



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, September 8, 2020

9:00 AM

Council Chambers and Virtual Meeting

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### CALL TO ORDER

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

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

[20-4666](#)

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

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

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.

### ROLL CALL

Mr. Pachota joined the meeting at 9:18 a.m.

**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 Lavalley, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Police Captain Charlie Thorpe, City Engineer Kathleen Weeden, Director of Human Resources Alan Bullock, and Information Technology Director Christophe St. Luce.

### INVOCATION AND PLEDGE OF ALLEGIANCE

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

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

Don O'Connell, 500 Hauser Lane, spoke to demolition of historic properties, historic preservation ordinance, and suggested motivating property owners to renovate historic structures.

John Sullivan, 444 Bayshore Drive, began speaking on the Architectural Review Board's (ARB)'s approval to demolish the structure at 233 Pensacola Road and Ms. Fernandez interjected noting the subject item will be coming before council and comments specific to the demolition will have to wait until the public hearing.

Jeffery Boone, Boone Law Firm, requested council refrain from commenting or discussing the demolition of 233 Pensacola Road until the public hearing.

## **II. CONSENT SECTION:**

**A motion was made by Dr. Fiedler, seconded by Council Member Moore, to approve items in the Consent Agenda. 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**

[20-4667](#)

Minutes of the August 25, 2020 Regular Meeting

These minutes were approved on the Consent Agenda.

## **III. ITEMS REMOVED FROM CONSENT**

There were none.

## **IV. PUBLIC HEARINGS**

### **A. ORDINANCES – FINAL READING**

[ORD. NO.](#)  
[2020-22](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances Chapter 2, Administration, Article IX, Donations, to Allow for Donations of Historical Items; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing 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 Dr. Fiedler, seconded by Council Member Moore, that Ordinance No. 2020-22 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.  
2020-23](#)

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 20-01AN by Marilyn Johnson, Successor Trustee, of that Certain Revocable Trust Agreement, Known as "Trust Number 2020089", U/A/D, January 13, 1983, and as Amended March 21, 1991 and Brian McMurphy, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; 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 Pachota, that Ordinance No. 2020-23 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

## **V. NEW BUSINESS**

### **A. ORDINANCES**

[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.

Ms. Fernandez explained ordinance purpose and responded to council questions regarding ordinance expiration and requirements for re-instituting face coverings.

No one signed up to speak.

Discussion followed regarding feedback received since adoption of the mask ordinance.

**A motion was made by Dr. Fiedler, seconded by Council Member Cautero, that Ordinance No. 2020-30 be approved on first reading and scheduled for final reading.**

Captain Thorpe reported on events since adoption of the mask ordinance.

Several council members noted their observations of face coverings in downtown.

Discussion followed regarding mask ordinance, public feedback, encouraging compliance, the city's age demographic, and Town of Longboat Key's ordinance.

**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.

No one signed up to speak.

**A motion was made by Dr. Fiedler, seconded by Council Member Cautero, that Ordinance No. 2020-25 be approved on first reading and scheduled for final reading.**

Ms. Fernandez responded to council questions regarding issues that will be addressed by the special magistrate and council's ability to review applications during the hiring 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

[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.

No one signed up to speak.

**A motion was made by Council Member Cautero, seconded by Council Member Moore, that Ordinance No. 2020-26 be approved on first reading and scheduled for final reading. 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.](#)  
[2020-27](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article II, Mayor and Council, Division 2, Meetings, Subdivision I, In General and Subdivision II, Rules of Procedure, to Update Procedures for Meetings and Rules; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Ms. Stelzer noted incorporating procedures from other cities in the ordinance.

Mr. Lavallee spoke on proposed language relating to third party presentations.

Discussion followed regarding proposed changes, addressing subject with Item No. 20-4668 recommended changes to the city charter, and scheduling a workshop.

Ms. Fernandez explained this item is not related to changes in the charter.

Discussion continued regarding third party presentations, consensus items at strategic planning, and council's summer break.

**A motion was made by Vice Mayor Newsom, seconded by Dr. Fiedler, that Ordinance No. 2020-27 be approved on first reading and scheduled for final reading.**

Discussion ensued on guidelines for third party presentations.

Ms. Stelzer explained current process for presentation requests.

Discussion continued regarding agenda committee decisions, postponing item to a later date, staff presentations that include third party presentations, and scheduling a workshop.

**A motion was made by Council Member Pachota, seconded by Council Member**

**Cautero, to postpone motion on Ordinance No. 2020-27 until after having a workshop on this subject. 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

Recess was taken at 10:20 a.m. until 10:26 a.m.

## **B. RESOLUTIONS**

### [RES. NO. 2020-32](#)

A Resolution of the City of Venice, Florida, Correcting, Clarifying and Amending the Stormwater Management Utility Service Charge Based upon Land Use Classification, Establishing an Administrative Charge and Public Facilities Charge, Providing for Special Charges; Superseding and Replacing Resolution No. 2006-21; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

Ms. Weeden thanked the Stormwater Utility Rate and Water Quality Stakeholder's Work Group and Controller Joe Welch for their work on the study.

Kelly Westover, Stantec, provided a presentation and spoke to managing stormwater, funding, and key objectives.

Kyle Stevens, Stantec, spoke on revenue requirements, multi-year financial plan, takeaways of the financial plan, billing units, current fee structure, fee modification objectives and recommendations, single family and manufactured homes, updated fees, water quality fee, customer impacts, monthly stormwater fee survey, and the stakeholder work group.

Discussion followed regarding funding for water quality improvements.

**A motion was made by Vice Mayor Newsom, seconded by Council Member Cautero, that Resolution No. 2020-32 be approved and adopted.**

Discussion followed regarding proposed stormwater rates, improving infrastructures and water quality, and provisions on reviewing rates.

**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. 2020-31](#)

A Resolution of the City of Venice, Florida, Extending the Sunset Date of the Stormwater Utility Rate and Water Quality Improvement Stakeholder's Work Group 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. 2020-31 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.**  
**2020-33**

A Resolution of the City of Venice, Florida, Adopting an Accounts Receivable, Collection and Write-Off Policy and Superseding and Replacing Resolution No. 2007-34; 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. 2020-33 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

**C. COUNCIL ACTION/DISCUSSION**

**20-4671**

Response and Actions Related to COVID-19

There was no update.

**20-4668**

Discuss Recommended Changes to the City Charter

Ms. Fernandez commented on proposed changes and noted approved items will be put forth in an ordinance for voter election.

Discussion followed on postponing item to a workshop with Ordinance No. 2020-27.

**A motion was made by Council Member Cautero, seconded by Council Member Pachota, to postpone Item No. 20-4668 and include item at a workshop with Ordinance No. 2020-27. 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

**20-4669**

Discuss Procedure for Appointments to City Advisory Boards

Discussion took place on addressing item at a workshop with Ordinance No. 2020-27 and Item No. 20-4668.

**A motion was made by Council Member Pachota, seconded by Council Member Cautero, to postpone Item No. 20-4669 and include item at a workshop with Item No. 20-4668 and Ordinance No. 2020-27. 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

Dr. Neunder left the dais at 11:14 a.m.

Recess was taken at 11:15 a.m. until 11:20 a.m.

**D. PRESENTATIONS - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS**[20-4670](#)

Human Resources Director Alan Bullock and Risk Management Consultant Ray Carter, The Gehring Group: Property and Liability Insurance Renewal for Fiscal Year 2021 (10 min.)

Mr. Bullock spoke to the city's property and liability insurance.

Mr. Pachota returned to the meeting at 11:21 a.m.

Ray Carter, The Gehring Group, spoke regarding evaluating the city's risk and exposure, contractual reviews, budgetary projections, public safety facility, adjusting for Emergency Medical Services (EMS) takeover, deductible, and the city's partnership with Florida Municipal Insurance Trust (FMIT).

Luckner Francois, FMIT, spoke to coverages and claims.

Mr. Bullock commented on the tornado that struck Wellfield Park.

Discussion followed regarding insurance premium increases.

**A motion was made by Council Member Cautero, seconded by Council Member Moore, to approve property and liability insurance renewal with The Gehring Group for FY 2021. 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. CHARTER OFFICER REPORTS**City Attorney

Ms. Fernandez had no report

City Clerk

Ms. Stelzer reminded council of tomorrow's budget public hearing and Robert's Rules of Order workshop on September 15, 2020, and commented on board appointments.

City Manager

Mr. Lavallee noted the Venice police department moved into the new public safety facility.

**VII. COUNCIL REPORTS*****Council Member Fiedler***



Dr. Fiedler had no report.

***Council Member Pachota***

Mr. Pachota had no report.

***Council Member Neunder***

Dr. Neunder had no report.

***Council Member Newsom***

Vice Mayor Newsom had no report.

***Council Member Cautero***

Mr. Cautero had no report.

***Council Member Moore***

Ms. Moore reported on Architectural Review Board (ARB) meetings.

***Mayor Feinsod***

Mayor Feinsod reported on the Environmental Advisory Board (EAB) meeting.

**VIII. AUDIENCE PARTICIPATION**

Jeffery Boone, Boone Law Firm, commented on proposed charter amendments and suggested council review previous minutes from the charter review board.

**IX. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 11:42 a.m.

ATTEST:

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Mayor - City of Venice

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City Clerk