



# City of Venice

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

## Meeting Minutes City Council

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Wednesday, June 28, 2017

8:00 AM

Council Chambers

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### Continuation of June 27, 2017 Meeting

#### CALL TO ORDER

Mayor Holic called the meeting to order at 8:00 a.m.

#### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Deborah Anderson, Council Member Richard Cautero and Council Member Fred Fraize

#### ALSO PRESENT

Assistant City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Development Services Director Jeff Shrum, Senior Planner Roger Clark, City Engineer Kathleen Weeden, Airport Director Mark Cervasio, and Assistant City Attorney David Jackson.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gates.

#### I. AUDIENCE PARTICIPATION

No one signed up to speak.

#### II. NEW BUSINESS

##### A. PRESENTATIONS

[17-2797](#)

Bob Vedder, Venice Area Beautification, Inc., Request to Place a Bronze Statue at the Southwest Corner of W. Venice Avenue and Nokomis Avenue (10 min.)

Mr. Vedder noted project was approved by the public art advisory board and spoke regarding the bronze statute.

Mr. Daniels and Mr. McKeon joined the meeting at 8:03 a.m.

Discussion followed regarding resident and tourist feedback.

**A motion was made by Council Member Gates, seconded by Council Member McKeon, to approve Item No. 17-2797. The motion carried unanimously by voice vote.**

## **B. COUNCIL ACTION/DISCUSSION**

### 17-2800

Consider Advisory Boards Taking Summer Break to Coincide with City Council's Summer Break (Gates)

Ms. Gates spoke on her request for advisory boards to have a summer break to coincide with council's summer break.

**A motion was made by Council Member Gates, seconded by Council Member McKeon, to have advisory boards take a summer break to coincide with city council's summer break.**

Discussion followed regarding predetermined and staff breaks, advisory boards that are required to meet, and wording on motion.

**Ms. Gates withdrew her motion and Mr. McKeon withdrew his second.**

**A motion was made by Council Member Gates, seconded by Council Member McKeon, to consider advisory boards take a summer break to coincide with city council's summer break. The motion carried unanimously by voice vote.**

### 17-2805

Dave Persson, City Attorney and Jeff Shrum, AICP, Development Services Director: Consider Proceeding with Annexation of SHYD Property Located on Albee Farm Road

Ms. Fernandez spoke regarding the pre-annexation agreement.

Mr. Shrum spoke on property annexation, existing enclaves, city services, surrounding properties, comprehensive plan, and applicant request to waive financial feasibility report.

Ms. Fernandez commented on approving pre-annexation agreement, comprehensive plan amendment, and rezoning.

Discussion followed regarding consistency with annexation procedures, financial feasibility waiver, joint planning agreement (JPA), and enclaves.

**A motion was made by Council Member Gates, seconded by Council Member McKeon, to proceed with annexation of SHYD Property located on Albee Farm Road. The motion carried by voice vote 6 to 1 with Mr. Fraize opposed.**

### 17-2801

Request Sarasota County to Request Metropolitan Planning Organization Moves the Venice Avenue/Pinebrook Road Intersection to Completion in FY 2019 (Daniels)

Discussion took place regarding the Venice Avenue and Pinebrook

Road intersection project.

Ms. Weeden spoke on increasing project priority through MPO funding, road impact fees, estimated fiscal year (FY) 2018 road impact fee balance, procurement of right-of-way, construction of the intersection, extending Ringling Boulevard, expanding Pinebrook Road from East Venice Avenue to Edmondson Road, Curry Creek Bridge, projected funding, improving congestion at the intersection, 681 interchange project, Capri Isle Boulevard bridge replacement, and extending Knights Trail.

Discussion followed regarding traffic congestion at the intersection, Americans with Disabilities Act (ADA) issues, 681 interchange, Knights Trail extension, lifespan of the landfill, and River Road project.

Ms. Gates left the dais at 8:37 a.m.

Discussion continued on extension of Clark Road South into Knights Trail, 681 interchange, project priority list, road impact fee balance, and Laurel Road and Knights Trail junction.

Ms. Gates returned to the dais at 8:43 a.m.

Ms. Weeden suggested council approve sending a letter requesting to use road impact fees for the project.

Discussion followed on council receiving a monthly update on impact fees.

Ms. Weeden commented on park impact fees and projects, and county interlocal agreement.

Discussion continued regarding the 681 interchange and extension of Clark Road and Knights Trail.

**A motion was made by Council Member Cautero, seconded by Council Member Fraize, to approve Item No. 17-2801. The motion carried unanimously by voice vote.**

Discussion followed regarding impact fees and MPO funding, notice to residents, expiration of impact fees, mobility fees, postponing item until the next meeting, and traffic congestion at the intersection.

Mr. Lavalley commented on the MPO project list and moving project forward on the priority list.

Discussion continued regarding moving forward with the project, priority project ranking, and impact fees.

[17-2803](#)

## Venetian Walk II: Project Summary and Funding Needs (Holic)

Mayor Holic spoke regarding Venice Housing Authority's (VHA) contribution to the project, obtaining council's permission to speak with charitable foundations for contributions, and the Gulf Coast Community Foundation.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to allow Mayor Holic to discuss the financial needs for the project with various charitable foundations. The motion carried unanimously by voice vote.**

Discussion followed regarding project development, deferred developer fee, VHA account, funding needed to move project forward, bonds, and sale of a 10 acre plot of land adjacent to the property.

**C. PRESENTATIONS (Continued)**[17-2799](#)

## Consideration of Proposals for Circus Property and Council Authorization to Negotiate a Lease

Bruce Abramson, Keller Williams, commented on his presentation and the June 22, 2017 memorandum from Mr. Lavallee, spoke on the proposed plan and offer, and requested postponement of presentation until next month.

Discussion followed regarding council's review and decision of the proposal, Mr. Lavallee's memorandum, hearing notice, proposal, and third bidder.

Mr. Lavallee spoke on the third party, proposals received, property sign, formal solicitation process, predetermination, guidelines, and airport guidance and determination by the Federal Aviation Administration (FAA).

Mr. Abramson spoke on the proposal and type of development.

Discussion took place on rewording the proposal to meet FAA guidelines and presenting proposal at the July council meeting.

Discussion followed regarding the airport's budget and revenue.

Ms. Anderson left the dais at 9:27 a.m.

Discussion continued on the definition of a residence and proposal criteria.

Ms. Anderson returned to the dais at 9:30 a.m.

Mr. Lavallee suggested redesigning the request for proposals (RFP) and

criteria.

Discussion took place on the RFP process, property signs, and proposals.

Mr. Jackson provided clarification on the RFPs.

Discussion took place regarding letter of interest, FAA approval, and proposals.

Ms. Anderson left the meeting at 9:39 a.m. and did not return.

Discussion continued on Mr. Abramson presenting proposal at the July 11, 2017 council meeting.

Wayne Ruben, WMR Consulting, LLC, spoke regarding his communication with prospective bidder Kent Jacoby.

Recess was taken from 9:49 a.m. until 9:56 a.m.

Joel Freedman, Freedman Consulting, provided a presentation and spoke on 116 room hotel, general retail, property access, site plan and approval process, potential hotel expansion, meeting space, entrance, and cash transaction.

Discussion followed regarding the design and construction timeframe, and accepting Venice Realty Group's proposal and moving forward with lease negotiations.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to accept Venice Realty Group's proposal and have staff move forward with lease negotiations.**

Discussion followed regarding the rooftop in the proposal.

Ms. Fernandez noted plan is conceptual and will need to be reviewed by planning.

Discussion continued regarding site drawing, recognizing the circus history, and height limitation.

**The motion carried by voice vote 4 to 2 with Mayor Holic and Mr. Fraize opposed.**

Ms. Gates left the dais at 10:18 a.m.

[17-2798](#)

Lynn Moseley, Vice President, Venice Area Beautification Inc. (VABI):  
Proposal for a Mural to be Painted on the Green Parrot Building (235 W. Venice Avenue) Along Founder's Way (10 mins)

Ms. Moseley spoke regarding proposal, contract with the city, permission

from the owner of the Green Parrot, VABI's maintenance fund, and mural protection.

**A motion was made by Council Member Daniels, seconded by Council Member Fraize, to approve Item No. 17-2798.**

Discussion followed regarding artist proposal, VABI projects and rights ownership, and mural maintenance.

**The motion carried unanimously by voice vote.**

Ms. Gates returned to the dais at 10:23 a.m.

### III. PUBLIC HEARINGS

#### **ORDINANCES - FIRST READING**

[ORD. NO.  
2017-20](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Relating to Property Located at 2201 Knights Trail, as Reflected in Zoning Map Amendment Petition No. 17-08RZ, Rowco, LLC, (John Nolen Gardens), Rezoning the Property from Residential, Multiple-Family 2 (RMF-2) Zoning District with Stipulations to Residential, Multiple-Family 4 (RMF-4) Zoning District with Stipulations; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi Judicial)

Mayor Holic announced this is a quasi-judicial hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez question council concerning conflicts of interest and ex-parte communications. Ms. Gates and Mr. Fraize noted one time communication with Mitzie Fiedler, Mr. Cautero noted responding to a resident who asked how to participate in the process, Mayor Holic noted explaining the process of affordable housing in Venice at a professional luncheon. There were no conflicts of interest.

Jeffery Boone, representing applicant, being duly sworn, questioned Mr. Cautero regarding emails received from the Venetian community.

Ms. Stelzer noted emails were included in the agenda packet and further communications received will be posted in the next agenda.

Mr. Clark, being duly sworn, provided a presentation on the rezone petition to include petition summary information, aerial and site photographs, surrounding property information, future land use and proposed zoning maps, planning analysis, evaluation of residential multi-family 2 (RMF-2) and RMF-4, comprehensive plan consistency,

Policy 13.1, mitigation techniques of Policy 8.2, applicant's intent, comprehensive plan housing policies, staff summary/findings of fact for proposed zoning and comprehensive plan, concurrency, applicable rezone considerations, and planning commission's recommendation to city council.

Mr. Boone commented on the rezone request and process, site development plan, and stipulations.

Edward Pinto, Economical Housing Development, LLC, being duly sworn, spoke regarding his career, providing housing for hourly wage earners, and John Nolen lecture to the American Civic Association.

Mr. Boone spoke on mixed development, proposed stipulations, and building apartment complexes.

Mr. Pinto spoke on the lease agreement concept with employers.

Mr. Boone spoke regarding affordable housing, proposal, consistency with the comprehensive plan, PGT, policies on future land use elements, site and development plan, multi-family residence density, and housing elements policy.

Mr. Pinto commented on John Nolen's future vision.

Mr. Boone spoke on the site and development process, traffic engineer, Knights Trail and Laurel Road intersection, I-75 and Laurel Road interchange, and density.

Discussion followed regarding planning commission's concerns, planned number of units, site and development plan, phased or staged project, waiting list through employers, rents, project density and scale, financial feasibility, land cost, studio units, area ratio, employer assistance renters program, recession, subsidized housing, reservation agreements, annexation of PGT, seasonal residents, impact fee waiver, concern with density increase of 8 to 18 units per acre, amenity center, and market rate apartments.

Recess was taken from 11:55 a.m. until 1:10 p.m.

Alexander Hayes, LALP Development, LLC, being duly sworn, spoke regarding Toscana Isles, John Nolen's application, affordable housing, rezone to increase density, applicant materials, compatibility, and requested council not to approve the ordinance.

Emilio Carlesimo, 700 Golden Beach Boulevard, being duly sworn, spoke on supporting the ordinance.

Jerry Jasper, 130 Burano Court, on behalf of the Venetian Golf and River Club Community Association Board, being duly sworn, spoke on concerns with the rezone petition to include monetary relief.

Dick Longo, 395 Marsh Creek, being duly sworn, spoke regarding affordable housing, project location, stipulations, and site security.

John Ryan, Venice Area Chamber of Commerce, being duly sworn, spoke regarding lack of employees and affordable housing.

Maryann Terry, Executive Director of the United Way in South County, being duly sworn, spoke regarding employee wages, cost of living, poverty level, and support of the rezone request.

Bill Rowland, 217 Bayshore Road, being duly sworn, commented on the rezone, proposed project, and workforce housing.

Mr. Boone commented on workforce and affordable housing terms and waiver of fees.

Mr. Pinto spoke regarding subsidized income, workforce housing, and average workforce employee wages.

Mr. Boone spoke on compatibility, zoning within developments, single and multi-family residential units, comprehensive plan, fee reductions, site and development plan approval, density, The Bridges property, emails to city council, concern with the individuals who will be in the multi-family residences, apartment districts, planning commission's comment regarding resident feedback, and noted size of units are not market rate.

Discussion took place regarding Sarasota Business Park, Our Mother's House, Habitat for Humanity property, strategic plan, Ms. Gates' 2009 letter to the district court of appeals (DCA), John Nolen Plan, fee waiver, and site and development plan.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2017-20 be approved on first reading and scheduled for final reading.**

Discussion took place regarding employee wage scale and cost of living, emails sent to city council, applicant materials, density level, affordable and workforce housing needs, impact to taxpayers, and financial concerns.

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



**Yes:** 4 - Mayor Holic, Mr. McKeon, Ms. Gates and Mr. Daniels

**No:** 2 - Mr. Cautero and Mr. Fraize

**Absent:** 1 - Ms. Anderson

#### **IV. CHARTER OFFICER REPORTS**

##### City Attorney

Ms. Fernandez had no report.

##### City Clerk

Ms. Stelzer had no report.

##### City Manager

Mr. Lavallee provided an update on the Venice Farmer's Market to include new manager and relocation of the market during downtown construction.

Discussion followed regarding charging fee for use of city property and the South Jetty concession stand.

Ms. Fernandez provided clarification on ex-parte communications regarding the John Nolen Gardens rezoning petition and financial incentives.

Discussion continued regarding emails to council.

#### **V. COUNCIL REPORTS**

##### ***Council Member Fraize***

Mr. Fraize provided an update on the Architectural Review Board (ARB) meeting to include proposed demolition of 219 West Venice Avenue building.

##### ***Council Member McKeon***

Mr. McKeon had no report.

##### ***Council Member Daniels***

Mr. Daniels commented on the Circus and KMI bridges, completion of landscaping on Laurel Road and I-75, and Venice Performing Art Center (VPAC) funding.

**Council Member Gates**

Ms. Gates commented on her work schedule and noted she will be unavailable on Thursdays.

Ms. Fernandez commented on appeal periods and ex-parte communications on quasi-judicial hearings.

**Council Member Anderson**

There was no report.

**Council Member Cautero**

Mr. Cautero provided an update on the Historic Preservation Board researching tax incentives for historic properties.

**Mayor Holic**

Mayor Holic commented on the Preserves quasi-judicial hearing, requested the city clerk to remind council at 4:00 p.m. regarding meeting end time, and discussed meeting start time if meeting is continued to a second day due to quasi-judicial hearings.

**A motion was made by Council Member Daniels, seconded by Council Member Cautero, that should a regularly scheduled council meeting be deemed to need a second day for continuation or completion of a quasi-judicial hearing, the second day shall be the Wednesday immediately following the Tuesday of the meeting with a start time of 9:00 a.m. and stop time of 5:00 p.m., unless approved by the majority of council to continue the meeting beyond the scheduled stop time no later than 4:00 p.m. The motion carried unanimously by voice vote.**

**VI. AUDIENCE PARTICIPATION**

No one signed up to speak.

**VII. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 2:53 p.m.

ATTEST:

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Mayor - City of Venice

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City Clerk