



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, April 12, 2016

9:00 AM

Council Chambers

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### CALL TO ORDER

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

### ROLL CALL

- Present:** 6 - Mayor John Holic, Council Member Kit McKeon, Council Member Bob Daniels, Council Member Deborah Anderson, Council Member Richard Cautero and Council Member Fred Fraize
- Excused:** 1 - Council Member Jeanette Gates

### Also Present

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Assistant City Manager Len Bramble, Assistant City Clerk Heather Taylor, and for certain items on the agenda: Fire Chief Shawn Carvey, Utilities Director Tim Hochuli, Interim Finance Director Linda Senne, Public Works Director John Veneziano, City Engineer Kathleen Weeden and Information Technology Director Jeff Bolen.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mr. Cautero.

### I. RECOGNITION

A motion was made by Council Member McKeon, seconded by Council Member Daniels, to excuse Ms. Gates from today's meeting. The motion carried by voice vote unanimously.

[16-1917](#)

Proclaim April 2016 as Child Abuse Prevention Month, Presented to Tamara Tridle, Program Director of the Supervised Visitation Program, Child Protection Center

Mayor Holic presented this proclamation.

[16-1918](#)

Proclaim April as Donate Life Month, Presented to James Lavery, Liver Recipient, LifeLink Foundation, Inc.

Ms. Anderson presented this proclamation.

[16-1919](#)

Proclaim March as Problem Gambling Awareness Month, Presented to

Jason Smith, Director of Prevention Services, Florida Council on Compulsive Gambling

**This proclamation was not presented.**

16-1920

Proclaim April 2016 as Water Conservation Month, Presented to Tim Hochuli, Utilities Director, Utility Department, Jim Anderson, Operations Supervisor, Utility Department and Tara Poulton, Government Affairs Program Manager, Southwest Florida Water Management District (SWFWMD)

**Mr. Daniels presented this proclamation.**

16-1921

Proclaim March 29, 2016 as Welcome Home Vietnam Veteran's Day, Presented to Jean Catsakis, Chairman, DAR Service for Veterans Committee and Clarissa Thomasson, Sara De Soto Chapter Regent

**Mr. McKeon presented this proclamation.**

16-1922

Proclaim April 10, 2016 as Gopher Tortoise Day, Presented to Edie Driest, North Port Friends of Wildlife (FOWL)

**Mr. Fraize presented this proclamation.**

## II. AUDIENCE PARTICIPATION

David Decker, 2234 E. Village Circle, Venice 31293, requested city council consider lighting the palm trees on Venice Avenue year round and installing signs at the roundabout to encourage the use of turn signals.

Discussion followed regarding Mr. Daniels' meeting summary with the secretary of transportation, district one and the city manager and the county working with Florida Department of Transportation (FDOT) to redesign the roundabout.

Don O'Connell, 500 Hauser Lane, commented on county discussion regarding the redevelopment of the Seaboard Avenue area, benefits of the area being a mixed use district and hiring Victor Dover to conduct a sector plan.

Discussion followed regarding the planning department establishing a zoning change for the businesses currently in the Seaboard area, the comprehensive plan update and the request for Mr. Dover to submit a proposal.

## III. CONSENT SECTION:

Discussion took place regarding the new police hires being for non-emergency issues, use of 911 in regards to the December 8, 2015 minutes and the timeframe for road transfer signs being changed to their

respective color.

A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve items in the Consent Section with the exception of CON. NOS. 49-2016 and 50-2016 and Item Nos. 16-1930, 16-1931, 16-1932, 16-1933 and 16-1934. The motion carried by voice vote unanimously.

#### **A. MAYOR**

[16-1923](#) Appoint David Williams to the Citizen Tax Oversight Committee to Serve a Term from April 13, 2016 until April 31, 2019

**This Appointment was approved on the Consent Agenda.**

[16-1924](#) Appoint Joseph Pokorney to the Economic Development Advisory Board to Serve a Term from April 13, 2016 until April 31, 2019

**This Appointment was approved on the Consent Agenda.**

[16-1925](#) Appoint David Kotek to the Construction Board of Adjustments and Appeals to Complete the Term of Seth Hill from April 13, 2016 until July 31, 2017

**This Appointment was approved on the Consent Agenda.**

[16-1926](#) Appoint Fred Gibson to the Construction Board of Adjustments and Appeals to Complete the Term of James Soller from April 13, 2016 until July 31, 2018

**This Appointment was approved on the Consent Agenda.**

[16-1927](#) Appoint Kevin Collins to the Economic Development Advisory Board to Serve a Term from April 13, 2016 until April 31, 2019

**This Appointment was approved on the Consent Agenda.**

#### **B. CITY CLERK**

[16-1928](#) Minutes of the December 8, 2015 and March 22, 2016 Regular Meetings

**These Minutes were approved on the Consent Agenda.**

#### **C. CITY MANAGER**

##### Engineering

[16-1929](#) Authorize the Mayor to Execute the First Amendment to the Interlocal Agreement Between City of Venice and Sarasota County Regarding the Transfer of County Maintained Local Roads on the Isle of Venice to the City of Venice and the Transfer of a Segment of Laurel Road and a Segment of Pinebrook Road, Including a Bridge, to Sarasota County

**This agreement was approved on the Consent Agenda.**

CON. NO.  
49-2016

Award Piggyback Contract to Frederick Derr & Company, Inc., in the Amount of \$158,500.32 to Construct Sidewalk Gap Project for Portions of Ridgewood Ave., Avenue des Parques, Armada Rd. S., Armada Rd. N. and Menendez St., Pedestrian Improvements on Field Ave. Adjacent to Student Leadership Academy and Upgrades to the St. Augustine, Nassau, Santa Maria Intersection to Improve Pedestrian and Vehicular Safety

Discussion took place regarding the contract not including reported sidewalks needing repair.

Ms. Weeden spoke to increasing the contingency amount in the contract to allow for repair of additional sidewalks and stated that she will report back to council regarding sidewalks not completed due to lack of funding.

Discussion followed regarding piggybacking on contracts, Metropolitan Planning Organization (MPO) funding of sidewalks in other municipalities and working with Florida Department of Transportation (FDOT) for funding.

In response to council questions, Ms. Weeden spoke to the time frame if the city were to go through the bid process for local bids.

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve CON. NO. 49-2016 with the modification to allow engineering to increase the contract with funds available to repair sidewalks as discussed. The motion carried by voice vote unanimously.**

16-1930

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida and the City of Venice for Soccer Field #3 LED Lighting at Venice Wellfield Park and Acknowledge a Future Budget Amendment will be Required for the Total Project Costs and Funding Sources

Discussion followed regarding the use of park impact fees, the project not being a result of capacity increase or growth, verbiage in the contract regarding city impact fees, residential development, county and city park systems, verbiage consistency throughout the contract and qualifications for the use of impact fees.

Mr. Persson reviewed the verbiage in question, noted wording to be amended in the contract, and commented on reviewing the interlocal agreement and possibly removing the fourth whereas clause.

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to remove the fourth whereas clause.**

Discussion followed regarding the procedure to review contracts prior to presentation to council and the possibility to postpone the item until the

next city council meeting.

Ms. Weeden reviewed the proposed changes presented by council.

Discussion continued regarding modifying the agreement to be consistent with Exhibit A.

**Mr. McKeon withdrew his motion. Mr. Daniels withdrew his second.**

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to postpone Item No. 16-1930 until the April 26, 2016 city council meeting to allow for modifications.**

Discussion followed regarding holding a special meeting prior to the workshop on April 19, 2016.

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to table Item No. 16-1930. The motion carried by voice vote unanimously.**

16-1931

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida and the City of Venice in the Amount of \$23,000 for a Croquet Court Expansion at Venice Wellfield Park and Acknowledge a Future Budget Amendment will be Required to Revise the Total Project Cost of \$65,000 and to Identify Funding Sources

Discussion followed regarding verbiage in the contract needing to be consistent.

**A motion was made by Council Member Anderson, seconded by Council Member Fraize, to table Item No. 16-1931. The motion carried by voice vote unanimously.**

16-1932

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida, and the City of Venice in the Amount of \$500,000 for Improvements at Pinebrook/Edmondson Roads Intersection

In response to council questions, Ms. Weeden commented on the interlocal agreement with Sarasota County for the road transfer, reallocating funds from the airport access road to these projects consistent with the adopted budget, county operational responsibility of Pinebrook Road, no city requirements to fix the intersections and the project being city initiated.

Discussion continued regarding the county's expectation that city impact fees be used to pay for the projects, review of city impact fees and widening Pinebrook Road.

**A motion was made by Council Member Daniels, seconded by Council Member Anderson, to table Item Nos. 16-1932 and 16-1933 until staff is able to answer council's questions.**

Ms. Weeden suggested postponing both items until the April 26, 2016 meeting and suggested that Item No. 16-1929 be postponed.

**Mr. Daniels restated his motion to postpone Item Nos. 16-1932 and 16-1933 until the April 26, 2016 meeting. Ms. Anderson agreed on her second.**

Discussion continued regarding verbiage changes in Item No. 16-1933.

Ms. Weeden stated that she would like to not delay the airport project and that she would bring back the modifications for the project at the next council meeting and requested council direction on the two projects.

Discussion continued regarding city and county obligations in the interlocal agreement.

Ms. Weeden stated that the two projects are tied to a change in the transfer agreement that frees up the money for the airport access road to fund other projects and that she would bring back the projects independent unless council provides alternate direction.

Discussion ensued regarding funding for the Airport Avenue improvements and discussing with the county approval of the funding agreement without modifying the road transfer agreement.

**Mr. Daniels restated his motion to only include Item No. 16-1932. Ms. Anderson seconded the motion.**

**The motion passed by voice vote unanimously.**

Discussion followed regarding the attorney working with department heads to formulate contracts prior to presentation to city council.

Mr. Persson commented on the procedure, suggested that questions be presented to the city manager or himself at the time the agenda is posted and spoke to issues with standardization of leases.

#### 16-1933

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida, and the City of Venice in the Amount of \$500,000 for Improvements at S. Harbor Drive at Airport Avenue/Beach Road

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-1933.**

Discussion followed regarding consistency in the agreement, the use of road impact fees, verbiage regarding a roundabout or right turn lane and characterization of a safety issue.

**The motion carried by voice vote with Ms. Anderson and Mr. Fraize opposed.**

Recess was taken from 11:11 a.m. until 11:20 a.m.

#### Public Works

[CON. NO.  
50-2016](#)

Approval of Continuing Contract with Kimley-Horn and Associates, Inc. for Landscape Architecture Services for an Initial Term of Three Years with Three Optional One-Year Renewals

Discussion took place regarding the request for qualifications (RFQ) responses.

Mr. Veneziano commented on the initiation of the project, alternatives for future landscaping, tree inventory requirements, funds used for palm trees, maintaining current trees, using the Chamber of Commerce as a source for RFQs.

**A motion was made by Council Member Daniels to approve CON. NO. 50-2016. The motion failed due to lack of a second.**

### Utilities

[16-1934](#)

Execution of Change Order No. 2 with MWH Americas, Inc. Work Assignment #3, Aeration and Headworks Improvements, in the Amount of \$67,075, with a New Contract Amount of \$1,167,195

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-1934.**

Discussion followed regarding the plan to update utilities on the island, contracting for services on residents' property and the city's responsibility to residents.

**The motion carried by voice vote unanimously.**

## IV. PUBLIC HEARINGS

### UNFINISHED BUSINESS

#### ORDINANCES - FINAL READING AND PUBLIC HEARING

[ORD. NO.  
2016-04](#)

An Ordinance of the City of Venice, Florida Extending the City's Consent to the Inclusion of the Incorporated Area of the City of Venice in the Sarasota County Emergency Medical Services Municipal Service Taxing Unit; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communication had been received and that no one signed up to speak.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member**

**McKeon, that Ordinance No. 2016-04 be approved and adopted.**

Discussion followed regarding the city not receiving revenue for the wear and tear of vehicles and city council partnership discussions.

**The motion carried by the following vote:**

**Yes:** 5 - Mr. McKeon, Mr. Daniels, Ms. Anderson, Mr. Cautero and Mr. Fraize

**No:** 1 - Mayor Holic

**Excused:** 1 - Ms. Gates

## V. NEW BUSINESS

### A. COUNCIL ACTION/DISCUSSION

#### 16-1945

Request City Council Approval for the Emergency Purchase for the Pressure Washing of West Venice Avenue

**A motion was made by Council Member Daniels, seconded by Council Member Fraize, to approve Item No. 16-1945.**

Mr. Lavallee stated that the emergency was no longer applicable as two quotes had been received and requested the item be removed.

**Mr. Daniels and Mr. Fraize withdrew their motion and the item was removed from the agenda.**

#### 16-1935

Street Light Discussion (Holic)

Mr. Lavallee spoke to the item to include maintenance issues, addressing the current lighting issues and the systematic replacement of the lights with LED in the fiscal year 2017 budget.

Discussion ensued regarding notification of staffing issues and costs for streetlights per year.

Mayor Holic read an email from Mack Wilcox regarding his service on the Economic Development Advisory Board.

Recess was taken from 11:55 a.m. until 1:00 p.m.

## AUDIENCE PARTICIPATION

Jerry Collins, IAFF, expressed his concerns regarding merger discussions revolving strictly around depreciation values, the reserve fire engine, removal of the brush truck, allowing Chief Carvey to provide council with his plan and change of funding structure.

Kevin Barton, 1300 N. Jackson Rd, spoke to the protection of the gopher tortoises at Pinebrook Park.

**COUNCIL ACTION/DISCUSSION - Continued**16-1936

Direct the City Manager and Staff to Work with Special Events to Move Traffic at a Faster Pace (Daniels)

Discussion took place regarding traffic signalization, use of remote traffic controllers, increase in special event attendance and staff providing council with results from the traffic flow study.

**A motion was made by Council Member Fraize, seconded by Council Member Cautero, to direct the city manager and Chief Mattmuller to develop a process to have remote traffic controllers used by the police department at special events, to be paid for by the event holder.**

Discussion followed regarding cutting down on events in the interest of residents, practices at St. Armands for pedestrian safety, review of data from the traffic study and traffic issues.

The motion carried by voice vote unanimously.

**B. PRESENTATIONS WILL BE HEARD AT 1:00 P.M. OR SHORTLY THEREAFTER  
- AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO  
ACCOMMODATE PRESENTATIONS**16-1938

Robert Vedder, Venice Area Beautification Inc.: Request Council Approval to Place a Bronze Statue at the Southeast Corner of Nokomis Avenue and Venice Avenue

Mr. Vedder spoke to the upcoming America in Bloom event, displayed a photo of the location and the proposed statue, commented on stepping stones to be placed in the garden to allow for photographs and responded to council questions regarding securing the statue and the items being donated to the city.

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-1938. The motion carried by voice vote unanimously.**

16-1939

Jim Foubister, Venice Cares: The Next Step; Serve Florida - Meet the Need (10 min.)

Mr. Foubister commented on the name change of Venice Cares to Serve Florida, the online system and participation in the organization, played a video about Meet the Need and spoke to the organization's goals and needs.

Discussion followed regarding use of the city warehouse/county emergency medical system (EMS) building.

**A motion was made by Council Member Daniels, seconded by Council Member Fraize, to endorse Serve Florida. The motion carried by voice vote unanimously.**

16-1940

Utilities Director Tim Hochuli: Lime Sludge Pond Closure Alternatives

Analysis and Request Council Approval to Proceed with Alternative Two (10 min.)

Mr. Hochuli provided an aerial of lime sludge ponds in Pinebrook Park, commented on the purpose of the study being to evaluate alternatives to close the existing pond sites, alternatives evaluated, trees and vegetation at the pond, advantages and disadvantages of the alternatives, cost estimates, staff's recommendation to proceed with alternative two to remove the lime sludge and use berm material to fill the pond and the temporary relocation of gopher tortoises.

Mr. Lavalley responded to council questions regarding removing the hazard and potential uses.

Discussion continued on protecting Pinebrook Park, relocation of tortoises, restoring the pond to a natural habitat, obtaining opinions of wildlife organizations and/or Friends of Pinebrook Park, safety concerns, consultant costs, proposals to remove the sludge and locations of the gopher tortoises.

Mr. Hochuli commented on previous actions taken to clear evasive landscaping.

Discussion ensued regarding budget issues, prioritizing utility needs and the need for more information.

Tom Pendergrass, Friends of Pinebrook Park, distributed a report from the gopher tortoise council and commented on the design report not including the gopher tortoises, costs to remove tortoises and possible modifications of alternative one to save the berm and eliminate the relocation of the tortoises and requested the city work with the Friends of Pinebrook Park for a solution.

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve alternative one with the addition that the city have a letter of understanding agreement with the Friends of Pinebrook Park on the conditions of this project prior to any contract.**

Discussion followed regarding the responsibility placed on Friends of Pinebrook Park, not issuing a contract without a letter from Friends of Pinebrook Park, the letter of understanding coming back to council and other options that may come out of discussions with Friends of Pinebrook Park.

Mr. Pendergrass provided his perspective regarding developing a solution that satisfies the needs of the city, citizens and the tortoises.

Mr. Hochuli commented on constraints needed to come to an agreement and the possibility that some burrows may be impacted.

Mr. Persson clarified that meetings with the city and Friends of Pinebrook Park representatives would be in the sunshine and the city clerk would need to draft a resolution.

**Mr. Daniels and Mr. McKeon withdrew their motion.**

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to recommend the utilities director proceed with alternative one, take into account all factors and present to city council at a later meeting.**

Discussion followed regarding time spent reviewing alternative one and concern with the influence of citizens.

**The motion carried by voice vote with Ms. Anderson opposed.**

Recess was taken from 3:08 p.m. until 3:16 p.m.

#### 16-1941

City Manager Ed Lavalley and Interim Finance Director Linda Senne: Plan to Fund Underpayment to Pensions and Request Council Approval of Budget Cut Items (10 min.)

Ms. Senne commented on the suggested budget cuts to meet the \$2 million pension obligation in fiscal year 2016 to include a finding of necessity for the Seaboard area, estimated fund balance, and the one-cent voted sales tax fund deferments to include the generators for the police station and city hall and the city hall entryway.

Discussion followed regarding spending of one-cent sales tax in arrears, removing the traffic signalization study from the city's budget, Anita's Sandcastle funding from West Coast Inland Navigation District (WCIND) and the current status of a generator at city hall.

Mr. Lavalley spoke to the total cost to provide generator back up to city hall and the hardness rating of city hall.

Mr. Bolen commented on backup locations, UPS for small data center in the IT department and phones working over the ethernet.

Discussion continued regarding the end of year unassigned fund balance, funding of the AJAX property, use of impact fees to reimburse the utility fund, rate increases in utilities, and the purchase and designation of the AJAX property.

Ms. Weeden responded to council questions regarding the timeframe to use park impact fees.

**A motion was made by Council Member Cautero, seconded by Council Member Daniels, to accept the budget revisions to close the \$2.2 million gap in the adopted 2016 budget. The motion carried by voice vote unanimously.**

#### ***COUNCIL ACTION/DISCUSSION - Continued***

16-1937

Follow Up from the March 31, 2016 Joint Meeting with the Sarasota Board of County Commissioners Regarding Fire Department Merger Discussions (Cautero)

Mr. Lavalley provided updates to include fire department fleet.

Discussion followed regarding drafting of the depreciation list, items included on the list, suspending further discussion of a merger to allow for staff to show money saving strategies, dedicating energy and resources on constructive partnerships with the county to include a temporary and permanent library, master parks plan and clarification of impact fees, potential productivity initiatives, the potential to confuse and frustrate citizens if it were to go to a referendum, citizen input received, previous discussion with the county regarding distribution of revenue, alternate funding options of the fire pension deficit, looking into a Municipal Service Benefit Unit (MSBU), subsidizing the revenue and impact fees on new developments.

**A motion was made by Council Member Cautero, seconded by Council Member Anderson, to direct the city manager to end discussion with Sarasota County regarding a fire merger and thank the county for assisting the city in this initiative.**

Discussion followed on a letter received from Sarasota County regarding the city purchasing a fire engine and funding the fire department.

**The motion carried by voice vote unanimously.**

**CONSENT SECTION:- Continued*****CITY MANAGER - Continued***Engineering - Continued16-1929

Authorize the Mayor to Execute the First Amendment to the Interlocal Agreement Between City of Venice and Sarasota County Regarding the Transfer of County Maintained Local Roads on the Isle of Venice to the City of Venice and the Transfer of a Segment of Laurel Road and a Segment of Pinebrook Road, Including a Bridge, to Sarasota County

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to reconsider the vote on the motion to approve Item Nos. 16-1923 through 16-1928 and 16-1929. The motion carried by voice vote unanimously.**

**A motion was made by Council Member Cautero, seconded by Council Member McKeon to amend the motion to remove Item No. 16-1929. The motion carried by voice vote unanimously.**

**The motion as amended carried by voice vote unanimously.**

**A motion was made by Council Member Daniels, seconded by Council Member Cautero, to postpone Item No. 16-1929 until the April 26, 2016 city council**

meeting. The motion carried by voice vote unanimously.

16-1930

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida and the City of Venice for Soccer Field #3 LED Lighting at Venice Wellfield Park and Acknowledge a Future Budget Amendment will be Required for the Total Project Costs and Funding Sources

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to remove Item Nos. 16-1930 and 16-1931 from the table. The motion carried by voice vote unanimously.**

Mr. Persson spoke to the change in verbiage in the whereas clauses.

**A motion was made by Council Member Daniels, seconded by Council Member Cautero to approve Item No. 16-1930 as revised. The motion carried by voice vote unanimously.**

16-1931

Authorize the Mayor to Execute the Locally Funded Agreement Between Sarasota County, Florida and the City of Venice in the Amount of \$23,000 for a Croquet Court Expansion at Venice Wellfield Park and Acknowledge a Future Budget Amendment will be Required to Revise the Total Project Cost of \$65,000 and to Identify Funding Sources

**A motion was made by Council Member Daniels, seconded by Council Member Fraize to approve Item No. 16-1931 as revised. The motion carried by voice vote unanimously.**

## C. ORDINANCES

ORD. NO.  
2016-05

An Ordinance of the City of Venice, Florida Amending the Code of Ordinances, Chapter 62, Streets, Sidewalks and Other Public Places, by Adding Article VI, Mobile Vending; Establishing Regulations for Mobile Vending; Providing for Severability; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only and stated no one signed up to speak.

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Ordinance No. 2016-05 on first reading and schedule it for final reading.**

Discussion followed regarding raising the fee to \$500, verbiage designating the south jetty as a mobile vending location and hours of operation, review of the issues by the parks and recreation advisory board, sale of liquor, and maintaining the city's character.

Mr. Lavalley spoke to the right-of-way around the jetty, creating a defined and limited space to allow the mobile vendor to operate their business and public demand.

Discussion continued regarding verbiage about hiring employees, timeline for appeals, WCIND violations, correcting issues with the jetty

and the current contract regarding Anita's Sandcastle.

**Mr. Daniels moved to call the question. The motion failed due to lack of a second.**

Discussion continued regarding review by the traffic advisory task force and the parks and recreation advisory board and the number of intended vendors.

Mr. Lavallee commented on the removal of Anita's Sandcastle, defining the physical location and the availability for a turn around location.

Discussion followed regarding restrooms at the location.

**A motion was made by Council Member Daniels, seconded by Council Member Fraize, to postpone Ordinance No. 2016-05 to give the city manager time to resolve the issues until the May 24, 2016 city council meeting. The motion carried by voice vote with Ms. Anderson opposed.**

Recess was taken from 5:10 p.m. until 5:17 p.m.

ORD. NO.  
2016-06

An Ordinance of the City of Venice, Florida Amending the Code of Ordinances Chapter 2, Administration, to Add Article IX, Donations; Authorizing the Acceptance of Donations for any Public Purpose; Creating a Procedure for the City to Accept Donations; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only and stated no one signed up to speak.

**A motion was made by Council Member Daniels, seconded by Council Member Fraize, that Ordinance No. 2016-06 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 6 - Mayor Holic, Mr. McKeon, Mr. Daniels, Ms. Anderson, Mr. Cautero and Mr. Fraize

**Excused:** 1 - Ms. Gates

## VI. CHARTER OFFICER REPORTS

### City Attorney

16-1942

Dave Persson, City Attorney: Extraordinary Mitigation Fees (EMF)

Mr. Persson reported on the attachments regarding extraordinary mitigation fees.

Discussion followed regarding adjustments to accommodate projects that need to be funded and segregating the fund in a separate account with expenditures being listed.

Mr. Persson spoke to his suggestion to the city manager to not spend the money until the issue has been resolved and responded to council

questions regarding the status of litigation and the benefits of a solution.

Mr. Lavalley clarified that past contractors and developers have paid into the fund and that the money is deposited in the general revenue fund.

Mr. Persson clarified there is no litigation and opined the city should have an impact fee subject matter expert.

Discussion followed regarding having a workshop on impact fees.

Mr. Lavalley spoke to the regulation of impact fees, timeframe to submit the comprehensive impact fee request to the county and internal responsibility of staff to inform council of the fund balance and responded to council questions regarding providing feedback on the timeline for submitting the master project list for impact fees.

#### City Clerk

Ms. Stelzer had no report.

#### City Manager

##### 16-1943

#### Venice Library Update

Mr. Bramble provided an update to include opening bids for the temporary library facility, expected completion date, ingress and egress issues, safety of pedestrians and bicyclists, ADA parking, under bridge parking, county workshops regarding the permanent library facility, identifying pros and cons of prospective sites and possible collaboration of the library and archive functions.

Discussion followed regarding distribution of the county update memo and use of the bicycle trail.

##### 16-1944

#### Legacy Park Funding Update

Ms. Weeden suggested postponing discussion until the next meeting and spoke to the county's interpretation regarding ownership of park impact fees and the need for clarity in the interlocal agreement.

## VII. COUNCIL REPORTS

### ***Council Member Fraize***

Mr. Fraize reported on his attendance at an environmental meeting regarding global warming, an environmental symposium and a meeting at the police station regarding the tennis courts.

### ***Council Member Anderson***

Ms. Anderson had no report.

**Council Member Daniels**

Mr. Daniels commented on a letter from Mr. Lavallee regarding banking and his upcoming Metropolitan Planning Organization (MPO) conference and providing input to council regarding the high turnover rate at the police department.

**Council Member McKeon**

Mr. McKeon commented on a comparative salary survey and his attendance at the planning commission meeting.

**Council Member Gates**

Ms. Gates was excused.

**Council Member Caetero**

Mr. Caetero had no report and suggested ideas regarding agenda reconstruction.

**Mayor Holic**

Mayor Holic reported on a post office teleconference he had with officials from the post office and stated that a letter was drafted and sent to the post office.

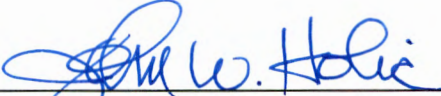
**VIII.. AUDIENCE PARTICIPATION**

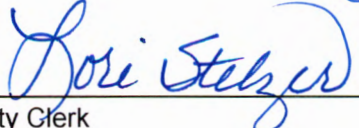
No one signed up to speak.

**IX. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 6:19 p.m.

ATTEST:

  
\_\_\_\_\_  
Mayor - City of Venice

  
\_\_\_\_\_  
City Clerk