



City of Venice

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

Meeting Minutes City Council

Tuesday, December 12, 2023

9:00 AM

Council Chambers

Please Submit Speaker Cards to the Clerk Prior to the Start of the Meeting

[23-6333](#)

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

Broadcast

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor Nick Pachota, Ms. Joan Farrell, Vice Mayor Jim Boldt, Ms. Helen Moore, Mrs. Rachel Frank, Mr. Ron Smith and Mr. Rick Howard

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, Assistant City Manager James Clinch, Deputy City Clerk Toni Cone, and for certain items on the agenda: Police Chief Charlie Thorpe, Planning and Zoning Director Roger Clark, Senior Planner Nicole Tremblay, and Planner Josh Law, Director of Human Resources Alan Bullock, and Historical Resources Manager Harry Klinkhamer.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels offered the Invocation followed by the Pledge of Allegiance led by Vice Mayor Boldt.

I. RECOGNITION

[23-6334](#)

Swearing in: Police Officers Roddy Cortes and Rachel Richardson

Clerk Michaels performed this swearing in.

Recess was taken from 9:05 a.m. until 9:12 a.m.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Jim Perry, 577 Misty Pine Drive, spoke regarding concerns about Sawgrass, Planned Unit Development (PUD) designation, the golf course,

developers, property rights, and Sawgrass residents.

Linda McCollum 305 Bayshore Drive, spoke against sidewalks on Bayshore Drive, and requested a pause on the project.

Ruth Cordner, 246 Montelluna Drive, spoke on civility at meetings, Cielo residents' concerns, addressing unified control, and the need to increase first responder pay.

Chris Johnson, 4242 Tamiami Trail South, representing United Way, provided an update on the Long Term Recovery Group, the Supportive Housing Initiative Eviction Lifeline and Diversion project (SHIELD), affordable housing, and employment initiatives.

A motion was made by Vice Mayor Boldt, seconded by Mr. Smith, to extend Mr. Johnson's allotted time to five minutes. The motion carried unanimously by voice vote.

III. CONSENT SECTION:

Mr. Smith requested removal of Item No. 23-6342 from the Consent Agenda.

A motion was made by Vice Mayor Boldt, seconded by Mr. Smith, to approve items on the Consent Agenda, except Item No. 23-6342. The motion carried unanimously by voice vote.

A. CITY CLERK

[23-6335](#) Appoint Michael Campbell to the Fire Pension Board of Trustees to Serve a Term from December 12, 2023 to September 30, 2027

This appointment was approved on the Consent Agenda.

[23-6336](#) Minutes of the November 28, 2023 Certification of Election Results and Regular Meeting

These minutes were approved on the Consent Agenda.

B. CITY MANAGER

[23-6337](#) Approve the Dueling Pianos Special Event on January 6, 2024 at the 200 Block of Miami Avenue and Portions of Nokomis Avenue

This item was approved on the Consent Agenda.

[23-6338](#) Approve the Venice Blues Festival Special Event on March 22 and 23, 2024 at the Airport Festival Grounds

This item was approved on the Consent Agenda.

Engineering

[23-6339](#) Authorize the Mayor to Accept Utility Easement from Hatchett Creek Associates, LLC, identified as Waterfront on Hatchett Creek

This item was approved on the Consent Agenda.

[23-43FP](#) Approve Final Plat for Cassata Lakes Phase II and Accept the Developers Completion and Payment Bonds in the Amounts of \$539,354.49 for Water and Sewer Completion and \$63,180.71 for Final Asphalt Lift and Sidewalk Completion from FCMMD, LLC, and Authorize the Mayor, City Attorney and City Engineer to Sign the Final Plat

This item was approved on the Consent Agenda.

[23-6340](#) Execute Amendment No. 1 to Agreement No. 22SRP76 Between Florida Department of Environmental Protection and the City of Venice for the Tarpon Center Nature Based Flood Mitigation Pilot Project to Increase the Grant Award Amount by \$950,000

This item was approved on the Consent Agenda.

Fire

[23-6341](#) Approve Interlocal Agreement Between City of Venice and Sarasota County Regarding Fire Protection, Emergency Medical Services (EMS), and Specialized Services

This item was approved on the Consent Agenda.

Human Resources

Utilities

[23-6343](#) Approve First Addendum to Utility Upsizing and Reimbursement Agreement Between Meritage Homes of Florida, Inc. and the City of Venice for Rustic Road

This item was approved on the Consent Agenda.

[23-6344](#) Approve Interlocal Agreement with the Rustic Oaks Community Development District Regarding Construction of Knights Trail Sewer Force Main

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

[23-6342](#) Approve Memorandum of Understanding (MOU) by and Between the City of Venice and the Fraternal Order of Police (FOP)

A motion was made by Mr. Smith, seconded by Mayor Pachota to discuss Item

No. 23-6342. The motion carried by consensus.

Human Resources Director Bullock provided the requested update on the proposed contract with the Fraternal Order of Police (FOP), the negotiation process with all four unions representing City employees, and answered a Council question regarding officer pay in comparison with other agencies.

A motion was made by Mr. Smith, seconded by Mr. Boldt to approve Item No. 23-6342. The motion carried unanimously by voice vote.

V. PRESENTATION

[23-6345](#)

Historical Resources Manager Harry Klinkhamer: Initial Centennial Celebration Planning for Upcoming Anniversaries in 2026 (10 min.)

Historical Resources Manager Klinkhamer provided a presentation on the upcoming anniversaries and events, the Venice Centennial, the United States Semiquincentennial, and the September 11th Quadranscentennial.

Assistant City Manager Clinch commented on the hardwork of Mayor Pachota and Historical Resource Manager Klinkhamer in creating a draft of the guideline of what the Centennial celebration may look like.

Discussion took place regarding a possible statue of John Nolen, the September 11th acknowledgement, community involvement, funding, volunteers, and staff support.

Recess was taken from 10:15 a.m. until 10:30 a.m.

VI. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING

[ORD. NO.](#) [2023-51](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, by Amending Section 1.2. Common Review Procedures, Section 1.4.2. Specific Application Requirements, Section 1.15.3. Minor Site and Development Plan, Table 2.3.9. Laurel West Development Standards, Table 2.3.10. Laurel East Development Standards, Table 2.3.11. Knights Trail Development Standards, Table 2.3.12. Knights Trail Transitional District, Section 3.1.4. Building Placement Requirements, Section 3.1.6. Soil and Flood Hazards, Section 3.1.8. Access Management Requirements, Section 3.4.2. Sidewalks, Section 3.5.1. Prohibited Signs, Combining Section 3.5.2. Exempt Signs and Section 3.5.3. Temporary Signs into One Section, Amending and Renumbering Existing Section 3.5.4. Permitted Signs, Amending Section 3.7.1. Purpose, Intent and Applicability, Section 3.7.2. Plant Materials, Section 3.7.3. Irrigation, Chapter 88, Building Regulations, Section 2.2.4. Minimum Floor Elevation, and Chapter 89, Environmental

Regulations, Section 2.8.4. Construction and Technical Standards, 3.2.2. Exemptions, Section 3.3.1. Tree Permit Application Requirements, Section 3.4.1. Protected Trees, 3.4.6. Incentives-Preservation of Existing Trees/Vegetation and Planting of New Trees, Section 3.5.2. Required Best Management Practices, and Section 4.1. Defined Terms, Pursuant to Text Amendment Petition No. 23-70AM, to Correct Clerical Errors, Clarify Certain Provisions, and Address Other Regulatory and Procedural Issues; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

Senior Planner Tremblay provided a presentation regarding application procedure, common application requirements, and specific application requirements.

Discussion took place regarding a citizen recommendation regarding the Planning and Zoning sufficiency letter, completeness review, and setback requirements.

Planning and Zoning Director Clark responded to a Council question regarding the suggested change to the verbiage proposed by a citizen, stating if Council prefers that language it may direct the change to 1.2.C; the Planning and Zoning Director may waive inapplicable requirements, and put it in writing via the Completeness Review and letter.

There was no public comment.

Mayor Pachota closed the public hearing.

Discussion took place regarding the language, clarification, the Planning and Zoning Director may waive inapplicable requirements only, and who the direction should come from.

A motion was made by Mr. Smith, seconded by Ms. Farrell that Ordinance No. 2023-51 be approved on first reading and scheduled for final reading with the revision to Section 1.2.C of "specific application requirements contained in each subsection must be provided unless such requirement is clearly not applicable to the application under consideration in which case the Director, after making such a finding may in writing waive the inapplicable requirement." The motion carried by the following electronic vote:

Yes: 5 - Mayor Pachota, Ms. Farrell, Mrs. Frank, Mr. Smith and Mr. Howard

No: 2 - Vice Mayor Boldt and Ms. Moore

ORD. NO.
2023-54

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, by Amending Section 2.4.7., Industrial Uses, Pursuant to Text Amendment Petition No. 22-64AM, by Modifying the Standards for the Use Definition of Flex to Reduce the Minimum Building Area Developed as Office or Retail Store Front from 15% to 10%, and to Allow for Outdoor Storage as an Accessory Use; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There was no written communication.

Planner Josh Law provided a presentation on the Land Development Code (LDC) Text Amendment to include the project description, Comprehensive Plan and Land Development compliance, and answered Council questions regarding the application, the "Flex" space to change language in the code going forward to applicable to certain districts, variances, and Planning Commission discussion.

Jackson Boone, Agent for the applicant, presented the text amendment, the reason for the 10% vs. 15%, inventory, zoning districts, flex use, other jurisdictions' utilization of flex use, consistency with the Comprehensive Plan, the Land Development Code, requested approval, and answered a Council question whether there is another process to address this issue rather than a text amendment.

There was no public comment.

Mayor Pachota closed the public hearing.

Discussion took place regarding the text amendment, flex space amounts, the Land Development Regulations (LDRs), where the percentage originated, and a tree survey.

Point of order from Ms. Moore that the survey was part of the site plan approved by Planning Commission and was not part of the application before Council.

City Attorney Fernandez stated if it is not pertinent to the text amendment, it cannot be discussed.

Discussion continued regarding the work that went into the LDRs, the new zoning designation, opportunity to improve the City's Code, increasing

flexibility, benefit to the community, need for the LDRs to be fluid, as changes will be required when the designations are put in place.

A motion was made by Mrs. Frank, seconded by Vice Mayor Boldt, that Ordinance No. 2023-54 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 6 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

No: 1 - Ms. Farrell

Recess was taken from 11:35 a.m. until 12:32 p.m.

B. ORDINANCES – FINAL READING

[ORD. NO. 2023-49](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, by Amending Section 3.8.2., General Standards, Pursuant to Text Amendment Petition No. 23-69AM, by Requiring Fences on Lots that are Vacant or Have No Active Use to be Open Fences Adjacent to a Street; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no written communication.

Mayor Pachota opened the public hearing.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance No. 2023-49 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO. 2023-50](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 42, Miscellaneous Offenses, to Add Section 42-5, Massage Therapists and Establishments; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no written communication.

Mayor Pachota opened the public hearing.

There was no public comment.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-50 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.](#)
[2023-52](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 62, Streets, Sidewalks, and Other Public Places, Article I, In General, to Add Section 62-3, Dangerous Use of Public Rights-Of-Way; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no written communication.

Mayor Pachota opened the public hearing.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-52 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.](#)
[2023-53](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 2, Administration, Article II, Mayor and Council, Division 2, Meetings, Subdivision I, In General, Section 2-53, Addressing Council, to Revise the Procedures for Quasi-Judicial Hearings; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no written communication.

Mayor Pachota opened the public hearing.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance

No. 2023-53 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

**ORD NO
2023-55**

An Ordinance Amending City of Venice Ordinance No. 2023-34 Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2023 and Ending September 30, 2024; by Decreasing the Total Revenue by \$16,345,020 and Total Expenditures by \$16,345,020; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no written communication.

Mayor Pachota opened the public hearing.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-55 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

VII. NEW BUSINESS

A. RESOLUTIONS

**RES NO
2023-46**

A Resolution of the City Council of the City of Venice, Florida, Amending the City of Venice Personnel Procedures and Rules, 2020 Edition, by Amending Section 2.4, Sick Leave, and Section 2.5, Discretionary Leave Issues; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Resolution No. 2023-46 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

**RES NO
2023-47**

A Resolution of the City of Venice, Florida, Authorizing the Venice City Council to Participate in a Joint Meeting with Sarasota County, the Cities of North Port and Sarasota, the Town of Longboat Key and the Sarasota County School Board to Receive, Discuss and Act Upon Matters of Mutual Interest; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Mrs. Frank, seconded by Ms. Moore, that Resolution No. 2023-47 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[RES. NO.
2023-48](#)

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Hatchett Creek Associates, LLC and Accepting a One Year Developers Cash Maintenance Bond and Bill of Sale, and Providing an Effective Date (Waterfront on Hatchett Creek)

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Resolution No. 2023-48 be approved adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[RES. NO.
2023-49](#)

A Resolution of City Council of the City of Venice, Florida, Amending the Guidelines for City Commissions, Boards and Committees (Boards) and Establishing a Legislative Referral Process for the Effective Order of Business; Superseding Resolution No. 2022-26 and All Policies in Conflict Herewith; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Resolution No. 2023-49 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

B. COUNCIL ACTION/DISCUSSION

[23-6346](#)

Reappoint Kit McKeon to the Planning Commission to Serve a Term from January 1, 2024 to December 31, 2026 (Council Member Farrell Requested to Keep the Application Pool Open)

A motion was made by Mrs. Frank, seconded by Ms. Moore, to reappoint Kit McKeon to the Planning Commission to serve a term from January 1, 2024 to December 31, 2026. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[23-6347](#)

Direct Staff to Identify Appropriate Zoning Designations Consistent with the Comprehensive Plan for all Parcels not Currently Holding a City Zoning Classification (Mr. Smith)

Mr. Smith provided an introduction to the topic of applying City Zoning

designations to properties that do not currently have a City zoning designation, commented that Planning and Zoning Director Clark provided the list, and requested a date for a progress report.

Planning and Zoning Director Clark answered a Council question regarding timeframe for having a progress report and stated 120 days from today would be appropriate to get information to property owners, and staff review based on owner response. There are nineteen left, as one was done at the last meeting.

Mayor Pachota expressed concerns with the process followed in this matter, cautioning Council Members from directing staff without first obtaining a Council body directive.

Discussion took place that the rezoning has been in play for a long time and many were addressed with the new zoning map.

Assistant City Manager Clinch confirmed this has been an ongoing initiative with the list being reduced from 1,000 to 19 properties.

A motion was made by Ms. Farrell, seconded by Mr. Smith, to direct staff to identify appropriate zoning designations consistent with the Comprehensive plan for all parcels not currently holding a City zoning classification. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[23-6348](#)

Approve 2024 Meeting Schedule (Clerk Michaels)

Clerk Michaels noted this is a "save-the-date" calendar and Council Members should verify their meeting dates in case they change throughout the year.

A motion was made by Mrs. Frank, seconded by Mr. Howard, that the 2024 Meeting Schedule be approved. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

VIII. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez wished Council a Merry Christmas and a Happy New Year.

City Clerk

Clerk Michaels had no report.

City Manager

Assistant City Manager Clinch reported on several projects, including the Lord-Higel House, the Water Booster Pump Station on Knights Trail, and planning for the redesign/renovation of council chambers.

IX. COUNCIL REPORTS***Council Member Frank***

Mrs. Frank asked about thank you letters for the board members of the sunsetted boards.

Mayor Pachota stated there would be a letter going to the members soon, with a reception in January.

Council Member Smith

Mr. Smith recognized the Planning and Zoning Director and Planning staff for their presentation at Waterford, noting it was very educational and will be presented throughout the City.

Council Member Howard

Mr. Howard reported on attendance at the boat parade, the glow ride, Economic Development Committee (EDC) orientation and meeting.

Council Member Farrell

Ms. Farrell had no report.

Council Member Moore

Ms. Moore wished City Manager Lavallee well, the Florida League of Cities (FLC), short-term rentals, Legislative Action days, the success of recent events, and the value of the Public Works community presentations. She also wished staff and Council Happy Holidays.

Vice Mayor Boldt

Vice Mayor Boldt wished City Manager Lavallee a speedy recovery, participation in the boat parade, and wished everyone Happy Holidays.

Mayor Pachota

Mayor Pachota reported on attendance at FLC, Metropolitan Planning Organization (MPO) orientation and meeting, Chanukah Festival, the Village on Isle Men's Group, Women Who Lunch, the Cub Scouts, the Venice Area Historic Society, and the Montessori School, and wished City Manager Lavallee well.

X. AUDIENCE PARTICIPATION

There was none.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 1:05 p.m.

ATTEST:

Mayor - City of Venice

City Clerk