



City of Venice

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

Meeting Minutes City Council

Tuesday, September 27, 2022

9:00 AM

Council Chambers

[22-5776](#)

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

Broadcast

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:01 a.m.

ROLL CALL

Present: 6 - Mayor Ron Feinsod, Vice Mayor Nick Pachota, Dr. Mitzie Fiedler, Mr. Jim Boldt, Ms. Helen Moore and Mrs. Rachel Frank

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Administrative Coordinator Toni Cone, and for certain items on the agenda: Police Chief Charlie Thorpe, Police Captain Andy Leisenring, Planning and Zoning Director Roger Clark, Planning Manager Amy Nelson, and Director of Human Resources Alan Bullock.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels provided the Invocation and Mayor Feinsod led the Pledge of Allegiance.

I. RECOGNITION

[22-5777](#)

Proclaim the Month of October 2022 as Cybersecurity Awareness Month, Presented to Roger Navarro, Director of Information Technology and IT Staff

Mayor Feinsod presented this proclamation.

[22-5778](#)

Retirement Tribute, Ruth Terry, Police Officer

City Manager Lavallee and Police Chief Thorpe presented this retirement tribute.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

Mayor Feinsod pulled item No. 22-5779, Appoint Robert Daniels to the Environmental Advisory Board to Serve a Term from 10/1/22 Until 9/30/2025.

A motion was made by Dr. Fielder, seconded by Vice Mayor Pachota to approve the items on the Consent Agenda, with the exception of Item No. 22-5779. The motion carried unanimously by voice vote.

A. MAYOR

[22-5780](#)

Appoint Peter Boers and Reappoint James Kraut to Venice Housing Authority to Serve Terms from 10/1/2022 Until 9/30/2026

These appointments were approved on the Consent Agenda.

[22-5781](#)

Reappoint Barbara Fraser to the Fire Pension Board to Serve a Term from 10/1/2022 Until 9/30/2026

This appointment was approved on the Consent Agenda.

B. CITY CLERK

[22-5782](#)

Minutes of the September 12, 2022 Budget Public Hearing and the September 13, 2022 Regular Meeting

These minutes were approved on the Consent Agenda.

C. CITY ATTORNEY

[22-5788](#)

Request Private Attorney-Client Session on October 11, 2022: Neal Communities of SWF, LLC, et al v. City of Venice

This item was approved on the Consent Agenda.

D. CITY MANAGERFinance

[22-5783](#)

Approve Accounts Receivable Write-Offs of \$29,127 from the Utilities System and \$9,224 from EMS Accounts Receivable

This item was approved on the Consent Agenda.

Utilities

[22-5784](#) Approval to Apply for Cooperative Funding with Southwest Florida Water Management District (SWFWMD) for \$414,750 for Continuation of the Aquifer Storage and Recovery Well Project and \$33,000 for the Continuation of the Toilet Replacement Project

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

[22-5779](#) Appoint Robert Daniels to the Environmental Advisory Board to Serve a Term from 10/1/2022 Until 9/30/2025

Mayor Feinsod expressed reasons Mr. Daniels was not suitable to serve on the Environmental Advisory Board, and he would like the position to be reopened to obtain new applicants.

Discussion took place regarding Mr. Daniels' qualifications and experience, and the effectiveness of the appointment process.

A motion was made by Vice Mayor Pachota, seconded by Ms. Moore, that Robert Daniels be appointed to the Environmental Advisory Board to serve a term from 10/1/2022 to 9/30/2025. The motion carried by the following vote:

Yes: 5 - Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

No: 1 - Mayor Feinsod

V. PUBLIC HEARINGS

A. APPEAL

[CC 21-56SP](#) Consider and Act on Appeal of Planning Commission's Approval of Site and Development Plan Amendment Petition No. 21-56SP for Development of Three Pickleball Courts at the Existing Venetian Golf and River Club Site (Quasi-Judicial) - BOTH PARTIES REQUEST A CONTINUANCE TO THE OCTOBER 25TH CITY COUNCIL MEETING

A motion was made by Ms. Moore, seconded by Dr. Fiedler, that the hearing for CC 21-56SP be continued to the October 25, 2022, 9 A.M. City Council meeting. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

B. ORDINANCES – FINAL READING

[ORD. NO. 2022-27](#) An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 22-15RZ, to Change the Zoning Designation for the Property Generally Located at Knights Trail Road South of Laurel Oaks Road (71± Acres), From Sarasota County Open Use Estate (OUE) to City of Venice Knights Trail (KT); Providing for Repeal of All Ordinance in Conflict Herewith; Providing

for Severability; and Providing an Effective Date (Quasi-judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Clerk Michaels read the ordinance by title only.

Mayor Feinsod opened the public hearing.

City Attorney Fernandez questioned Council Members concerning ex-parte communications and conflicts of interest. There were none.

Written communications were provided in advance and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Mr. Boldt, seconded by Dr. Fiedler, that Ordinance No. 2022-27 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

[ORD. NO.
2022-28](#)

An Ordinance of the City of Venice, Florida, Providing for Placement of the Structure Located at 404 Warfield Avenue North on the Local Register of Historical Resources Pursuant to Section 86-28, Historic Preservation, of the City of Venice Code of Ordinances; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Written communications were provided in advance and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Pachota, seconded by Ms. Moore, that Ordinance No. 2022-28 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VI. NEW BUSINESS

RESOLUTIONS

[RES. NO.
2022-23](#)

A Resolution Providing for the City of Venice General Municipal Election to be Held on November 8, 2022, to Elect Three Councilmembers for Three-Year Terms, and one Councilmember for a One-Year Term; Designating Polling Places for the Election; and Providing an Effective

Date

Clerk Michaels read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, that Resolution No. 2022-23 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

[RES. NO.
2022-26](#)

A Resolution of City Council of the City of Venice, Florida, Amending the Guidelines for City Commissions, Boards and Committees (Board) and Establishing a Legislative Referral Process for the Effective Order of Business; Superseding Resolution No. 2022-03 and all Policies in Conflict Herewith; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, that Resolution No. 2022-26 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VII. PRESENTATIONS

[22-5786](#)

Captain Andy Leisenring and Assistant City Manager James Clinch: Staff Update on Noise Ordinance (10 min.)

Police Captain Leisenring and Assistant City Manager Clinch provided an update on the noise ordinance, noting it will be based on the County ordinance and will be combined with our current ordinance. The new ordinance will be enforceable and measure noise differently. Staff will have a proposed ordinance before Council in a few months.

[22-5785](#)

Human Resources Director Alan Bullock and The Gehring Group: Property and Liability Insurance Renewal for Fiscal Year 2023 (10 min.)

Human Resources Director Bullock and Ray Carter, The Gehring Group, provided a presentation on liability insurance.

Mr. Carter commented on the property insurance renewal recommendation and answered a Council question regarding the process of getting to the renewal recommendation.

Vice Mayor Pachota asked about the process of selecting The Gehring Group and Human Resources Director Bullock explained the current contract.

Dr. Fielder complimented Mr. Bullock and The Gehring Group for their diligence.

A motion was made by Dr. Fiedler, seconded by Ms. Moore, to approve the

property and casualty insurance program for FY23. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VIII. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez commented on the Land Development Regulations (LDRs) Referendum issue.

City Clerk

Clerk Michaels had no report.

City Manager

City Manager Lavallee commented on the impending storm, Hurricane Ian preparations, and stated the bridges to the island are being locked in the down position. He also stated there would be a new process for audience participation with speaker cards being submitted prior to the meeting or at breaks; not during the meeting. This is to minimize distraction and interruption to the Clerk, staff, and Council Members on the dais.

Dr. Fiedler expressed concerns about safety on the dais and requested future discussion about possible solutions.

IX. COUNCIL REPORTS

Council Member Moore

Ms. Moore had no liaison reports and thanked emergency response personnel.

Council Member Fiedler

Dr. Fielder will report on the Metropolitan Planning Organization (MPO) at the next meeting, and thanked first responders and staff.

Council Member Frank

Mrs. Frank expressed thanks to staff for proactive work and gratitude to Public Information Officer Lorraine Anderson for website and social media communications regarding the impending storm.

Council Member Boldt

Mr. Boldt agreed with his fellow Council Members and thanked staff and first responders.

Vice Mayor Pachota

Vice Mayor Pachota reported the Municipal Administration Committee for Florida League of Cities is working on various policies, especially regarding the erosion of home rule. He encouraged citizens to listen to City and County officials regarding Hurricane Ian recommendations for preparation and evacuation, and thanked staff for working in preparation of the storm.

Mayor Feinsod

Mayor Feinsod expressed thanks to City staff and first responders.

City Manager Lavallee commented on the Emergency Operations Center (EOC) protocol at the Venice Police Department (VPD).

X. PRIVATE ATTORNEY-CLIENT SESSION - THIS SESSION HAS BEEN CANCELED DUE TO HURRICANE IAN

[22-5787](#)

12:00 P.M. - PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS NEAL COMMUNITIES OF SWF, LLC ET AL V. CITY OF VENICE

In attendance will be City Attorney Kelly Fernandez, Special Counsel Derek Schroth, Mayor Ron Feinsod, Vice Mayor Nick Pachota, Council Members Mitzie Fiedler, Helen Moore, Jim Boldt and Rachel Frank, City Manager Ed Lavallee, and Roberts Court Reporting. (Expected Duration 2 Hours)

XI. AUDIENCE PARTICIPATION

No one signed up to speak.

XII. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 9:48 a.m.

ATTEST:

Mayor - City of Venice

City Clerk