



City of Venice

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

Meeting Minutes City Council

Monday, August 3, 2020

1:00 PM

Virtual Meeting

Virtual Meeting - Ordinance for Masks and Virtual Meetings (See Instructions Below)

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

[20-4615](#)

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

CALL TO ORDER

Mayor Feinsod called the meeting to order at 1:01 p.m.

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

- Present:** 5 - Mayor Ron Feinsod, Council Member Richard Cautero, Vice Mayor Charles Newsom, Dr. Margaret Fiedler and Council Member Helen Moore
- Absent:** 2 - Council Member Nick Pachota and Dr. Joseph Neunder

ALSO PRESENT

City Attorney Kelly Fernandez, City Manager Ed Lavallee, City Clerk Lori Stelzer, Fire Chief Shawn Carvey, Deputy Fire Chief Frank Giddens, Police Chief Tom Mattmuller, and Recording Secretary Mercedes Barcia.

PLEDGE OF ALLEGIANCE

Ms. Stelzer led the Pledge of Allegiance.

I. AUDIENCE PARTICIPATION

Brian Smith, 167 Tampa Avenue East, commented on supporting a mask ordinance.

Vitaliy Merkulov, 140 Hermes Road, Venice, noted concern with proposed mask ordinance.

Ms. Stelzer read emails received by Linda Roggenburg, Deb Kelly, Alexa Kogut, Pamela Fiume, Kathy Bonat, Stacey Rehert, Yuri Kogut and

Samantha Gentrup regarding mandating masks to be worn in public.

I. NEW BUSINESS

A. ORDINANCES

[ORD. NO.
2020-24](#)

An Emergency 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 referenced City of Sarasota and Longboat Key's mask ordinances, spoke to proposed ordinance to include face covering and social distancing definition and requirements, exceptions, enforcement and penalty provisions, constitutionality of ordinance, and responded to council questions regarding face covering in outdoor spaces, emergency ordinance expiration date, business owners posting the city's face covering requirement, and violation reports for noncompliance.

Ms. Fernandez advised City of Sarasota and Town of Longboat Key have not issued any citations for violation of mask ordinances.

Discussion followed regarding public comment received and compliance in surrounding jurisdictions.

Rosemary Nero, 336 Rio Terra, commented on reported COVID-19 cases, effectiveness of masks, and public education.

Deputy Fire Chief Giddens spoke to importance of wearing masks, following Centers for Disease Control and Prevention (CDC) and Department of Health guidelines, personal protective equipment (PPE) limiting exposure, and daily flash reports.

Chief Mattmuller responded to council questions regarding enforcement process, ordinance expectation, and difference between proposed ordinance and adopted resolution urging the use of face coverings.

Ms. Fernandez explained enforceability is the difference between proposed ordinance and adopted resolution.

Chief Mattmuller responded to council questions regarding voluntary compliance.

Chief Carvey responded to council questions regarding improving first

responder jobs, COVID-19 related calls, fire department personnel affected by COVID-19, and strain on department.

Recess was taken at 2:14 p.m. until 2:19 p.m.

A motion was made by Council Member Cautero, seconded by Dr. Fiedler, that emergency Ordinance No. 2020-24 be approved and adopted.

Discussion followed regarding the city's age demographic, temporary ordinance, feedback from residents and health professionals, concern with confrontations, ordinance expectation, businesses enforcing face coverings, civil liberties, supporting downtown businesses, statistics on supporting a mask ordinance, compliance, protecting city residents, encouraging visitors to the city, ordinance expiration date, impact to first responders, groups of large gatherings, and difference between proposed ordinance and adopted resolution.

Mayor Feinsod began to comment on the difference between proposed ordinance and adopted resolution.

Ms. Moore called for a point of order and addressed the mayor for commenting on her opinions.

Mayor Feinsod spoke to enforceability.

Discussion continued on retailers imposing a mask requirement, conveying the city's commitment to the health and welfare of residents, reducing ordinance expiration date from 60 to 30 days, and reducing penalty from \$500 to \$100.

An amendment was made by Council Member Cautero, seconded by Dr. Fiedler, to modify the ordinance expiration date from 60 to 30 days after adoption. The amendment carried by the following vote:

Yes: 4 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler and Ms. Moore

No: 1 - Vice Mayor Newsom

Absent: 2 - Mr. Pachota and Dr. Neunder

The ordinance failed by the following vote:

Yes: 4 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler and Ms. Moore

No: 1 - Vice Mayor Newsom

Absent: 2 - Mr. Pachota and Dr. Neunder

A motion was made by Council Member Cautero, seconded by Dr. Fiedler, that Ordinance No. 2020-24 be approved on first reading and scheduled for final reading with the necessary revisions to the ordinance to remove reference to it being an emergency ordinance and modifying the expiration date from 60 to 30 days.

Discussion followed on the motion and vote requirement to pass ordinance.

The motion carried by the following vote:

Yes: 3 - Mayor Feinsod, Mr. Caution and Dr. Fiedler

No: 2 - Vice Mayor Newsom and Ms. Moore

Absent: 2 - Mr. Pachota and Dr. Neunder

Discussion continued on the next meeting date.

[20-4617](#)

Update on Council Chambers and Virtual Meetings

Ms. Fernandez provided an update on reconvening meetings in council chambers.

Discussion followed regarding a hybrid approach for meetings, audience participation, and city hall construction and parking.

III. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 3:12 p.m.

ATTEST:

Mayor - City of Venice

City Clerk