



City of Venice

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

Meeting Minutes City Council

Tuesday, May 24, 2022

9:00 AM

Council Chambers

[22-5619](#)

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

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Vice Mayor Nick Pachota, Dr. Joseph Neunder, Dr. Mitzie Fiedler, Mr. Jim Boldt, Ms. Helen Moore and Mrs. Rachel Frank

ALSO PRESENT

City Attorney Kelly Fernandez, City Manager Ed Lavallee, Assistant City Manager James Clinch, Deputy City Clerk Mercedes Barcia, Administrative Coordinator Toni Cone, Recording Secretary Amanda Hawkins-Brown, and for certain items on the agenda: Planning and Zoning Director Roger Clark, and Information Technology Director Roger Navarro.

INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy City Clerk Barcia offered the Invocation followed by the Pledge of Allegiance led by Mrs. Frank.

I. AUDIENCE PARTICIPATION will be limited to one hour.

Rick Cordner, 246 Montelluna Drive, spoke against a regional shopping center at Jacaranda Boulevard, and Laurel Road and against the proposed Land Development Regulations (LDRs).

II. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve items in the Consent Agenda. The motion carried unanimously by voice vote.

CITY MANAGER

Engineering

[22-5621](#)

Authorize the Mayor to Execute Amendment No. 1 to the Community Development Block Grant (CDBG) Subrecipient Agreement between Sarasota County and the City of Venice for the City's Cockrill Street

Sidewalk Project to Increase the Funding Amount to \$625,000

This Item was approved on the Consent Agenda.

Finance

22-5622

Authorize the Mayor to Execute the Community Development Block Grant Program Interlocal Agreement between City of Venice and Sarasota County

This Item was approved on the Consent Agenda.

Police

22-5623

Approve GrayKey License and Mutual Agreement with Operation Underground Railroad

This Item was approved on the Consent Agenda.

III. ITEMS REMOVED FROM CONSENT

There were none.

IV. PUBLIC HEARINGS

A. ORDINANCES – FINAL READING

ORD. NO. 2022-10

An Ordinance of the City of Venice, Florida, Submitting to the Electors of Venice Proposed Amendments to the City of Venice Charter; Providing Directions to the City Clerk; Providing Ballot Titles, Summaries and Text for the Proposed Amendments; Providing for Conflicts; Providing for Severability; Providing for an Effective Date for the Ordinance; and Providing for an Effective Date for Approved Amendments

Deputy Clerk Barcia read the ordinance by title only.

Mayor Feinsod opened the public hearing.

There was no written communication and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, that Ordinance No. 2022-10 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

ORD. NO. 2022-13

An Ordinance Amending City of Venice Ordinance No. 2021-32 Which 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 \$3,922,796 and Total Expenditures by \$3,922,796; and Providing an Effective Date

Deputy Clerk Barcia read the ordinance by title only.

Mayor Feinsod opened the public hearing.

There was no written communication and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that Ordinance No. 2022-13 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

ORD. NO.
2022-11

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 90, Buildings and Building Regulations, Article IV, Technical Codes, Section 90-204, Permits and Fees; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

Deputy Clerk Barcia read the ordinance by title only.

Mayor Feinsod opened the public hearing.

There was no written communication and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Ms. Moore, that Ordinance No. 2022-11 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

V. NEW BUSINESS

A. ORDINANCES - FIRST READING

ORD. NO.
2022-12

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances Chapter 54, Solid Waste, Article III, Storage, Preparation and Collection of Solid Waste, Division 2, Preparation, Section 54-61, Preparation of Solid Waste, and Article V, Storage, Preparation and Collection of Recyclables, Division 2, Preparation, Section 54-120, Preparation of Recycling; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

Deputy Clerk Barcia read the ordinance by title only.

City Attorney Fernandez answered a Council questioned regarding fines.

No one signed up to speak.

A motion was made by Ms. Moore, seconded by Mr. Boldt, that Ordinance No. 2022-12 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

ORD. NO.
2022-14

An Ordinance of the City of Venice, Florida, Further Amending Chapter 50, Personnel, Article III, Pensions and Retirement, Division 3, Municipal Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Venice, Florida, as Subsequently Amended; Amending Section 50-133, Board of Trustees; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date

Deputy Clerk Barcia read the ordinance by title only.

There was no written communication and no one signed up to speak.

A motion was made by Dr. Fiedler, seconded by Mrs. Frank, that Ordinance No. 2022-14 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

B. RESOLUTIONS

RES. NO.
2022-15

A Resolution of the City of Venice, Florida Adopting a Revised Schedule of Permit Fees and Fire Department Fees; Superseding Resolution No. 2012-02; and Providing an Effective Date

Deputy Clerk Barcia read the resolution by title only.

A motion was made by Vice Mayor Pachota, seconded by Dr. Fiedler, that Resolution No. 2022-15 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

RES. NO.
2022-16

A Resolution of the City of Venice, Florida Adopting a Revised Schedule of Violations and Penalties Consistent with Section 2-333 of the City Code of Ordinances; Superseding Resolution No. 2020-30; and Providing an Effective Date

Deputy Clerk Barcia read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Mr. Boldt, that Resolution No. 2022-16 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

RES. NO.
2022-17

A Resolution of the City of Venice, Florida, Authorizing the Mayor to Annually Execute the Florida Department of Transportation (FDOT) Compensation Request for Maintaining Traffic Signals and the FDOT State Highway Lighting, Maintenance, and Compensation Agreement; and Providing an Effective Date

Deputy Clerk Barcia read the resolution by title only.

A motion was made by Dr. Neunder, seconded by Dr. Fiedler, that Resolution No. 2022-17 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

C. PRESENTATIONS

22-5624

Dave Wimberly, President, and Paul Hollowell, Treasurer, Venice Aviation Society, Inc. (VASI): Support for an Air Traffic Control Tower at the Venice Airport (10 min.)

Dave Wimberly, Venice Aviation Society, Inc., (VASI) provided a presentation on a recommended airport tower, increased air traffic, airport traffic patterns, and the mix of traffic types.

Paul Hollowell, VASI, gave a report on air traffic at the Venice Municipal Airport, including reasons for increased traffic, and areas impacted, and answered a Council question regarding the process of working with the Federal Aviation Administration (FAA),

City Manager Lavalley answered a question regarding the City's Airport Master Plan, and stated the need for it to be updated, the possibility of a preliminary study by a consultant as required by the FAA, and funding opportunities.

Mr. Wimberly answered Council questions regarding noise, the ability of an airport control tower to assist with noise issues, and three types of tower operations.

Michael Grossman, 167 Tampa Avenue East #715, spoke in favor of an airport tower.

A motion was made by Vice Mayor Pachota, seconded by Ms. Moore, to direct staff to engage the Federal Aviation Association (FAA) to move time frame up on an airport master plan and include pursuing any available grant funds in an effort to conserve City funds. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

22-5625

Dick Longo, Central Venice Coalition: Venice Avenue/Pinebrook Road Intersection Traffic Mitigation Recommendations (15 min.)

Dick Longo and Steve Carr, representing the Central Venice Coalition, provided a presentation regarding a recommendation for traffic mitigation with a three-prong approach, the plans for Pinebrook Road and East Venice Avenue intersection as designed by Sarasota County, redesign of Pinebrook Road from Laurel Road to East Venice Avenue, (neighborhood entrances, speed limiting devices, monuments, new traffic signal, signal optimization, changes in speed limits, walking/bike riding sidewalks), and request for a formal neighborhood for Central Venice.

Discussion took place regarding complete streets, capital improvement schedule, road ownership, alternatives, integrating current roads, monument signs, and concerns regarding a traffic signal at Lucaya Avenue.

City Manager Lavalley answered a Council question about the next step to be taken.

Arlene Dooley, 1315 Pinebrook Court, expressed concerns about safety on Pinebrook Road.

A motion was made by Vice Mayor Pachota, seconded by Dr. Fiedler, to direct staff to compose a letter to Sarasota County reiterating the wish to be included in the traffic management update of the intersection project for Pinebrook Road, and authorize the Council Liaison to engage in communication regarding this topic. The motion carried unanimously by voice vote.

Recess was taken from 10:40 a.m. until 11:00 a.m.

D. COUNCIL ACTION/DISCUSSION

22-5626

Consideration of Draft Resolutions for Council Meeting Attendance and Mayor Execution of Documents (Attorney Fernandez)

City Attorney Fernandez presented draft resolutions for execution of documents and Council meeting attendance policies.

Discussion took place regarding attendance, restrictions, virtual attendance, residency, and in-person attendance.

There was consensus to move forward with adoption of the proposed resolution regarding Mayor execution of documents.

There was consensus to leave the attendance policy as it currently is, adding Council authority to make an exception for excused absences.

22-5627

Legislative Referral to Direct the Environmental Advisory Board (EAB) to Research Methods to Reduce or Eliminate Single Use Plastic Water Bottles in All Municipal Buildings (Mayor Feinsod)

A motion was made by Vice Mayor Pachota, seconded by Dr. Fiedler, to direct the Environmental Advisory Board (EAB) to research methods to reduce or

eliminate single use plastic water bottles in all municipal buildings. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VI. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez had no report.

City Clerk

Deputy City Clerk Barcia had no report.

City Manager

City Manager Lavallee had no report.

VII. COUNCIL REPORTS

Council Member Boldt

Council Member Boldt had no report.

Council Member Fiedler

Council Member Fiedler commented she looked forward to a Barcelona Avenue traffic update at the next meeting.

Council Member Neunder

Council Member Neunder reported on Sarasota County On Demand service.

Council Member Moore

Council Member Moore advised she would not be attending the next Charlotte Harbor National Estuary Partnership (CHNEP) meeting in Punta Gorda Thursday and inquired if another Council Member would like to attend.

Council Member Frank

Council Member Frank commented on the Community Action Agency work with the Salvation Army.

Vice Mayor Pachota

Vice Mayor Pachota had no report.

Mayor Feinsod

Mayor Feinsod commented that experts would be at the next meeting to discuss water and Florida green building standards in relation to the environmental chapter of the LDRs.

Recess was taken from 11:23 a.m. until 1:30 p.m.

VIII. AUDIENCE PARTICIPATION AND COUNCIL DISCUSSION ON PLANNING COMMISSION'S RECOMMENDED LAND DEVELOPMENT REGULATIONS WILL BEGIN AT 1:30 P.M.

22-5628

Council Feedback and Discussion of Planning Commission's Recommended Land Development Regulations (LDRs)

Frank Wright, 521 Harbor Drive South, spoke in favor of historical preservation and expressed concerns that the current draft of the LDRs does not address this.

William Schaid, 153 Palazzo Court, of the Venetian Golf and River Club Property Owners Association, expressed concerns about impacts of the proposed LDRs on commercial growth in residential areas.

Jeffrey Boone, 1001 Avenida Del Circo, expressed concern about the procedure for public comment and his representation 25 clients.

A motion was made by Dr. Neunder, seconded by Vice Mayor Pachota, to extend audience participation time limits to 20 minutes. The motion carried by the following vote:

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

No: 1 - Mayor Feinsod

Mr. Boone spoke on concerns about the LDRs in relation to PUDs, commercial development, traffic, non-conforming properties, setback multipliers, compatibility issues, height of stories, and transitional areas architectural standards.

Pat Neal, 5860 Lakewood Ranch Boulevard, Sarasota and City of Venice property owner, spoke on the proposed LDRS, PUDs, against restrictions on commercial developments in PUDs, and acquiring vested rights.

Frank Wright, 521 Harbor Drive South, spoke further on historic districts, recommended protecting the Edgewood District, the John Nolen Plan, and a proposed ordinance by the Historic Preservation Board (HPB).

William Schaid had no further comments.

Planning and Zoning Director Clark commented on the previous presentation and the topics that were submitted from Council Members on

decision authority for conditional use and height exceptions, retail sales and service, compatibility, downtown building height, Certified Local Government (CLG) and merging of the Historic Preservation Board (HPB) and Architectural Review Board (ARB), building height in the Seaboard Improvement District, and architectural requirements in Laurel West and Knights Trail Transition Districts.

Discussion took place regarding height exceptions and analytical decisions versus political decisions.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Pachota, for building height exception decision authority to remain with City Council. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Vice Mayor Pachota, Dr. Neunder, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

Discussion took place regarding the retail sales and service size, community versus regional, compatibility, nonconforming uses, and Planned Unit Development (PUD) sizes.

There was consensus to change "X" to "P*" on retail sales and service, single user 40,000 feet or larger in Planned Unit Developments (PUDs) and increase to 65,000 square feet, in the Traditional District Use Table.

Recess was taken from 3:00 p.m. until 3:12 p.m.

22-5628

Council Feedback and Discussion of Planning Commission's Recommended Land Development Regulations (LDRs)

Discussion took place regarding non-conforming retailers, 40,000 single-use and the Mixed Use Districts Use Table.

There was consensus to change the Knight's Trail Transitional area from "X" to "C" in the Mixed Use District Table for Single-users over 40,000.

There was consensus to continue the meeting until 5 p.m.

Discussion took place regarding compatibility, building setback mitigation, setback multipliers, comprehensive plan amendments, 35 feet height limits, flexibility for continuity downtown, history, 10 feet exceptions, appurtenances, and height calculations.

There was consensus to continue with current height limits of 35 feet, plus the option of asking for an exception of 10 feet in downtown, with 20% for appurtenances/ornaments and changing the term appurtenances to ornaments.

Discussion took place regarding CLG status and the possibility of having separate Architectural Review and Historic Preservation Boards, historic districts, the Edgewood District, the local register, 1929 and older homes, and an inventory of contributing structures.

Planning and Zoning Director Clark noted a recommendation from the

Planning Commission regarding building height in the Seaboard area.

Discussion continued regarding the Seaboard area, building heights, stories, setbacks, and infrastructure.

There was consensus to increase building height in the Seaboard district to 75 feet and have it consistent across the districts.

Discussion took place regarding Laurel West and Knights Trail transition districts, mixed use areas, and whether architectural standards should be implemented.

There was consensus for preferred architectural standards in the Laurel West and the Knights Trail transition areas, with the option of design alternatives.

Discussion took place regarding the recommendation of merging the ARB and HPB, CLG status, demolitions, and the local register.

IX. AUDIENCE PARTICIPATION

Mayor Feinsod passed the gavel to Vice Mayor Pachota and left the meeting at 5:10 p.m.

Mrs. Frank left the meeting at 5:10 p.m.

Jill Pozarek, 161 Portofino Drive, spoke on commercial development size in PUDs, and compatibility.

Ruth Cordner, 246 Montelluna Drive, spoke on the LDRs and the process for residents to be involved.

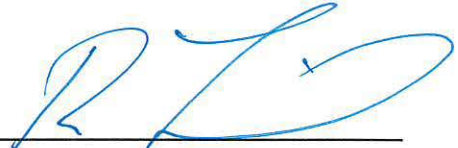
Tommye Whittaker, 613 West Venice Avenue, spoke on CLG and against combining the ARB and HPB.

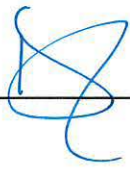
Jeffery Boone, 1001 Avenida Del Circo, expressed concerns about the process for professionals representing clients during citizen input with potential new regulations.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 5:19 p.m.

ATTEST:



Mayor - City of Venice

City Clerk