



City of Venice

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

Meeting Minutes City Council

Tuesday, October 22, 2013

9:00 AM

Council Chambers

Broadcast

CALL TO ORDER

ROLL CALL

Present: 7 - Mayor John Holic, Vice Mayor Bob Daniels, Council Member Jim Bennett, Council Member Emilio Carlesimo, Council Member Jeanette Gates, Council Member Kit McKeon and Council Member David Sherman

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: Senior Planner Scott Pickett and Public Works Director John Veneziano.

INVOCATION AND PLEDGE OF ALLEGIANCE

I. RECOGNITION

[13-0194](#) Italian Cultural Heritage Month Proclamation presented to William R. Korp, Esquire, President of the Gulf Coast Italian Culture Society, Inc. (GCICS)

This Proclamation was presented.

[13-0195](#) National Long-Term Care Residents' Rights Month Proclamation, Presented to Barbara R. Pohl, District Ombudsman Manager, and Linda Staib, Ombudsman, Long Term Care Ombudsman Program

This Proclamation was presented.

[13-0196](#) Children First Head Start Awareness Month Proclamation, Presented to Hope Kenney, Vice President, Children First-Head Start Program

This Proclamation was presented.

[13-0197](#) 10-year Service Award, Kathleen Weeden, City Engineer

This Recognition was presented.

[13-0198](#) 25-year Service Award, Troy R. Crepeau, Police Sergeant

This Recognition was postponed until the November 22, 2013 Council Meeting.

II. AUDIENCE PARTICIPATION

Conrad Meyer

Conrad Meyer, city resident, requested clarification of Ordinance No. 2013-06 relating to nonconforming uses and structures, displayed a drawing representing businesses in the Edgewood Historic District, and discussed concerns regarding setbacks and property use. Mr. Meyer requested repeal of Ordinance No. 2013-06, Section 86-550, Intent, and reinstatement of the pre-existing regulations.

Responding to Mayor Holic, Mr. Lavallee stated that staff would review this matter.

Earl Midlam

Earl Midlam, White Pine Tree Lane, thanked Venice's volunteers.

III. CONSENT SECTION:

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to approve the Consent Agenda. The motion carried by voice vote unanimously.

A. MAYOR

[13-0199](#)

Reappoint Charles Alfano to the Parks and Recreation Advisory Board to serve another term from October 22, 2013 until September 30, 2016

B. CITY CLERK

[13-0200](#)

Approval of Minutes - September 10, 2013 Regular Meeting

C. CITY ATTORNEY

[13-0201](#)

Approve Mutual Release Between Asphalt Paving Systems, Inc., John Patten and Alexander Clemens (Plaintiffs) and City of Venice and Owen-Ames-Kimball Co. (Defendants)

D. CITY MANAGER

Utilities

[CON. NO.](#)
[10-2013](#)

Approve Contract with DeJonge Excavating Contractors, Inc. for Valve Replacement Program, Phase 5, Not to Exceed \$98,175.00

Mayor Holic expressed concerns relating to costs of the city's bidding process.

Responding to Mr. Daniels, Mr. Lavallee stated the contractor was from Nokomis, Florida.

Fire

[13-0202](#)

Accept Grant Award from The Gulf Coast Community Foundation in the

Amount of \$4,600.00; and \$3,330.77 from The Kathleen K. Catlin Foundation of The Community Foundation of Sarasota County;
Authorize Purchasing of Fire Extinguisher Training Prop

Ms. Gates requested that staff thank the foundations awarding the grants.

Planning and Zoning

[13-0203](#) Approve Street Closure and Use of Vacant Legacy Park Site for Parking, Venice Brews and Blues Festival, November 16, 2013

IV. PUBLIC HEARINGS

[13-3MI](#) MAJOR STRUCTURE OVER WATER PERMIT - FISHERMAN'S WHARF
Owners: Stephen A. Witzer TTEE, David C. Freund TTEE, Paecia S. Weinstein TTEE
Agents: Peter Dailey-Dailey Design Group and William Dooley, Esquire
Staff: Scott Pickett, Senior Planner

This public hearing was postponed until the November 6, 2013 council meeting.

ORDINANCES - FIRST READING

[ORD. NO.](#)
[2013-34](#) Amending Chapter 86, Land Development Code, Article IV, Development Review Procedures, by Adding Section 86-48, Vested Rights

Ms. Stelzer read the ordinance by title only.

Mayor Holic reopened the public hearing and Ms. Stalzer stated that no written communications had been received.

Mr. Pickett stated that revised language agreed upon by Mr. Persson and attorney Jeff Boone had been added to the ordinance.

Mr. Boone stated the revised ordinance addresses his prior concerns.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Sherman, that this Ordinance be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

V. NEW BUSINESS***PRESENTATIONS***[13-0204](#)

Don Ross, Director of Operations, John Burkette, Associate, Kessler Consulting Inc.: Solid Waste Study (15 min.)

Mr. Ross reviewed his company's background along with study results, noting the city solid waste collection was a very well run operation with a high level of service to city residents. Mr. Ross reviewed operational costs, pointed out that the existing manual collection process was maxed out, and recommended a fully automated collection system.

Discussion ensued regarding educating city residents on an automated system, maneuvering collection carts, recycling, justifying changes associated with automated systems to city staff and city residents, prior solid waste studies, there not being significant cost savings, charging per bag of yard waste, considering employee safety, long range planning, and continuing the existing level of customer service.

Mr. Veneziano reviewed existing programs to assist disabled residents and commented on collecting the necessary data prior to converting to a "pay as you throw" system.

Council member discussion continued regarding making recycling profitable to providers.

Recess was taken from 10:43 a.m. until 10:54 a.m.

This Presentation was presented

[13-0205](#)

Garry Jenkins and Ron Fazzalano, Directors, Waterford Master Owners' Association, Inc.: Efforts to Effect Repairs to the Waterford Stormwater Management System (20 min.)

Mr. Fazzalano and Mr. Jenkins displayed photographs and provided a detailed explanation of the existing problem and restoration of collapsing banks of Waterford's storm water pond system, noting the entire restoration process would be completed by the year 2017.

This Presentation was presented

[13-0206](#)

Jeffrey Bolen, Director, Information Technology: Department Update (10 min.)

This presentation was postponed until the November 6, 2013 council meeting.

VI. CHARTER OFFICER REPORTS**City Attorney**

Mr. Persson reported on efforts by city staff to bring all city work groups into full Sunshine Law compliance and cautioned council members concerning Sunshine Laws and verbal and written exchanges with other council members.

Mr. Persson briefed council members on staff efforts to streamline the city's existing bidding process and the forthcoming bond refinancing in January 2014.

Mr. Persson reported on the refiling of the Dunn-Ranking legal petition.

There was consensus to hire attorney Steve Chase to work on sunshine lawsuit matters.

There was consensus to retain attorney Steve Miller as bond counsel.

City Clerk

Ms. Stelzer discussed the county ballot scheduled in March, adding that she would verify the cost to the city and report back to council.

City Manager

Mr. Lavallee brought council members up to date on the REV 3 event.

VII. COUNCIL REPORTS

Mayor Holic

[13-0207](#)

National White Cane Day

Mayor Holic reported on the National White Cane Day walk and luncheon, and displayed a plaque that was presented to the city for participating in the event. Mayor Holic gave the plaque to Ms. Weeden and the Engineering Department as a thank you for their work with the event.

Mayor Holic also requested that staff prepare a list of canceled council meeting dates.

Mayor Holic asked staff to consider whether or not an Request For Information (RFI) for the circus arena property could be considered in segments rather than its entirety.

There was consensus to present the thank you plaque for participating in White Cane Safety Day to City Engineer Kathleen Weeden.

[13-0208](#)

Conflicts of Interest

Mayor Holic reviewed the background information and noted that disclosure was necessary only in a situation of monetary gain.

[13-0209](#)

The Sunshine Law

Mayor Holic reviewed the ten commandments portion of the background information.

Council members discussed potential violations.

Mr. Bennett

[13-0210](#)

2013 Inter-County "Best Practices" Trip

Mr. Bennett reported on the 2013 Inter-County "Best Practices" event, and Community Alliance of Sarasota County discussions regarding revising existing Sunshine Laws.

Mr. Bennett also reported on establishing a data base of information provided by the Homeless Committee report.

Dave Sherman

Mr. Sherman had no report.

Bob Daniels

Mr. Daniels reported on a proposed internship program with Sarasota County Technical Institute and provided an update on the Lake Venice Golf Course list of tasks to be completed in order to satisfy the terms of the construction contract.

Kit McKeon

Mr. McKeon had no report.

Emilio Carlesimo

Mr. Carlesimo reported on his attendance at the October 10, 2013 Council of Governments Meeting, extension of the City of Sarasota CRA, and the October 21, 2013 Parks and Recreation Advisory Board Meeting.

Jeanette Gates

Ms. Gates provided a report on the October 16, 2013 Economic Development Advisory Board meeting and the 2013 Inter-County "Best Practices" meeting in Nashville, the need to establish partnerships between businesses and school systems, and a bike rental system currently in operation in Nashville.

VIII. AUDIENCE PARTICIPATION***Dan Boone***

Dan Boone, attorney for the VGA, provided an update on efforts to correct construction problems including grading, installation of drainage pipe, bidding for cart path construction, and repairing fairway holes.

Earl Midlam

Mr. Midlam provided additional comments on volunteerism in the city.

IX. ADJOURNMENT

The meeting adjourned at 12:30 p.m.
