



City of Venice

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

Meeting Minutes City Council

Tuesday, May 9, 2017

9:00 AM

Council Chambers

CALL TO ORDER

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

ROLL CALL

Ms. Anderson arrived at 10:28 a.m.

Present: 6 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Richard Cautero and Council Member Fred Fraize

Absent: 1 - Council Member Deborah Anderson

Also Present

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Assistant City Clerk Heather Taylor and for certain items on the agenda: Utilities Director Tim Hochuli, Finance Director Linda Senne, Development Services Director Jeff Shrum, City Engineer Kathleen Weeden, and Senior Planner Scott Pickett.

INVOCATION AND PLEDGE OF ALLEGIANCE

There was a moment of silence for the lives lost in the city on May 8, 2017. Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mr. McKeon.

I. RECOGNITION

[17-2670](#)

Recognition of 2017 Water Conservation Poster Contest Winners: Fifth Grade Venice Elementary Student Katarina Mergos, Fourth Grade Epiphany Cathedral Student Kateri Payne, and Fifth Grade Epiphany Cathedral Student Kaitlyn Giglio

Mr. Hochuli spoke to the water conservation poster contest.

Mayor Holic presented Katarina Mergos with her award and recognized the students that were not present.

[17-2671](#)

10-year Service Award, William Ford, Airport Maintenance Technician III

Mayor Holic presented this award.

[17-2672](#) Recognize May 12, 2017 as Venice MainStreet, Inc.'s 30th Anniversary, Presented to Erin Silk, Executive Director, Venice MainStreet, Inc.

Mr. Cautero presented this proclamation to Ms. Silk and other members of Venice MainStreet.

[17-2673](#) Proclaim May 20 through May 26, 2017 as National Safe Boating Week, Presented to Commander Susan Perish, Venice Sail and Power Squadron

Mr. McKeon presented this proclamation to Commander Perish and members of the squadron.

[17-2674](#) Proclaim May 15 through May 19, 2017 as National Salvation Army Week, Presented to Patricia Horwell, Volunteer/Resource Development Coordinator, The Salvation Army

Mr. Daniels presented this proclamation to Captain Hoover and Emilio Carlesimo.

[17-2675](#) Recognize the 90th Anniversary of the City of Venice, Presented to Jean Trammell, Historic Preservation Board Chair

Mayor Holic presented this proclamation to Jean Trammell, Larry Humes and Earl Midlam.

II. AUDIENCE PARTICIPATION

Mr. Lavallee recognized Mr. Hochuli for his exceptional contributions during his time with the city and introduced the new utilities director, Javier Vargas.

Danny Piper, 336 Bayshore Drive, expressed concern regarding interpretation of the survey conducted for Bayshore Drive and safety concerns with ditches and drainage.

Joan Piper, 336 Bayshore Drive, expressed support of the adjustments being made to Bayshore Drive and concerns with safety issues.

Ed Martin, Golden Beach Association, Inc., spoke to the comprehensive plan in regards to future land development and zoning designations.

Ruth LeBlanc, 809 Nokomis Avenue, expressed concern with traffic safety issues on Nokomis Avenue.

Mr. Lavallee spoke to the police department conducting extra patrols in the area of Nokomis Avenue.

Earl Midlam, 744 Bird Bay, spoke to the 90th Anniversary of the City of Venice, the upcoming 100 year anniversary celebration and supporting the preservation of archives.

There was consensus for the city manager to provide a report to council

regarding actions taken to mediate traffic concerns on Nokomis Avenue.

III. CONSENT SECTION:

A motion was made by Council Member Daniels, seconded by Council Member McKeon to approve items in the Consent Section. The motion carried by voice vote unanimously.

A. CITY CLERK

[17-2676](#)

Minutes of the April 11, 2017 and April 25, 2017 Regular Meetings

These Minutes were approved on the Consent Agenda.

B. CITY MANAGER

Administrative Services

[CON. NO.
80-2017](#)

Memorandum of Understanding between City of Venice and Fraternal Order of Police

This Contract was approved on the Consent Agenda.

Fire

[17-2677](#)

Accept Sarasota County EMS Grant in the Amount of \$1,416.42 and Authorize Purchase of Pre-Hospital Emergency Services Equipment

This Agreement was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

V. PUBLIC HEARINGS

[CON. NO.
81-2017](#)

Consider the Purchase of 224 Milan Avenue West (Legal Description is the West 35 Feet of Lot 12 and the East 30 Feet of Lot 13, Block 65, Gulf View Section of Venice, Parcel ID No. is 0408120055), from Turner Photography, LLC, in the Amount of \$370,000

Ms. Stelzer read the notice of public hearing.

Mayor Holic opened the public hearing.

Ms. Stelzer stated there was no written communication and stated no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Cautionero, to approve the purchase of the property at 224 Milan Avenue West from Turner Photography, LLC., in the amount of \$370,000.

Mr. Daniels amended his motion to add the language "in accordance with The Cousins Laning Historical Fund of Gulf Coast Community Foundation agreement dated May 3, 2017.

Discussion took place regarding the use of tax money to fund the project, the property being removed from the tax rolls, the need to provide a maintenance plan for the facility, appreciation for the money donated by Julia Laning, and placing a plaque on the property dedicated to those who contributed to the project.

The motion as amended carried by voice vote unanimously.

[17-2678](#)

Authorize the Mayor to Execute an Agreement Regarding Construction of Sidewalk and Vacation of Right-of-Way between the City of Venice and the Aldea Mar Condominium Association, Inc.

Ms. Stelzer read the notice of public hearing.

Mayor Holic opened the public hearing.

Ms. Stelzer stated there was no written communication and stated no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2678.

Ms. Weeden responded to council questions regarding the location of the dumpster enclosures, encroachments and the expected construction of sidewalks.

The motion carried by voice vote unanimously.

ORDINANCES - FIRST READING

[ORD. NO.](#)
[2017-12](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 86, Land Development Code, Article V, Use Regulations, Division 8, Planned Development Zoning Districts, Section 86-132, PID Planned Industrial Development District, Subsection (c), Permitted Uses, to add new Subsections (15) Child Care Centers; and Subsection (16) Principal Parking; Amending Article VIII, General Administrative Provisions, Section 86-570, Definitions, Subsection (b), to add a new Definition of Parking, Principal; Providing for Conflict with Other Ordinances; Providing for a Severability Clause and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Mr. Pickett spoke to the petitions to include planning commission recommendation, permitted uses, and consistency with the

comprehensive plan and land development code and responded to council questions regarding buffer zone provisions, date of submission to the city, timeframe for text amendments and possibility for fast tracking the process.

Mr. Shrum spoke to the timeframe for application review, fast tracking permits and applications, public hearing requirements and extraordinary situations that could delay the process.

Discussion took place regarding the city manager providing a report on the turnaround time for petitions, complaints received regarding the timeframe for receiving permits, department transitions due to new hires, setbacks when the property was purchased and support to PGT for providing child care amenities.

Cate Wells, Shumaker, Loop & Kendrick, spoke to the petition to include the history, staff recommendation to ensure it was a permitted principal use, planning commission feedback, and proposed ordinance verbiage to add a comma and remove the word "and" in the principal parking definition.

Bruce Wesner, PGT, spoke to the design of the daycare facility.

Ms. Anderson arrived at 10:28 a.m.

Discussion took place regarding the childcare being in conjunction with the YMCA, the estimated cost investment, and childcare needs and cost to employees.

Ms. Stelzer stated no written communications have been received.

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member Fraize, that Ordinance No. 2017-12 be approved with changes to verbiage on first reading and scheduled for final reading.

Mr. Persson reviewed the change to the verbiage.

The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Caution and Mr. Fraize

Recess was taken from 10:33 a.m. until 10:45 a.m.

**[ORD. NO.
2017-13](#)**

An Ordinance of the City of Venice, Florida, Amending Ordinance No. 2012-16 Related to Dog Friendly Dining; Amending Section 3 Effective Date, by Deleting the Second Sentence that Provides for a Five-Year Expiration of the Ordinance

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated two written communications were received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member McKeon, that Ordinance No. 2017-13 be approved on first reading and scheduled for final reading.

Discussion took place regarding the pros and cons of including sunset laws in ordinances, code violations, service dog provision, and verbiage in Ordinance No. 2012-16.

Mr. Persson recommended council review the ordinance at a later date if there are concerns with the current verbiage.

Discussion continued regarding proper etiquette with dogs in restaurants, restaurant enforcement and responsibility, code enforcement hours of operation, ordinance revisions and use of SeeClickFix for violations.

The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Cautionero and Mr. Fraize

There was consensus for staff to review Ord. No. 2012-16 and bring back to city council.

VI. NEW BUSINESS

A. RESOLUTIONS

[RES. NO. 2017-10](#)

A Resolution of the City of Venice, Florida, Authorizing Appropriate Government Officials to Execute a Supplemental Joint Participation Agreement for Project Number 431879-1-94-01 by and Between the State of Florida Department of Transportation and the City of Venice, Florida, to Provide Participation in an Aviation Project to Design and Construct Apron Rehabilitation; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that Resolution No. 2017-10 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Cautionero and Mr. Fraize

B. COUNCIL ACTION/DISCUSSION[17-2679](#)

Direct the Historic Preservation Board, in Partnership with the Mariemont Preservation Foundation, to Select Appropriate Nolen Influenced Communities and Invite them to Join the Association of Nolen Communities and Direct the Public Art Advisory Board, in Partnership with an Appropriate Board from the Village of Mariemont, Ohio to Design a Logo and Identification Sign to be Used for the Association of Nolen Communities, to be Routed Through the Historic Preservation Board and Mariemont Preservation Foundation Prior to being Sent to Either Council for Approval (Holic)

A motion was made by Council Member Daniels, seconded by Council Member Cautero, to approve Item No. 17-2679.

Mayor Holic reviewed the item to include prior approved resolutions and the need for a sign to identify communities who become members of the Association of Nolen Communities.

Discussion took place regarding staff support, city funding, involvement of the staff liaison to the historic preservation board, cost and means to design a logo, and reaching out to students for logo design.

Mr. Lavallee spoke to budget adjustments and allocations of funding to support board and commission expenses.

Discussion continued regarding discretionary funding budgeted and clarifying marketing goals for the city.

The motion carried by voice vote unanimously.

[17-2680](#)

Designate the Open Spaces (a/k/a Pocket Parks) that are Part of the City's Parkland be Officially Called Nolen Greens (Holic)

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2680.

Marsha Davis, 121 Castile Street, commented on public access to pocket parks and expressed support of enhancements to the parks.

Discussion took place regarding notification to council members when issues arise regarding access to parks and verbiage in the master parks plan regarding maintenance of the pocket parks.

The motion carried by voice vote unanimously.

[17-2681](#)

Identify the Nolen Greens by Name and Assign the Parks and Recreation Advisory Board the Task of Suggesting Names of Each Nolen Green to City Council (Holic)

A motion was made by Council Member Daniels, seconded by Council Member

McKeon, to approve Item No. 17-2681. The motion carried by voice vote unanimously.

[17-2682](#)

Direct the City Manager to Include Funding in the Fiscal Year 2018 Budget for Performing a Survey of the Nolen Greens (Holic)

A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve Item No. 17-2682. The motion carried by voice vote unanimously.

[17-2683](#)

Appoint Council Member and/or Staff Member to the Legacy Trail Master Plan Stakeholders Group (Gates)

Ms. Gates spoke to the item to include concerns received regarding lack of recognition to those who assisted with the Legacy Trail.

Discussion took place regarding appointing the city's bicycle coordinator, discussion with county commissioners regarding other cities not having an appointed representative, time requirements for participation as a stakeholder, contacting Steve Christian to see if he would be interested, and the need for input from recreational bike riders.

A motion was made by Council Member Gates, seconded by Council Member McKeon, to appoint Mr. Fraize to the Legacy Trail Master Plan Stakeholders Group.

Discussion took place regarding allowing Mr. Fraize the opportunity to decide if he has the time to commit to being a stakeholder.

A motion was made by Council Member Cautero, seconded by Council Member Daniels, to postpone the motion until the May 23, 2017 meeting. The motion carried by voice vote with Ms. Anderson and Ms. Gates opposed.

[17-2684](#)

Direct the City Manager to Conduct a Traffic and Parking Study of the Public On-street Parking Activity around Hecksher Park (Lavallee)

Mr. Lavallee spoke to the item to include the potential residual impact of adding parking restrictions and what the study will entail.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2684.

Discussion took place regarding previous parking restriction discussions and having a more comprehensive study.

Mr. Lavallee spoke to the impact on the use of the park and discouraging people from leaving their cars parked in the same location for an extended period of time.

Discussion continued on parking in Our Mother's House lot, communicating with the post office, protecting the business district, available parking locations, parking during special events, property rights, and placing business parking concerns on a future agenda for discussion.

The motion carried by voice vote unanimously.

Recess was taken from 11:58 a.m. until 1:30 p.m.

C. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

[17-2687](#)

Justin Pachota and Mike Pachota, Owners, Sharky's and Finn's Restaurants: North Brohard Beach Parking Expansion (10 min.)

Mike Pachota spoke to the city's budget for a new parking lot on Harbor Drive near Sharky's, council's vote to not budget the lot, working together in a public private partnership, number of seating at Finn's and Sharky's, increase in the use of the pier and the beach, need for additional parking, and employee parking.

Justin Pachota spoke to three aspects of the new parking lot to include adequate lighting, stormwater retention pond overgrowth, and RV parking designation, proposed a public private partnership between Sharky's and the city to assist in funding the parking lot, and spoke to the specifics of the agreement to include a loan to the city for \$400,000, \$100,000 of the loan being gifted by Sharky's for use of the lot and additional seating, and \$300,000 to be credited as a rent credit over a three year period.

Mike Pachota commented on the previous agreements for the current lots and seat credits determined by parking spaces.

Discussion took place regarding the need for additional parking.

Ms. Senne displayed and reviewed the revenue from Venice Pier Group.

Discussion continued regarding the ability to use the land for additional parking, formula used for percentage of sales paid by Sharky's, and base rent calculations.

Ms. Senne responded to council questions regarding years 2015 to 2017 numbers and year 2017 payment based on sales.

Discussion continued on council's decision to delay the parking project due to other priorities.

Mr. Lavallee responded to council questions regarding the reallocation of funds that were previously designated for the parking lot project, consideration to revert the project back to the current year and reconsideration removes the project from long term consideration, funds already invested into the project and whether the reduced cost for rent will impact the general fund.

Discussion continued regarding the intent of the loan to be paid back from monthly rental payment, the loan being interest free, expenses in the project that are strictly for the retention pond, current payment schedule, whether there are any reserved parking spots for Sharky's, and use of taxpayer monies.

Mike Pachota commented on the justification for his offer and the city's responsibility to add space to the area.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to direct staff and the city attorney to discuss and present the proposal to city council.

Discussion took place regarding priority projects, appreciation of the Pachota's contributions to the community, concern with green space, needs and wants of residents, and volunteer opportunities.

A motion was made by Council Member McKeon, seconded by Council Member Daniels to call the question. The motion carried by voice vote unanimously.

Dan Boone, Venice Golf Association, spoke in support of more parking, obtaining the land across from the beach, and discussions on parking at the Paw Park.

The motion carried by voice vote, 6-1, with Ms. Anderson opposed.

Mr. Persson spoke to the construction bid ending at the end of the month and the need for the city engineer or purchasing to obtain an extension.

COUNCIL ACTION/DISCUSSION

[17-2685](#)

Tracking Expiration Dates of Contracts, Regulations, Permits, and Ordinances (Daniels)

Ms. Stelzer provided an update.

[17-2686](#)

Revisit Utility Stakeholder Group Meetings (Daniels)

Mr. Daniels reviewed the item and suggested to direct staff to reconvene the utilities stakeholder group.

Mr. Lavalley spoke to the proposed timeframe and suggested reconvening in the beginning of November.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to direct staff to reconvene the Utility Stakeholder Group by November 30, 2017. The motion carried by voice vote unanimously.

VII. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

17-2689

Library Update

Mr. Lavallee provided an update to include consideration for curb cuts on Milan Avenue.

[17-2688](#)

Post Office Relocation Update

Mr. Lavallee provided an update to include details on relocation requirements, conditions and provisions for relocation and responded to council questions regarding changes to the entrance of the library on Nokomis Avenue.

Discussion took place regarding the roofing structure of the library, going green with the library campus, meetings held at the library, room size of meeting rooms, and architectural review board discussions regarding traffic flow patterns at the new library.

Mayor Holic informed council of his upcoming event with board chairs and stated he will discuss the possibility of boards needing to communicate in the sunshine on some agenda items.

Mr. Lavallee spoke to the library property and holding a public forum.

Discussion continued regarding review of the concept and input from the community.

VIII. COUNCIL REPORTS

Council Member Gates

In response to Ms. Gates, Mr. Lavallee spoke to naming rights regarding the, 224 Milan Avenue property, Triangle Inn or another facility.

Ms. Gates reported on the school advisory council (SAC) meeting in regards to obtaining a location for the homecoming parade and informed the board that she will miss the economic development advisory board meeting this month. Mayor Holic stated he will attend the meeting.

Council Member McKeon

Mr. McKeon reported on the Venice High School baseball team parade in previous years, and planning commission meeting regarding the comprehensive plan transmittal.

Discussion took place regarding reviewing changes to the comprehensive plan, obtaining a strike through copy of the comprehensive plan, changes determined during the comprehensive plan workshop, and the need for an editing process.

Council Member Anderson

Ms. Anderson had no report.

Council Member Cautero

Mr. Cautero reported on Venice MainStreet special events over the weekend and his trip to Seattle.

Council Member Daniels

Mr. Daniels reported on parking and traffic facilitation, Metropolitan Planning Organization (MPO) bike and pedestrian board participation, Florida Department of Transportation (FDOT) will present to city council the criteria for funding highway systems, and upcoming meetings and requested discussion regarding responsibility for maintenance of stadium at Wellfield Park at the next council meeting.

Ms. Gates left the meeting at 3:47 p.m. and did not return.

Discussion continued regarding park maintenance.

Mr. Persson clarified that Mr. Daniels will send him two agreements to review and present to city council on June 13, 2017.

Council Member Fraize

Mr. Fraize reported on upcoming meetings, suggested council members review the Charlotte Harbor National Estuary website and spoke to a letter received from Sandy McGowan.

Discussion followed regarding Linda Wilson's resignation from the Venice Farmers Market and providing city recognition.

Mayor Holic

Mayor Holic reported on letter received recognizing the police department during the Suncoast BBQ Bash, items to be discussed at the board chair meeting, and items to improve for a bicycle friendly

community.

[17-2690](#)

Autonomous Vehicles

Mayor Holic spoke to this item to include the website transdev.com and played a video.

IX. AUDIENCE PARTICIPATION

No one signed up to speak.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 4:03 p.m.

ATTEST:

Mayor - City of Venice

City Clerk