



City of Venice

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

Meeting Minutes City Council

Tuesday, September 24, 2019

9:00 AM

Council Chambers

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor John Holic, Council Member Jeanette Gates, Council Member Bob Daniels, Vice Mayor Richard Cautero, Council Member Charles Newsom, Council Member Margaret Fiedler and Council Member Helen Moore

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Utilities Director Javier Vargas, Development Services Director Jeff Shrum, Planning Manager Roger Clark and City Engineer Kathleen Weeden.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Major Roger Young, Regional Commander, Florida Fish and Wildlife Conservation Commission (FWC).

I. RECOGNITION

There were none.

II. PRESENTATION

[19-4148](#)

Florida Fish and Wildlife Conservation Commission Southwest Regional Director Tom Graef: Shark Fishing (20 min.)

Tom Graef, FWC Southwest Regional Director, commented on new fishing regulations for shore-based shark fishing.

Nancy Sheridan, FWC Regional Marine Biologist, provided a presentation and spoke on shore-based shark fishing, statewide shark fishing regulations to include annual permit requirement, and education and outreach.

Discussion followed regarding enforcement, circle hooks, enforcing FWC

regulations at the Venice pier, number of piers in Florida that allow shark fishing, FWC's tips on shark fishing, FWC's consideration to prohibit shark fishing from piers, public safety, setting a shark fishing timeframe, the city's opportunity to compliment state regulations, protection of endangered species, taking sharks out of the water from the pier, ability to regulate city owned property and parks, designating swimming areas, and chumming.

Mr. Graef offered to work with staff on shark fishing regulations.

III. AUDIENCE PARTICIPATION will be limited to one hour.

Kara Morgan, Venice MainStreet (VMS) CEO, introduced staff and commented on the organization, business partners, the city's partnership with VMS, and upcoming Venice Beach party event.

Rob Merlino, 252 Glen Oak Road, Venice, spoke to regulating shark fishing, public safety, fishing in a public park, and regulating unenforceable rules.

Samantha Gentrup, Hands Along the Water, spoke to supporting a shark fishing ban at the pier.

A motion was made by Council Member Newsom, seconded by Council Member Fiedler, to direct the city attorney to research comparable ordinances from other cities and draft an ordinance for council's approval to ban shark fishing from the Venice fishing pier.

Discussion followed regarding public safety, regulating shark fishing at the pier, working with the state, shark fishing next to active swimming areas, other jurisdictions that ban shark fishing, and swim advisory.

An amendment was made by Council Member Gates, seconded by Council Member Daniels, to include a marker 150 feet from both sides of the pier designating a no swim area and to extend the marker north and south of the pier for the distance of Brohard Park, and a marker at Venice Beach that states swimmers have priority over fishermen in this area. The amendment carried by voice vote unanimously.

The motion as amended carried unanimously by voice vote.

Pat McDonald, 250 Santa Maria Street, commented on securing hanging flower pots in downtown during hurricane season, signs prohibiting bike riding on sidewalks, farmer's market location, and city staff.

IV. CONSENT SECTION:

A motion was made by Council Member Fiedler, seconded by Council Member Gates, to approve items in the Consent Agenda with the exception of Item No. 19-4166. The motion carried unanimously by voice vote.

A. MAYOR

[19-4149](#) Reappoint Nick Pachota to the Fire Pension Board of Trustees to Serve a Term from October 1, 2019 Until September 30, 2023

This Reappointment was approved on the Consent Agenda.

[19-4150](#) Reappoint Eydie Kargas to the Parks and Recreation Advisory Board to Serve a Term from October 1, 2019 Until September September 30, 2022

This Reappointment was approved on the Consent Agenda.

B. CITY CLERK

[19-4151](#) Minutes of the September 9, 2019 Budget Public Hearing and September 10, 2019 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY MANAGERHuman Resources

[19-4152](#) Memorandum of Understanding with International Association of Firefighters Relative to Specialty Pay for Paramedics

This Item was approved on the Consent Agenda

Airport

[19-4153](#) Approve Venice Municipal Mobile Home Park Maintenance Agreement for Fiscal Year 2020

This Agreement was approved on the Consent Agenda.

[19-4154](#) Authorize Execution of Amendment No. 1 to Work Assignment No. 401-18-08 with American Infrastructure Development, Inc. in the Amount of \$177,915.00 to Provide Professional Services to Extend Taxiway D Construction at Venice Municipal Airport

This Item was approved on the Consent Agenda.

[19-4155](#) Authorize Execution of a Lease Agreement between Horizon 880, LLC and the City of Venice (Circus Property)

This Agreement was approved on the Consent Agenda.

[19-4156](#) Authorize Execution of the 1st Amendment to Lease Agreement between the City of Venice and Tito Gaona's Flying Fantasy Circus, Inc.

This Item was approved on the Consent Agenda.

Engineering

[19-4157](#) Approve Work Assignment 2019-05ENG for Construction Engineering Inspection/Verification Testing (CEI/VT) Venice Resurfacing Project, Phase 2, to Atkins North America, Inc., in the Amount of \$199,858.20

This Work Assignment was approved on the Consent Agenda.

[19-4158](#) Approval to Apply for and Authorize the Mayor to Execute the Florida Department of Environmental Protection (FDEP) Florida Resilient Coastlines Program (FRCP) Planning Grant in the Amount of \$75,000 to Conduct an Initial Vulnerability Analysis of Sea Level Rise to Identify At-Risk City Assets and Stormwater Facilities

This Item was approved on the Consent Agenda

[19-4159](#) Award Contract for the Venice Resurfacing Project - Phase 2 to Ajax Paving Industries of Florida, LLC in the Amount Not to Exceed \$2,960,698.31

This Contract was approved on the Consent Agenda.

Public Works

[19-4160](#) Approve Disposal of Surplus Vehicles and Heavy Equipment

This Item was approved on the Consent Agenda.

Utilities

[19-4161](#) Approval of Agreement with TLC Diversified, Inc. in the Amount of \$485,700 for the Reverse Osmosis Water Treatment Plant Sodium Hypochlorite Bulk Storage System Replacement Project

This Agreement was approved on the Consent Agenda.

[19-4162](#) Request Approval to Continue Contract with Babe's Plumbing, Inc. for Backflow Prevention Maintenance not to Exceed the Amount of \$600,000.00 for Fiscal Year 2020

This Item was approved on the Consent Agenda.

[19-4163](#) Approval to Continue the Cooperative Purchase Agreement Between Allied Universal Chemicals and the City of Plantation for the Purchase of Sodium Hypochlorite in the Amount of \$177,000.00 for Fiscal Year 2020

This Item was approved on the Consent Agenda.

[19-4164](#) Approval to Purchase Ultrasonic Water Meters from National Meter & Automation as a Sole Source in the Amount of \$200,000.00 for Fiscal Year

2020

This Item was approved on the Consent Agenda.

[19-4165](#)

Approval to Continue the Cooperative Purchase Agreement Between Evoqua Water Technologies and Lee County for Odor Control Chemicals and Treatment in the Amount of \$230,000.00 for Fiscal Year 2020

This Item was approved on the Consent Agenda.

[19-4167](#)

Approval to Continue the Cooperative Purchase Agreement Between Ferguson Waterworks and Volusia County to Supply Backflow Prevention Maintenance and Repair Parts in the Amount of \$200,000.00 for Fiscal Year 2020

This Item was approved on the Consent Agenda.

[19-4168](#)

Approval to Continue the Contract with UIT, LLC, for Cleaning and CCTV Inspection of Sanitary Sewer Lines in the Amount of \$250,000.00 for Fiscal Year 2020

This Item was approved on the Consent Agenda.

[19-4169](#)

Approval of Agreement with Stantec Consulting Services, Inc. to Provide Consulting Services for the Construction of Water Production Well 8E and Rehabilitation of Wells RO-5E and RO-1A in the amount of \$592,071.00

This Agreement was approved on the Consent Agenda.

[19-4170](#)

Approval to Apply for Cooperative Funding with Southwest Florida Water Management District (SWFWMD) in the Amount of \$175,000 for the Stormwater Outfall Monitoring Project - Phase 2, Aquifer Storage and Recovery Well System - Phase 3, and \$29,450 for the Continuation of the Toilet Replacement Project - Phase 8

This Item was approved on the Consent Agenda.

V. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

Utilities - Continued

[19-4166](#)

Approval to Continue the Cooperative Purchase Agreement Between Synagro Technologies, Inc. and Englewood Water District for Biosolids Removal and Beneficial Reuse Services in the Amount of \$240,000.00 for Fiscal Year 2020

A motion was made by Council Member Gates, seconded by Council Member Fiedler, to approve Item No. 19-4166. The motion carried unanimously by voice vote.

There was consensus for the city manager to request a representative from Synagro Technologies, Inc. to present to council on their operations and control of excess nutrients, and have the utilities department join the presentation and explain how they control excess nutrients until biosolids are picked up.

The motion carried unanimously by voice vote.

Discussion followed regarding the Circus property lease agreement.

VI. PUBLIC HEARINGS

[19-4171](#)

Execute a Non-Exclusive Easement to Florida Power and Light Company for the Venice Public Safety Facility located at 1575 E. Venice Avenue

Mayor Holic opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, to approve Item No. 19-4171. The motion carried unanimously by voice vote.

A. ORDINANCES - FIRST READING - Continued from the City Council meeting on August 28, 2019

[ORD. NO. 2019-26](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 17-16RZ, Relating to Property in the City of Venice Located at the Southeast Corner of N. Auburn Road and Border Road Owned by SSD Land Holdings, LLC, Rezoning the Property from Sarasota County Open Use Estate (OUE) to City of Venice Planned Unit Development (PUD); 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 continuation of a quasi-judicial procedure and reopened the public hearing.

Ms Fernandez queried council members on conflicts of interest and ex-parte communications since the last hearing. There were none. Ms. Fiedler confirmed she reviewed entire August 28, 2019 proceeding.

Ms. Stelzer noted written correspondence from Robert Lincoln, representing the applicant, was received this morning and will be included as part of the record.

Recess was taken at 10:17 a.m. until 10:30 a.m.

Mr. Lincoln, being duly sworn, spoke to revised combined stipulations, landscape plans, 85 lot subdivision plan, changes to provisions, Fox Lea Drive construction access, groundwater monitoring plan, areas of disagreement with Fox Lea Farm to include time of land development and construction, construction of southernmost berm and wall, mitigation plan, bond requirement, development south of Fox Lea Drive and developer paying for a construction screen, proposed development plan, Fox Lea Farm's operational activities, addressing construction impacts during the preliminary plat process, accommodating Fox Lea Farm's concerns, providing revised binding master plan (BMP) and landscape plans at second reading, density consistent with the comprehensive plan, and responded to council questions on communication with Sawgrass and other affected parties and addressing their concerns.

Jeffery Boone, representing Fox Lea Farm, being duly sworn, reviewed areas of disagreement with Windham Development to include development along Fox Lea Drive, moving southern stormwater pond, wall, berm and landscaping further north, pools on southernmost lots, construction screen, construction of the southernmost wall and berm, surficial aquifer system monitoring and mitigation plan and developer bond requirement, responded to Mr. Lincoln's comments, and spoke regarding development of the property and proposed stipulations.

Dick Longo, 295 Marsh Creek Road, being duly sworn, commented on Mr. Lincoln's communication with Sawgrass and affected parties, stormwater concerns, not being consulted of density in the new plan, stipulations, comprehensive plan to include predictability and expectation of neighbors, and compatibility.

Mr. Shrum, being duly sworn, requested to have an updated BMP and suggested staff review changes prior to preliminary plat application.

No one signed up to speak.

Mr. Lincoln spoke regarding zoning requirement, vested rights decision, stormwater study, Fox Lea Farm buffer stipulation affecting project development and lot sizes, groundwater monitoring and mitigation plan, developer bond requirement, development on the southernmost part of the property, construction screen, addressing all issues from the November 28, 2018 hearing, and developer's agreement.

Mayor Holic closed the public hearing.

Recess was taken at 12:04 p.m. until 1:00 p.m.

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

Michael Wendroff, 213 Portofino Drive, spoke on improving Laurel Road and funding options.

[19-4176](#)

Kendra Simpkins, President and CEO of Operation Warrior Resolution, Inc: Operation Warrior Resolution (10 min.)

Kendra Simpkins, CEO and President of Operation Warrior Resolution, provided a presentation and spoke to rapid resolution therapy, veteran retreats, and reintegration and purpose.

[19-4177](#)

Bob Vedder, Venice Area Beautification, Inc.: Request Approval to Register the City of Venice for the America in Bloom National Award Program (10 min.)

Bob Vedder, Venice Area Beautification, Inc. (VABI), requested council's approval to register the city for the America in Bloom National Award Program and commented on cost, donor contributions, council participation and interaction with competition judges, symposium, and responded to council questions regarding competition days.

Discussion followed on recognizing VABI volunteers and including an endorsement amount in the motion.

A motion was made by Council Member Moore, seconded by Council Member Fiedler, for the city to endorse Venice Area Beautification, Inc. (VABI)'s entry into the America in Bloom National Award Program and provide up to \$3,000 in expenses.

Mr. Vedder responded to council questions on use of endorsement.

The motion carried unanimously by voice vote.

ORDINANCES - FIRST READING - Continued

[ORD. NO.
2019-26](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 17-16RZ, Relating to Property in the City of Venice Located at the Southeast Corner of N. Auburn Road and Border Road Owned by SSD Land Holdings, LLC, Rezoning the Property from Sarasota County Open Use Estate (OUE) to City of Venice Planned Unit Development (PUD); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi Judicial)

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2019-26 be approved on first reading and scheduled for final reading to include a density of 85 units and Fox Lea Farm's proposed stipulations.

Discussion followed regarding density, Fox Lea Farm's proposed stipulations, retention pond, Curry Creek, compatibility with area residents, parties agreeing on stipulations by second reading, Fox Lea Farm's economic impact, regulations in the zoning code, council and staff's review of revised stipulations, the city's legal stance on stipulations, changing development plans, lack of communication between parties, buffer proposal, construction screen, groundwater monitoring plan, enforceable stipulations, construction impact to Fox Lea Farm, buyer proximity notices, bond request, increase in stipulations, and providing another opportunity for parties to reach an agreement.

Ms. Fernandez noted council's decision should be based on whether proposed project is in compliance with the comprehensive plan and land development code (LDC).

Per council's request, Mr. Clark, being duly sworn, read compatibility Policy 8.2 of the comprehensive plan.

Discussion continued on compatibility, legal expenses, and parties reaching an agreement on stipulations.

Ms. Fernandez noted applicant has the right to have a determination made on their petition.

Herb Lawson, applicant, being duly sworn, spoke regarding revised stipulations, working with Fox Lea Farm and not including Sawgrass in discussions, and requested to read a personal statement.

Mayor Holic reopened the public hearing.

Mr. Lawson read a personal statement and commented on meeting and compromising with Fox Lea Farm.

Mr. Lincoln spoke to Fox Lea Farm's proposed stipulations, noise and odor concerns, addressing construction impacts during preliminary plat, land development process, compatibility, and council deciding on land use.

Recess was taken at 2:26 p.m. until 2:37 p.m.

Mr. Boone noted the Murphy Oaks property is in the joint planning agreement (JPA) and spoke to compatibility Policy 8.2, land use density and intensity, last minute revised stipulations, and agreement on wall and berm.

Laurie Birnbach, Fox Lea Farm, being duly sworn, responded to Mr.

Boone's question on neighborhood meeting attendance, agreement with Windham Development's plan, and comments heard by Windham representatives at the neighborhood meeting.

Mr. Boone commented on the applicant's planned unit development (PUD) plan.

Mr. Longo spoke to compatibility with Fox Lea Farm and Sawgrass, lot size and coverage, amenities, traffic, stormwater management, noise concerns, and property development.

Mr. Lincoln spoke to negotiating with Fox Lea Farm and Sawgrass on stipulations.

Mayor Holic closed the public hearing.

The motion failed by the following vote:

No: 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautionero, Mr. Newsom, Ms. Fiedler and Ms. Moore

A motion was made by Council Member Fiedler, seconded by Council Member Daniels, that Ordinance No. 2019-26 be approved on first reading and scheduled for final reading to include a density of 85 units, Murphy Oak's proposed stipulations that were agreed upon by both parties, and for the remaining stipulations to be agreed upon or removed by second reading.

Discussion followed regarding proposed stipulations not agreed upon and parties providing council with a final work product the Wednesday prior to second reading of the ordinance.

Mr. Boone reviewed proposed stipulation numbers Fox Lea Farm was in disagreement with to include nos. 1, 9, 14 and 16, and commented on Fox Lea Farm's proposed stipulations.

Mr. Longo requested to address lot coverage.

Discussion continued on negotiating parties to include Sawgrass and parties reaching an agreement on proposed stipulations.

Ms. Fiedler withdrew her motion and Mr. Daniels withdrew his second.

A motion was made by Council Member Fiedler, seconded by Council Member Daniels, that Ordinance No. 2019-26 be approved on first reading and scheduled for final reading to include Murphy Oak's proposed stipulations 1-18 with the exception of numbers 1, 9, 14 and 16, and parties to reach fruition on stipulations not agreed upon by second reading on October 22, 2019.

Discussion ensued on scheduling a special meeting, scheduling second reading of the ordinance on October 22, 2019, parties providing council with a final work product by close of business day October 15, 2019, and

parties reaching an agreement.

The motion carried by the following vote:

Yes: 5 - Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Ms. Fiedler and Ms. Moore

No: 2 - Mayor Holic and Mr. Newsom

B. ORDINANCES – FINAL READING

[ORD. NO. 2019-30](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 54, Solid Waste, Article I, In General, Section 54-1, Definitions; Article III, Storage, Preparation and Collection of Solid Waste, Division 2, Preparation, Section 54-61, Preparation of Solid Waste; Article V, Storage, Preparation and Collection of Recyclables, Division 2, Preparation, Section 54-120, Preparation of Recycling; Article VI, Rates and Charges; Billing Procedure, Section 54-161, Fee Schedule; Deposits, and Adding Article VIII, Private Roll-Off Container Haulers; Providing for Repeal of all Ordinances in Conflict Herewith; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, that Ordinance No. 2019-30 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom, Ms. Fiedler and Ms. Moore

Recess was taken at 3:34 p.m. until 3:39 p.m.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

A. ORDINANCES

[ORD. NO. 2019-33](#)

An Ordinance Amending City of Venice Ordinance No. 2018-34 which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019; by Increasing the Total Revenue by \$138,084 and Total Expenditures by \$138,084; and Providing for An Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

Ms. Moore returned to the dais at 3:40 p.m.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-33 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom, Ms. Fiedler and Ms. Moore

B. RESOLUTIONS

[RES. NO. 2019-22](#)

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Amending the City of Venice Personnel Procedures and Rules, 2013 Edition, Section 2.1 Access to Group Health Insurance; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Gates, seconded by Council Member Fiedler, that Resolution No. 2019-22 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom, Ms. Fiedler and Ms. Moore

[RES. NO. 2019-23](#)

A Resolution Providing for the City of Venice General Municipal Election to be Held on November 5, 2019, to Elect Two Councilmembers and a Mayor, for Three-Year Terms; and Designating Polling Places for the Election; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Moore, seconded by Council Member Fiedler, that Resolution No. 2019-23 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom, Ms. Fiedler and Ms. Moore

C. COUNCIL ACTION/DISCUSSION

[19-4172](#)

Approve Development and Cost-Sharing Agreement between the City of Venice and Venice MF Ventures, LLC for Laurel Road Apartments at 2300 Laurel Road

Mr. Vargas noted the city has agreed to assist with the installation of water and sewer lines during construction.

Mr. Boone, representing the developer, responded to council question on cost.

Discussion followed regarding benefits to the city and the enterprise fund receiving revenue in perpetuity.

Mr. Boone noted his client would like to move forward with the project.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, to approve Item No. 19-4172. The motion carried unanimously by voice vote.

[19-4173](#)

Rescind Action Taken August 27, 2019 Denying Ordinance No. 2019-19 (a/k/a Order No. 18-10RZ) on Final Reading, An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Multiple Parcels Located East of I-75 Between Laurel Road and Border Road and Owned by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ, from Commercial Mixed-Use (CMU) and Planned Unit Development (PUD) Districts to a Planned Unit Development (PUD) District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Fiedler)

A motion was made by Council Member Fiedler, seconded by Council Member Daniels, to approve Item No. 19-4173.

Ms. Fiedler noted the motion deserved a full council vote.

Mayor Holic ruled the motion out of order, explained basis for ruling, and provided options to include adding item on the next agenda for renewal or challenging the ruling of the chair.

A motion was made by Council Member Fiedler to challenge the ruling of the chair. The motion failed due to lack of a second.

Mr. Boone requested clarification on the city code.

Ms. Fernandez noted the code allows the opportunity for an applicant to waive the one year waiting period to resubmit the same application.

Ms. Gates stated point of order on discussion.

Mr. Boone explained now is the appropriate time to request a waiver of the 12 month time period.

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to waive the 12 month period for an application to be submitted.

Vice Mayor Cautero stated point of order, requested time to consider a decision, and suggested placing item on the next agenda.

Discussion followed on the 30 day challenge period.

Mr. Boone withdrew waiver request and requested item be placed on the October 8, 2019 council meeting.

Pat Neal, Neal Communities, noted he has until September 26, 2019 to file an affected motion under state law based on his calculations.

Mr. Daniels withdrew his motion and Ms. Fiedler withdrew her second.

[19-4174](#)

Develop a City Council Policy to Establish Who Can Place a Motion to Rescind or Amend Something Previously Adopted on a City Council Agenda as Detailed in Roberts Rules of Order (Holic)

Discussion took place on defining who can place a motion to rescind or amend something previously adopted, Roberts' Rules of Orders, safeguarding council decisions, and establishing guidelines.

Ms. Fernandez spoke to council's options and noted she can review what other local governments do in their code to address split votes.

Discussion ensued on following Robert's Rules of Order or city charter, Sarasota County Board of County Commission meetings, and compliance with other governing bodies.

Ms. Stelzer noted procedure is in the code, not the charter.

Discussion continued on procedure and review of Item No. 19-4173.

[19-4175](#)

Authorize Sale of Parcel of Land within the Bank of America Parking Lot, Contingent on Clarification from a Real Estate Attorney on Title Restrictions (Holic)

Mayor Holic spoke to his request on placing the parcel for sale upon clarification from a real estate attorney on title restrictions.

A motion was made by Council Member Daniels, seconded by Council Member Moore, to approve Item No. 19-4175.

Discussion followed regarding who can purchase the property.

Ms. Fernandez noted clarification is needed on whether the property was given to the city or deeded as a right-of-way.

The motion carried unanimously by voice vote.

PRESENTATIONS - Continued

[19-4178](#)

Jeff Shrum, AICP, Development Services Director: Discussion of Traffic Management Report (30 min.)

Mr. Shrum provided a presentation and spoke to understanding the transportation process, comprehensive plan capital improvement schedule (CIS), planning and project levels, Metropolitan Planning Organization (MPO)'s long range transportation plan, Sarasota county's comprehensive plan, priority project list, identifying transportation projects, basis for prioritizing projects, 2017 accident and city wide traffic count data, 2030 long range transportation plan (LRTP) improvements, and funding options.

Mr. Shrum briefly discussed the list of projects for fiscal years 2019-2023 as outlined in the CIS, and noted the CIS project list does not indicate what entity is paying for each specific project.

Discussion followed on when Ms. Weeden would present information on the priority project list to council.

[19-4179](#)

Kathleen Weeden, City Engineer: Quarterly Engineering/Stormwater Update Including Water Quality Evaluation (15 min.)

Recess was taken at 4:58 p.m. until 5:16 p.m.

Ms. Weeden provided a presentation and spoke to water quality, stormwater outfall testing and rate study, projects recently completed, under design and preparing for construction, other work efforts to include Americans with Disabilities Act (ADA) transition plan, and noted she will discuss road priority projects at the October 8, 2019 council meeting.

Discussion followed regarding Ms. Weeden providing information on Laurel Road improvements and recommendations on a public/private partnership at the October 8, 2019 council meeting, water quality sampling at outfalls, and retention ponds.

Ms. Gates left the dais at 5:43 p.m. and did not return.

IX. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee had no report.

X. COUNCIL REPORTS

Council Member Gates

Ms. Gates was absent.

Council Member Moore

Ms. Moore requested approval to attend the Florida League of Cities legislative conference in Orlando.

There was consensus for Ms. Moore to attend the Florida League of Cities Legislative Conference in Orlando October 13-15, 2019.

Council Member Newsom

Mr. Newsom had no report.

Council Member Cautero

Mr. Cautero had no report.

Council Member Fiedler

Ms. Fiedler had no report.

Council Member Daniels

Mr. Daniels had no report.

Mayor Holic

Mayor Holic had no report.

XI. AUDIENCE PARTICIPATION

There was none.

XII. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 5:45 p.m.

ATTEST:

Mayor - City of Venice

City Clerk