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

City of Venice

Meeting Minutes
City Council

Tuesday, March 25, 2014 | **9:00 AM** | **Council Chambers**

CALL TO ORDER

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

ROLL CALL

Present: 6 - Council Member Jim Bennett, Council Member Emilio Carlesimo, Council Member Kit McKeon, Council Member David Sherman, Council Member Bob Daniels and Mayor John Holic

Absent: 1 - Council Member Jeanette Gates

Also Present

Also present: City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Judy Gamel, and for certain items on the agenda: Director of Administrative Services Alan Bullock, Community Development Director Jeff Shrum, and Planner Roger Clark.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mr. Daniels.

I. RECOGNITION

14-0490 Proclamation for Child Abuse Prevention Month, April, 2014, Presented to Sheila Miller, Director of Operations and Supervised Visitation Program Director, Child Protection Center, Inc.

This Proclamation was presented by Mayor Holic to Beth Piel, Assistant Program Director for Supervised Visitation.

14-0491 Proclaim April 6th as National Tartan Day, Presented to Jack McCall with Scots: Dennis Craig, Jim Martin, Barbra Bartz and Doug and Muriel Maxwell

This Proclamation was presented by Mr. Bullock to Dennis Craig, Jim Martin, Barbra Bartz, Doug Maxwell, and Muriel Maxwell.

II. AUDIENCE PARTICIPATION

Pat Neal, Neal Communities, provided an update on the Woods of Venice meeting last Thursday, and noted he planned to schedule meetings as necessary to hear concerns.

Mr. Persson clarified Mr. Neal's comments and ex-parte communications.

14-0627 Pat Neal Speaker Card

This Presentation was presented

III. CONSENT SECTION:

Responding to Mr. Daniels, Mayor Holic explained that certain appointments were recommended with a letter and a city board application would not be included.

A motion was made by Council Member Sherman, seconded by Council Member Carlesimo to approve the item in the Consent Section. The motion carried by voice vote unanimously.

A. MAYOR

Approval of the Consent Section

A motion was made to approve items in the Consent Section.The motion carried unanimously.

14-0492 Appoint Walter Rossmann as the Venice Citizen Representative on the Sarasota/Manatee Metropolitan Planning Organization (MPO) Bike/Pedestrian/Trails Advisory Committee

This Appointment was approved on the Consent Agenda

IV. PUBLIC HEARINGS

Mr. McKeon left the meeting at 9:20 a.m. and returned at 9:22 a.m.

Mayor Holic reported on his participation with Meal on Wheels deliveries on Monday, March 24, 2014.

ORDINANCES - FIRST READING

ORD. NO. 2014-08 Amending the Official Zoning Atlas to Rezone Petition No. 13-3RZ, Windwood, for the Rezoning of the Property Described herein from Sarasota County Open Use, Estate (OUE) Zoning District to Planned Unit Development (PUD) Zoning District (Quasi-Judicial)

Mayor Holic stated this is a quasi-judicial procedure and Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing and Mr. Persson questioned council members concerning conflicts of interest and ex-parte communications.

Mr. Daniels and Mayor Holic disclosed site visits. Mr. Bennett disclosed a conversation with Mr. Burrus, area resident. Mr. Sherman disclosed a meeting in attorney Jeff Boone's office.

Ms. Stelzer stated that no written communication had been received.

Mr. Clark, being duly sworn, provided background information, displayed an aerial photograph of the site, a PUD conceptual plan, site photographs, and a land use and zoning map, reviewed modifications of code standards relating to height and sidewalks, and stated that Planning Commission unanimously recommended approval of the petition.

Mayor Holic noted an e-mail sent to city council members, which will be included as written correspondence.

Mr. Clark, answered questions regarding maintenance responsibilities of sidewalks and roadways, installation of sidewalks and bike trails, reclaimed water facilities, Sarasota County zoning, and zoning.

Jeff Boone, attorney, being duly sworn, requested that all items contained in the city file be included as part of the record, clarified Mr. Clark's remarks relating to density and referenced previous land use law cases in Sarasota County regarding rezoning.

Dale Weidemiller, Neal Communities, being duly sworn, stated Windwood was creating housing to meet market demand and introduced Maryann Gurgic, Community and Government Relations.

Ms. Gurgic, being duly sworn, briefed council members on community meetings and noted that community residents supported the project.

Peter Van Buskirk, Kimley Horn and Associates, being duly sworn, stated the project was consistent with future land use regulations and reviewed specifics of the project pertaining to buffering.

Ms. Gurgic handed out information concerning buffering and drainage.

Mr. Boone stated the project was consistent with city regulations and codes and requested council approval.

Discussion ensued regarding existing vegetation and buffering along Pinebrook Road.

Ms. Gates entered the meeting at 9:52 a.m.

John Henslick, environmental consultant, being duly sworn, displayed photographs and reviewed his inspection of buffering, noting that nuisance vegetation would be removed.

Discussion ensued regarding reclaimed water facilities, the stormwater management system, and open spaces.

Mr. Persson clarified that Ms. Gates read the staff report and stated she had no conflicts of interest or ex-parte communication.

Mr. Clark advised that his presentation provided council with information contained in the staff report.

There were no objections to Ms. Gates voting on this project.

Robert Graf, Sorrento Area Residential Association president, being duly sworn, spoke in support of the petition.

William Welle, area resident, being duly sworn, offered support of the project.

Ellen Franck, 1211 Capri Isles Boulevard, being duly sworn, pointed out the lack of affordable housing in the project.

Council members responded that this issue was discussed during strategic planning sessions and noted efforts to provide affordable housing.

Judy Weber, 1211 Capri Isles Boulevard, being duly sworn, expressed concerns regarding available water supplies and sewer facilities.

Council members commented on efforts to increase water supplies and there being adequate future supplies of water.

Mayor Holic closed the public hearing.

After the motion, Mr. Bennett commented on construction of affordable housing.

Ms. Franck offered further comments on affordable housing.

Mr. Sherman stated his support of constructing sidewalks on both sides of the street.

Recess was taken from 10:22 a.m until 10:31 a.m.

A motion was made by Council Member Carlesimo, seconded by Council Member Daniels, that Ordinance No. 2014-08 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

V. UNFINISHED BUSINESS

ORDINANCES – FINAL READING AND PUBLIC HEARING

ORD. NO. 2014-07 Updating the Annual Five Year Capital Improvement Schedule for Fiscal Years 2013/14 - 2017/18 Including a Long-Range Capital Improvement Schedule Contained in Volume I, Appendix C of the City of Venice Comprehensive Plan

Ms. Stelzer read the ordinance by title only and Mayor Holic opened the public hearing.

Ms. Stelzer stated that no written communication had been received.

Mayor Holic closed the public hearing.

A motion was made by Council Member Sherman, seconded by Council Member Bennett, that Ordinance No. 2014-07 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

ORD. NO. 2013-16 Amending the City's Comprehensive Plan, Volume I; Introduction, Goals, Objectives, and Policies and Land Use and Development Chapter, Future Land Use and Design Element; Amending the Future Land Use Map Series to Include FLUM-MAP 30 Urban Service Area; Adding Objective 20 and Policy 20.1 to Establish an Urban Service Area (12-1CP)

Ms. Stelzer read the ordinance by title only and Mayor Holic opened the public hearing.

Ms. Stelzer stated that no written communications had been received.

Ms. Shrum reviewed modifications to the ordinance relating to establishing a long range capital improvement schedule and to include a map of the city limits.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Ordinance No. 2013-16 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

ORD. NO. 2014-01

Amending the City's Comprehensive Plan, Volume I, Land Use and Development Chapter, Future Land Use and Design Element, Deleting Section B.1 of Policy 16.6 Relative to the Southern Gateway Corridor Standards (13-1CP)

Ms. Stelzer read the ordinance by title only and Mayor Holic opened the public hearing.

Ms. Stelzer noted that the ordinance in the agenda packet did not include the exhibit, a copy was distributed to council members.

Ms. Stelzer stated that no written communication had been received.

Larry Ivey, 120 Base Avenue East, displayed a report supporting that the circus arena fit into the Venice Comprehensive Plan.

Mayor Holic closed the public hearing.

Responding to Mayor Holic, Mr. Rozansky stated the current height of the existing circus arena steel structure was approximately 45 to 48 feet.

Mayor Holic pointed out that the ordinance limited height to 42 feet.

Discussion ensued regarding the height being measured to the top of the cupolas prior to removal of the outer portion of the arena.

Mr. Persson clarified the ordinance created a broader spectrum of use and the existing structure may be grandfathered.

Discussion followed regarding deadline for demolition of the steel structure, development of the circus arena property, and confirming height measurements.

Mr. Persson offered options to revising height restrictions in the ordinance.

Mr. Bennett MOVED to table the ordinance. Seconded by Mr. Daniels.

Discussion followed regarding tabling the motion.

Council members and Mr. Persson discussed options for acting on this motion.

Mayor Holic clarified the ordinance regulated what could be built on the site, not building height.

Mr. Lavallee informed council members that the building official could provide information concerning the building height.

MOTION TO TABLE THE MOTION FAILED ON VOICE VOTE WITH MR. CARLESIMO, MR. MCKEON, MR. SHERMAN, AND MAYOR HOLIC OPPOSED.

A motion was made by Council Member Carlesimo, seconded by Council Member Daniels, that Ordinance No. 2014-01 be approved and adopted. The motion carried by the following vote:

Yes: 5 - Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates and Mayor Holic

No: 2 - Mr. Bennett and Mr. Daniels

VI. NEW BUSINESS

A. ORDINANCES - FIRST READING

ORD. NO. 2014-09 Extending the City's Consent to the Inclusion of the Incorporated Area of the City of Venice in the Sarasota County Emergency Medical Services Municipal Service Taxing Unit

Ms. Stelzer read the ordinance by title only and stated that no one signed up to speak.

A motion was made by Council Member Carlesimo, seconded by Council Member Sherman, that Ordinance No. 2014-09 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

B. PRESENTATIONS

14-0494 Paula Biltmore, President/CEO and Kathy Lehner, Vice President/COO, Gulf Coast Environmental Conservation and Exploration (15 minutes)

Ms. Gates questioned information that was provided to the Economic Development Advisory Board (EDAB) but was not included in the council agenda packet.

Mr. Carlesimo left the meeting at 11:00 a.m. and returned to the meeting at 11:02 a.m.

Ms. Biltmore and Ms. Lehner reviewed economic benefits provided by eco-systems and opportunities to promote conservation.

Discussion followed regarding traffic impacts to the environment, public education, providing alternative transportation for eco-tours, eco-cafe amenities, providing program updates, EDAB motion supporting the program, financially supported with grant funding, utilizing existing tourist attractions, city staff involvement, returning with an update at the April council meeting, and use of public property.

There was CONSENSUS to support the Gulf Coast Environmental Conservation and Exploration Eco-Café project.

14-0493 Chris Rozansky, CM, Airport Administrator: Focused Environmental Assessment Update for the Runway 13-31 Safety Improvements (10 min.)

Mr. Rozansky provided an update including project goals, scheduling public workshops, grant applications, environmental impacts, and runway safety improvements.

Discussion ensued regarding two homes remaining in the runway protection zone, meeting with the homeowners to discuss options, runway lengths, accommodating existing flight traffic, and safety regulations.

14-0495 Jeff Snyder, Finance Director: Monthly Financial Report (10 min.)

Ms. Gates left the meeting at 11:30 a.m. and returned to the meeting at 11:41 a.m.

Mr. Snyder briefed council members on year-end projections and answered questions regarding fire inspection and building reserve funding.

Mayor Holic stated the building official reported that the circus arena height was 43.8 feet. Council members questioned whether or not a cupola was a part of the measurement.

Mr. Shrum commented on height limitations and special exceptions.

Recess was taken from 11:48 a.m until 1:30 p.m.

AUDIENCE PARTICIPATION

Pat Wayman, 3071 Border Road, requested clarification regarding notification of area residents prior to rezoning of properties and changes to the Comprehensive Plan.

Mr. Shrum reviewed rezoning procedures.

Council members provided input relating to Comprehensive Plan revisions, notification process for city and county residents, joint planning agreements, and annexing property into the city,

14-0628 Audience Participation Speaker Cards

This Presentation was presented

C. RESOLUTIONS

RES. NO. 2014-08 Changing the Land Development Schedule of Fees and Charges by Revising the Fee Schedule for License Agreement Applications and Superseding Resolution No. 2013-02

Ms. Stelzer read the resolution by title only.

After the motion, Ms. Weeden clarified the resolution.

Ms. Gates requested there be a process of notifying owners of the removal of dedicated memorial trees.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Resolution No. 2014-08 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

RES. NO. 2014-10 Establishing Civil Penalties for Violations of Construction Without a Permit and Unlicensed Contracting

Ms. Stelzer read the resolution by title only.

Mr. LaPorta reviewed the resolution and answered council member questions relating to taking action when offenses occur, triggering penalties, and enforcement with police action.

Ms. Stelzer pointed out discrepancies between Mr. LaPorta's presentation and resolution verbiage.

Mr. Persson requested that Resolution 2014-10 be postponed until the next council meeting.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Resolution No. 2014-10 be postponed until later in the meeting. The motion carried by voice vote unanimously.

D. COUNCIL ACTION

14-0496 Draft Request for Letters of Interest for the Development of the Circus Arena Property

Mr. Rozansky provided background information.

Mr. Lavallee discussed procedures concerning public notice.

Discussion followed regarding multi-family residential not being an approved use, strengthening verbiage relating to preserving historical significance, proposed development of the property, EDAB recommendations, separating the parcel, considering all proposals, property owned by West Coast Inland Navigation District (WCIND), and deterioration of the steel structure.

Mr. Lavallee stated the existing steel structure must be demolished by September 2014.

Mr. Sherman stated the Historic Preservation Board could not take on this project at this time because of responsibilities to remodel the Lord Higel House.

Mr. Rozansky read the contractor's agreement concerning demolition of the circus arena, and reviewed options for advertising the proposal and including the proposed economic development representative in this process.

Council members agreed that the bid be placed by April 1, remain out for 45 days, and be returned by the middle of May 2014.

Larry Ivey, city resident, discussed preservation of the steel structure and urged council members to extend the demolition deadline.

Recess was take from 2:36 p.m. until 2:45 p.m.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that item no. 14-0496 be approved. The motion carried by voice vote with Council Member Bennett opposed.

VII. CHARTER OFFICER REPORTS

City Attorney

14-0497 Direction Relative to Yard Sales, Garage Sales and Estate Sales Regulations

Mr. Sherman suggested issuing a permit through the Building Department.

A motion was made by Council Member Gates, seconded by Council Member Daniels, to direct the City Attorney to create a yard sale, garage sale, and estate sale regulation. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

RES. NO. 2014-10 Establishing Civil Penalties for Violations of Construction Without a Permit and Unlicensed Contracting

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Resolution No. 2014-10 be postponed until the April 8, 2014 City Council meeting. The motion carried by voice vote unanimously.

City Clerk

City Manager

VIII. COUNCIL REPORTS

Mayor Holic

14-0498 Request Staff to Research Sister City Relations for the City of Venice

Mayor Holic provided background information.

Discussion ensued regarding discussing this suggestion with the Italian American Club and costs.

Mr. Lavallee shared his prior experience with a sister city program and noted that it involved expenses.

Mr. Carlesimo offered to work with the Italian American Club.

Ms. Gates suggested resources including the Tourist Development Council (TDC), Visitors Bureau and the Gulf Coast Community Foundation.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Item No. 14-0498 be approved, as time permits. The motion carried by the following vote:

Yes: 7 - Mr. Bennett, Mr. Carlesimo, Mr. McKeon, Mr. Sherman, Ms. Gates, Mr. Daniels and Mayor Holic

Additional Council Reports

Mr. Sherman brought to council's attention a letter from Mr. Persson in regards to administrative approval guidance. Action on this topic is at the end of additional council reports.

Mr. Bennett reported on the Metropolitan Planning Organization (MPO) meeting last Monday and discussions concerning traffic light timing.

Mr. Carlesimo reported on Parks and Recreation Advisory Board discussions concerning the fish sign at the Marina Park boat ramp. He handed out and read a memorandum concerning making downtown a

Community Redevelopment Area district. There were no objections to Mr. Carlesimo monitoring this situation and reporting back to council members.

Mayor Holic reported that residents will begin moving into Venetian Walk units, and the city received a flag with the names of 9/11 victims on it.

Mr. McKeon referenced an e-mail from Gail Loeffler at City of Sarasota regarding short term rentals, requested contacting Doug Holder's office, and reported on Southwest Florida Regional Planning Council (SWFRPC) discussions concerning Charlotte Harbor moving out from under the SWFRPC.

Mr. Daniels reported on Code Enforcement Board discussions concerning mowing overgrown grass, TDC discussions regarding funding, and his invitation to Ms. Haley to attend a council meeting and present information on return on investment model and branding.

Ms. Gates reported on an e-mail from Scott Dennis, Channel 7, commending represention of Venice on Capitol Hill. She noted confliction in articles regarding the Chalk Festival, and reported on parking for the Youth Sailing Regatta, REV 3 TDC concerns that there is no staff point of contact, and Bob Cushing's e-mail regarding sign code education.

Mr. Lavallee stated he had responded to Mr. Cushing's e-mail regarding the use of the city web site for education, noted information in the Gondolier regarding the Chalk Festival was old information, and outlined his suggestion regarding street blockage and parking issues.

Discussion continued regarding handling a large amount of people, and the Chalk Festival following REV3.

A motion was made by Council Member Sherman, seconded by Council Member Mckeon, that after review by the planning commission an amendment to the land development regulations to establish objective criteria that will guide the planning department so that it is clear when planning staff may act and when planning staff must refrain from acting in regards to administrative variances. The motion carried by voice vote unanimously.

14-0629 Administrative Approvals

This Presentation was presented

14-0630 Emilio Carlesimo CRA Letter

14-0499 Central Business District Urban Design Alternatives Study, August 23, 2005

Mayor Holic provided background information and outlined his request, stressed the importance of accuracy and consistency in identifying potential parking areas and study costs. Mayor Holic asked council members to pass ideas relating to downtown parking to Christopher Hatton with Kimley Horn and Associates.

Discussion followed regarding identifying potential parking spaces, signage identifying parking areas, moving forward on this matter, planning for the future, spaces required versus spaces identified, reverse angle parking, and peak problem times.

Mr. Hatton thanked council members for the feedback, and stated existing issues would be corrected.

Bob Cushing, city business owner and resident, commented on similarities between both studies, capacity issues, and signage designating available parking lots.

Mr. McKeon suggested manual control of traffic lights.

Officer Demetri Serianni stated that police officers have the capability of controlling traffic lights.

14-0500 Downtown Parking Information, 2009 vs. 2014

This item was included in item 14-0499.

IX. AUDIENCE PARTICIPATION

No one signed up to speak.

X. ADJOURNMENT

The meeting adjourned at 4:11 p.m.

John W. Holic
Mayor - City of Venice

ATTEST:

Lori Stelzer
City Clerk

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