



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, October 9, 2018

9:00 AM

Council Chambers

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### CALL TO ORDER

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

### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Jeanette Gates, Vice Mayor Bob Daniels, Council Member Richard Cautero, Council Member Fred Fraize, Council Member Charles Newsom and Council Member Margaret Fiedler

### ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Assistant City Clerk Heather Taylor, Recording Secretary Adriana Jimenez, and for certain items on the agenda: Assistant City Manager Len Bramble, Public Works Director James Clinch, and Utilities Director Javier Vargas.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Police Sergeant Keith Quick.

### I. RECOGNITION

[18-3517](#) 10-year Service Award, Keith Quick, Police Sergeant

**Mayor Holic presented this award.**

[18-3518](#) Swearing in: Lieutenant Stephen Worobel Promoted to Battalion Chief and Firefighter/EMT Tyler Eaton Promoted to Lieutenant

This Item was postponed to a future council meeting.

[18-3519](#) Proclaim the Week of October 7-13, 2018 as "Fire Prevention Week", Presented to City of Venice Fire Chief Shawn Carvey

**Mayor Holic presented this proclamation.**

[18-3520](#) Proclaim the Month of October 2018 as "Domestic Violence Awareness Month", Presented to Linda Bergen, Safe Place and Rape Crisis Center (SPARCC) Auxiliary President

Ms. Fiedler presented this proclamation.

[18-3521](#)

Proclaim the Month of October 2018 as "Guardianship Month", Presented to Jennifer Burke, Florida State Guardianship Association Member

Ms. Gates presented this proclamation.

### III. AUDIENCE PARTICIPATION

Without objection, Mayor Holic reordered the agenda to hear audience participation at this time.

Leslie Vilcone, Auburn Woods Action Committee, presented petition regarding preliminary plans for a chain link fence at the new public safety facility, and requested a privacy wall between the new facility and Auburn Woods property line.

Tim Saltorstall, 155 Inlets Boulevard, Nokomis, spoke to Florida Friendly Landscaping Guide, suggested use of Bahia grass, and opposed the use of herbicides.

Jerry Jasper, on behalf of the Venetian Community Development District (VCDD) and the Venetian Golf and River Club (VG&RC) Community Association, spoke to mitigation methods for red tide, controlling runoff, soil sampling of VCDD's retention ponds, and requested the city work with homeowner associations (HOAs) throughout Venice to establish procedures and practices to mitigate nutrient runoff.

Tom Jones, representing the VG&RC HOA, spoke to mitigating red tide, opposition to fertilizer ban, educating on fertilizer use, upcoming forum during Environmental Advisory Board meeting on October 24, 2018, and being proactive in the future.

Douglas Knipple, 1256 Sleepy Hollow Road, spoke to temporary injunction by Rumen Tchor to resolve tennis court issues, requested council establish a contingency plan for when injunction expires, and read new sign at the tennis courts.

Rumen Tchor, 216 Rigel Road, Venice, spoke regarding cease in 911 calls from tennis courts due to action taken for harassment and temporary injunction order from Sarasota County, and prior presentation to city council and discussion with city staff.

Discussion took place regarding the city manager providing proper procedure for complaints filed with the police department and the tennis courts being under the jurisdiction of Sarasota County.

Joe Kehoe, 1314 Mango Avenue, Hands Along the Water and Sierra Club, spoke to concern with red tide and the need for enforceable regulations.

Wilda Kelly, 127 Auburn Woods Circle, expressed concern with lack of knowledge of the location of the public safety facility, not being able to participate in the planning of the facility, and spoke to the need for a privacy wall between the two properties.

Rob Merlino, 252 Glen Oak Road, Venice, Hands Along the Water, expressed support of Florida Yards initiative and education programs, and clarified Hands Along the Water long term goals for best management practices.

Janis Riordan, 1127 Sunset Drive, expressed concern with impact of downtown construction project and delay in project completion, and requested meetings with city officials.

Dawn Champiny, 610 Barcelona Avenue, Hands Along the Water, spoke to toxic algae blooms, expressed concern with not educating visitors of red tide presence at Venice Beach, and encouraged the need for a healthy clean environment.

Ashley Rumsey, 3315 Salem Avenue, Sarasota, spoke regarding labeling storm drains that discharge into the gulf.

Sandy McGowan, Sandy's Designer Clothing, expressed concern with the use of Centennial Park for Venice Beach Bash and the number of events held downtown with alcohol consumption.

Mayor Holic spoke on the meeting format.

## **II. COUNCIL REPORTS - ONLY REPORTS NOT HEARD AT THE SEPTEMBER 25, 2018 MEETING**

### ***Council Member Gates***

Ms. Gates spoke on audience participation regarding red tide.

### ***Council Member Fiedler***

Ms. Fiedler reported on Chamber of Commerce and Venice MainStreet (VMS) red tide survey results, Southwest Florida Regional Planning Council (SWFRPC) meeting, and "Regional Biosolids Symposium" sponsored by the Treasure Coast Regional Planning Council and the Indian River Lagoon National Estuaries Program.

### ***Council Member Caetero***

Mr. Cautero spoke on VMS's new endowment fund and commented on audience participation at the September 25, 2018 city council meeting, obtaining more community outreach and input, and prioritizing city residents during audience participation.

### ***Council Member Fraize***

Mr. Fraize spoke regarding the Jacaranda extension sidewalk, open burning, and air quality.

### ***Council Member Newsom***

Mr. Newsom commented on communication received regarding audience participation at the September 25, 2018 council meeting, and reported on the planning commission meeting, West Villages and exterior Atlanta Braves spring training facility tours, and the Economic Development Advisory Board (EDAB) meeting.

Discussion followed regarding West Villages' impact on the city and beaches, city residents being charged to use city amenities, and partnerships.

### ***Council Member Daniels***

Mr. Daniels reported on the Metropolitan Planning Organization (MPO) and Tourist Development Council (TDC) meetings.

Discussion followed on traffic accidents at the Jacaranda roundabout.

Mr. Daniels commented on previous audience participation and red tide.

Discussion followed regarding City of Venice map, air pollution, updating ordinances, audience participation at the September 25, 2018 meeting, and dead marine life due to red tide.

### ***Mayor Holic***

Mayor Holic commented on the letter to Commissioner Nancy Detert regarding the community redevelopment area (CRA) and follow-up with William Nelson, 66 5th Avenue, on aeration to stormwater outfalls.

Mr. Clinch advised he met with Mr. Nelson and his technology does not address nutrients.

Mayor Holic spoke to audience participation at the September 25, 2018 council meeting and Section 2-53 of the Code of Ordinances, and suggested 9:15 a.m. deadline to sign up for audience participation, limiting audience participation in the morning to one hour and in the afternoon and

at the end of the meeting to 15 minutes, clerk to sort out speaker cards first by city residents and second by topic, city residents, landowners and business owners will be allowed five minutes to speak, non-city residents, landowners and business owners shall be allowed to speak if time permits within the allotted hour after city residents are done and will be limited to three minutes, grouping speakers by topic, any speaker card not listing a topic to be placed in the bottom of the respective category, and extending one hour time limit to accommodate city residents.

Discussion took place on removing audience participation at the end of the meeting, offering opportunity for working residents to speak in the afternoon, using technology, time spent on non-city residents, limiting audience participation to two minutes for non-city residents, applause by audience, Robert's Rules of Orders, keeping end of meeting audience participation, time spent on council reports, prioritizing city residents, August 20, 2018 red tide meeting, Martin and Stuart county fertilizer ban ordinances, ability to correct misinformation presented to council during audience participation, mechanism for follow-ups, responding to residents, and project management list.

Ms. Gates left the dais at noon.

Discussion continued on changing audience participation time limit for non-residents from three minutes to two minutes and have the city attorney draft an ordinance.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Cautionero, to accept the recommendations from the mayor with the exception of changing audience participation of non-residents from three minutes to two minutes and have the city attorney draft an ordinance.**

Discussion ensued on removing audience participation members who become disrespectful, extending time limit for public members needing special accommodation, and having the mayor mention during his audience participation instruction "please do not confuse council's silence with lack of concern or knowledge".

Ms. Gates returned to the dais at 12:04 p.m.

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

#### **IV. CONSENT SECTION:**

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels to approve items in the Consent Agenda. The motion carried by voice vote unanimously.**

#### **A. MAYOR**

[18-3522](#) Appoint Joseph Neunder to the Historic Preservation Board to Serve a Term from October 9, 2018 Until September 30, 2021

**This Appointment was approved on the Consent Agenda.**

## **B. CITY CLERK**

[18-3523](#) Minutes of the September 18, 2018 Budget Public Hearing and September 25, 2018 Regular Meeting

**These Minutes were approved on the Consent Agenda.**

## **C. CITY MANAGER**

[18-3524](#) Approve the Special Event Venice Elementary School PTO 5K Run on January 26, 2019

**This Agreement was approved on the Consent Agenda.**

## City Attorney

[18-3525](#) Request Private Attorney Client Session on October 23, 2018 at Noon: City of Venice vs. Fibernet Direct Florida, LLC, et al

**This Session was approved on the Consent Agenda.**

## Utilities

[CON. NO. 132-2018](#) Approve Use of the Cooperative Purchase with Allied Universal Chemicals for the Purchase of Sodium Hypochlorite in the Amount of \$177,000 for FY 2019

**This Contract was approved on the Consent Agenda.**

[CON. NO. 133-2018](#) Approve Services with UIT, LLC for Cleaning and CCTV Inspection of Sanitary Sewer Lines in the Amount of \$250,000 for FY 2019

**This Contract was approved on the Consent Agenda.**

[CON. NO. 134-2018](#) Approve the Services of National Meter and Automation in the Amount of \$200,000 for Radio Read Meter Purchases for FY 2019

**This Contract was approved on the Consent Agenda.**

## **V. ITEMS REMOVED FROM CONSENT**

There were none.

Recess was taken from 12:06 p.m. until 1:30 p.m.

**C. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE AUDIENCE PARTICIPATION**

No one signed up to speak.

[18-3532](#)

Assistant City Manager Len Bramble: History on Florida Power and Light (FPL) Use (10 min.)

Mr. Bramble provided a status on streetlight projects to include decorative lights on and off of bridges.

Discussion took place regarding ownership of lights, reconciling and documenting.

Mr. Bramble continued to provided a status on design of lights on Bahama Street and Harbor Drive, and Florida Power and Light (FPL) owned light conversion to LED.

Discussion followed on Venice Beach turtle lighting.

**There was consensus for the city manager to send a letter to Mote Marine to reconsider shields on red lights.**

Mr. Bramble spoke to provided electricity report.

**VI. NEW BUSINESS**

**A. RESOLUTIONS**

[RES. NO.](#)  
[2018-16](#)

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Establishing the City of Venice Adopt-A-Park Program; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, that Resolution No. 2018-16 be approved and adopted.**

Discussion took place regarding confusion with the application period and renewal process in the resolution.

Mr. Clinch noted the resolution will be revised to be consistent and responded to questions regarding supplementing city maintenance and use of tools and power equipment.

Discussion continued regarding Sarasota County's adopt-a-park program, activity reporting, documenting volunteer hours, and school participation.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Vice Mayor Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

[RES. NO.  
2018-22](#)

A Resolution of the City of Venice, Florida, Accepting Utilities and improvements Installed by Tri of Treviso Grand, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Resolution No. 2018-22 be approved and adopted.**

Discussion took place regarding traffic.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Vice Mayor Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

Discussion followed on total number of units and market rate.

## **B. COUNCIL ACTION/DISCUSSION**

[18-3526](#)

Discussion on Downtown Events (Holic)

Discussion took place regarding use of Centennial Park for the Venice Beach Bash, events downtown that provide hard liquor, regulation for alcohol consumption in parks, liability, prior events with alcohol served, and alcohol in areas that are not downtown.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, to direct staff to limit the use of hard liquor to parks away from the downtown area.**

Erin Silk, Venice MainStreet (VMS) CEO, spoke to two events that have liquor sales, fundraising opportunity, consumption in permitted area, enforcement, and use of professional bartenders.

Rod Nafziger, VMS Board President, spoke to Venice Beach Bash location, Seafood Festival attendance, and economic impact.

Discussion took place regarding expansion of hard liquor at other events, issues at previous events, enforcement, and event demographics.

**The motion failed by voice vote 3-4 with Ms. Gates, Mr. Cautero, Mr. Newsom and Mayor Holic opposed.**

[18-3527](#)

Discuss Southwest Florida Regional Planning Council Biosolids Resolution (Holic)

Mayor Holic commented on the resolution and requested council approve to have a similar resolution drafted for the city.



**A motion was made by Council Member Fiedler, seconded by Council Member Gates, to direct staff to draft a biosolids resolution. The motion carried by voice vote unanimously.**

Mayor Holic requested council direct staff to provide responses to questions in writing.

Mr. Vargas spoke to the definition of biosolids, how the city disposes of biosolids, surrounding municipality procedures, waste water purification stage, cost associations, and homeowner association use of fertilizer.

Discussion took place regarding communication with landscaping companies, water testing, months to ban use of fertilizer, sources of nutrients that promote red tide, turf fertilization management in interlocal agreement, and red tide opportunities.

Mr. Vargas spoke regarding phosphorus contained in reclaimed water, phosphates and phosphorus added to drinking water, and phosphorus and foods.

Mr. Lavalley commented on baseline, goal achievements, and obtaining feedback on code restrictions and compliance issues.

Discussion took place on speakers at the upcoming environmental advisory board meeting and the need for a staff member to consolidate information.

Brian Kelly, 1308 Laurel Avenue, Hands Along the Water, spoke to statewide unified stormwater rule and Sarasota Water Atlas.

[18-3529](#)

Approve Including the Discussion and Assessment of Charter Officer Compensation at Future Budget Workshops (Cautero)

**A motion was made by Council Member Cautero, seconded by Council Member Fiedler, to approve the topic of charter officer compensation being discussed during budget workshops.**

Discussion took place regarding prior consensus, non-union employees being included in discussion, and cost of living adjustment (COLA) in pension plans.

**An amendment was made by Vice Mayor Daniels to add non-union employees and COLA in pension plans.**

Discussion continued regarding charter officers making recommendations for salary increases for non-union employees.

Mr. Lavalley spoke to evolution on how salaries are determined and providing council with types of positions.

Mayor Holic left the dais at 3:27 p.m.

Mr. Lavallee continued to discuss employee pay increases and different class of employees.

Discussion took place regarding difficulty obtaining qualified employees.

**The amendment failed due to lack of a second.**

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

Recess was taken from 3:32 p.m. until 3:41 p.m.

[18-3528](#)

Direct Staff to Obtain a Professional Opinion on the Effects of not Removing Dead Marine Life and Birds from the Beach (Holic)

Mayor Holic returned to the dais at 3:41 p.m.

Mayor Holic reviewed the item to include prior policies, amount of dead sea life removed by beach raking, the need to provide services to residents, purchasing a beach rake and tractor, and change in county policy.

Discussion took place regarding purchasing a beach rake, establishing a raking schedule, cost association, and obtaining professional opinion on beach closures.

Mr. Lavallee responded to council questions regarding health department standards and policies, partnering with Sarasota County to subsidize cleanup efforts, determining the county's plan for daily/weekly cleanup and during time of emergency, establishing a beach cleaning policy, expectation from other agencies, and importance of knowing biohazard level.

Discussion ensued on creating a parks department upon taking over city parks and developing standards, and being proactive versus reactive.

**There was consensus for the city manager to request information from Sarasota County to determine their standards of beach cleanup.**

Discussion took place regarding previous agreements with Sarasota County and the county's response letter on beach cleanup.

Mayor Holic provided an update on Hurricane Michael.

[18-3530](#)

Multiple Requests Related to Beach Clean-up (Holic)

This item was discussed under Item No. 18-3528.

[18-3531](#) Florida Friendly Yards Program (Daniels)

This item was removed from the agenda.

## **VII. CHARTER OFFICER REPORTS**

### City Attorney

Ms. Fernandez spoke to litigation status update email she sent to city council.

### City Clerk

Ms. Stelzer had no report.

### City Manager

Mr. Lavallee reported on the Hamilton building, lightning protection systems for parks, Venice Police Department (VPD) landscape planning discussion commitment with Auburn Woods residents and involvement with placement of the building.

Discussion took place regarding accommodating Auburn Woods residents by having a wall between the properties.

Mr. Lavallee reported on light installation and maintenance on Bahama Street, staff retreat, proposed lease for solid waste and recycling facility on Knights Trail, and Treviso Grand number of units and market rate.

Discussion continued on providing a point of contact to Auburn Woods and obtaining an estimate on the Venice Area Beautification Inc. (VABI) building.

## **VIII. COUNCIL REPORTS**

### ***Council Member Daniels***

Mr. Daniels reported on HOA's certifying and auditing stormwater systems on an annual basis and potato farmers.

### ***Council Member Newsom***

Mr. Newsom provided an update of Venice Area Chamber of Commerce meeting regarding Braves stadium presentation and spoke to code enforcement violation collateral damages.

### ***Council Member Fraize***

Mr. Fraize reported on Florida friendly landscaping and The Woods

pumping water into Curry Creek.

**Council Member Caetero**

Mr. Clinch spoke to daily inspections at The Woods project, turbidity testing, and smell from organic materials being excavated.

**Council Member Fiedler**

Ms. Fiedler reported on work with League of Women Voters and noted copy of budget placed at the library.

**Council Member Gates**

Ms. Gates had no report.

**Mayor Holic**

Mayor Holic commented on the injunction at the tennis courts and requested Mr. Lavallee to follow up with affidavits filed at police department, and spoke regarding downtown beautification funding for flower baskets, noise complaint at The Woods, and art social in town.

Ms. Fernadez reviewed the interpretation of the ordinance regarding alcohol and modifying the code.

**IX. AUDIENCE PARTICIPATION**

No one signed up to speak.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 5:07 p.m.

ATTEST:

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Mayor - City of Venice

\_\_\_\_\_  
City Clerk