



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, February 28, 2023

1:00 PM

Council Chambers

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**\*THERE HAS BEEN A MEETING TIME CHANGE TO 1:00 P.M.\***

[23-5983](#)

Meeting Instructions and Request to Speak Form

### Broadcast

#### CALL TO ORDER

#### ROLL CALL

**Present:** 6 - Mayor Nick Pachota, Dr. Mitzie Fiedler, Vice Mayor Jim Boldt, Ms. Helen Moore, Mr. Dick Longo and Mr. Rick Howard

**Absent:** 1 - Mrs. Rachel Frank

#### ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Deputy City Clerk Toni Cone, Recording Secretary Amanda Hawkins-Brown, and for certain items on the agenda: Finance Director Linda Senne, Planning and Zoning Director Roger Clark, Airport Director Mark Cervasio, Planning Manager Amy Nelson, Senior Planner Nicole Tremblay, Planner Brittany Smith, Planner Josh Law, and Historical Resources Manager Harry Klinkhamer.

#### INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels provided the invocation and Mr. Howard led the Pledge of Allegiance.

#### I. RECOGNITION

[23-5984](#)

Recognize Shaun Graser for his 12 Years of Service on the Planning Commission

**This recognition was presented by Mayor Pachota and City Manager Lavallee.**

[23-5985](#)

Proclaim April 28, 2023 as "National Arbor Day", Presented to Scott Gorski, Public Works Department and Jim Yelverton, Arborist/Tree Program Administrator, Planning and Zoning Department

This proclamation was presented by Mayor Pachota and City Manager Lavallee.

[23-5986](#)

Proclaim the Week of February 19-25, 2023 as "Engineers Week"  
Presented to City Engineer Kathleen Weeden, PE, Assistant City Manager James Clinch, PE, Assistant City Engineer Jonathan Kramer, PE, Stormwater Engineer Steve Berens, EIT, Utilities Director Javier Vargas, Assistant Utilities Director Patience Anastasio, PE, and Planning/GIS Analyst III Kelsey Mahoney

This proclamation was presented by Mayor Pachota and City Manager Lavallee.

Recess was taken from 1:13 p.m. until 1:18 p.m.

## II. AUDIENCE PARTICIPATION will be limited to one hour.

Jacqueline Mineo, 233 Sovrano Road, recommended fixing advisory boards, not eliminating them.

Jon Barrick, 409 Nassau Street South, spoke on citizen involvement, environmental policy and change, and advisory boards being essential.

## III. CONSENT SECTION:

A motion was made by Ms. Moore, seconded by Mr. Longo, to approve items on the Consent Agenda. The motion carried unanimously by voice vote.

### A. CITY CLERK

[23-5987](#)

Minutes of the February 14, 2023 Regular Meeting and February 15, 2023 Transportation Workshop

These minutes were approved on the Consent Agenda.

[23-5988](#)

Appoint Rich Cautero to the Police Pension Board of Trustees to Complete the Unexpired Term of Ernest Skinner from February 28, 2023 to November 30, 2024

This appointment was approved on the Consent Agenda.

### CITY MANAGER

#### Police

[23-5997](#)

Approve Transfer of Ownership of K9 Solo to Sergeant Rodrigo Morales with the Venice Police Department Upon Solo's Retirement

This item was approved on the Consent Agenda.

## IV. ITEMS REMOVED FROM CONSENT

There were none.

## V. PUBLIC HEARINGS

### **ORDINANCES – FINAL READING**

ORD. NO.  
2023-05

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, Section 1.1.2. Planning Commission (Commission), Section 1.2. Common Review Procedures, Section 1.5.2. Specific Application Requirements, Section 1.7.3. Planned District Zoning Amendments, Section 1.8.4. Attainable Housing Density Bonus, Section 1.9.3. Specific Application Requirements, Section 1.10.1. Preliminary Plat (Quasi-Judicial Application), Table 2.3.3. Venice Avenue Development Standards, Table 2.3.4. Downtown Edge Development Standards, Table 2.3.5.1. South Trail Development Standards, Table 2.3.6. Airport Avenue Development Standards, Table 2.3.8. North Trail Gateway Development Standards, Table 2.3.9. Laurel West Development Standards, Table 2.3.10. Laurel East Development Standards, Table 2.3.11. Knights Trail Development Standards, Table 2.3.12. Knights Trail Transitional District, Section 2.4.3. Residential Uses, Section 3.1.9. Accessory Uses and Structures, Section 3.5.4 Permitted Signs, Table 3.6.1. Parking Requirements by Use, Table 3.6.3. Parking Requirements by Use, Section 3.6.5. Design Standards, Section 3.7.6. Miscellaneous Landscaping, Section 4.2. Perimeter Buffer Types, Section 5.1.2. Applicability, Section 5.2.2. Applicability, Section 6.7. Residential Garage Sales, Section 7.3. Manager of Historic Resources, Section 7.7 Local Register and Landmarks, Section 7.8.1. Certificate of Architectural Compliance (CAC), and Chapter 89, Environmental Regulations, Section 3.5.2. Required Best Management Practices, Pursuant to Text Amendment Petition No. 22-67AM, by Correcting Clerical Errors, Clarifying Certain Provisions, and Addressing Other Regulatory and Procedural Issues; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

Senior Planner Nicole Tremblay answered Council questions about changes in the ordinance, provided an explanation of attainable housing density bonus, language change for duplex to paired villas, word change in relation to "required" yard set backs, and definition of accessory structures.

No one signed up to speak.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2023-05 be approved and adopted. The motion carried by the following vote:

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

## VI. NEW BUSINESS

### A. RESOLUTION

#### RES. NO. 2023-11

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by 2705 Venice Properties, LLC and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Curry Lane)

Clerk Michaels read the resolution by title only.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Resolution No. 2023-11 be approved and adopted. The motion carried by the following vote:

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

### B. PRESENTATIONS

#### 23-5989

Finance Director Linda Senne and Jeff Wolfe, Shareholder, MSL CPAs and Advisors: Presentation of the 2022 Annual Comprehensive Financial Report (ACFR) and External Audit (10 min.)

Mr. Wolfe provided a presentation regarding the City's financial statements noting there were no difficulties and no adjustments. He commented on services and deliverables, city-wide analysis, liabilities and assets, general fund budget, and significant proprietary funds.

#### 23-5990

Airport Director Mark Cervasio: Airport Assessment Post Hurricane Ian (10 min.)

Airport Director Cervasio provided a presentation regarding the status of the Venice Municipal Airport after Hurricane Ian, and answered Council questions regarding what will be done differently in the future. He commented on issues regarding doors, hangar preparation, and the current state of bids.

Recess was taken from 2:25 p.m. until 2:30 p.m.

### C. COUNCIL ACTION/DISCUSSION

[23-5991](#)

Mark Beebe, Chair of the Historic and Architectural Preservation Board: Board's Annual Report and Council Feedback (10 min.)

Chair Beebe presented the annual report including past year's achievements, proposed agenda of priorities for the coming year, and answered Council questions about marketing and communications with other boards.

Council expressed appreciation to the Historic and Architectural Preservation Board (HAPB) for the smooth transition after the combining of the Historic Preservation Board and the Architectural Review Board.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, to approve the proposed agenda items 1, 2, 3, and 4 for the upcoming year 2023. The motion carried by the following vote:**

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

[23-5992](#)

Jean Trammell, Chair of the Public Art Advisory Board: Board's Annual Report and Council Feedback (10 min.)

Chair Trammell presented the annual report, and answered Council question regarding public art guidelines, and changing the wording from "pre-approved" public art sites to "possible" public art sites.

**A motion was made by Dr. Fiedler, seconded by Ms. Moore, to approve the 2023 agenda of priorities: 1. Developing Public Art guidelines for approval by City Council; 2. Working with the Parks and Recreation Advisory Board to come up with a list of possible sites for public art; and 3. Updating the public art inventory. The motion carried by the following vote:**

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

[23-5993](#)

Tom Jones, Chair of the Environmental Advisory Board: Board's Annual Report and Council Feedback (10 min.)

Chair Jones presented the annual report, and answered Council question regarding wording in regards to recommended protections for threatened species.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, to approve the activities for 2023; recommending water quality issues, recommending ways to increase recycling rates, recommending ways to reduce use of single-use plastic, and recommending additional protections for threatened species in the Land Development Regulations (LDRs). The motion carried by the following vote:**

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

[23-5994](#)

Bill Willson, Chair of the Planning Commission and Roger Clark, Planning and Zoning Director: Planning Commission's Annual Report and Council Feedback (10 min.)

Chair Willson presented the Planning Commission's annual report, and answered Council questions regarding the LDRs.

Planning and Zoning Director Clark answered Council questions regarding the final four items for discussion and noted that revisions on Chapters 87 and 89 will go to Planning Commission first for recommendation to City Council.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, to approve the activities as outlined for the 2023 year. The motion carried by the following vote:**

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

Recess was taken from 3:15 p.m. until 3:23 p.m.

[23-5995](#)

Planning Staff Presentation on Potential Topics to Include in the Land Development Regulations (60 min.)

Planning Manager Nelson introduced the topics to be presented.

Senior Planner Tremblay discussed affordable housing, relevant past work, federal and state regulations, current conditions through comprehensive plan housing element and Land Development Code, housing supply, recent changes in median rent, funding opportunities to include possible actions with opportunities and challenges for each, and public education opportunities and challenges. Senior Planner Tremblay requested Council feedback, and answered questions regarding inclusionary zoning.

Discussion took place regarding accessory dwelling units (ADUs), affordable housing funds, Habitat for Humanity, staff resources, short-term plans, and long-term plans.

Senior Planner Tremblay responded to a Council question that all of the suggestions are possible.

Planning and Zoning Director Clark commented on current properties that could be redeveloped.

Discussion continued regarding analysis of areas that would be available after removing current planned unit developments (PUDs), non-residential

zoned areas, and areas already developed, public-private partnerships, and surplus land.

Discussion took place on extending the meeting, adding to the next City Council meeting agenda, or scheduling a workshop.

Discussion took place regarding talking to the three major developers on incentives desired, concerns with additional density, accessory dwelling units, and inclusionary housing.

City Manager Lavalley asked the Council to consider if they would like to include cash allocation in the budget or policy development only.

**There was consensus to continue discussion of potential topics to include in the Land Development Regulations at a workshop on March 10, 2023 at 10 a.m. in Council Chambers.**

#### 23-5996

Discuss Strategic Planning Initiative to Review Efficiencies and Structure of Certain Boards (Attorney Fernandez)

Attorney Fernandez spoke on advisory board options based on discussion from strategic planning.

Discussion took place regarding sunshine laws, having one seven member board, taskforces, lack of participation in current boards, communication advantages, concerns for broad range of topics to cover, skillsets needed, and consistent issues.

Discussion continued regarding liaison responsibility, training, adjusting size of current boards, training of board members, how the decision will be made for assignment to a board or taskforce, possible negative public response of dissolving the Environmental Advisory Board, feedback from public, timeframe for transition, utilizing staff versus a board, and waiting to combine boards until the end of the year.

**A motion was made by Dr. Fiedler, seconded by Ms. Moore, to direct staff to proceed with implementing the four recommendations as presented in regards to advisory boards, including the drafting of any necessary city code amendments. The motion carried by the following vote:**

**Yes:** 6 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mr. Longo and Mr. Howard

**Absent:** 1 - Mrs. Frank

## VII. CHARTER OFFICER REPORTS

### City Attorney

City Attorney Fernandez had no report.

City Clerk

City Clerk Michaels had no report, accepted compliment from Council, and responded to a question regarding speaker cards including an option of indicating support or opposition to a topic, without speaking. Attorney Fernandez indicated her desire to review how that process would impact quasi-judicial hearings. Information will be brought back to a future meeting.

City Manager

City Manager Lavalley had no report.

**VIII. COUNCIL REPORTS*****Council Member Longo***

Mr. Longo reported on the Economic Development Committee (EDC) discussion regarding recruitment and retention, affordable housing, and increased rent cost.

***Council Member Fiedler***

Dr. Fiedler spoke on water articles in the Gondolier and recommended reading them.

***Council Member Howard***

Mr. Howard had no report.

***Council Member Frank***

Mrs. Frank was absent.

***Council Member Moore***

Ms. Moore recommended visiting the Pat Everson exhibit at the Venice Museum.

***Vice Mayor Boldt***

Vice Mayor Boldt reported on the Coastal Advisory Council, and our application for a grant for marine patrol was approved, as well as a grant for the Venice Youth Boating Association. He also attended the Tourism Development Council meeting, and the ribbon cutting at the circus train.

***Mayor Pachota***

Mayor Pachota commented on Council involvement in community events, correspondence in Council office, and communicating events to Council by email.



**IX. AUDIENCE PARTICIPATION**

There was none.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 4:57 p.m.

ATTEST:



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Mayor - City of Venice



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City Clerk