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MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE, FLORIDA

MAY 28, 2013

A Regular Meeting of the City Council was held this date in Council Chambers at City Hall. Mayor Holic called the meeting to order at 9:00 a.m.

ELECTED OFFICIALS AND OTHERS PRESENT

Roll was called with the following elected officials present: Mayor John Holic and Council Members Jim Bennett, Emilio Carlesimo, Jeanette Gates, Kit McKeon, and Dave Sherman. Vice Mayor Bob Daniels was absent.

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: City Engineer Kathleen Weeden, Public Works Director John Veneziano, Utilities Director Len Bramble, Airport Administrator Chris Rozansky, and Fire Chief James Warman.

INVOCATION AND PLEDGE OF ALLEGIANCE

The City Clerk offered the Invocation followed by the Pledge of Allegiance led by Mr. Carlesimo.

I. PROCLAMATION

Mayor Holic presented Sandy McGowan, President, and Kat Quast, Executive Director, Venice MainStreet, with a proclamation recognizing the 25th Anniversary of Venice MainStreet.

Mayor Holic read a proclamation designating May 2013 as Civility Month.

II. SERVICE AWARDS

Mayor Holic presented a 10-year service award to Alan Bullock, Director of Administrative Services.

III. RECOGNITION

Larry Ivey and Bea Holt, representing the Venice Circus Arts Foundation, presented Mayor Holic with a recovered circus arena seat in a display box for the City of Venice.

IV. DEAN CALAMARAS, FORMER MAYOR: HISTORICAL PERSPECTIVE OF ANNEXATIONS IN RELATION TO ROAD MAINTENANCE RESPONSIBILITY

(9:22) Mr. Calamaras provided historic background on the city's annexation of a Sarasota County enclave know known as Golden Beach, and answered questions from council members concerning annexing contiguous properties and dealing with property owners resistant to annexation. Mr. Calamaras offered his opinion that because the annexation process took place by lot and block, consideration of adjoining roads did not occur.

V. JON STEKETEE, CHAIR: ARCHITECTURAL REVIEW BOARD ANNUAL REPORT

Mr. Steketee handed out and reviewed the annual report which consisted of board member names and a summary of actions including approvals of homes, apartment buildings, businesses, and a new color book.

VI. RESOLUTION NO. 2013-12, ACCEPTING UTILITIES AND IMPROVEMENTS INSTALLED BY SOUTHWEST FLORIDA RETIREMENT CENTER, INC. AT VILLAGE ON THE ISLE – COTTAGES – APPROVED AND ADOPTED (continued later in the meeting)

Without objection, Mayor Holic reordered the agenda to hear Resolution No. 2013-12.

Ms. Gates declared a conflict of interest and recused herself on an abundance of caution.

Greg Roberts, attorney for the project, provided background information.

Mr. Sherman **moved** that Resolution No. 2013-12 be approved and adopted. **Seconded** by Mr. Bennett.

ROLL CALL: MR. BENNETT, YES; MR. CARLESIMO, YES; MR. SHERMAN, YES; MR. MCKEON, YES; MS. GATES, ABSTAIN; MAYOR HOLIC, YES. MOTION CARRIED.

Ms. Gates returned to the meeting.

VII. CITY CLERK'S REPORT

1. Approval of Minutes of the Regular Meeting dated May 14, 2013

Mr. McKeon **moved** to approve the City Clerk's Report. **Seconded** by Ms. Gates. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

VIII. CITY MANAGER'S REPORT

Engineering

1. RFP #2960-13, Approve contract to HDR Construction Control Corporation, Construction Engineering Inspection/Management Services, US 41 Intersection Improvements, $66,845.48

Ms. Weeden provided background information.

Mr. Carlesimo **moved** to approve Engineering Item 1 in the City Manager's Report. **Seconded** by Mr. Bennett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Public Works

1. Approve request to purchase two "front-loading" refuse trucks through Florida Sheriffs Association bid, Nextran Truck Center, $472,274

Mr. Veneziano provided background information and, responding to Ms. Gates, noted that the funds availability account number in the May 16, 2013 memorandum from Jon Mayes was incorrect.

Mr. Sherman **moved** to approve Public Works Item 1 in the City Manager's Report amended to include the funds availability account number to read 470-0940-534.64-00. **Seconded** by Ms. Gates. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Utilities

1. Approve Work Assignment No. 2, Wade Trim, Inc., Water Main Replacement Program, Phase 2, $188,120

(10:04) Mr. Bramble reviewed the request and answered questions regarding the bidding process, contacting property owners, condition and maintenance of existing cast iron water lines, the existing ten foot easement not being needed, and transporting reuse water.

Mr. Carlesimo **moved** to approve Utilities Item 1 in the City Manager's Report. **Seconded** by Mr. Bennett. MOTON CARRIED ON VOICE VOTE UNANIMOUSLY.

City Manager's Office

1. Endorsement of Merger, US Airways and American Airlines for Sarasota Bradenton International Airport (SRQ)

Mr. Lavallee reviewed the request originating from SRQ President and Chief Executive Officer Rick Piccolo. Responding to Mr. Bennett, Mr. Lavallee indicated the request was to support the preservation of existing slots at Reagan National Airport in Washington D.C.

Mr. Bennett **moved** to approve City Manager's Office Item 1 in the City Manager's Report restricted to preservation of destination slots only. **Seconded** by Mr. McKeon. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

2. Update on Circus Arena Demolition Contract

Mr. Lavallee provided background information concerning soliciting bids for partial and complete demolition of the circus arena, the octagonal training building, and the three-bay storage area, and noting efforts to save the octagonal building for potential future restoration.

3. Briefing on REV3 Triathlon, 2014

Mr. Lavallee reviewed the 2013 event and stated staff is reviewing the 2014 event to determine whether Venice can support a full Iron Man competition.

4. Briefing on Centennial Park Concerts

Mr. Lavallee provided historic background on the debate concerning whether or not the concerts were beneficial or detrimental to downtown businesses, noting the dominant issue was parking. Staff recommended no changes to the concert policy at this time.

Recess was taken from 10:32 a.m. until 10:45 a.m.

IX. CITY ATTORNEY

Request Private Attorney/Client Session for Altier vs. the City of Venice; Jeffery Snyder vs. the City of Venice; and Asphalt Paving Systems, Inc. vs. City of Venice

Mr. Persson updated council members on the Chris Davis administrative hearing scheduled for Wednesday, May 29, 2013.

Mr. Carlesimo **moved** to schedule a Private Attorney/Client Session for Altier vs. the City of Venice; Jeffery Snyder vs. the City of Venice; and Asphalt Paving Systems, Inc. vs. City of Venice. **Seconded** by Ms. Gates. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

X. ORDINANCE NO. 2013-09, AMENDING THE CODE OF ORDINANCES OF THE CITY OF VENICE, FLORIDA, CHAPTER 86, LAND DEVELOPMENT CODE BY AMENDING ARTICLE III, COMPREHENSIVE PLAN (TEXT AMENDMENT 12-8AM) – APPROVED AND ADOPTED

Ms. Stelzer read the ordinance by title only.

Mr. McKeon **moved** that Ordinance No. 2013-09 be placed on final reading. **Seconded** by Ms. Gates. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

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

No one in the audience came forward to speak and Mayor Holic closed the public hearing.

Mr. Sherman **moved** that Ordinance No. 2013-09 be approved and adopted. **Seconded** by Mr. McKeon.

ROLL CALL: MR. MCKEON, YES; MS. GATES, YES; MR. SHERMAN, YES; MR. CARLESIMO, YES; MR. BENNETT, YES; MAYOR HOLIC, YES; MOTION CARRIED.

XI. ORDINANCE NO. 2013-10, AMENDING THE CODE OF ORDINANCES OF THE CITY OF VENICE, FLORIDA, CHAPTER 86, LAND DEVELOPMENT CODE BY DELETING ARTICLE I, PURPOSE AND APPLICABILITY IN ITS ENTIRETY AND CREATING A NEW ARTICLE I, PURPOSE AND INTENT, AUTHORITY AND DEFINITIONS; AMENDING ARTICLE V, USE REGULATIONS, DIVISION 1, GENERALLY, SECTION 86-59, ZONING DISTRICT REGULATIONS, GENERALLY AND SECTION 86-60, OFFICIAL ZONING ATLAS; AMENDING ARTICLE VIII, GENERAL ADMINISTRATIVE PROVISIONS, SECTION 86-570, DEFINITIONS (TEXT AMENDMENT 12-4AM) – APPROVED AND ADOPTED

Mayor Holic announced that the public hearing was continued from the May 14, 2013 council meeting.

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

No one in the audience came forward to speak and Mayor Holic closed the public hearing.

Mr. Persson reviewed erosion control line boundaries, noting this issue would be addressed in the revised Land Development Regulations. Responding to Mr. Carlesimo, Mr. Persson utilized a drawing to explain how property lines were determined and noted that planting vegetation was a function of the state.

Ms. Gates **moved** that Ordinance No. 2013-10 be approved and adopted. **Seconded** by Mr. Sherman.

ROLL CALL: MR. SHERMAN, YES; MR. BENNETT, YES; MS. GATES, YES; MR. MCKEON, YES; MR. CARLESIMO, YES; MAYOR HOLIC, YES. MOTION CARRIED.

XII. ORDINANCE NO. 2013-12, AMENDING CHAPTER 26, EMERGENCY MANAGEMENT, ARTICLE II, CIVIL EMERGENCIES, SECTION 26-35, OTHER ORDERS AUTHORIZED BY REMOVING THE AUTHORITY OF LOCAL OFFICIALS, AS REQUIRED BY SECTION 790.33 FLORIDA STATUTES, TO ORDER THE DISCONTINUANCE OR CLOSING OF ESTABLISHMENTS SELLING, DISTRIBUTING OR DISPENSING FIREARMS IN TIMES OF EMERGENCY

Mayor Holic announced that Ordinance No. 2013-12 had been pulled from the agenda and would be considered at the June 11, 2013 regular council meeting.

XIII. ORDINANCE NO. 2013-18, AMENDING THE CODE OF ORDINANCES OF THE CITY OF VENICE, FLORIDA, CHAPTER 2, ADMINISTRATION, ARTICLE III, OFFICERS AND EMPLOYEES, DIVISION 1, IN GENERAL, SECTION 2-163, RESIDENCE OF CITY ATTORNEY BY REQUIRING THE CITY ATTORNEY TO MAINTAIN AN OFFICE WITHIN THE CITY - APPROVED AND ADOPTED

Ms. Stelzer read the ordinance by title only.

Mr. McKeon **moved** that Ordinance No. 2013-18 be placed on final reading. **Seconded** by Mr. Bennett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

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

No one in the audience came forward to speak and Mayor Holic closed the public hearing.

Mr. Bennett **moved** that Ordinance No. 2013-18 be approved and adopted. **Seconded** by Mr. Sherman.

ROLL CALL: MR. BENNETT, YES; MR. MCKEON, YES; MR. CARLESIMO, YES; MR. SHERMAN, YES; MS. GATES, YES; MAYOR HOLIC, YES. MOTION CARRIED.

XIV. ORDINANCE NO. 2013-19, AMENDING CITY OF VENICE ORDINANCE NO. 2012-23 WHICH ADOPTED THE OFFICIAL BUDGET OF THE CITY OF VENICE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; BY INCREASING THE TOTAL SOURCES OF FUNDS BY $421,907 AND TOTAL USES OF FUNDS BY $421,907 AS DETAILED IN EXHIBIT "A" – APPROVED AND ADOPTED

Ms. Stelzer read the ordinance by title only.

Mr. Sherman **moved** that Ordinance No. 2013-19 be placed on final reading. **Seconded** by Ms. Gates. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

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

No one in the audience came forward to speak and Mayor Holic closed the public hearing.

Ms. Gates **moved** that Ordinance No. 2013-19 be approved and adopted. **Seconded** by Mr. Bennett.

ROLL CALL: MR. CARLESIMO, YES; MR. MCKEON, YES; MR. SHERMAN, YES; MR. BENNETT, YES; MS. GATES, YES; MAYOR HOLIC, YES. MOTION CARRIED.

XV. RESOLUTION NO. 2013-10, DISSOLVING THE COMBINED COUNCILMEMBER COMPENSATION AND CHARTER REVIEW COMMITTEE – APPROVED AND ADOPTED

Ms. Stelzer read the resolution by title only.

Ms. Gates **moved** that Resolution No. 2013-10 be approved and adopted. **Seconded** by Mr. McKeon.

ROLL CALL: MR. CARLESIMO, YES; MR. SHERMAN, YES; MS. GATES, YES; MR. MCKEON, YES; MR. BENNETT, YES; MAYOR HOLIC, YES. MOTION CARRIED.

XVI. RESOLUTION NO. 2013-12, ACCEPTING UTILITIES AND IMPROVEMENTS INSTALLED BY SOUTHWEST FLORIDA RETIREMENT CENTER, INC. AT VILLAGE ON THE ISLE – COTTAGES – APPROVED AND ADOPTED (continued)

Mayor Holic initiated a discussion concerning roads included in the Village on the Isle Cottages project being built to current city standards.

Mr. Carlesimo urged council members to continue road transfer negotiations with the county.

Mr. Lavallee briefed council members on road transfer discussions that were currently stalled due to testing of lines under road to check for substantial collapse, and expenses associated with bringing roads up to city standards.

Discussion ensued regarding meeting city road standards, the city takeover of existing private roads, funding to upgrade roads, substandard roads hindering tourism, existing declining roads making future repairs expensive, city and county staff negotiations, and upgrading existing city roads prior to adding substandard roads.

Mr. Lavallee indicated that cost impacts should be presented to council after an examination of all roads included in a transfer, including an existing study of the storm water system located beneath the roads.

Ms. Weeden confirmed the storm water system study was necessary and would provide a comprehensive indication of the fiscal impacts of the road transfer.

XVII. CHRIS ROZANSKY, AIRPORT ADMINISTRATOR: SPECIAL EVENTS AREA SAFETY STUDY, SUMMARY AND RECOMMENDATIONS

(11:30) Mr. Rozansky provided an overview of the special events area including public and aviation safety issues, and displayed photographs depicting light pollution near runways. Relocation of the special events area off of airport grounds was recommended to mitigate large numbers of people congregating near active runways.

Discussion followed regarding special event groups relocating hazardous lighting and garbage receptacles, traffic control, and providing safety guidelines to special event groups.

Mr. Lavallee discussed communicating safety standards to vendors.

Discussion resumed including providing access to the Lake Venice Golf Course during special events.

Dan Boone, Boone Law Firm, expressed concerns regarding possible negative impacts to the Shark's Tooth and the Rotary Art festivals.

XVIII. AIRPORT ADMINISTRATOR CHRIS ROZANSKY: AIRPORT PROPERTY UPDATE

Mr. Rozansky provided updates on golf course modifications, runway modifications, relocating the runway protection zone, circus arena property, fair market value of airport properties, storm water drainage easement, long term life and viability of the airport, selling airport property, and non-aeronautical uses of airport property.

Recess was taken from 12:11 p.m. until 1:30 p.m.

XIX. FINANCE DIRECTOR JEFF SNYDER: MONTHLY FINANCIAL REPORT

Mr. Snyder discussed general fund and reserve usage, and also provided an impact fee update.

XX. REPORT BY MAYOR HOLIC

1. Venice Fire Department Emergency Medical Services Run Cost

Mayor Holic initiated a discussion relating to generating revenue for the city's response for EMS service, and costs involved in taking over EMS. He proposed that the city bill the county on a monthly basis for ambulance calls the city is called out on at a minimum rate of one hour, and anything over one hour would be in 15 minute increments.

Discussion followed regarding call volume, ad valorem and fee revenues, billing the county, mutual aid between fire departments, fire truck maintenance and insurance costs, budgeting costs, improving relationships with other government agencies, and financial viability.

Mr. Persson advised that staff review the mutual aid agreement.

There was **consensus** to direct the City Manager to proceed with discussions with County Administrator Randall Reid regarding EMS run costs.

Chief Warman commented on damaged Fire Department Honor Guard equipment and advised he would provide council with a dollar amount at the June 11, 2013 council meeting.

2. Upcoming Vacancies on City Boards

Mayor Holic reported on city board vacancies and asked council members to recommend volunteers to fill the vacant positions.

Mayor Holic also reported on plans to hold the Florida Association of Public Art Professionals 2016 conference in Venice, and provided an update on construction of Venetian Walk.

XXI. REPORT BY MR. SHERMAN

(2:05) Mr. Sherman had no report.

XXII. REPORT BY MR. BENNETT

Mr. Bennett stated he would discuss the new board composition of the Sarasota/Manatee Metropolitan Planning Organization (MPO) at the June 11, 2013 council meeting.

After discussion, there was **consensus** to schedule a road workshop after the summer break.

XXIII. REPORT BY MR. MCKEON

Mr. McKeon reported on sign ordinance recommendations, Southwest Florida Regional Planning Council funding cuts, and the Charlotte Harbor National Estuary Program report concerning improvements in the quality of local water, estuary, and vegetation.

Mr. Sherman indicated he would provide letters at the June 11, 2013 council meeting relating to funding needs of the Charlotte Harbor National Estuary Program.

XXIV. REPORT BY MS. GATES

Ms. Gates reported on Sarasota 2050 Plan revisions; the Economic Development Advisory Board presentation scheduled for the June 11, 2013 council meeting; beach renourishment funding; and vandalism at Sarasota County sports practice fields.

Responding to Ms. Gates, Mr. Lavallee indicated that he is currently working on eligibility criteria for city dispatchers to convert to the county dispatch system.

XXV. REPORT BY MR. CARLESIMO

Mr. Carlesimo reported on Parks and Recreation Advisory Board capital improvement suggestions.

After discussion initiated by Mr. Carlesimo, there was **consensus** to send a letter to each member of the local delegation for their support for beach renourishment funding.

Mr. Carlesimo expressed concerns regarding council's support of not scheduling a joint meeting with the North Port City Commissioners.

Discussion ensued regarding scheduling a joint meeting at a later date and topics for discussion. Mr. Sherman left the meeting at 2:33 p.m. and did not return.

Discussion continued regarding parameters concerning council representation to other boards/entities.

XXVI. ADJOURNMENT

There being no further business to come before council, the meeting was adjourned at 2:37 p.m.

ATTEST:

Mayor – City of Venice

City Clerk