



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, October 13, 2020

9:00 AM

Virtual and Council Chambers

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

20-4728

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

### CALL TO ORDER

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

Ms. Stelzer 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.

Ms. Stelzer read instructions for audience participation in council chambers.

### ROLL CALL

**Present:** 7 - Mayor Ron Feinsod, Council Member Richard Cautero, Vice Mayor Charles Newsom, Dr. Margaret Fiedler, Council Member Helen Moore, Council Member Nick Pachota and Dr. Joseph Neunder

### ALSO PRESENT

City Attorney Kelly Fernandez, Assistant City Attorney David Jackson, City Clerk Lori Stelzer, City Manager Ed Lavalley, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Building Official Greg Schneider, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Senior Planner Amy Nelson, Planner Nicole Tremblay, Director of Public Works and Asset Management James Clinch, Solid Waste and Recycling Superintendent Bob Moroni, Controller Joe Welch, City Engineer Kathleen Weeden, Information Technology Director Christophe St. Luce, and Procurement Manager Peter Boers.

In person: Dr. Fiedler, Dr. Neunder and Mr. Pachota (Mr. Pachota participated via video conferencing after the lunch recess)

Via video conferencing: Mayor Feinsod, Mr. Newsom, Ms. Moore and Mr. Cautero

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Ms. Stelzer offered the Invocation and led the Pledge of Allegiance.

**I. AUDIENCE PARTICIPATION will be limited to one hour.**

Dr. Fiedler requested to reorder agenda and have presentations after lunch.

No one signed up to speak.

**II. CONSENT SECTION:**

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve items in the Consent Agenda with the exception of Item No. 20-4729. The motion carried by the following vote:

**Yes:** 7 - Mayor Feinsod, Mr. Caution, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**A. MAYOR**20-4730

Appoint Student Member Lauren McMahon to the Parks and Recreation Advisory Board to Serve a Term from October 13, 2020 Until October 31, 2021

This appointment was approved on the Consent Agenda.

**B. CITY CLERK**20-4731

Minutes of the September 22, 2020 Regular Meeting, September 22, 2020 Budget Public Hearing and October 1, 2020 Workshop - Charter, Meeting Procedures and Board Appointments

These minutes were approved on the Consent Agenda.

**III. ITEMS REMOVED FROM CONSENT****MAYOR - Continued**20-4729

Affirm the Reappointment of Andrew DeVries as the 5th Trustee to the Police Pension Board of Trustees to Serve a Term from October 1, 2020 Until September 30, 2024

A motion was made by Vice Mayor Newsom, seconded by Council Member Caution, to approve Item No. 20-4729.

Discussion followed regarding city residency requirements for board members.

The motion carried by the following vote:

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

#### IV. PUBLIC HEARINGS

20-4732

Consider and Act on Appeal of Planning Commission's Denial of Petition No. 20-08SP for the Property Located at 1460 East Venice Avenue and owned by Galleria Shops, LLC, filed by Galleria Shops, LLC (Quasi-Judicial)

Mayor announced this is a quasi-judicial procedure and opened the public hearing.

Ms. Fernandez questioned board members on conflicts of interest and ex-parte communications. There were none.

Ms. Stelzer advised written communication was included in the agenda packet and communication received after the agenda was posted will be included as part of the record.

Ms. Fernandez provided a brief introduction on the appeal.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to issues raised at the planning commission hearing, noted client made revisions to the site and development plan to address issues, and requested council remand petition back to planning commission.

**A motion was made by Dr. Fiedler, seconded by Council Member Pachota, to remand Petition No. 20-08SP back to the Planning Commission for further review and consideration of additional revisions and testimony and evidence. The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

20-4733

Consider and Act on Appeal of Architectural Review Board's Approval of Petition PLAR20-00235 for the Property Located at 233 Pensacola Avenue and owned by John & Genice Sullivan, filed by Curtis and Tommye Whittaker, Franklin E. Wright, John W. Holic, Pamela J. Holic, Thomas C. McKeon, Henry and Donna Holzapfel, William D. Willson, Sue Chapman, Robert Brooke, Venice Heritage, Inc., Kathryn B. Haines, David D. Haines, Larry J. Ivey, Elizabeth J. Intagliata, and Paul R. Intagliata (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure and opened the public hearing.

Mr. Jackson questioned board members on conflicts of interest and ex-parte communications. There were none.

Ms. Stelzer noted written communication was included in the agenda packet and communication received after the agenda was posted will be included as part of the record.

Mr. Jackson advised Bill Willson withdrew as an appellant to the case, and provided an introduction on the appeal.

Mr. Schneider, being duly sworn, spoke to staff's comments, structure not listed on the national or local register, and the Architectural Review Board (ARB)'s review and approval of the application.

Curt Whittaker, appellant, 613 West Venice Avenue, being duly sworn, questioned Mr. Schneider regarding 233 Pensacola Road being on the Florida Master Site File (FMSF).

Mr. Whittaker presented a form titled "Historical Structure Form FMSF" for 233 Pensacola Road, reviewed form contents, requested to add form as part of the record, and noted property was assessed as part of the John Nolen district.

Jeffery Boone, Boone Law Firm, being duly sworn, objected to Mr. Whittaker making statements instead of questioning staff.

Mayor Feinsod stated objection noted.

Mr. Whittaker spoke to property being on the FMSF.

Mr. Schneider advised structure is not registered but resides in the John Nolen Plan district, and requires confirmation by property owners to be placed on the local register.

Mr. Whittaker objected to Mr. Schneider's testimony.

Dr. Fiedler and Mr. Caution called for a point of order, and Mr. Caution clarified hearing process.

Mr. Whittaker asked Mr. Schneider if he was a lawyer and if he is qualified to make legal conclusions on status of structure.

Mr. Boone objected to Mr. Whittaker arguing his case instead of questioning staff.

Mr. Boone questioned Mr. Schneider if a property can be placed on the FMSF without the property owner's consent, how property was placed on the register, and ARB guidelines referencing the FMSF.

Mr. Boone commented on issues raised at the October 8, 2020 ARB meeting relating to the pocket park, alley and access.

Mr. Jackson confirmed issues relating to the pocket park, alley and access are not relevant to today's hearing.

Jackson Boone, Boone Law Firm, being duly sworn, spoke to approval of demolition application, Gregg Hassler's, Gregg Hassler-Builder, Inc., knowledge of the property, and introduced Mr. Hassler's resume as part of the record.

Mr. Hassler, being duly sworn, noted doing commercial work and custom homes.

Mr. Whittaker objected that this is a de novo proceeding and new testimony is not admissible in today's hearing.

Jeffery Boone noted this is a de novo proceeding and applicant is not limited to the record heard by the ARB.

Mr. Jackson agreed with Mr. Boone.

Discussion followed on hearing Mr. Hassler's testimony and noting objections at the end of each party's testimony.

Mr. Whittaker made a standing objection to anything that will change or alter the application.

Mayor Feinsod stated objection is noted.

Mr. Hassler spoke regarding his professional background, Courtyards of Venice, Mr. Whittaker's testimony on him having a vested interest in the house, and cost estimate to bring structure into compliance.

Recess was taken at 10:01 a.m. until 10:07 a.m.

Jackson Boone presented and reviewed cost estimates to bring structure into compliance, and asked Mr. Hassler if he agreed with proposed cost estimates.

John Sullivan, property owner, being duly sworn, spoke to property purchase, installation of awnings, home repairs and maintenance, feedback from neighbors on new construction, and noted structure is no longer worth maintaining.

Jackson Boone spoke to assessed building value and following city rules and process.

Jeffery Boone presented an historical architectural survey, and commented on structures that have been demolished or removed, and preserving structures.

Mr. Hassler responded to council questions on obtaining estimates from other contractors.

Jackson Boone stated the ARB's code does not require an estimate to be submitted.

Mr. Whittaker commented on the Nolen Greens surrounding the parcel, applicant's petition to construct a residential structure, John Nolen historic district, demolition and construction impacts to the historic district, and third party cost estimate to rehabilitate the structure.

Jeffery Boone objected to Mr. Whittaker's testimony not being relevant to the issue before council and moved to strike all of Mr. Whittaker's presentation.

Mayor Feinsod stated objection is recognized.

Mr. Boone noted a standing objection to testimony on what the rules should be instead of what they are.

Mayor Feinsod stated objection is recognized.

Mr. Whittaker spoke regarding rules, impact of demolition on the historic district, applicant's purpose to build a new structure, third party cost estimate, offer made to purchase property at full assessed market value, the need for consistency with the comprehensive plan, and council viewing demolition and new construction petitions together.

Frank Wright, appellant, 521 Harbor Drive South, being duly sworn, spoke to preserving and protecting historic properties, ARB standards and criteria on demolishing properties, referring application to the Historic Preservation Board (HPB), cost estimate to repair structure, ARB having no evidence concerning structural integrity of building, property value, ARB's suggestion that the HPB be responsible for determining if historic structures are salvageable, and sending application back to the ARB.

Recess was taken at 10:57 a.m. until 11:04 a.m.

Jeffery Boone questioned Mr. Wright on being a member of the HPB, his view of the HPB making a decision instead of the ARB, motion to rescind certificate filed with the ARB, ARB's vote and decision on the motion to rescind, and HPB's regulations allowing to perform the functions of the ARB.

Mr. Shrum, being duly sworn, responded to council questions on whether the demolition is consistent with the comprehensive plan.

Per council's request, Mr. Jackson explained council's options.

Mr. Pachota requested clarification on whether the structure is historical.

Mr. Schneider clarified the structure is within the John Nolen Plan for the Venice Historic District and listed on the inventory of that district, but the structure itself is not on a local, state or national register.

Mr. Jackson responded to council questions regarding protections of the historic districts, demolition criteria, applicant meeting all legal requirements for a demolition permit, and discussing changes to demolition regulations at this hearing.

Jan Vertefeuille, 321 Pedro Street, being duly sworn, spoke to importance of property in the historic district, property listed as a contributing structure to the historic district and is on the national register, applicant's reason for demolishing the property, property purchase price, asked council to overturn demolition approval, and commented on applicant's proposed new single-family structure, strengthening policy on preserving historic homes, and approving draft HPB ordinance.

Anne Keohan, 120 Venice Palms Boulevard, being duly sworn, noted being former ARB chair and board member, and spoke regarding ARB's decision to approve demolition, demolition guidelines focusing on historic structures, and removing demolition of historic homes from ARB's jurisdiction.

Kelly Wotipka, 409 South Nassau Street, being duly sworn, spoke to reasons for moving to Venice and renovations to her historic home.

Mayor Feinsod left the meeting at 11:40 a.m. and returned at 11:41 a.m.

Richard Bergman, 416 Park Boulevard North, being duly sworn, commented on having a background in historic preservation, the city's vision, and preserving the city's character.

Dorothy Korwek, 320 Park Boulevard North, being duly sworn, advised she was the city's Director of Historical Resources for over ten years, and spoke regarding homeowner's approval to have properties listed on the FMSF and national register, ARB's review of historic structures, HPB's draft ordinance, council directing staff to be more proactive in preserving the historic character, national register nominations, and requested council deny demolition application and work with staff on better protections for contributing structures in the John Nolen Plan.

Larry Ivey, 120 Base Avenue East, being duly sworn, commented on sending application back to the ARB, saving historical Venice, restoring structure, and previous owner's placing property on the state register.

Tobe Cookingham, 512 Beatrice Street, being duly sworn, spoke regarding costs of restoring historical homes, property owner's obtaining additional cost estimates, building home on a different property that does not affect the historical neighborhood, and maintaining the island's integrity.

Mr. Whittaker requested the opportunity to question Mr. Shrum.

Recess was taken at 11:59 a.m. until 12:03 p.m.

Mr. Jackson explained if council allows appellants to ask staff questions, applicants must be afforded the same opportunity.

Jeffrey Boone noted appellant missed the opportunity to question Mr. Shrum and Mr. Schneider is the staff on this case.

Mr. Whittaker requested to ask Mr. Shrum reason demolition application is consistent with the comprehensive plan.

Jeffery Boone had no objection to Mr. Shrum answering question.

Mr. Shrum advised nothing was raised during staff's review that would render application to be inconsistent with the comprehensive plan.

Mr. Whittaker spoke on reason for demolition, sending application back to the ARB, demolition alternatives, and council delaying action until reviewing petition on the new construction.

Tommye Whittaker, appellant, 613 West Venice Avenue, being duly sworn, commented on protecting the John Nolen Plan, renovating structure, offering fair market value to property owners, demolition of the Nokomis Building and Gulf Theatre, the city working with property owners to take



video of structure, and community support denying the demolition.

Jeffery Boone spoke to testimony not being relevant to matter being heard today, complying with ARB rules, and appellants acknowledging there are not any rules that would prevent the house to be demolished.

Mayor Feinsod left the meeting at 12:18 p.m. due to technical issues.

Jeffery Boone spoke regarding property owners complying with all legal requirements, affordable housing, assessed property value, repair cost estimates, owner's property rights, changing rules, plans for new house, revised site plans, historic preservation, property owner's reason to demolish property, and the Whittaker's offer to purchase property.

Mayor Feinsod returned to the meeting at 12:25 p.m.

Jeffery Boone spoke to demolition of the Gulf Theatre, public comments received, encouraged council to review the October 8, 2020 ARB meeting, and commented on appellants' request to delay application.

Mayor Feinsod closed the public hearing.

**A motion was made by Vice Mayor Newsom, seconded by Dr. Neunder, that based on review of the applicant's materials, the staff report and testimony provided during the public hearing, to approve Application No. PLAR20-00235 for demolition of a single-family residence at 233 Pensacola Road.**

Discussion followed regarding applicant meeting all rules, renovation costs, the community's fellowship, fair market value, community participation, overturning ARB's decision, preserving contributing structures on the John Nolen Plan, developing greater incentives for homeowners to list their properties on the local register, and protecting historic districts.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

Discussion took place on reordering agenda to address the Laurel Road presentation after lunch and staff's presentation after the quasi-judicial proceedings.

Recess was taken at 12:52 p.m. until 1:31 p.m.

***D. PRESENTATIONS AND AUDIENCE PARTICIPATION - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS***

20-4736

Pat Neal, Neal Communities: Laurel Road Expansion (10 min.)

Pat Neal, Neal Communities, provided a presentation and spoke regarding

entering a public private partnership (PPP) for widening Laurel Road, and project history and plans.

Frank Domingo, Stantec, spoke to project need, transportation study, safety, and providing hospital access.

Mr. Neal spoke to design and construction process, Pinebrook Road, Consultants Competitive Negotiation Act (CCNA), successful PPPs, projects to include Fort Hamer Bridge, Honore Avenue extension, Toledo Blade Boulevard, Bay Street sidewalk in Sarasota County, Fort Hamer extension and the Missing Link in Sarasota, conceptual plan Option A widening of Laurel Road from two to four lanes between Knights Trail Road and Jacaranda Boulevard, Option B four lane divided road for entire length, and Option C combination of A and B, beautification items not included in costs, funding sources, unique benefits of PPPs, safety, and responded to council questions on cost of Option C and additional beautification.

**A motion was made by Dr. Neunder, seconded by Dr. Fiedler, to authorize the city to enter into a Public Private Partnership with Neal Communities to do the preliminary engineering to determine actual costs of widening Laurel Road for Conceptual Plans A, B, and C, and permission to apply for funding to the Florida Legislature.**

Discussion followed on city planning, improving safety conditions and services, PPPs, traffic study, and Laurel Road's future level of service (LOS) and capacity.

Ms. Fernandez noted there are detailed requirements in the statute on PPPs.

Discussion continued regarding project intent, infrastructure improvements, benefits of a PPP to include cost savings, obtaining staff's perspective, and concern with future revenue sources.

Mr. Lavalley commented on pursuing funding opportunity with the county, project elements, county's ownership of the road, and Stantec's models.

Mr. Neal clarified intent is to provide a ten percent set of plans that will include complete cost estimates.

Mr. Lavalley spoke to proposition, efficiency and cost.

Mr. Boers noted the city is obligated to follow provisions of a PPP, staff needs to review statute, and responded to council questions on a response timeframe and the need for bidding.

Ms. Fernandez commented on the PPP process.

Discussion ensued on staff's review of the PPP statute and adding timeframe.

Mr. Neal commented on statute, seeking other competitors, entering local agreement with the county, and noted he would like to reach an agreement with the city and county in 90 days.

Ms. Weeden inquired if Mr. Neal is open to a smaller initial work assignment for ten or fifteen percent plans.

Mr. Neal noted Stantec is authorized by the city and there is a substantial price difference among engineers.

Mr. Lavallee spoke to the city's best interest.

Mr. Neal spoke regarding council moving forward with motion, 90 day timeframe, including Stantec in the process, and council granting him the authority to negotiate with engineers.

Jerry Jasper, speaking on behalf of the Venetian Golf and River Club (VGRC) Community Association, spoke on supporting an expedient and economic solution to the increased traffic in Laurel Road, roadway LOS in the comprehensive plan, PPP process and cost savings, Venice Avenue and Pinebrook Road intersection project, supporting Option C, feedback received from surrounding residential neighborhoods and developments, and requested council approve a PPP.

Discussion ensued regarding council's approval of a PPP, project funding, and addressing item further once the engineering study is received.

**The motion carried by the following vote:**

**Yes:** 6 - Mayor Feinsod, Mr. Cautero, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**No:** 1 - Vice Mayor Newsom

## **A. ORDINANCES - FIRST READING**

### ORD. NO. 2020-28

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map and Related Maps and Data Pursuant to Petition No. 20-05CP to Change the Future Land Use Designation of Specific Real Properties Generally Located East of Pinebrook Road and North of Curry Lane, Commonly Known as 2501 and 2601 Curry Lane (10.1± Acres), from Sarasota County Moderate Density Residential (MODR) to City of Venice Institutional Professional (IP); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Stelzer noted written communication was included in the agenda packet.

Council waived staff's and applicant's presentation.

Jackson Boone, Boone Law Firm, advised amendment to the joint planning area (JPA) was approved and property was annexed.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

**A motion was made by Dr. Neunder, seconded by Dr. Fiedler, to approve Ordinance No. 2020-28 on first reading and transmit to the Department of Economic Opportunity for Review. The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**ORD. NO.**  
**2020-29**

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida Pursuant to Zoning Map Amendment Petition No. 20-06RZ to Change the Zoning Designation for the Properties Generally Located East of Pinebrook Road and North of Curry Lane, Commonly Known as 2501 and 2601 Curry Lane (10.1 ± Acres), from Sarasota County Open Use Estate (OUE) to City of Venice Office, Professional and Institutional (OPI); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

Ms. Stelzer noted written communication was included in the agenda packet.

Council waived staff's and applicant's presentation.

No one signed up to speak.



Mayor Feinsod closed the public hearing.

**A motion was made by Vice Mayor Newsom, seconded by Council Member Pachota, that based on the evidence in the record, Ordinance No. 2020-29 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**ORD. NO.**  
**2020-31**

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition No. 20-09CP to Change the Future Land Use Designation of Specific Real Property Generally Located West of the Esplanade N and West of the Terminus of Barcelona Avenue, Commonly Known as 225 The Esplanade N. (0.37± Acres), a Small Scale Amendment, from City of Venice Commercial to City of Venice Medium Density Residential; 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 Feinsod opened the public hearing.

Ms. Stelzer noted written communication was included in the agenda packet and communication received after the agenda was posted will be included as part of the record.

Council waived staff's and applicant's presentation.

Jeffery Boone, Boone Law Firm, responded to council questions regarding developer's commitment to remove the convenience store, and advised the developer will commit to demolishing structure 60 days after all permits are received.

Discussion followed on residents concerns with debris.

Mike Miller, MPS Development and Construction LLC, commented on the property's condition, owner being denied a fence permit, site cleanup, and pledged to keep the property clean.

Gary Greve, 255 The Esplanade North, spoke to demolishing structure once rezone is approved, site visibility, requiring a binding enforceable commitment from Mr. Miller to demolish the building within 30 days from rezoning, and site value.

Ms. Fernandez responded to council questions regarding timeframe to demolish building upon rezone approval.

Mayor Feinsod closed the public hearing.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Newsom, that Ordinance No. 2020-31 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

**ORD. NO.**  
**2020-32**

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 20-10RZ, to Change the Zoning Designation for the Property Generally Located West of the Esplanade N and West of the Terminus of Barcelona Avenue, Commonly Known as 225 The Esplanade N. (0.37± Acres), from City of Venice Commercial, Neighborhood (CN) to City of Venice Residential, Multi-Family (RMF-3); Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. There were none.

Ms. Stelzer advised written communication was included as part of the record.

Council waived staff's and applicant's presentation.

Peter Evans, 255 The Esplanade North, read a letter from Gulf Shores Condominium Association President Carol Swan, and noted property can remain an eye sore depending on economic circumstances.

Mayor Feinsod closed the public hearing.

**A motion was made by Council Member Moore, seconded by Dr. Fiedler, that based on the evidence in the record, Ordinance No. 2020-32 be approved on first reading and scheduled for final reading.**

Discussion followed regarding the building's visibility and the builder's plan to mitigate debris during demolition and new construction.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

ORD. NO.  
2020-34

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition No. 20-19CP to Change the Future Land Use Designation on a Portion of Real Property Commonly Known as 1200 Kings Way Drive from Mixed Use Corridor to Moderate Density Residential and a Portion of Real Property Commonly Known as 2001 Laurel Road from Moderate Density Residential to Mixed Use Corridor; 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 Feinsod opened the public hearing.

Ms. Stelzer noted written communication was included in the agenda packet.

Jeff Boone, Boone Law Firm, clarified property line dispute issue raised by Atlas Law on behalf of King's Gate Condominium Association.

Ms. Fernandez advised issue does not affect council's decision today.

Mayor Feinsod closed the public hearing.

**A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve Ordinance No. 2020-34 on first reading and transmit to the Department of Economic Opportunity for review. The motion carried by the following vote:**

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

***B. ORDINANCES – FINAL READING******V. UNFINISHED BUSINESS******VI. NEW BUSINESS******A. ORDINANCES***ORD. NO.  
2020-33

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 78, Vehicles for Hire; Article II, Vehicles for Hire; Section 78-21, Definitions and 78-22, Vehicle for Hire Permit Required; and Section 78-26, Insurance Required; Providing for the Deregulation of Taxi Cabs and Non-Regulation of Transportation Network Companies, i.e. Uber, Lyft; Providing for a Severability Clause; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.



No one signed up to speak.

A motion was made by Dr. Neunder, seconded by Dr. Fiedler, that Ordinance No. 2020-33 be approved on first reading and scheduled for final reading.

Discussion followed regarding types of low-speed or non-motorized vehicles.

The motion carried by the following vote:

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

## **B. RESOLUTIONS**

### RES. NO. 2020-37

A Resolution of the City of Venice, Florida, Correcting, Clarifying and Amending the Stormwater Management Utility Service Charge Based Upon Land Use Classification, Establishing an Administrative Charge and Public Facilities Charge, Providing for Special Charges; Superseding Resolution No. 2020-32; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that Resolution No. 2020-37 be approved and adopted. The motion carried by the following vote:

**Yes:** 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

Recess was taken at 3:31 p.m. until 3:40 p.m.

## **C. COUNCIL ACTION/DISCUSSION**

### 20-4734

Response and Actions Related to COVID-19

There was no update.

### 20-4735

Direct the City Manager to Create an Asset Management Plan for Traffic and Road Maintenance that Would Drive Future Capital Improvement Plan (CIP) Planning, Allocation of Funds, and Acquisition of Funding, and be Incorporated into the Comprehensive Plan, with the Plan Including the Northeast Traffic Study 2019, Pinebrook/Venice/Ridgewood Traffic Study and Conceptual Plan 2018-2019 (Both Studies), Interlocal Agreement Between City of Venice and Sarasota County Regarding the Transfer of County Maintained Local Roads on the Isle of Venice to the City of Venice and the Transfer of a Segment of Laurel Road and a Segment of Pinebrook Road, Including a Bridge to Sarasota County, Including Exhibits (Contract #2014-399) (Fiedler)

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve Item No. 20-4735.

Ms. Fiedler spoke on purpose of her request.



Discussion followed regarding narrowing the focus of request, staff providing periodic updates on road priorities, and funding requests.

Mr. Lavallee spoke to project priority process, departments involved in traffic and road maintenance, presenting council with a plan of action on establishing priority projects, funding sources, and staff reporting to council proposed order of priority for future capital projects.

Discussion continued on narrowing the focus on road priorities, reviewing priorities on an annual basis and tracking progress, Capital Improvement Schedule (CIS) and Capital Improvement Plan (CIP), data used to establish priorities, the county's and city's priorities, requesting staff to provide periodic updates on the city's current and future road priorities including timing, funding and overall status, and council's opportunity to discuss priorities.

Dr. Fiedler withdrew her motion and Dr. Neunder withdrew his second.

There was consensus that on an annual basis, with information developed and coordinated with staff, the City Manager will present to council a roadway report that includes proposed capital projects work for the next fiscal year. The report will consider previously adopted projects and studies, traffic volume analysis, funding sources, and other relevant data in determining the proposed order of priority for future capital projects. Subject to council approval, the project list will be integrated into the city's Capital Improvement Program (CIP). Further, on a periodic basis, the City Manager or designee will provide updates on projects referenced in the capital projects list, including information on funding, timelines of various project work, and relevant data that may affect project work or suggest changes to the adopted projects plan.

There was consensus to continue past the 5:00 p.m. meeting end time to finish the meeting.

### ***PRESENTATIONS - Continued***

#### **20-4737**

Director of Public Works and Asset Management James Clinch PE, and Solid Waste and Recycling Superintendent Bob Moroni: Solid Waste Stakeholder Group Recommendation. Request Council Action on Solid Waste Collection Frequency (10 min.)

Mr. Clinch provided a presentation and spoke on the solid waste stakeholder group to include accomplishments, 2020 public survey regarding collection frequency, projected cost savings if reduced to once a week collection, continuing twice-per week collection, optimizing residential routes, and the stakeholder's group and staff's recommendation.

Dr. Neunder left the meeting at 4:45 p.m.

Mr. Clinch spoke to staff's recommendation to continue with twice-per

week collection.

Mr. Moroni commented on the level of service provided to customers.

Dr. Neunder returned to the meeting at 4:47 p.m.

Discussion followed regarding budget loss, temporary recycling surcharge, and commercial collection.

Mr. Welch noted cost and revenue of twice-per week collection for single-family residences, commercial and multi-family collection is making a profit that is supporting residential collection, expecting a break even in FY20, surplus budgeted for solid waste in FY21, and responded to council questions regarding single-family residences being subsidized by commercial and multi-family collections.

Discussion continued regarding profit on roll-offs and dumpster services, once-per week cost savings, stakeholder's group and staff's recommendation, residents generating more garbage during COVID-19, cost of service if surcharge is eliminated, and continuing current level of service.

**A motion was made by Dr. Neunder, seconded by Council Member Cautero, to continue with twice-per week collection for residential solid waste. The motion carried by the following vote:**

**Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder**

## **VII. CHARTER OFFICER REPORTS**

### City Attorney

Ms. Fernandez had no report.

### City Clerk

Ms. Stelzer had no report.

### City Manager

Mr. Lavellee advised staff is working on a re-entry program for special events for council's review.

## **VII. COUNCIL REPORTS**

### ***Council Member Cautero***

Mr. Cautero requested clarification on the status of the oil spill issues at the VGRC.

Mr. Lavallee advised the city is still in mediation.

***Council Member Moore***

Ms. Moore had no report.

***Council Member Fiedler***

Dr. Fiedler had no report.

***Council Member Pachota***

Mr. Pachota had no report.

***Council Member Neunder***

Dr. Neunder had no report.

***Council Member Newsom***

Vice Mayor Newsom reported on Council of Governments (COG).

***Mayor Feinsod***

Mayor Feinsod advised he will be participating in the Mayor's Feed the Hungry program.

**IX. AUDIENCE PARTICIPATION**

There was none.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 5:10 p.m.

ATTEST:

  
\_\_\_\_\_  
Mayor - City of Venice

  
\_\_\_\_\_  
City Clerk