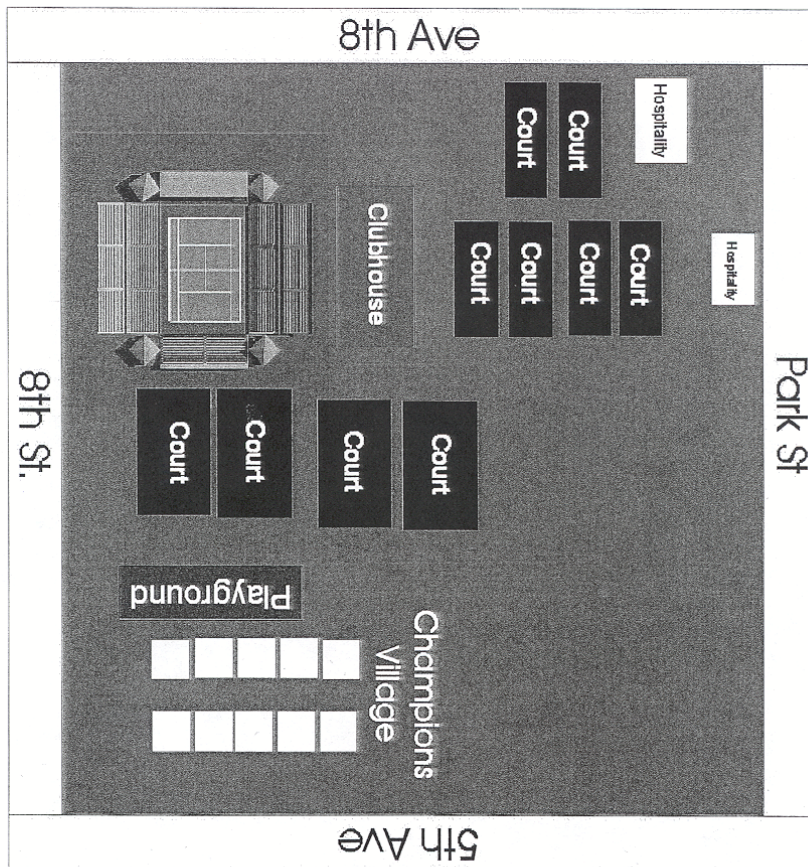
Your Name:	
E-Mail Address:	
Mailing Address:	
City, State, Zip:	
Day Phone:	
Evening Phone:	
Date Submitted:	

Involved Employees

Name(s) of involved Police Department employees, witnesses, and other involved parties. Please include addresses and telephone numbers, if known.



Nuveen Champions at Cambier Park



*Drawing not to scale