



City of Venice

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

Meeting Minutes City Council

Tuesday, November 19, 2024

9:00 AM

Community Hall Room 165 (Limited Seating)

[24-0378](#)

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

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor Nick Pachota, Ms. Joan Farrell, Vice Mayor Jim Boldt, Mrs. Rachel Frank, Mr. Ron Smith, Mr. Rick Howard and Mr. Kevin Engelke

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Deputy City Clerk Mercedes Barcia, Deputy City Clerk Toni Cone, and for certain items on the agenda: Fire Chief Frank Giddens, Police Chief Charlie Thorpe, Planning and Zoning Director Roger Clark, Building Official Derek Applegate, City Arborist Jim Yelverton, and Historical Resources Manager Harry Klinkhamer.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels offered the Invocation followed by the Pledge of Allegiance led by Mr. Engelke.

I. ELECTION OF VICE MAYOR

[24-0379](#)

Election of Vice Mayor

Ms. Farrell and Mr. Howard indicated they did not wish to serve as Vice Mayor.

A motion was made by Mrs. Frank, seconded by Mr. Smith, to nominate Jim Boldt as Vice Mayor. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

II. RECOGNITION

- [24-0380](#) Recognition of Council Member Helen Moore in Appreciation of her Service on City Council
Mayor Pachota and City Manager Lavallee presented this recognition.
- [24-0381](#) Recognize Martha Thomas' 16 Years of Service as Executive Director of the Venice Housing Authority
Mayor Pachota, Mrs. Frank, and City Manager Lavallee presented this recognition.
- [24-0382](#) Recognize Casey Riley and the Venice-Nokomis Rotary Club for Their Efforts in Hurricane Recovery
Mayor Pachota, City Manager Lavallee and Assistant City Manager Clinch presented this recognition.
- [24-0383](#) Swearing in: Police Officer Diana Kauoris Promoted to Sergeant
Deputy Clerk Barcia performed this swearing in.
Recess was taken from 9:37 a.m. until 9:50 a.m.

III. AUDIENCE PARTICIPATION will be limited to one hour.

Joan Iacono, 1132 Bird Bay Way, offered congratulations to Mr. Engelke and Vice Mayor Boldt, and encouraged Council to represent residents of the City.

IV. CONSENT SECTION:

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, to approve items on the Consent Agenda. The motion carried unanimously by voice vote.

A. CITY CLERK

- [24-0384](#) Minutes of the October 22, 2024 Regular Meeting
These minutes were approved on the Consent Agenda.
- [24-0385](#) Appoint George Leatherbury to the Police Pension Board of Trustees to Serve a Term from December 1, 2024 to November 30, 2028
This appointment was approved on the Consent Agenda.

B. CITY ATTORNEY

- [24-0386](#) Approve Settlement Agreement with Dewberry Architects, Inc. and TLC Engineering Solutions, Inc.
This item was approved on the Consent Agenda.

V. ITEMS REMOVED FROM CONSENT

There were none.

VI. PUBLIC HEARINGS

A. RESOLUTION

[RES. NO.
2024-23](#)

A Resolution of the City Council of the City of Venice, Florida, Designating the 500 to 700 Blocks of West Venice Avenue Inclusive of the Adjacent Heritage Park as a Canopy Road Per City Code Chapter 89 Environmental, Section 3.4.9.; and Providing an Effective Date

Mayor Pachota opened the public hearing.

Clerk Michaels read the resolution by title only.

City Arborist Yelverton provided a presentation on the proposed canopy road designation to include, aerial photos, the canopy road protection zone, and tree protection standards. He requested Council approve the designation and waive pruning permits.

Glennon G. Gagan, 101 Park Boulevard South, inquired as to responsibility for the sidewalk.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Smith, seconded by Vice Mayor Boldt, that Resolution No. 2024-23 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

B. ORDINANCE – FINAL READING

[ORD. NO.
2024-27](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 46, Parks and Recreation, Article I, In General, Section 46-5, Naming or Renaming a City-Owned Facility or Park; 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.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Ordinance No. 2024-27 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

VII. NEW BUSINESS

A. ORDINANCE

[ORD. NO.
2024-28](#)

An Ordinance Amending City of Venice Ordinance No. 2024-25, Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2024 and Ending September 30, 2025; by Increasing the Total Revenue by \$8,350,500 and Total Expenditures by \$8,350,500; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There was no public comment.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Ordinance No. 2024-28 be approved on first reading and scheduled for final reading. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

B. RESOLUTIONS

[RES. NO.
2024-25](#)

A Resolution of the City Council of the City of Venice, Florida, Providing for the Temporary Waiver of Certain Building Permits and Fees for Properties Affected by Hurricanes Helene or Milton Within the Municipal Boundaries of the City of Venice; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Resolution No. 2024-25 be approved and adopted.

City Manager responded to a Council question regarding having fees waived to a greater extent, the building department fund being an enterprise fund, emergency policy, and not interfering with Federal Emergency Management Agency (FEMA) guidelines.

City Attorney Fernandez commented on the language in the emergency order and resolution being directly from state statute.

Recess was taken from 10:10 a.m. until 10:16 a.m.

Building Official Applegate responded to Council, commenting the state statute is what is followed in regards to fee waivers and reductions, the City follows Sarasota County as much as possible for consistency, and items not requiring technical review.

Mayor Pachota complimented the Building Official and staff, and inquired if anyone had signed up to speak during the item.

The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

Recess was taken from 10:24 a.m. until 10:30 a.m.

[RES. NO.
2024-28](#)

A Resolution of the City Council of the City of Venice, Florida, Approving the Exercise of the Power of Eminent Domain by the Rustic Oaks Community Development District for the Acquisition of Privately Owned Real Property Interests Beyond the District Clouding Title to Ranch Road and Rustic Road; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

There was no public comment.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Resolution No. 2024-28 be approved and adopted.

Tyler Vansant, Vice President of Land and Assistant Counsel for Meritage Homes, on behalf of Rustic Oaks Community Development District, responded to a Council concern ensuring no other owners being negatively impacted, stating extensive title search had been done regarding the remnant parcels, and the estates of prior owners must have an opportunity to raise any issues. This is the simplest way to convey fee simple title of the right of way of Ranch and Rustic Road to Sarasota County.

The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

C. PRESENTATION

[24-0387](#)

Assistant City Manager James Clinch and Fire Chief Frank Giddens: Hurricane Update Presentation

Assistant City Manager Clinch and Chief Giddens provided a presentation on Hurricanes Helene and Milton recovery to include recap, storm surge and impacts, City damage assessments, debris collection, building permitting, and after action review process.

Recess was taken from 11:28 a.m. to 11:35 a.m.

Assistant City Manager Clinch and Chief Giddens answered Council questions regarding hurricane impacts on projects, seawall on Tarpon Center, Flamingo Ditch consultant, and sand impact on renourishment.

Discussion took place regarding inspections, damaged structures, and assessments.

Building Official Applegate answered Council questions regarding notices, substantially damaged structure notice, 50% threshold, Private haulers, United States Geological Survey (USGS) tide data, and storm surge and wave data.

Discussion took place regarding the after action review process and data availability time frames for public.

Discussion continued regarding Flamingo Ditch issues, the dune, consultant, private property, and communication.

Assistant City Manager Clinch recognized staff, and commented on evacuation concerns, what improvements to the processes can be made, informing the public, and the comprehensive report.

Discussion took place on manufactured home parks, the Venice Municipal Mobile Home Park not being in a flood zone, wind damage, the Citizen Advisory Board's review, and enforcement of non-permitted work.

Recess was taken from 11:28 a.m. until 11:35 a.m.

D. COUNCIL ACTION/DISCUSSION

[CON. NO.
003-2024](#)

Historical Resources Manager Harry Klinkhamer: Consider the Historic and Architectural Preservation Board's Recommendation for City Council to Approve Ad Valorem Tax Exemption for Improvements to 640 W. Venice Avenue in the Local Register of Historical Resources, and Authorize the Mayor to Sign the Covenant Between the City of Venice and the Owners of 640 W. Venice Avenue

Historical Resources Manager Klinkhamer presented a request for ad valorem tax exemption status along with the covenant to be recorded with the Property Appraiser's office, and answered a Council question about the year the home was built (1948), and value of the exemption. He responded the value is based on the increase in value of the improvements as determined by the Property Appraiser and lasts for 10 years.

A motion was made by Mr. Smith, seconded by Mr. Howard, to approve the ad valorem tax exemption for improvements at 640 W. Venice Avenue in the local register of historical resources, and authorize the Mayor to sign the covenant

between the City of Venice and the owners of 640 W. Venice Avenue. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

Recess was taken from 12:15 p.m. until 1:30 p.m.

[24-0388](#)

Planning and Zoning Director Roger Clark: Planning and Zoning Fees Update

Planning and Zoning Director Clark provided a presentation regarding the Planning and Zoning fees, to include consultant cost of \$45,000 to \$55,000, or \$15,000 cost for previous company to update report, and answered Council questions regarding how the fees are determined based on costs.

A motion was made by Mr. Smith, seconded by Ms. Farrell, to direct staff to pursue a consultant to update the fee study, and update the current Planning and Zoning fees, and identify potential costs and requirements for a budget amendment.

Discussion took place regarding the need to update fees, an inflationary clause, no need to spend \$15,000, and building permit fee lawsuit.

The motion carried by the following electronic vote:

Yes: 6 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mr. Smith, Mr. Howard and Mr. Engelke

No: 1 - Mrs. Frank

[24-0389](#)

2025 Council Liaison Appointments

Mayor Pachota introduced the topic of liaison appointments and the need to address how often Council will select these in the future due to the referendum change.

City Attorney Fernandez indicated the previous resolution would need to be repealed in order to keep doing the appointments every year.

Discussion took place regarding allowing time to obtain experience with the committees.

There was consensus to revisit each year and ratify the appointments or make changes if needed and direct the City Attorney to bring back the amendment to the resolution.

Discussion took place regarding the need to remove any boards or have interested parties to take on as a private citizen. There were no changes or removals.

Mayor Pachota affirmed which boards were taken by appointment or position.

The final liaison appointments for 2025:

Citizen Tax Oversight Committee for School Facility Planning - Rachel Frank, back up Mayor Pachota

Chamber of Commerce - Rick Howard, back up Kevin Engelke

Coastal Advisory Committee - Rick Howard, back up Jim Boldt

Coastal and Heartland National Estuary Partnership Program Policy Committee - Joan Farrell, back up Nick Pachota

Community Action Agency Board - Rachel Frank, no back up

Criminal Justice Commission - Ron Smith, back up Jim Boldt

Economic Development Corporation Rick Howard, back up Rachel Frank

ManaSota League of Cities Nick Pachota, back up Jim Boldt

Metropolitan Planning Organization (MPO) - Nick Pachota, back up Jim Boldt

Sarasota County Council of Governments - Nick Pachota, back up Jim Boldt

Sarasota County Representative - Nick Pachota, back up Jim Boldt

Southwest Florida Regional Planning Council - Ron Smith, back up Rick Howard

Tourist Development Council - Jim Boldt, back up Rachel Frank

United Way of Sarasota County Long Term Recovery Group - Joan Farrell, back up Nick Pachota

Venice Area Beautification, Inc. - Jim Boldt, back up Kevin Engelke

Venice Housing Authority - Rachel Frank, no back up

Venice MainStreet - Nick Pachota, back up Ron Smith

City Boards:

Citizen Advisory Board - Nick Pachtoa, back up Jim Boldt

Historic and Architectural Preservation Board - Jim Boldt, back up Kevin Engelke

Planning Commission - Kevin Engelke, back up Rick Howard

A motion was made by Vice Mayor Boldt, seconded by Mr. Engelke, to approve the Council Liaison appointments as discussed. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Mrs. Frank, Mr. Smith, Mr. Howard and Mr. Engelke

VIII. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez had no report.

City Clerk

Clerk Michaels reminded Council the next meeting would be December 10th in the Community Hall.

City Manager

City Manager Lavallee reported on Council of Governments meeting, Convocation of Governments in January, upcoming holiday parade, 24 homes damaged at Venice Mobile Home Park, and the December 17th annual legislative presentation at Sarasota County Administrative building to present requests for funding.

IX. COUNCIL REPORTS

Council Member Engelke

Mr. Engelke had no report.

Council Member Smith

Mr. Smith thanked the Council for continuing a liaison appointment with the Southwest Regional Planning Council, and recommended photographer Clive Butcher for a future Mayor's Pillar of the Community Award.

Council Member Howard

Mr. Howard reported on the Venice Municipal Mobile Home Park plaque presentation.

Council Member Farrell

Ms. Farrell had no report.

Council Member Frank

Mrs. Frank offered congratulations to Mr. Engelke and Vice Mayor Boldt.

Council Member Boldt

Vice Mayor Boldt reported on the Old Betsy museum ground breaking, Veterans Day proclamation, mobile home park plaque, and attendance at the Council of Governments.

Mayor Pachota

Mayor Pachota reported on the Mayor's hometown Christmas, the upcoming holiday parade, the boat parade, the City events calendar, blood drive, Centennial meeting rescheduled, and expressed congratulations to the newly elected and re-elected Council Members.

X. AUDIENCE PARTICIPATION

There was none.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 2:15 p.m.

ATTEST:

Mayor - City of Venice

City Clerk