



# City of Venice

401 West Venice Avenue  
Venice, FL 34285  
www.venicegov.com

## Meeting Minutes City Council

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Tuesday, April 30, 2019

9:00 AM

Council Chambers

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### Special Meeting

#### CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 a.m.

#### ROLL CALL

**Present:** 5 - Mayor John Holic, Council Member Jeanette Gates, Council Member Bob Daniels, Vice Mayor Richard Cautero and Council Member Charles Newsom  
**Excused:** 2 - Council Member Margaret Fiedler and Council Member Helen Moore

#### ALSO PRESENT

City Attorney Kelly Fernandez, City Manager Ed Lavallee, City Clerk Lori Stelzer, Deputy City Clerk Danielle Lewis, and Recording Secretary Mercedes Barcia.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Holic.

Mayor Holic requested Ms. Moore's and Ms. Fiedler's absence be excused.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, to excuse Ms. Moore's and Ms. Fiedler's absence. The motion carried unanimously by voice vote.**

#### I. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

Discussion followed regarding excused absences for special meetings.

#### II. PUBLIC HEARINGS

##### A. ORDINANCES – FINAL READING

ORD. NO.  
2019-13

An Ordinance of the City of Venice, Florida, Extending the City's Consent to the Inclusion of the Incorporated Area of the City of Venice in the Sarasota County Emergency Medical Services Municipal Taxing Unit;

Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer noted one written communication was received and was included in the agenda packet.

No one signed up to speak.

Mayor Holic commented on the written communication received and closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Vice Mayor Cautero, that Ordinance No. 2019-13 be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero and Mr. Newsom

**Excused:** 2 - Ms. Fiedler and Ms. Moore

### III. NEW BUSINESS

#### A. COUNCIL ACTION/DISCUSSION

##### 19-3928

Approve Pre-Annexation Agreement Between City of Venice and Flying Free Investments, LLC, a Florida Limited Liability Company, Rustic Road Partners, LLC, a Florida Limited Liability Company, Ronald D. Perkins, Caroline Martin, f/k/a/ Caroline Chadwick, and Philip V. Burket, Trustee of the Philip V. Burket Trust Dated July 16, 2002 (Property Located Along Rustic Road)

Jeffery Boone, Boone Law Firm, addressed the Rustic Road and Hurt property pre-annexation agreements in one presentation, and noted both properties are in joint planning area (JPA) number one and are eligible for annexation.

Mr. Boone reviewed the pre-annexation agreement for Rustic Road and spoke regarding application submitted for a comprehensive plan amendment and property rezone, permitted uses on the subject property to include agricultural and cell tower, concurrency evaluation, expansion of water and sewer utility infrastructure by the developer, homeowner association (HOA) maintenance responsibility, and responded to council questions on water and sewer lines serviced by the city and septic units.

Mr. Boone spoke on water and sewer utility charges, impact fees, attorney fee reimbursement, indemnity, and responded to council questions

regarding Rustic Road improvements, access road into the property, and Knight's Trail extension.

Discussion followed on reviewing availability of the city's reclaimed water and capacity, reimbursement of attorney fees, and development of fact sheets.

Mr. Boone responded to council questions regarding Rustic Road being an access road, and notification to home buyers of I-75 and gun range noises.

Mr. Boone spoke regarding city annexations, the Hurt property pre-annexation agreement to include permitted uses of the subject property, Hurt family members living on the property, plans to develop the property, and noted the rest of the agreement is the same as the Rustic Road pre-annexation agreement.

Ron Feinsod, 1115 Ketch Lane, inquired if an environmental impact study has or will be done before properties are developed.

Mr. Boone noted annexations do not require environmental studies, an environmental study was completed for the Rustic Road property as part of the rezone application, the city requires an environmental study on developments, and he is unsure if a study has been done on the Hurt property.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 19-3928.**

Mr. Boone responded to council questions regarding the subject property being developed in the county.

Discussion followed regarding modifying the language on impact fees, collection of future impact fees adopted by the city or Sarasota County, impact fees triggered by building permits, and Villages of Milano pre-annexation agreement.

Ms. Fernandez provided the language change to the pre-annexation agreement.

**An amendment was made by Council Member Daniels, seconded by Vice Mayor Caution, to modify the language in the pre-annexation agreement under impact fees to read "As applicable, development of the subject property shall become subject to any additional impact fees adopted by Sarasota County or the city in the future". The amendment carried by voice vote unanimously.**

**The amended motion carried by voice vote unanimously.**

[19-3929](#)

Approve the Pre-Annexation Agreement Between the City of Venice and Mary H. McMullen, Joseph W. Hurt and Randall C. Hurt, Jointly and

Severally, Trustees of the Shackett Creek Trust, u/a/d November 25, 2002  
(Property Located Along Knights Trail Road)

This item was discussed under Item No. 19-3928.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 19-3929 with the same revisions to the pre-annexation agreement as Item No. 19-3928. The motion carried unanimously by voice vote.

19-3930

Consider Approval of Hold Harmless and Indemnification Agreement between Southwest Florida Retirement Center, Inc. d/b/a Village on the Isle and the City of Venice

A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve Item No. 19-3930. The motion carried unanimously by voice vote.

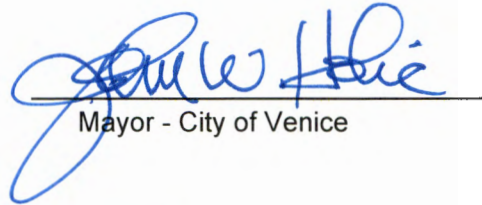
**IV. AUDIENCE PARTICIPATION**

There was none.


**VI. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 10:03 a.m.

ATTEST:



Mayor - City of Venice



Deputy City Clerk