



City of Venice

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

Meeting Minutes City Council

Tuesday, June 28, 2022

9:00 AM

Council Chambers

22-5682

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

Broadcast

CALL TO ORDER

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

ROLL CALL

Present: 6 - Mayor Ron Feinsod, Vice Mayor Nick Pachota, Dr. Mitzie Fiedler, Mr. Jim Boldt, Ms. Helen Moore and Mrs. Rachel Frank

ALSO PRESENT

City Attorney Kelly Fernandez, City Manager Ed Lavalley, Planning and Zoning Director Roger Clark, Senior Planner Nicole Tremblay, City Engineer Kathleen Weeden, City Clerk Kelly Michaels, Deputy Clerk Mercedes Barcia, and Recording Secretary Amanda Hawkins-Brown.

INVOCATION AND PLEDGE OF ALLEGIANCE

City Clerk Kelly Michaels offered the Invocation followed by the Pledge of Allegiance lead by Mayor Feinsod.

I. RECOGNITION

22-5683

Proclaim June 27 to July 1, 2022 as National Boys and Girls Club Week, Presented to Yolanda Mancha, Vice President for Advancement, Boys and Girls Clubs of Sarasota and DeSoto Counties

Mayor Feinsod presented this proclamation to the Boys and Girls Club representative Michael Stevens.

22-5684

Swearing in: Police Officers Alden Codina, Matthew DiGiacomo, Diana Kaouris and Michael Slowik

City Clerk Michaels swore in Officers Alden Codina, Matthew DiGiacomo, Diana Kaouris, and Michael Slowik.

22-5685

20-year Service Award, Jessica Chappa, Police Lieutenant

City Manager Lavallee presented the 20-year Service Award to Lieutenant Chappa.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Don O'Connell, 414 Palmetto Court, spoke on comments at the public workshop and in favor of up to four story building heights.

Marty Dover, 311 Parkdale Drive, spoke in favor of proposed building heights.

Chad Stelmok, 2901 Curry Lane, spoke against utility easements on Curry Lane.

Jeffrey Boone, 1001 Avenida Del Circo, spoke on comments at the public workshop.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, to approve items on the Consent Agenda with the exception of Item Nos. 22-5690, 22-5691 and 22-5692. The motion carried unanimously by voice vote.

A. MAYOR

22-5686 Reappoint Thomas Cookingham to the Historic Preservation Board for a term of July 1, 2022 until June 30, 2025

This appointment was approved on the Consent Agenda.

B. CITY CLERK

22-5687 Minutes of the June 6, 2022 Public Comment Workshop for the Land Development Regulations

These minutes were approved on the Consent Agenda.

22-5688 Set the Public Hearings for Ordinance No. 2022-15 (Petition No. 20-24AM Adoption of Proposed LDR and Zoning Map) and Ordinance No. 2022-18 (Petition No. 2022-CP City Initiated LDR Comprehensive Plan Amendments) at 9:00 a.m. or shortly thereafter on July 12, 2022

This item was approved on the Consent Agenda.

C. CITY MANAGER

22-5689 Approve New Special Event: Venice Pride Festival at Centennial Park, Saturday November 12, 2022

This item was approved on the Consent Agenda.

Engineering

- CON. NO.
155-2022 Authorize the Mayor to Execute the State of Florida Department of Transportation Use and Occupancy Agreement for Public Parking Facilities Beneath the North Side of the KMI (Hatchett Creek) Bridge
This agreement was approved on the Consent Agenda.
- 22-5693 Authorize the Mayor to Execute the Right-of-Way Consent Agreement between Florida Power & Light Company and the City of Venice
This agreement was approved on the Consent Agenda.
- 22-5694 Authorize the Mayor to Accept Utility Easement from Sarasota County Public Hospital District a/k/a "Sarasota County Public Hospital Board" for Sarasota Memorial Hospital located at Pinebrook and Laurel Roads
This item was approved on the Consent Agenda.

Utilities

- 22-5695 Approve Amendment to Utility and Cost-Sharing Agreement between the Sarasota County Public Hospital District and the City of Venice
This item was approved on the Consent Agenda.
- 22-5696 Approve Utility Reimbursement Agreement between Meritage Homes of Florida, Inc. and the City of Venice - THIS ITEM WAS REMOVED FROM THE AGENDA
This item was withdrawn from the agenda.

IV. ITEMS REMOVED FROM CONSENT***CITY MANAGER - Continued***Engineering

- 22-5690 Authorize the Mayor to Accept Utility Easement from 2705 Venice Properties, LLC, Casto-CCM Pinebrook MOB 1, LLC, Stephen L Hazeltine and Michelle A. Hazeltine, Ted J. Eaton and Cindy R. Eaton, Christopher Knop, Elizabeth Knop and Claudia Knop and Watermark at Venice Pinebrook for Curry Lane

Recess was taken from 9:37 a.m. to 9:45 a.m.

City Engineer Weeden answered Council questions on the utility easements and compatibility with future sewer installations.

A motion was made by Ms. Moore, seconded by Mrs. Frank, to approve Item No.

22-5690. The motion carried unanimously by voice vote.

22-5691

Authorize the Mayor to Accept Utility Easement from 2705 Venice Properties, LLC, Adjacent to Curry Lane

A motion was made by Ms. Moore, seconded by Mrs. Frank, to approve Item No. 22-5691. The motion carried unanimously by voice vote.

22-5692

Authorize the Mayor to Accept Utility Easement from Watermark at Venice Pinebrook FL, LLC, Adjacent to Curry Lane

A motion was made by Ms. Moore, seconded by Mrs. Frank, to approve Item No. 22-5692. The motion carried unanimously by voice vote.

V. PUBLIC HEARINGS

A. APPEAL

CC 21-56SP

Consider and Act on Appeal of Planning Commission's Approval of Site and Development Plan Amendment Petition No. 21-56SP for Development of Three Pickleball Courts at the Existing Venetian Golf and River Club Site (Quasi-Judicial)

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

City Attorney Fernandez questioned Council members concerning ex-parte communications and conflicts of interest.

Dr. Fiedler disclosed communication with Mr. Harvey Feltquate, Appellant, regarding the appeal process and Ms. Moore disclosed incoming text and phone communication with comments and no returned communications.

City Attorney Fernandez asked Dr. Fiedler and Ms. Moore if they can remain fair and unbiased in making a decision based on the evidence presented at today's hearing. Dr. Fielder and Ms. Moore both affirmed yes.

City Clerk Michaels advised written communication were received and provided to Council in advance of the meeting.

Mr. Feltquate, Appellant, (appearing via Zoom) presented his request for a hearing delay of three months due to illness and pending acoustical engineer's assessment, and answered Council questions on the status of hiring an acoustical engineer.

Attorney Willner, Agent for Community Development District (CDD), presented his opposition to a continuance due to lack of new information, cost increases and answered Council questions on previous time waiver requests made by the CDD.

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, to grant the appellant's request for a continuance of this appeal to the September 27, 2022 Council meeting. The motion carried unanimously by voice vote.

A motion was made by Ms. Moore, seconded by Dr. Fiedler, to request both parties meet and attempt to resolve the matter before the September 27, 2022 Council meeting. The motion carried unanimously by voice vote.

B. ORDINANCES - FIRST READING

ORD. NO. An Ordinance of the City of Venice, Florida, Adopting By Reference the
2022-15 Amended and Restated Land Development Regulations for the City of
Venice; Providing for Purpose and Intent; Providing Findings; Adopting by
Reference the Following; Chapter 87, Chapter 88, Chapter 89, and the City
of Venice Zoning Map; Providing for Codification; Providing for
Applicability; Providing for Severability; and Providing an Effective Date
City Clerk Michaels read the ordinances by title only.

Mayor Feinsod opened the public hearing.

City Clerk Michaels advised written communications were received and provided to Council in advance of the meeting.

Planning and Zoning Director Clark and Senior Planner Tremblay presented the new zoning map, reviewed the latest revisions, and answered Council questions on current Policy 8.2 information in proposed Land Development Regulations (LDRs), historic issues, and neighboring municipalities policies.

Discussion took place regarding the continued research items including affordable housing incentives, environmental assessments on smaller lots, Medical Marijuana dispensaries, Green Building Standards, grass lawn standards, dust abatement, hours of construction, and expected time frames. Council recommended prioritizing affordable housing, environmental standards, grass lawn standards, and requested an update in six months.

Discussion took place regarding the proposed 75 foot exception in the Downtown Edge District.

Recess was taken from 11:05 a.m. to 11:12 a.m.

Attorney Jeffrey Boone, representing FNG Holdings, spoke on removing the setback multiplier and design alternatives from the compatibility section.

Attorney Jeffrey Boone, representing Shackett Creek Trust, spoke against

the setback multiplier, design alternatives and ten foot parking spaces.

Attorney Jeffrey Boone, representing Marine Max, spoke in favor of the proposed LDRs and online access to the active petition schedule.

Attorney Jeffrey Boone, representing Marshall Property Services, spoke on allowing six story buildings in the Knights Trail Transition area.

Mayor Feinsod closed the public hearing.

Discussion took place regarding allowing nine foot parking spaces, reduced number of required parking spaces, the setback multiplier, and height exceptions up to 75 feet in the Knight's Trail Transition area.

Mayor Fiensod commented on the revision process involving four drafts and lack of time to digest the lengthy material.

A motion was made by Dr. Fielder, seconded by Mayor Fiensod, to include items I through N of Policy 8.2 of the current code in the new compatibility section of the proposed Land Development Regulations. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

A motion was made by Vice Mayor Pachota, seconded by Ms. Moore, to allow nine foot parking spaces. The motion carried by unanimously by voice vote.

A motion was made by Vice Mayor Pachota, seconded by Mr. Boldt, to remove the setback multiplier from the proposed Land Development Regulations. The motion carried unanimously by voice vote.

A motion was made by Ms. Moore, seconded by Mr. Boldt, to allow 75 foot height exception in the Knight's Trail Transition area. The motion carried unanimously by voice vote.

A motion was made by Mr. Boldt, seconded by Vice Mayor Pachota, that Ordinance No. 2022-15 be approved on first reading and scheduled for final reading including the amendments as voted on today. The motion carried by the following vote:

Yes: 5 - Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

No: 1 - Mayor Feinsod

C. PRESENTATION

22-5697

Sean Patton, Owner, Stocking Savvy Environmental Consulting: Venice and Sarasota Water and Restoration (10 min.)

Mr. Patton presented on water restoration, his qualifications, current issues with algae and water quality, habitat loss and urbanization, invasive

species of concern, seasonal precipitation outlook, banning herbicides, solution of planting native plants, retention pond restorations, zones of vegetated freshwater shoreline, goals for sustainable management, integrated pest management (IPM), observations of plants, new green spaces, and recommendations for Venice.

Recess was taken from 12:18 p.m. to 1:30 p.m.

VI. NEW BUSINESS

A. ORDINANCES - FIRST READING

ORD. NO. An Ordinance of the City of Venice, Florida, Amending the Code of
2022-16 Ordinances Chapter 46, Parks and Recreation, Article III, Conduct in
Parks, Section 46-62, General Rules and Regulations for All Parks,
Beaches and Recreational Areas, and Section 46-66, Certain Parks
Closed to Vehicles During Nighttime Hours; Providing for Repeal of All
Ordinances in Conflict Herewith; Providing for Severability and Providing
an Effective Date

City Clerk Michaels read the ordinance by title only.

No one signed up to speak.

A motion was made by Vice Mayor Pachota, seconded by Mrs. Frank, that Ordinance No. 2022-16 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

ORD. NO. An Ordinance Amending City of Venice Ordinance No. 2021-32 Which
2022-17 Adopted the Official Budget of the City of Venice, Florida for the Fiscal
Year Beginning October 1, 2021 and Ending September 30, 2022; By
Increasing the Total Revenue by \$142,200 and Total Expenditures by
\$142,200; and Providing an Effective Date

City Clerk Michaels read the ordinance by title only.

No one signed up to speak.

A motion was made by Mr. Boldt, seconded by Ms. Moore, that Ordinance No. 2022-17 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

B. RESOLUTIONS

RES. NO. A Resolution of the City of Venice, Florida, Accepting Utilities and
2022-13 Improvements Installed by 2075 Venice Properties, LLC, Inc. and
Accepting a One Year Developers Maintenance Bond and Bill of Sale, and
Providing an Effective Date (Curry Lane)

City Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Pachota, seconded by Dr. Fiedler, that Resolution No. 2022-13 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

RES. NO. A Resolution of the City Council of the City of Venice, Florida, Dissolving
2022-20 the Charter Review Committee and Providing an Effective Date

City Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Pachota, seconded by Mr. Boldt that Resolution No. 2022-20 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

D. COUNCIL ACTION/DISCUSSION

22-5698 Review of the Performance Evaluation Process for Charter Officers (Dr. Fiedler)

Dr. Fiedler spoke on concerns with the current evaluations forms.

Discussion took place regarding an update to evaluation forms for Charter Officers, at will employment, addressing Charter Officer's performance in council meetings, using evaluations to support pay decisions, specific employment contracts for each position, open communication between Council and Charter Officers, and the strategic planning sessions.

There was consensus for City Manager Lavalley, City Clerk Michaels and City Attorney Fernandez to work with Human Resource Director Bullock to create a new evaluation form for Charter Officers.

22-5699 Appoint a Council Liaison to the Metropolitan Planning Organization (MPO) and Manasota League of Cities to Represent the City of Venice

There was consensus to appoint Dr. Fiedler as the Council Liaison to the Metropolitan Planning Organization (MPO) with Vice Mayor Pachota as the alternate, to appoint Mr. Boldt as the Council Liaison for the Manasota League of Cities to represent the City of Venice, and Vice Mayor Pachota to serve as the Council representative to Sarasota County.

VII. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez had nothing to report and answered Council questions on the appeal process including providing information to the public, and tools for keeping civility in meetings.

City Clerk

City Clerk Michaels had no report.

City Manager

City Manager Lavalley thanked all the individuals involved in the creation of the LDRs and spoke on civility in governance, and fire station 2 relocation.

Discussion took place regarding the Legislative Referral procedure, advisory board's communication with staff and utilization of staff resources, reminders for existing members, and an orientation for new board members.

VIII. COUNCIL REPORTS***Council Member Moore***

Ms. Moore had no report and thanked City Attorney Fernandez for Robert's Rules of order tools shared and City Manager Lavalley's notes on civility.

Council Member Fiedler

Dr. Fiedler reported that the Park and Recreation Advisory Board will work on the Parks Master Plan and park assessments.

Council Member Frank

Mrs. Frank had no report.

Council Member Boldt

Mr. Boldt thanked the Planning Department and Council for their work on the LDRs.

Vice Mayor Pachota

Vice Mayor Pachota spoke on credibility, social media posts, and civility in governance.

Mayor Feinsod

Mayor Feinsod had no report.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 2:45 p.m.

ATTEST:



Vice Mayor - City of Venice



City Clerk