



City of Venice

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

Meeting Minutes City Council

Tuesday, October 26, 2021

9:00 AM

Council Chambers

[21-5292](#)

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

CALL TO ORDER

Vice Mayor Cautero called the meeting to order at 9:01 a.m.

ROLL CALL

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

Mayor Feinsod arrived at 9:02 a.m.

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Information Technology Director Christophe St. Luce, and Administrative Coordinator Toni Cone, and for certain items on the agenda: Planning and Zoning Director Roger Clark and Senior Planner Amy Nelson.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer provided the invocation and Mayor Feinsod let the Pledge of Allegiance.

I. RECOGNITION

[21-5293](#)

Recognition of Councilmember Rich Cautero in Appreciation of his Service on City Council

Mayor Feinsod presented Mr. Cautero with a plaque.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Council Member Pachota to approve items in the Consent Agenda. The motion carried by the following vote:

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

A. CITY CLERK

[21-5294](#) Minutes of the October 12, 2021 Regular Meeting

These minutes were approved on the Consent Agenda.

B. CITY MANAGER

Airport

[21-5295](#) Approve Restated Lease Agreement with Florida Flight Maintenance, Inc.

This item was approved on the Consent Agenda.

Engineering

[21-5296](#) Authorize the Mayor to Sign Acceptance by Grantee for Utility Easement Adjacent to Cassata Square B & C from CS of Venice Development Company, LLC

This item was approved on the Consent Agenda.

[21-5297](#) Authorize the Mayor to Sign Acceptance by Grantee for Utility Easement Adjacent to Fisherman's Wharf from Fisherman's Wharf of Venice Development Company, LLC

This item was approved on the Consent Agenda.

Planning and Zoning

[21-5298](#) Approve Designation of Venetian Tree at 232 Gulf Drive as Submitted by Kristin Hoffschmidt

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

There were none.

V. PUBLIC HEARINGS

A. CONDITIONAL USE PETITION

[CC 21-14CU](#) Consider and Act Upon Conditional Use Petition No. 21-14CU for Watermark at Venice (29.4± Acres) to Allow for a Gated Community

(Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial hearing.

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

There were no written communications.

Jeffery Boone, agent, being duly sworn, provided information on the petition, and requested approval.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Kelly, seconded by Dr. Fiedler, to approve Development Order No. 21-14CU. The motion carried by the following vote:

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

B. ORDINANCES - FIRST READING

ORD. NO. 2021-38

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 20-22AN By FNG Holdings-Land, LLC, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; 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.

There were no written communications.

Ms. Nelson provided a presentation to include general information, project description, aerial map, site photos, surrounding properties, future land use map, county coordination, consistency, conclusions and findings of fact, planning commission report and recommendation.

Discussion took place regarding annexations and location.

Annie Boone, Boone Law Firm, stated the annexation request is consistent with the Florida Statutes, the joint planning agreement (JPA), the comprehensive plan, land development code, had obtained the planning commission's recommendation, and requested support of city council.

Jeffery Boone, Boone Law Firm, commented on the tax benefits of annexations.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Pachota, that Ordinance No. 2021-38 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

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

ORD. NO.
2021-39

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. 21-23CP to Change the Future Land Use Designation of Specific Real Property Generally Located on the South Side of East Venice Avenue Between Colebrook Court and South Auburn Road (5± Acres), From Sarasota County Medium Density Residential to City of Venice Moderate 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.

There were no written communications.

Dr. Fiedler noted the benefit to the city of the annexation.

Ms. Nelson shared the presentation and spoke on the pre-annexation agreement, including roadways, utilities, common area improvements, internal roadways, and stormwater facilities.

Discussion took place regarding trees on the site, zoning, and surrounding zoning designations and land use.

Mayor Feinsod expressed concern over zoning the property residential, the increase in houses being built in Venice, traffic levels, and inquired as to the options for zoning.

Ms. Fernandez commented on comprehensive plan, city council options, and discretion regarding designations.

Discussion took place regarding the pre-annexation agreement.

Mayor Feinsod closed the public hearing.

Mayor Feinsod reopened the public hearing.

Annie Boone, Boone Law Firm, stated the land use designation is consistent with the comprehensive plan, the joint planning agreement, land development code, and was recommended for approval by the planning commission.

Jeffery Boone, Boone Law Firm, responded to board comments on trees and the city and county ordinances, requested approval of the zoning designation, and spoke regarding housing supply and demand.

Discussion took place regarding affordable housing and infill projects.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Council Member Pachota, that Ordinance No. 2021-39 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

No: 1 - Mayor Feinsod

ORD. NO.
2021-40

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 21-24RZ, to Change the Zoning Designation for the Property Generally Located on the South Side of East Venice Avenue Between Colebrook Court and South Auburn Road (5± Acres), From Sarasota County Open Use Estate 1 (OUE-1) to City of Venice Residential Multi-Family (RMF-2); 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 hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

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

There were no written communications.

Ms. Nelson, being duly sworn, provided a presentation regarding the

planning commission stipulation in the ordinance regarding the suggested Venetian Gateway standards that are adjacent to this property, and the recommended Northern Italian Renaissance style of architecture.

Annie Boone, Boone Law Firm, being duly sworn and Jeffery Boone, Boone Law Firm, being duly sworn, provided the applicant presentation to include zoning map amendment, noted the petition is consistent with the comprehensive plan, land development code regulations, stated the applicant had no objection with the stipulation as it is written, and requested approval.

Discussion took place regarding burning on the property, height requirements, and burning prohibitions in general.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, that based on the evidence in the record, Ordinance No. 2021-40 be approved on first reading and scheduled for final reading with the stipulation that there be no burning on the property. The motion carried by the following vote:

Yes: 6 - Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

No: 1 - Mayor Feinsod

Recess was taken from 10:09 a.m. until 10:22 a.m.

C. ORDINANCES – FINAL READING

ORD. NO. 2021-37

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 21-06RZ, Relating to Property in the City of Venice Located at the Eastern Terminus of Gene Green Road (44.34± Acres) Owned by the City of Venice, to Change the Zoning Designation from Planned Industrial Development (PID) to Government Use (GU); 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 hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

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

There were no written communications and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Kelly, seconded by Council Member Pachota, that based on the evidence in the record, Ordinance No. 2021-37 be approved and adopted. The motion carried by the following vote:

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

ORD. NO.
2021-41

An Ordinance of the City of Venice, Florida, Providing an Annual Update of the Five Year Capital Improvement Schedule for Fiscal Years 2022-2026 Including A Long Range Schedule of Capital Improvements for Years 2027-2031 Contained in the Appendix of the City of Venice 2017-2027 Comprehensive Plan; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

There were no written communications and no one signed up to speak.

Mayor Feinsod closed the public hearing.

Discussion took place regarding the draft letter to Sarasota County Commission Chair Maio, a Capital Improvement Schedule workshop, data, the Capital Improvement Program, a road presentation request, ownership of roads, and metrics.

Dr. Fiedler noted that she could not vote in favor of the capital improvement schedule due to a lack of a workshop regarding roads and the data and rankings being inconsistent.

A motion was made by Council Member Moore, seconded by Council Member Pachota, that Ordinance No. 2021-41 be approved and adopted. The motion carried by the following vote:

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

No: 1 - Dr. Fiedler

VI. NEW BUSINESS

A. ORDINANCES

ORD. NO.
2021-42

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund; Section 50-86, Benefit Amounts and Eligibility; Section 50-90, Optional Forms of Benefits;

Section 50-96, Minimum Distribution of Benefits; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Council Member Kelly, seconded by Vice Mayor Cautero, that Ordinance No. 2021-42 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

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

B. RESOLUTIONS

RES. NO. 2021-23

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Fisherman's Wharf of Venice Development Company, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale; And Providing an Effective Date (Fisherman's Wharf)

Ms. Stelzer read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, that Resolution No. 2021-23 be approved and adopted. The motion carried by the following vote:

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

RES. NO. 2021-29

A Resolution of the City of Venice, Florida, Entering into A Statewide Mutual Aid Agreement with the Florida Division of Emergency Management; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Pachota, seconded by Dr. Neunder, that Resolution No. 2021-29 be approved and adopted. The motion carried by the following vote:

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

RES. NO. 2021-30

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by CS of Venice Development Company, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale; And Providing an Effective Date (Cassata Square B and C)

Ms. Stelzer read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that Resolution No. 2021-30 be approved and adopted. The motion carried by the following vote:

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

RES. NO.
2021-31

A Resolution of the City Council of the City of Venice, Florida, Adopting Policies; Transferring Responsibility to Charter Officers for Certain Policies; Rescinding Resolution No. 99-10 and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

Discussion took place regarding vacation of utility easements.

A motion was made by Council Member Moore, seconded by Council Member Kelly, that Resolution No. 2021-31 be approved and adopted. The motion carried by the following vote:

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

Dr. Neunder left the dais at at 10:43 a.m. and returned at the end of recess.

Recess was taken from 10:43 a.m. until 10:53 a.m.

C. PRESENTATION**21-5299**

Jeffery Boone, Charter Review Committee Chair: Committee Recommendations and Possible Direction by City Council (30 min.)

Mr. Boone, chair of the charter review committee (CRC), acknowledged the committee members and noted they would be offering input during his presentation; Mr. Holic, Mr. McKeon, Mr. Preiksas, Mr. Clapp, and Mr. Ferretti were in attendance and Mr. Booker had previously provided written comments. He provided a presentation of the committee's recommendations regarding changes to the city charter to be considered by the voters.

Mr. Boone presented the CRC's recommendation, the process, Article III legislation recommendations, and noted that Articles I, II and X had no changes or council recommendations.

Discussion took place regarding having an in-person chair, contentious public hearings, and the public sector versus the private sector in relation to virtual meetings.

Mr. Holic stated reasons to have an in-person chair, such as recognizing local dignitaries who are in chambers and recognizing candidates for local elections.

Mr. Ferretti commented on the difference between virtual meetings in the private sector versus the public sector due to Sunshine Laws prohibiting communication outside of meetings.

Discussion continued regarding today's meeting process and future plans

after today's presentation.

Mr. Boone continued to present the recommendations from the CRC, including mayor and vice mayor, terms, city council compensation, and forfeiture of office.

Mr. Holic presented an example showing the importance of attendance in regards to forfeiture of office.

Discussion took place regarding council attendance and excused absences.

Mr. Holic discussed the duties of mayor in regards to signing documents that are properly submitted.

Mr. Kelly left the dais at 11:25 a.m. and returned at 11:27 a.m.

Mr. Pachota left the dais at 11:28 a.m. and returned at 11:32 a.m.

Discussion took place regarding the pros and cons of districting, growth, and community size, the process of districting, and utilizing a consultant.

Mr. Clapp commented on districting and reasons to evaluate options.

Mr. McKeon stated reasons to oppose districting, such as the small size of the community.

Mr. Holic discussed the complexity of districting and a consultant.

Mr. Boone discussed recommendations for Article IV, Article V, Article VI, Article VII, Article VIII, Article IX, and Article XI.

Dr. Neunder left the dais at 11:54 a.m. and returned at 11:56 a.m.

Discussion took place regarding voting for mayor or electing the mayor or chair on an annual basis.

Mr. Holic commented on the benefits of having an elected mayor, such as continuity of relationships with other organizations and governments.

Mr. McKeon stated the benefits of having rotating mayors and the relationship with the city manager.

Mayor Feinsod left the dais at 12:16 p.m. and returned at 12:18 p.m.

Mr. Boone expressed appreciation to CRC members for their hard work and to city council for appointing the CRC.

Discussion took place regarding future plans, keeping the CRC active in case they are needed for future meetings, having a workshop on the charter review recommendations, scheduling workshop after the election, and discussion at the next council meeting.

There was consensus to keep the charter review committee active at this time.

There was consensus to schedule a city council workshop on the charter review committee's recommendations in the middle to end of January 2022.

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez wished Mr. Cautero well in the future.

City Clerk

Ms. Stelzer stated it has been a pleasure working with Mr. Cautero, noted she will not be at the November 16 meeting and Ms. Barcia will handle the swearing in.

City Manager

Mr. Lavallee spoke regarding the flag program, noted many personnel changes, and wished Mr. Cautero well.

VIII. COUNCIL REPORTS

Council Member Pachota

Mr. Pachota recognized Mr. Cautero as a mentor and reported on the Council of Governments meeting.

Council Member Neunder

Dr. Neunder thanked Mr. Cautero for his service, recognized Mr. Boldt, council candidate, for coming to meetings and Ms. Moore for serving Venice.

Council Member Moore

Ms. Moore stated appreciation to Mr. Cautero, spoke regarding the housing authority board, and recommended reviewing certified local government (CLG) status.

Council Member Kelly

Mr. Kelly thanked Mr. Cautero.

Council Member Fiedler

Dr. Fiedler expressed appreciation for Mr. Cautero and his service.

Council Member Cautero

Mr. Cautero expressed gratitude to the council members.

Mayor Feinsod

Mayor Feinsod reported on the opening of the fire station No. 1 and thanked Mr. Cautero for his service.

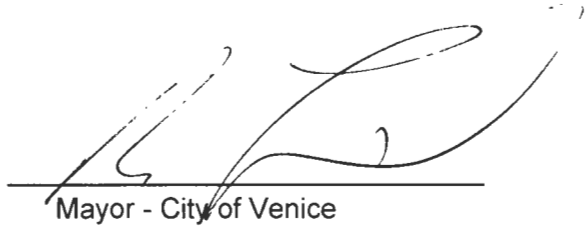
IX. AUDIENCE PARTICIPATION

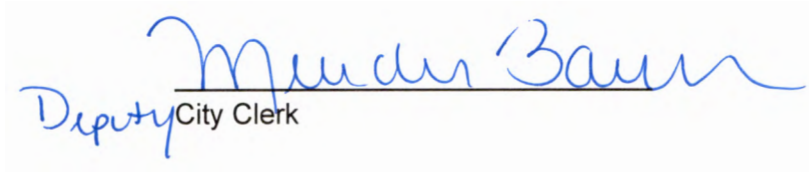
Jeffery Boone, city resident, recognized Mr. Cautero for his service and consistency.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 12:41 p.m.

ATTEST:



Mayor - City of Venice

Deputy City Clerk