



City of Venice

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

Meeting Minutes City Council

Tuesday, September 26, 2017

9:00 AM

Council Chambers

CALL TO ORDER

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

ROLL CALL

Ms. Stelzer noted Mr. Caution requested excused absence.

Present: 6 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Deborah Anderson and Council Member Fred Fraize

Excused: 1 - Council Member Richard Caution

ALSO PRESENT

Assistant City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavalley, Assistant City Manager Len Bramble, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Fire Chief Shawn Carvey, Administrative Battalion Chief Frank Giddens, Utilities Director Javier Vargas, Assistant Utilities Director John Monville, Finance Director Linda Senne, Controller Joe Welch, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Public Works Director John Veneziano, Assistant City Engineer James Clinch, Stormwater Engineer Analyst Gillian Carney, and Benefits Administrator Susie Daniels.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Assistant City Manager Len Bramble.

I. RECOGNITION

[17-2905](#) Recognize Julia Cousins Laning for her Contribution to the City's Historical Resources

This recognition will be presented at a future council meeting.

[17-2890](#) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ending 2016 from the Government Finance Officers Association Presented to Finance Director Linda Senne

Mayor Holic presented this Certificate to Ms. Senne.

[17-2906](#)

Mayor's Pillar of the Community Award, Presented to Gregory and Susan Vine

Mayor Holic presented this award to Gregory and Susan Vine.

II. AUDIENCE PARTICIPATION

No one signed up to speak.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to excuse Mr. Caution's absence. The motion carried unanimously by voice vote.

III. CONSENT SECTION:

Ms. Stelzer noted Item 17-2911 is being pulled by staff and will be moved to October 10, 2017 council meeting.

A motion was made by Council Member McKeon, seconded Council Member Daniels, to approve items in the Consent Section with the exception of Item Nos. 17-2910 and 17-2913. The motion carried unanimously by voice vote.

A. MAYOR

[17-2907](#)

Reappointment of Kevin McGrath to the Police Pension Board of Trustees to Serve a Term From October 1, 2017 until September 30, 2021

This Re-appointment was approved on the Consent Agenda.

[17-2908](#)

Appoint Student Member Caroline Kincaid to the Historic Preservation Board to Serve a Term from September 26, 2017 until September 30, 2018

This Appointment was approved on the Consent Agenda.

B. CITY CLERK

[17-2891](#)

Minutes of the August 21, 2017 Fire Fee Final Resolution Public Hearing and Private Attorney Client Session, August 22, 2017 Regular Meeting, August 28, 2017 Fire Fee Assessment Special Meeting and Venice Housing Authority Funding Opportunities Meeting, September 6, 2017 Emergency Preparations for Hurricane Irma Special Meeting, September 7, 2017 Fire Fee Final Resolution Public Hearing Special Meeting and September 13, 2017 Transmittal Public Hearing

These Minutes were approved on the Consent Agenda.

C. CITY ATTORNEY

[17-2892](#)

Approve Proposed Settlement Agreement Relative to City of Venice v.

Sergije Stangacilovic and Nikola Miric (Foreclosure of Code Enforcement and Utility Liens)

This Settlement Agreement was approved on the Consent Agenda.

D. CITY MANAGER

[17-2909](#)

Approve the Lease Agreement between Sarasota County and the City of Venice for Property Located at 440 East Venice Avenue

This Lease Agreement was approved on the Consent Agenda.

Administrative Services

[17-2912](#)

Charter Officer Pay Request for Service During Hurricane Irma

This Item was approved on the Consent Agenda.

Utilities

[17-2914](#)

Request Permission to Apply for and Accept Funds if Selected from the Southwest Florida Water Management District Cooperative Funding Grant Program for Fiscal Year 2019 the Toilet Rebate and Retrofit Projects

This Item was approved on the Consent Agenda.

[CON. NO.
97-2017](#)

Approval of Pre-Construction Contract with Magnum Builders of Sarasota, Inc. in the Amount of \$66,619.50 for the Water Treatment Plant Building Improvements

This Contract was approved on the Consent Agenda.

[17-2894](#)

Approve Execution of Jones Edmunds Work Assignment 2016-03, Cityworks Server Implementation in the Amount of \$116,244.00

This Work Assignment was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

Administrative Services

[17-2911](#)

Approve Collective Bargaining Agreement with Fraternal Order of Police (Sergeants & Lieutenants) for the Period of October 1, 2017 through September 30, 2020

This Item was pulled by staff from the Consent Agenda and moved to October 10, 2017 council meeting.

Airport17-2910

Approval of the Venice Municipal Mobile Home Park Maintenance Agreement for the 2018 Fiscal Year

A motion was made by Council Member Daniels, seconded by Council Member Fraize, to approve Item No. 17-2910.

Discussion followed regarding mobile home park maintenance.

The motion carried unanimously by voice vote.

Public Works17-2913

Approval to Accept Donation of Drinking Fountain at Laurel Road and Jacaranda Boulevard by Neal Communities

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2913.

Discussion followed on the request and Neal Communities' donation.

The motion carried unanimously by voice vote.

V. PUBLIC HEARINGSORDINANCES – FINAL READINGORD. NO.
2017-26

An Ordinance of the City of Venice, Florida Amending the Code of Ordinances Chapter 2, Administration, Article IV, Finance, Division 2, Purchases, Section 2-211, Definitions; Section 2-216, Approval of Purchases; Competitive Bidding, Section 2-219, Bid Protests; Section 2-220, Exemptions from Bidding Requirements; and Section 2-221, Capital Improvements; 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 Holic opened the public hearing.

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

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, that Ordinance No. 2017-26 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautero

ORD. NO.
2017-27

An Ordinance of the City of Venice, Sarasota County, Florida, Amending the Code of Ordinances, Chapter 54, Solid Waste; Article V, Rates and Charges; Billing Procedure, Section 54-161, Fee Schedule; Deposits; 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 Holic opened the public hearing.

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

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Ordinance No. 2017-27 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Causero

ORD. NO.
2017-28

An Ordinance of the City Of Venice, Florida, Amending the 2010 City of Venice Comprehensive Plan, Land Use and Development Chapter, Future Land Use and Design Element, to Amend Map FLUM-1, City of Venice 2030 Future Land Use Map to Change the Future Land Use Map Designation of Property Located at 509 Tamiami Trail North (Parcel Identification No. 0407-06-0010) from Northern Gateway Corridor (Planning Area F) and Waterways to Commercial, and to Amend Map FLUM-7, Northern Gateway Corridor (Planning Area F), to Remove the Same Subject Property from the Northern Gateway Corridor (Planning Area F); Providing for Conflict with other Ordinances; Providing for a Severability Clause; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

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

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member McKeon, that Ordinance No. 2017-28 be approved and adopted.

Discussion followed regarding changing waterways designation to commercial, current comprehensive plan, evaluating environmental impact, and Southwest Florida Water Management District (SWFWMD).

Mayor Holic reopened the public hearing.

Jeffery Boone, representing applicant, spoke regarding change request, proposed comprehensive plan, environmental rules and regulations, coastal areas and navigable waterways, Army Corps of Engineers, and being in compliance with all rules and regulations.

Mr. Shrum commented on comprehensive plan policies, environmental sections of the plan applying to the property, planning commission's discussion on the topic, and development potential.

Discussion followed regarding SWFWMD, Army Corps of Engineers, navigable waterways, and jurisdictional wetlands.

Mayor Holic closed the public hearing.

The motion carried by the following vote:

Yes: 4 - Mayor Holic, Mr. McKeon, Ms. Gates and Mr. Daniels

No: 2 - Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautionero

ORDINANCES - FIRST READING

ORD. NO.
2017-29

An Ordinance of the City of Venice, Florida, Amending the 2010 City of Venice Comprehensive Plan, Land Use and Development Chapter, Future Land Use and Design Element, Policy 18.8 Border Road to Myakka River Neighborhood Standards, to Remove Section E that Provides for Construction of a Collector Roadway System Through the Community Neighborhood which Provides for the Interconnection of N. Jackson Road from Border Road to Laurel Road; Providing for Conflict with other Ordinances; Providing for a Severability Clause; and Providing an Effective Date (17-3CP)

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

No written communication was received.

Mr. Clark spoke on project application, planning commission's approval decision, background, text proposed for removal, aerial photograph, and factors for consideration.

Discussion took place regarding residents support of road extension, rezoning, and stipulation.

Mr. Clark spoke regarding planning analysis, consistency with the comprehensive plan, consistency with other relevant city ordinances, resolutions or agreements and financial feasibility of the plan, compliance with Florida Statute (F.S.) Chapter 163, and staff findings of fact.

Jeffery Boone, representing applicant, spoke regarding proposal, comprehensive plan amendment, Policy 18.8 Border Road to Myakka River Neighborhood Standards, Jackson Road extension, developer road building requirements, pre-annexation agreement, removing policy language, Pinebrook Road, impact fees, planning commission's review of petition, comprehensive plan language, area development, Laurel Lakes planned unit development (PUD), rezoning, density, May 25, 2017 letter from Sarasota County, and the county's intent on Jackson Road improvements.

Discussion took place regarding the number of approved dwelling units at Milano and The Woods, reduced road density, proposed authorized development, developer impact fee credits, resident input on Jackson Road extension, connector road from Laurel to Border Road, road development requirements, Hurt property, development proposal, public versus private road, state law regarding developer improvement compensation, easement, buildable property, joint planning agreement (JPA), land development code (LDC), having discussions with the county, road east and west of Jacaranda Boulevard, stipulation, emergency access road, language added to the comprehensive plan during the transmittal public hearing, removing subparagraph "E" in Policy 18.8, and Jacaranda Road extension funding.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2017-29 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 4 - Mayor Holic, Mr. McKeon, Ms. Gates and Mr. Daniels

No: 2 - Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautionero

Mr. Shrum noted plan amendment will be transmitted to the state for comments prior to returning to council.

Recess was taken from 10:24 a.m. until 10:35 a.m.

VI. NEW BUSINESS

A. RESOLUTIONS

RES. NO.
2017-22

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, to Update the City of Venice Section of the Sarasota County Local Mitigation Strategy Work Group Project List and the Floodplain Management Plan; to Adopt the Updated Floodplain Management Plan and Sarasota County Unified Local Mitigation Strategy 2017 to Serve as the Formal Guides for the City of Venice's Floodplain Management and Hazard Mitigation Activities; Superseding Resolution No. 2016-27; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Resolution No. 2017-22 be approved and adopted.

Discussion followed regarding floodplain, sea level rise, 100 year storm, flood zone regulations, new home construction, Sarasota County's position, sustainability, partnering with the City of Sarasota, storm ditches, storm resistance structures, building codes, Golden Beach, Flamingo Ditch, new development for drainage systems, water rise from Hurricane Harvey, Myakka flooding, and 1992 water level measurement data.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautionero

RES. NO.
2017-23

A Resolution Providing for the City of Venice General Municipal Election to be Held on November 7, 2017, to Elect Two Councilmembers, for Three-Year Terms; and Designating Polling Places for the Election; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Resolution No. 2017-23 be approved and adopted.

Discussion followed on Bay Indies removed as a polling place and mailing sample ballots.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautionero

RES. NO.
2017-24

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Amending the City of Venice Personnel Procedures and Rules, 2013 Edition, Section 1.3 Employment Process, and 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 Council Member Daniels, seconded by Council Member Gates, that Resolution No. 2017-24 be approved and adopted.

Discussion followed regarding pay increases, health insurance, resolution wording, council eligibility for health insurance at the fully funded rate, social security, retirement plans, Medicare, postponing action on resolution, employee wage band increase, and staff researching resolution.

Ms. Fernandez commented on amending the eligibility language.

Discussion ensued regarding healthcare affordability and eligibility for council members.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson and Mr. Fraize

Excused: 1 - Mr. Cautero

Discussion took place regarding proposed pay increase for charter officers and the city manager, and Ms. Daniels providing council with a breakdown of healthcare premiums in each salary range.

B. COUNCIL ACTION/DISCUSSION

17-2900

Synopsis of City Taxes Imposed and Potential Sources of Revenue (Holic)

Ms. Senne spoke on general fund revenue sources, property tax rate, changes to proposed budget, fire services fund, available revenue sources, ad valorem taxes, operating and debt services millage, home rule authority, proprietary fees, Florida Power and Light (FPL) agreement, regulatory fees, and county park impact fee study.

Discussion followed on consolidation with the county and fire impact fees.

Discussion took place regarding county general government impact fees and payment by city residents, funding allocation, county ordinance, county and city road and park impact fees, fire and police impact fees, general fund impact fees, and limitations.

Ms. Senne spoke on special assessment fees, state imposed or shared revenues, state sales taxes to include half cent sales tax, discretionary sales surtaxes, emergency fire rescue services surtax, county wide funds, fuel taxes and fund, other local revenue sources to include tourist development and public services taxes, and capitalizing revenue.

Discussion followed regarding general revenue impact fees, tourist sales taxes, indigent care/trauma center and emergency fire rescue services surtax, one-cent sales tax, citizens group task force for fire revenue, utility

fees, county shared revenues, water tax, homestead exemption, state revenues, and impact fees.

Recess was taken from 11:51 a.m. until 1:00 p.m.

C. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

17-2895

Account Executive Andrew Hanson, Director of Trust Services David Lodwick and Tim McCreary President, Ascension Benefits and Insurance Solutions: Property and Liability Insurance for Fiscal Year 2018 and Requesting Council Action (10 min.)

David Lodwick, Director of Trust Services, spoke regarding the return of premium program, recovery operations and services, the city's emergency operations services, individual location damages, property and liability insurance policy, hurricane insurance loss, workers compensation, and the city's \$51,928 rebate check and coverage.

Discussion followed regarding Hurricane Irma and the city's rapid recovery process, legislative session, fiscal year (FY) 2009 and 2013 insurance premiums and rebates, insurance premium bidding, savings, and the city's bond rating.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve a one year extension for Item No. 17-2895. The motion carried unanimously by voice vote.

17-2897

Public Works Director John Veneziano: Fitness Courts (10 min.)

Mr. Veneziano spoke regarding the national fitness campaign and demonstrated a YouTube video.

Mr. Veneziano spoke on fitness courts to include size, possible locations, costs, funding, government partnerships, and next steps.

Discussion took place regarding master parks plan, project funding and timing, conceptual approval, budget, county's evaluation of parks, sports parks, completing master parks plan, fitness court use, Caspersen Beach, park impact fees, maintenance, fitness court locations, planning commission's comments on the master parks plan, and obtaining a priority list and location recommendations from the parks and recreation advisory board.

17-2899

Utilities Director Javier Vargas and Assistant Utilities Director John Monville: Sewer Clean Out Installations (10 min.)

Mr. Vargas spoke regarding modification to Section 74-127 Maintenance

responsibilities of city and property owner of sewer line between the property line and the main.

Mr. Monville spoke on sewer cleanouts and laterals, typical installations, background information, changes to Section 74-127, issues and opportunities, utility department's approach, available options, and staff's recommendation.

Discussion continued on homeowner sewer cleanouts, line access, pipe replacements, project costs, permit cost for a remodel, cleanout inspections, sewer lines, option "3" proposed by staff, and lateral repair costs.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to accept option 3 "install cleanout, inspect both sides and repair public side (if needed)" as proposed by staff.

Discussion followed regarding providing residents with options, subsidizing programs, homeowner repair responsibility, work by private contractors, accessing blockages, placing caps, city benefits, preventative maintenance, improving overall infrastructure, previous ordinance, rate increase, water table, and overflow of manholes.

Mr. Lavallee commented on the city establishing a payback system for property owners.

An amendment was made by Council Member Daniels, seconded by Council Member Gates, to include a city sponsor payback system. The amendment carried by voice vote unanimously.

The motion carried unanimously by voice vote.

17-2918

Fire Chief Shawn Carvey and Administrative Battalion Chief Frank Giddens: Update on Hurricane Irma (10 min.)

Chief Carvey spoke on pre Hurricane Irma activities to include conference calls from Governor Rick Scott's Office, September 6, 2017 staff meeting and preparations, Emergency Operations Center (EOC) activation, coordination with the county EOC, county resources, City of North Port assistance, evacuations, communication with residents, insurance company inspections, sand bag distribution, supplies, shelter volunteers, and Laurel/Nokomis staging site.

Battalion Chief Giddens spoke on post storm activities to include activation of tactical teams, assessment of city infrastructure, cooling stations, food bank, Army Corps of Engineer, disaster recovery center at the Venice Community Center (VCC), utility mains, September 15, 2017 staff debriefing, debris removal, and EOC looking at possible Venice shelters.

Discussion took place on communication, CodeRED, Venice Regional

Hospital, generator suppliers, procurement fuel contract, yard waste, shelter feasibility, resident evacuation, coordinating with the county for shelters, resident alternatives and outreach program, and the city's population.

Mr. Lavallee spoke regarding action plan, public safety, final debriefing, citizens statutory authority, recommendations to the county, EOC, meaning of mandatory evacuation, staging areas, and needing more shelters.

Discussion ensued on public communication and outreach, CodeRED and EOC calls, shelter availability, county EOC debriefing, and having an action plan for opening shelters.

There was council consensus for the city manager to send a letter to the county requesting an action plan for the City on opening shelters.

Discussion continued regarding employee shelters, River Road, evacuation routes, infrastructure to support city growth, and VCC shelter volunteers and Mr. Lavallee providing recognition.

VII. UNFINISHED BUSINESS

17-2820

Naming of City Assets (Holic)

Discussion took place on naming future assets, monetary contributions, criteria for naming parks, Miami Avenue buildings, giving direction to one of the boards for suggestions on naming assets, establishing guidelines, Maxine Barritt Park, petitions, naming structures after elected officials, forming a stakeholders group, and placing item on the next council agenda for council direction.

COUNCIL ACTION/DISCUSSION - Continued

17-2915

Parks Regulations (Holic)

Discussion took place on periodic review of ordinances, resident complaint, language in ordinance regarding Legacy Park, pet acceptance, and banning smoking and tobacco, code updates, South Jetty park sign and hours, and police department's involvement with code changes.

17-2916

Direct Staff to Draft a Resolution to Establish a Stakeholders Work Group for Fire Fee (Daniels)

Discussion took place regarding guidance document for stakeholder group and supporting and funding the fire department.

A motion was made by Council Member McKeon, seconded by Council Member Gates, to direct staff to draft a resolution to establish a stakeholders work group for funding the Venice Fire Department. The motion carried unanimously by voice vote.

[17-2917](#)

Discuss Procedure for Meeting Extensions during Quasi Judicial Hearings (Anderson)

Discussion took place regarding council meeting end times, quasi-judicial meeting process, speaker time, due process, legal parties, meeting topics, and continuation of quasi-judicial hearings.

VIII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer noted Ms. Anderson had provided her vacation dates and apologized for the misinformation to council.

Discussion followed regarding the comprehensive plan transmittal public hearing scheduling.

City Manager

Mr. Lavallee spoke regarding the November 8, 2017 mayors banquet at the VCC.

IX. COUNCIL REPORTS

Council Member Cautero

Mr. Cautero was absent.

Council Member Fraize

Mr. Fraize had no report.

Council Member McKeon

Mr. McKeon had no report.

Council Member Daniels

Mr. Daniels provided an update on the Metropolitan Planning Organization to include River Road and performance based funding, Sarasota County Area Transit (SCAT) workshop, and FDOT funded program for senior citizens.

Council Member Gates

Ms. Gates had no report and requested to represent the city on Battle of the Bridges Committee.

There was council consensus for Ms. Gates to represent the city on Battle of the Bridges Committee.

Council Member Anderson

Ms. Anderson had no report.

Mayor Holic

Mayor Holic provided an update on the parks and recreation advisory board meeting.

Mr. McKeon commented on Cafe Venice's gesture offering city employees free lunch after Hurricane Irma.

X. AUDIENCE PARTICIPATION

No one signed up to speak.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 4:04 p.m.

ATTEST:



Mayor - City of Venice



City Clerk