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

City of Venice

Meeting Minutes
City Council

Wednesday, January 19, 2022 | **1:00 PM** | **Council Chambers**

Charter Review Workshop

22-5408 Instructions on How to Watch and/or Participate in the Meeting

CALL TO ORDER

Mayor Feinsod called the workshop to order at 1:00 p.m.

ROLL CALL

Ms. Moore joined the meeting at 1:05 p.m.

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 Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Acting Information Technology Director Eric Tanner, and Administrative Coordinator Toni Cone.

In-person: Vice Mayor Pachota, Dr. Fiedler, Dr. Neunder, Mr. Boldt, Mrs. Frank, Mayor Feinsod

Via Video Conference: Ms. Moore

PLEDGE OF ALLEGIANCE

Mayor Feinsod led the Pledge of Allegiance.

I. AUDIENCE PARTICIPATION

There was none.

II. NEW BUSINESS

22-5409 Discuss the Charter Review Committee's Recommendations to City Council

Discussion began regarding the Charter Section 3.01 and 3.02 operating, liaison, and advisory board appointments. City Attorney Fernandez recommended addressing the process of appointments by resolution.

Ms. Moore joined the meeting virtually at 1:05 p.m.

Discussion took place regarding the terms commissioners, council persons or councilmembers. When using gender neutrality, it was noted if there was a change, many other documents would need to be revised.

There was consensus to keep the term councilmember.

Discussion took place regarding the mayor's signature and withholding of an authorized signature.

There was consensus to accept City Attorney's recommendation in Sec. 3.02 regarding Mayor and Vice-Mayor or City Manager or designee as signatory.

City Attorney Fernandez recommended having just the Chair of the Charter Review Committee (CRC) address Council due to Sunshine Law concerns.

Chair Boone discussed the Charter Review Committee recommendation regarding a five Councilmember majority if the Mayor is unwilling or unable to sign a properly submitted document within three business days.

City Attorney Fernandez noted that a resolution could be passed to handle signatory issues.

Discussion took place regarding the issue of a Mayor's signature, a super majority if a Mayor refuses to sign, veto power, and the possibility of putting a list of duties and processes of Mayor or Vice Mayor that could be outlined in a resolution.

Mr. Boone stated these were the CRC recommendations and encouraged Council to consult with City Attorney Fernandez to see whether something can be a resolution and not in conflict with the Charter.

City Attorney Fernandez stated the issues in Sec. 3.02 could be handled in a resolution or an ordinance.

City Attorney Fernandez noted that some issues could be looked at both as a possible Charter amendment and also as a possible resolution or ordinance.

There was consensus to look at any issues not agreed upon as both a Charter amendment and possible resolution or ordinance.

There was consensus to look at duties of Mayor and Vice Mayor as a possible ordinance or resolution.

There was consensus to move forward language drafted by Attorney Fernandez other than the two sentences beginning with "the mayor may only withhold..." which will be reviewed as both a proposed Charter amendment and also as a possible resolution or ordinance.

Discussion took place regarding who presides over a meeting if the Mayor is not physically present.

There was consensus to have the City Attorney draft language regarding having the Mayor/Chair preside in-person.

Discussion took place regarding Sec 3.07 and absences.

City Attorney Fernandez recommended a resolution regarding acceptable reasons to attend a meeting via teleconference.

Mayor Feinsod left the dais at 1:50 p.m. and passed the gavel to Vice Mayor Pachota.

Discussion continued regarding excused absences and virtual attendance.

Mayor Feinsod returned to the dais at 1:53 p.m. and Vice Mayor Pachota passed the gavel back.

Mr. Boone noted the current Charter was written before remote attendance and technical difficulties that occur. He stated there should be criteria.

City Manager Lavallee commented on attendance.

Discussion took place on providing health insurance for City Council members, the cost of the potential benefit, and the need for a cost benefit analysis. City Attorney Fernandez will evaluate the possibility of a resolution or ordinance for this item.

Dr. Neunder left the dais at 2:03 p.m. and returned at 2:05 p.m.

Mr. Boone spoke to the proposed council salary increase with an auto-adjusting figure based on the county formula and state statutes.

Discussion continued regarding the structure of the proposed increase.

Discussion occurred on Section 3.04, Elected term of office, term limits and concerns about serving extensive times and the possibility of an extended time by serving as Mayor.

There was consensus to accept City Attorney Fernandez's recommendation on Sec. 3.04 item (c) to change from six to three consecutive elected terms.

Recess was taken from 2:12 p.m. until 2:22 p.m.

Mr. Boone presented the CRC recommendations on filling a vacancy, special elections time frame, changing the time frame to 60 days, avoiding a special election, and appointees fulfilling the current term.

Mr. Boone continued with the CRC's recommendation to appoint the candidate with the most votes.

There was consensus to accept the CRC's recommendations regarding filling a vacancy.

There was consensus to accept the CRC's recommendation to not make any changes to Article IV to (a) - (h).

There was consensus to change Article IV (i) to read: (i) Miscellaneous duties. Perform such other duties as are prescribed by general law, the charter, by ordinance or resolution of the city, or by direction of the city council as a whole.

Discussion took place regarding Article V, Sec. 5.02, Submission of the proposed budget and budget message, the Consumer Price Index (CPI) and/or 3% of budget, whichever is greater, as reference points and the benefit of having two benchmarks.

There was consensus to make no changes to Article V and keep the two benchmarks to allow for flexibility, and to change the wording to add "initial proposed" before budget.

There was consensus to accept the City Council and CRC recommendation to 5.06 indicating public notices on public hearings to be pursuant to state law.

There was consensus to eliminate Sec. 5.09 Surety bonding.

There were no changes to Article 6.

There was consensus to accept the CRC recommended language in Article 7, Sec. 7.03, (c) and (d).

There was consensus to change Article 8 Sec. 8.01 (b) to change 90 days to 180 days.
Sec. 8.04

There was consensus not to make any changes to Article IX,. Sec. 9.02 (a) regarding filing a citizen referendum.

There was consensus to change Sec. 9.03 (a) to stipulate that signatures on petitions include the date signed.

There was consensus to accept the change in Article XI, Sec. 11.02 recommended by the former City Clerk that oaths be kept on file with the city.

Dr. Neunder left the meeting at 3:13 p.m.

There was consensus to leave Article IV Sec. 4.04 as it is with the City Manager appointing the Fire Chief, Police Chief, and Finance Director, with consent from Council for appointment, but not to fire.

City Attorney Fernandez stated she will send the changes via email to review at a future meeting and that in order to get the Charter Revisions on the ballot in November, the first reading should be at the first meeting in June and adopted by the first meeting in July.

III. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 3:21 p.m.

____

ATTEST: Mayor - City of Venice

____

City Clerk