



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, February 14, 2023

9:00 AM

Council Chambers

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[23-5963](#)

Meeting Instructions and Request to Speak Form

### Broadcast

#### CALL TO ORDER

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

#### ROLL CALL

**Present:** 7 - Mayor Nick Pachota, Dr. Mitzie Fiedler, Vice Mayor Jim Boldt, Ms. Helen Moore, Mrs. Rachel Frank, Mr. Dick Longo and Mr. Rick Howard

#### ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Deputy City Clerk Toni Cone, and for certain items on the agenda: Finance Director Linda Senne, Planning Manager Amy Nelson, Senior Planner Nicole Tremblay, and Planning and Zoning Director Roger Clark.

#### INVOCATION AND PLEDGE OF ALLEGIANCE

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

#### I. RECOGNITION

[23-5964](#)

Certificate of Appreciation to Fran Valencic for Many Years of Volunteer Service to the City

Mayor Pachota and City Manager Lavallee presented this recognition.

**Recess was taken from 9:20 a.m. until 9:25 p.m.**

[23-5965](#)

10 - Year Service Award, Tawnie Murdock, Criminalistics Specialist

City Manager Lavallee and Chief Thorpe presented this recognition.

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

Nancy DeForge, 332 Laurel Hollow Drive, Nokomis, spoke on concerns

regarding Planning Commission appointments.

### III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Mr. Howard, to approve items on the Consent Agenda. The motion carried by the following vote:

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

#### A. CITY CLERK

[23-5966](#)

Appoint Barry Snyder and Reappoint Lissa MacDonald to the Planning Commission to Serve a Term From February 14, 2023 to January 31, 2026

These appointments were approved on the Consent Agenda.

[23-5967](#)

Minutes of the January 24, 2023 Regular Meeting and the January 31, 2023 Strategic Planning Meeting

These minutes were approved on the Consent Agenda.

#### B. CITY MANAGER

##### Engineering

[23-5968](#)

Authorize the Mayor to Accept Utility Easement from Sarasota County Public Hospital District

This item was approved on the Consent Agenda.

##### Utilities

[23-5969](#)

Approve Utility Upsizing and Reimbursement Agreement Between Meritage Homes of Florida, Inc. and the City of Venice for Rustic Road

This item was approved on the Consent Agenda.

[23-5970](#)

Approve Second Amendment to Utility and Cost-Sharing Agreement Between the Sarasota County Public Hospital District and the City of Venice

This item was approved on the Consent Agenda.

### IV. ITEMS REMOVED FROM CONSENT

There were none.

### V. PRESENTATIONS

[23-5971](#)

Finance Director Linda Senne: Quarterly Financial Report (10 min.)

Finance Director Senne presented the quarterly financial report, including general fund revenues, property tax revenue, communication tax, utility taxes, franchise fees, licenses and permits, intergovernmental revenues, charges for services, interest, miscellaneous revenue, department expenses, the general fund overall, and answered Council questions regarding Federal Emergency Management Agency (FEMA) reimbursement, building permit fees, and minimum reserve.

## **VI. PUBLIC HEARINGS**

### **A. ORDINANCES - FIRST READING**

ORD. NO.  
2023-04

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 Comprehensive Plan Pursuant to Petition No. 22-63CP to Incorporate the Annual Update of Data on Development Activity Within the Mixed Use Future Land Use Categories in Each Comprehensive Plan Neighborhood; Providing for Repeal of All Ordinances in Conflict Herewith to the Extent of Such Conflict; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

There were no written communications.

Mayor Pachota opened the public hearing.

Planning Manager Nelson provided a presentation to include calculating density, entitlements vs. certificate of occupancy (CO), neighborhoods and maps, minimum and maximum development percentages, and summary tables.

Planning and Zoning Director Clark provided further explanation on process and methodology, and answered Council questions regarding maximum exceeded allowances, dwelling units remaining, and mixed use areas, growth concerns, planning for the future, and concerns regarding increasing units in areas for redevelopment.

Jeffery A. Boone, 1001 Avenida Del Circo, spoke against the proposed process for quantifying density, and including it in the comprehensive plan.

Discussion took place regarding restrictions and legal actions, guidelines only in multi-use residential (MUR), amending on a case by case basis, adjustments being made as needed, ability for fluidity if needed, framework, possible benefits, concerns about changing the process, legal concerns, and possible roadblocks.

Mayor Pachota closed the public hearing.

City Attorney Fernandez answered Council question regarding legality and stated it was a policy decision.

**A motion was made by Dr. Fiedler, seconded by Mr. Longo, that Ordinance No. 2023-04 be approved on first reading and transmitted to the Florida State Department of Economic Opportunity (DEO) for review. The motion carried by the following vote:**

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

**No:** 1 - Mr. Howard

**Recess was taken from 10:22 a.m. until 10:31 a.m.**

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 Tremblay answered Council question regarding parking spaces and minor name changes.

No one signed up to speak.

Mayor Pachota closed the public hearing.

**A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, that Ordinance No. 2023-05 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

## ***B. ORDINANCES – FINAL READING***

### ORD. NO. 2023-02

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition No. 22-04CP to Change the Future Land Use Designation of Specific Real Property Located at 2901 Curry Lane (5± Acres), from Moderate Density Residential (MODR) to Commercial; 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 and no one signed up to speak.

Mayor Pachota closed the public hearing.

**A motion was made by Vice Mayor Boldt, seconded by Dr. Fiedler, that Ordinance No. 2023-02 be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

**No:** 2 - Mayor Pachota and Mr. Longo

### ORD. NO. 2023-03

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 22-03RZ, to Change the Zoning Designation for the Property Located at 2901 Curry Lane (5± Acres), from Residential, Multi-Family 1 (RMF-1) to Commercial, General (CG); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-Judicial)

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

City Attorney Fernandez questioned Council Members regarding exparte communications and conflicts of interest. Mr. Longo, Mayor Pachota, Vice Mayor Boldt, Ms. Moore, and Mr. Howard disclosed site visits.

There were no written communications and no one signed up to speak.

Mayor Pachota closed the public hearing.

**A motion was made by Mrs. Frank, seconded by Mr. Howard, that based on the evidence in the record, Ordinance No. 2023-03 be approved and adopted. The motion carried by the following vote:**

**Yes:** 5 - Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

**No:** 2 - Mayor Pachota and Mr. Longo

## VII. NEW BUSINESS

### A. RESOLUTIONS

RES. NO.  
2023-06

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Adopting a Revised State of Emergency Pay Policy; Superseding Resolution No. 2019-13; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that Resolution No. 2023-06 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

RES. NO.  
2023-07

A Resolution of the City Council of the City of Venice, Florida, Adopting the Sarasota County Unified Flood Insurance Promotion Plan, as it Pertains to Criteria for the National Flood Insurance Program (NFIP) Community Ratings System (CRS); and Providing an Effective Date

Clerk Michaels read the resolution by title only.

**A motion was made by Mr. Howard, seconded by Mr. Longo, that Resolution No. 2023-07 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

RES. NO.  
2023-08

A Resolution of the City Council of the City of Venice, Florida, Endorsing the Use of Unencumbered Mobility Impact Fee and Park Impact Fee Funds for the Laurel Road project and Requesting Sarasota County to Apply for a Grant for Eight Million Dollars for the Laurel Road Project; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

**A motion was made by Dr. Fiedler, seconded by Vice Mayor Boldt, that Resolution No. 2023-08 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

**RES. NO.**  
**2023-09**

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Sarasota County Public Hospital District and Accepting a One Year Developers Cash Maintenance Bond and Bill of Sale, and Providing an Effective Date (Sarasota Memorial Hospital-Venice, Phase 1)

Clerk Michaels read the resolution title only.

Mr. Longo inquired about bond requirements. City Attorney Fernandez responded bonds are 15% of cost of improvements being turned over.

**A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Resolution No. 2023-09 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

**RES. NO.**  
**2023-10**

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Sarasota County Public Hospital District and Accepting a Bill of Sale, and Providing an Effective Date (Sarasota Memorial Hospital-Venice, Phase 1)

Clerk Michaels read the resolution by title only.

**A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Resolution No. 2023-10 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Pachota, Dr. Fiedler, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Longo and Mr. Howard

## **VIII. PUBLIC HEARINGS - CONTINUED**

### ***ORDINANCES - FIRST READING***

**ORD. NO.**  
**2023-06**

"CANCELLED" - PETITION HAS BEEN WITHDRAWN

An Ordinance of the City of Venice, Florida, Granting PUD Amendment Petition No. 22-26RZ for the Bird Bay Planned Unit Development (PUD) for Hawks Run Located at 602 Bird Bay Drive (198.6± Acres), Allowing for the Redevelopment of the Golf Course to Include 45 Residential Dwellings, an Amenity Area, a Redesigned 12-Hole Golf Course Along with Renovation of the Existing Golf Course, and Updated Golf Course Amenities of a Clubhouse, Pro Shop and Restaurant; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date (Quasi-judicial)

Mayor Pachota announced Ordinance No. 2023-06 had been cancelled due to withdrawal of the petition by the applicant.

This petition was withdrawn by the applicant.

## IX. CHARTER OFFICER REPORTS

### City Attorney

City Attorney Fernandez reported Venice Unites attempted to submit petitions, and the City rejected them. Staff is drafting language for the agreed upon amendments to the Land Development Regulations. They will send them to Venice Unites and present to Planning Commission.

She reported on new legislation regarding public notices for continuations; these will have to be re-noticed. The City will incur added time and expense.

### City Clerk

#### [23-5972](#)

Legislative Referral Tracking Summary

Clerk Michaels reported on the legislative referral tracking summary per Council directives.

### City Manager

City Manager Lavallee noted Charter Officers meeting with the Mayor to discuss advisory boards per the consensus from the strategic planning session.

## X. COUNCIL REPORTS

### ***Council Member Longo***

Mr. Longo reported on the upcoming Economic Development Committee (EDC) upcoming meeting, complimented frontline city staff members, and thanked supervisors and the City Manager.

### ***Council Member Frank***

Mrs. Frank reported on the Community Action Agency (CAA) meeting at the Salvation Army office and noted recent accomplishments of the organization.

### ***Council Member Fiedler***

Dr. Fiedler met with the Chief Executive Officer (CEO) of the Metropolitan Planning Organization (MPO) and hopes to bring funding sources to Council at the Transportation Workshop.



***Council Member Howard***

Mr. Howard commented on City staff welcome tour.

***Council Member Moore***

Ms. Moore had no report.

***Vice Mayor Boldt***

Vice Mayor Boldt reported on the Manasota League of Cities tour of Sarasota, island cities issues with Manatee County allowing parking structures, and home rule issues.

***Mayor Pachota***

Mayor Pachota reported on recent events he attended, including Manasota League tour of Sarasota, public art staff in Sarasota, catholic schools week, citizens police academy, Council of Governments (COG), City Manager Harmers open house, Little League, Venice Yacht Club (VYC) anniversary, upcoming Child Protection Center grand opening, Holocaust Remembrance Day event, Venice MainStreet/chamber event, VYC bike ride, Breakfast with the Mayor, and train car ribbon cutting.

He reported there will be materials based on his meeting with the charter officers regarding advisory board recommendations at the next Council meeting and events on the Mayor's schedule will be shared with Council via email.

There was consensus for Dr. Fiedler to represent the City on the Citizens Oversight Committee for School Facility Planning, with Mrs. Frank serving as back up.

**XI. AUDIENCE PARTICIPATION**

There was none.

**XII. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 10:51 a.m.

ATTEST:

  
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Mayor - City of Venice

  
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City Clerk