



City of Venice

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

Meeting Minutes City Council

Tuesday, September 22, 2020

9:00 AM

Council Chambers and Virtual

CALL TO ORDER

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

Instructions on How to Watch and/or Participate in the Meeting

[20-4685](#)

Instructions on How to Watch and/or Participate in the Meeting

Ms. Fernandez referenced Executive Order No. 20-69 issued by Governor DeSantis and Executive Order No. 2020-04 issued by the city regarding public meetings, and commented on public participation in public meetings.

Ms. Stelzer reviewed instructions for audience participation in council chambers.

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Council Member Richard Cautero, Vice Mayor Charles Newsom, Dr. Margaret Fiedler, Council Member Helen Moore, Council Member Nick Pachota and Dr. Joseph Neunder

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Fire Chief Shawn Carvey, Director of Public Works and Asset Management James Clinch, Assistant Director of Public Works and Asset Management Ricky Simpson, and City Engineer Kathleen Weeden.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation and led the Pledge of Allegiance.

I. RECOGNITION

[20-4686](#)

Proclaim the Week of October 4-10, 2020 as "Fire Prevention Week, Presented to City of Venice Fire Chief Shawn Carvey

Mayor Feinsod acknowledged this proclamation.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Council Member Moore, to approve Items in the Consent Agenda with the exception of Item No. 20-4692. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

A. CITY CLERK

[20-4687](#) Minutes of the September 8, 2020 Regular Meeting, September 9, 2020 Budget Public Hearing, and September 15, 2020 Robert's Rules of Order Workshop

These Minutes were approved on the Consent Agenda.

B. CITY MANAGERAirport

[20-4688](#) Approve Second Amendment to Lease Agreement between the City of Venice and Horizon, LLC

This Agreement was approved on the Consent Agenda.

[20-4689](#) Approve Venice Municipal Mobile Home Park Maintenance Agreement for FY 2021

This Agreement was approved on the Consent Agenda

Finance

[20-4690](#) Approve Accounts Receivable Write-Offs of \$39,321 from the Utility System and \$10,258 from the Miscellaneous Receivables System

This Item was approved on the Consent Agenda.

[20-4691](#) Authorize the Mayor to Execute the Federal Emergency Management Agency (FEMA)/Florida Division of Emergency Management (FDEM) Disaster Assistance Grant Agreement #Z1919 for Public Health Emergency COVID19

This Agreement was approved on the Consent Agenda

Utilities

- [20-4693](#) Approval to Apply for Cooperative Funding with Southwest Florida Water Management District (SWFWMD) in the Amount of \$2.2 Million for the Aquifer Storage and Recovery Well, Phase 3 Project, \$1.65 Million for the Water Treatment Plant 2nd Stage Membrane Addition Phase 1 Project and \$23,900 for the Continuation of the Toilet Replacement Project

This Item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

Fire

- [20-4692](#) Approve Interlocal Agreement between City of Venice and Sarasota County Regarding Fire Protection, Emergency Medical Services (EMS) and Specialized Services

Ms. Moore recognized staff's efforts and cooperation with Sarasota County.

A motion was made by Dr. Fiedler, seconded by Council Member Moore, to approve Item No. 20-4692. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Caution, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

V. PUBLIC HEARINGS

A. EASEMENTS

- [20-4694](#) Authorize the Mayor to Execute an Underground Easement to Florida Power & Light for Electrical Utility Facilities to Serve the City Hall Campus located at 401 W. Venice Avenue, Venice, FL (Parcel ID 0176080001)

Mayor Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Dr. Fiedler, to approve Item No. 20-4694. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Caution, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

- [20-4695](#) Authorize the Mayor to Execute the Perpetual Easement to the State of Florida Department of Transportation for Parcel ID 0430090007 located on the City of Venice Airport Property

Mayor Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Pachota, seconded by Dr. Neunder, to approve Item No. 20-4695. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

[20-4696](#)

Authorize the Mayor to Execute the Subordination of City Utility Interests to the State of Florida Department of Transportation for Parcel ID 0430090007 located on the City of Venice Airport Property

Mayor Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Pachota, to approve Item No. 20-4696. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

B. ORDINANCES – FINAL READING

[ORD. NO.](#)
[2020-26](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 54, Solid Waste, Article I, In General, Section 54-1, Definitions; Article III, Storage, Preparation and Collection of Solid Waste, Division 1, Storage, Sec. 54-51, Storage of Solid Waste and Division 2, Preparation, Sec. 54-61, Preparation of Solid Waste and Division 3, Collection, Sec. 54-73, Collection of Solid Waste and Division 4, Other Wastes, Sec. 54-85, Bulk Waste; Article IV, Recycling, Sec. 54-93, Ownership of Recycling Containers; Article V, Storage, Preparation and Collection of Recyclables, Division 1, Storage, Sec. 54-110, Storage of Recycling Containers and Division 2, Preparation, Sec. 54-120, Preparation of Recycling And Division 3, Collection, Sec. 54-130, Collection of Recycling; and Article VI, Rates and Charges; Billing Procedure, Sec. 54-161, Fee Schedule; Deposits; Providing for Repeal of all Ordinances in Conflict Herewith; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Moore, that Ordinance No. 2020-26 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

[ORD. NO.
2020-30](#)

An Ordinance of the City of Venice, Florida, Requiring Face Coverings as More Fully Specified Herein; Allowing for Exceptions to the Face Covering Requirement; Providing a Penalty for Violation; Providing for Severability; Providing for Reading by Title Only; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Stelzer noted written communication was received and will be included as part of the record.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Cautero, seconded by Dr. Fiedler, that Ordinance No. 2020-30 be approved and adopted. The motion carried by the following vote:

Yes: 4 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler and Ms. Moore

No: 3 - Vice Mayor Newsom, Mr. Pachota and Dr. Neunder

[ORD. NO.
2020-25](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article VI, Code Enforcement to Provide for a Special Magistrate; Amending Chapter 70, Traffic and Vehicles, Article II, Stopping, Standing and Parking Division 1, Generally to Add Section 70-37, Appeals; 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 Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Council Member Cautero, that Ordinance No. 2020-25 be approved and adopted.

Ms. Fernandez responded to council questions regarding changes in appeal process and council's involvement in the process.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

VI. NEW BUSINESS**A. RESOLUTIONS****[RES. NO.
2020-30](#)**

A Resolution of the City of Venice, Florida Adopting a Revised Schedule of Violations and Penalties Consistent with Section 2-333 of the City Code of Ordinances; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Newsom, seconded by Dr. Neunder, that Resolution No. 2020-30 be approved and adopted.

Discussion followed regarding the difference of increase in fees.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**[RES. NO.
2020-34](#)**

A Resolution of the City of Venice, Florida Clarifying Resolution No. 221-70 of the City of Venice, Florida Relative to the Vacation of the Alley in Block 43 of the Gulf View Section of Venice Plat; Providing Additional Descriptive Information of the Alley Vacated via Resolution No. 221-70 of the City of Venice, Florida; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Newsom, seconded by Council Member Moore, that Resolution No. 2020-34 be approved and adopted.

Jackson Boone, Boone Law Firm, responded to council questions on alley location.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**[RES. NO.
2020-35](#)**

A Resolution Providing for the City of Venice General Municipal Election to be Held on November 3, 2020, to Elect Two Councilmembers for Three-Year Terms; Designating Polling Places for the Election; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Newsom, seconded by Council Member Cautero, that Resolution No. 2020-35 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

RES. NO.
2020-36

A Resolution of the City Council of the City of Venice, Florida, Amending the City of Venice Personnel Procedures and Rules, 2020 Edition, Section 2.1 Access to Group Health Insurance; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Newsom, seconded by Dr. Fiedler, that Resolution No. 2020-36 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

B. COUNCIL ACTION/DISCUSSION

20-4697

Approve 2021 State Legislative Priorities

A motion was made by Vice Mayor Newsom, seconded by Council Member Cautero, to approve Item No. 20-4697.

Discussion followed on moving home rule higher on the priority list and including a section requesting legislative funding to support future road infrastructure projects.

Mr. Lavallee commented on requesting legislative support and funding for road projects, and responded to council questions regarding home rule items under legislative review that affect the city.

Ms. Moore recommended council members review Florida League of Cities and Capital City Consulting's legislative agendas.

An amendment was made by Council Member Cautero, seconded by Dr. Fiedler, to include a section requesting legislative assistance to support future road infrastructure projects. The amendment carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

Discussion followed regarding home rule.

The motion as amended carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

20-4698

Determine November Meeting Schedule

Ms. Stelzer explained purpose of request.

A motion was made by Dr. Fiedler, seconded by Council Member Moore, to reschedule the November 10, 2020 regular meeting to the week of November 16, 2020, including the certification of election results and swearing in to be held

immediately prior to the rescheduled meeting. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

[20-4699](#)

Response and Actions Related to COVID-19

There was no discussion on this item.

Recess was taken at 9:47 a.m. until 9:53 a.m.

C. PRESENTATIONS - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

[20-4700](#)

James R. Clinch, PE, Director of Public Works and Asset Management and Ricky Simpson, Assistant Director of Public Works and Asset Management: Facility Condition Assessment and Capital Improvement Plan Progress (10 min.)

Mr. Clinch provided a presentation and spoke on background and goal of the Facility Condition Assessment (FCA) Report, 2020 project completion update, major project updates, and asset management practices.

Mr. Simpson spoke on in-house facility cleaning and Capital Improvement Plan (CIP) projects.

Mr. Clinch noted there were savings in the one-cent sales tax fund for doing projects in-house.

Mr. Simpson spoke on routine facility maintenance and upgrades.

Mr. Clinch spoke on preventative maintenance and inspection services, updated five year CIP plan, city asset management program, and responded to council questions regarding status of the Sarasota County Parks Interlocal Agreement.

Discussion followed regarding staff's presentation, in-house projects by staff, the Venice Community Center (VCC) to include considering capital spending options and cost of new roof and chiller, and transferring ownership of Wellfield Park to the county.

[20-4701](#)

City Engineer Kathleen Weeden: Pinebrook/Venice/Ridgewood Intersection Project and Pinebrook Corridor Summary (10 min.)

Ms. Weeden provided a presentation and spoke on Pinebrook corridor projects to include Pinebrook/Venice/Ridgewood intersection project.

Discussion followed on Ms. Weeden presenting a five year roads project

plan to council, road transfer agreement with the county, Metropolitan Planning Organization (MPO)'s road project list, including the Pinebrook corridor on the priority list, impact fees and state funding for road projects, and Pinebrook/Venice/Ridgewood intersection project cost estimates.

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee had no report.

VIII. COUNCIL REPORTS

Council Member Moore

Ms. Moore had no report.

Council Member Fiedler

Dr. Fiedler had no report.

Council Member Pachota

Mr. Pachota had no report.

Council Member Neunder

Dr. Neunder reported on the Tourist Development Council (TDC) meeting, advised he provided meeting presentation to Ms. Stelzer to send to council, and noted attending Manasota League of Cities meeting.

Council Member Newsom

Vice Mayor Newsom reported on the Southwest Florida Regional Planning Council (SWFRPC) and MPO meetings.

Council Member Cautero

Mr. Cautero commented on Venice MainStreet (VMS) meetings.

Mayor Feinsod

Mayor Feinsod reported on the Environmental Advisory Board (EAB) and Council of Governments (COG) meetings.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 11:08 a.m.

ATTEST:

Mayor - City of Venice

City Clerk