



City of Venice

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

Meeting Minutes City Council

Tuesday, October 12, 2021

9:00 AM

Council Chambers

[21-5276](#)

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

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:03 a.m.

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Vice Mayor Richard Cautero, Council Member Helen Moore, Council Member Nick Pachota, Dr. Joseph Neunder, Council Member Brian Kelly and Dr. Margaret Fiedler

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Information Technology Director Christophe St. Luce, and Administrative Coordinator Toni Cone, and for certain items on the agenda: Police Chief Tom Mattmuller, Planning and Zoning Director Roger Clark, and Planner Kristin Ward.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mayor Feinsod.

I. RECOGNITION

[21-5277](#)

Proclaim the Month of October 2021 as "Domestic Violence Awareness Month", Presented to Sigrid Stang, SPARCC InVest Advocate

Mayor Feinsod presented this proclamation.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Council Member Kelly, seconded by Dr. Fiedler, to approve items in the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

A. MAYOR

[21-5278](#) Nominate John Hinshaw as the City of Venice Representative to the Sarasota County Parks Advisory Recreation Council (PARC) to Complete the Unexpired Term of Linda Kenfield Andrews from October 12, 2021 Until September 30, 2023

This appointment was approved on the Consent Agenda.

[21-5279](#) Reappoint Jon Barrick to the Architectural Review Board to Serve a Term From November 1, 2021 Until October 31, 2024

This reappointment was approved on the Consent Agenda.

[21-5280](#) Appoint Scott Blaser to the Parks and Recreation Advisory Board to Serve a Term from November 1, 2021 Until October 31, 2024

This appointment was approved on the Consent Agenda.

B. CITY CLERK

[21-5281](#) Minutes of the September 28, 2021 Regular Meeting and Budget Public Hearing

These minutes were approved on the Consent Agenda.

C. CITY MANAGER

Finance

[21-5282](#) Approve Accounts Receivable Write-Offs of \$20,117 from the Utility System and \$1,807 from the Miscellaneous Receivables System

This item was approved on the Consent Agenda.

Police

[21-5283](#) Approve Interagency Agreement between Sarasota County Sheriff's Office and the City of Venice for Use of the Knight Trail Park Gun Range

This item was approved on the Consent Agenda.

[21-5284](#) Approve Interagency User Agreement between Sarasota County Sheriff's Office and the City of Venice for Criminal Justice Information Exchange and Use (WinGS)

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

There were none.

V. PUBLIC HEARINGS

A. Appeal

[21-05AP](#)

Withdrawn by Appellant:

Consider and Act on Appeal of Planning Commission's Approval of Variance Petition No. 21-12VZ to Allow for Construction Seaward of the Gulf-Front Setback Line for the Property Located at 1100 Sunset Drive Owned by Craig P. and Julie A. Hoensheid (Quasi-Judicial)

Mayor Feinsod announced this item was withdrawn by the appellant.

B. Preliminary Plat Petitions

[CC 21-03PP](#)

Consider and Act Upon Preliminary Plat Petition No. 21-03PP for Rustic Road South to Develop a Four Hundred Single-Family Residential Unit Subdivision Located South of Rustic Road Between I-75 and Knights Trail Road (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial hearing and opened the public hearing.

Ms. Fernandez questioned council members regarding ex-parte communications and conflicts of interest. There were none.

There were no written communications.

Mr. Lavallee announced Mr. Clark had been appointed Planning and Zoning Director.

Mr. Clark, being duly sworn, responded to council questions regarding the status of the road, access, fire marshal, Honore Avenue extension, complete street elements, sidewalks, county standards, width of road, emergency access, gate, Phase I and Phase II, development standards, and accessory structures.

Jackson Boone, agent, being duly sworn, presented on the preliminary plat petition, including Rustic Road improvements through Sarasota County, sidewalks under I-75 bridge, approval of Florida Department of Transportation (FDOT), emergency access in phase I, and answered council questions regarding noise, gun range, and buffer with I-75.

Jordan Schrader, Clearview Land Design, being duly sworn, spoke about FDOT pond, extra buffer, drainage conditions, vegetation, landscaping, fencing, elevations, stormwater pond, and optional eight-foot wall.

Mr. Boone answered council questions regarding the gun range, written disclosures, visual indication, buffers, and neighborhood meetings.

Mr. Caution commented on the noise from I-75 and gun range and buffers.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

Ms. Fernandez answered a council question regarding the motion and noted council is approving the plat and no other modifications were needed.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, to approve Development Order No. 21-03PP for Rustic Road South. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Caution, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

[CC 21-05PP](#) Consider and Act Upon Preliminary Plat Petition No. 21-05PP for Rustic Road North to Develop a Two Hundred Ninety-Six Single-Family Residential Unit Subdivision Located Northwest at the Intersection of Ranch Road and East of I-75 (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial hearing and opened the public hearing.

Ms. Fernandez questioned council members regarding ex-parte communications and conflicts of interest. There were none.

There were no written communications.

Council declined a staff presentation.

Jackson Boone, agent, being duly sworn, requested the staff report be adopted as part of his presentation, the petition is consistent with the comprehensive plan and requested approval of the preliminary plat petition.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Pachota, to

approve Development Order No. 21-05PP for Rustic Road North. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

C. ORDINANCES - FIRST READING

[ORD. NO.
2021-37](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 21-06RZ, Relating to Property in the City of Venice Located at the Eastern Terminus of Gene Green Road (44.34± Acres) Owned by the City of Venice, to Change the Zoning Designation from Planned Industrial Development (PID) to Government Use (GU); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members concerning ex-parte communications and conflicts of interest. There were none.

There were no written communications.

Council declined staff presentation.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Pachota, seconded by Dr. Fiedler, that Ordinance No. 2021-37 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

VI. NEW BUSINESS**ORDINANCES**[ORD. NO.
2021-41](#)

An Ordinance of the City of Venice, Florida, Providing an Annual Update of the Five Year Capital Improvement Schedule for Fiscal Years 2022-2026 Including A Long Range Schedule of Capital Improvements for Years 2027-2031 Contained in the Appendix of the City of Venice 2017-2027 Comprehensive Plan; 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.

Mr. Clark provided a staff presentation and answered council questions regarding table 7A, five-year plan, funding source, and the capital improvement program.

Discussion ensued on priorities, funding sources being unknown, projections, not getting into the details, and this being a framework.

Mr. Pachota called for a point of order to give staff the opportunity to present.

Mayor Feinsod spoke regarding county roads and stated this is not a funding schedule.

Mr. Clark noted this is not a funding document, but an opportunity to set priorities for projects and schedules, it is necessary for level of service and is consistent with the capital improvement program (CIP). He reported on the priorities and rankings, within city boundaries, but are county or state facilities or roads that have been identified as having issues and/or failures through traffic studies done by traffic professionals. Mr. Clark discussed volume to capacity (VC) ratios, Pinebrook Road from East Venice Avenue to Center Road, adaptive traffic signals, Edmondson Road and Auburn Road, letting the owners of these facilities know the city's priorities, Sarasota County Commission, Department of Economic Opportunity (DEO), Florida Department of Transportation (FDOT), Metropolitan Planning Organization (MPO), and that other agencies will be seeking funding.

Discussion took place regarding traffic on Pinebrook Road, signalization, and the west bound failure at the intersection.

Mr. Clark commented that the engineering and planning departments did a traffic presentation at the CIP workshop.

Discussion continued regarding the Sarasota Memorial Hospital (SMH) driveway, Laurel Road, emergency access, funding for the signal, and communication with FDOT.

Discussion ensued regarding priorities, circumstances, Pinebrook Road, and Venice Avenue.

Mr. Clark discussed volume to capacity ratios and consistency.

Dr. Neunder left the dais at 9:44 a.m. and returned at 9:46 a.m.

Mr. Clark responded to council request for documentation on studies and failures.

Recess was taken from 10:35 a.m. until 10:45 a.m.

Dr. Neunder left the meeting at 10:43 a.m. and did not return.

Mr. Clark displayed Dr. Fiedler's proposed rankings.

Mr. Clark responded to an inquiry that these studies indicate the priorities and traffic studies are done with new developments and the same failures have continued to be identified.

Mr. Lavallee stated this is a moving target, top priorities have not moved, and this is an opportunity for council input and recommendation.

Discussion continued regarding contributions, data, and rankings.

Mr. Cautero called the question.

A motion was made by Council Member Kelly, seconded by Council Member Moore to approve Ordinance No. 2021-41 on first reading and schedule it for final reading.

A motion was made by Dr. Fiedler, seconded by Council Member Kelly to amend the motion to include the priority chart, as presented. The motion failed by the following vote:

Yes: 1 - Dr. Fiedler

No: 5 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota and Mr. Kelly

Absent: 1 - Dr. Neunder

The original motion carried by the following vote:

Yes: 5 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota and Mr. Kelly

No: 1 - Dr. Fiedler

Absent: 1 - Dr. Neunder

A. RESOLUTIONS

[RES. NO. 2021-20](#)

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Requesting the Florida Department of Transportation Prepare and Enter Into a Lease Agreement with the City of Venice to Provide Parking Beneath the KMI Bridge; Directing the City Manager to Enter Into Negotiations with the Florida Department of Transportation Regarding Said Lease; 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 Pachota, that Resolution No. 2021-20 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Mr. Kelly and Dr. Fiedler

Absent: 1 - Dr. Neunder

B. COUNCIL ACTION/DISCUSSION

[21-5285](#)

Direct Staff to Provide an Update on the Capital Improvement Schedule for Roads, Including the Current and Proposed Schedule, and Priority Listing (Fiedler)

Dr. Fiedler withdrew Item Nos. 21-5285 and 21-5286.

[21-5286](#)

Direct Staff to Provide an Update on the Northeast Park, Including Status, Vision, Location and Timeline (Fiedler)

Mr. Lavallee stated that staff is in discussion and negotiations regarding property acquisitions and when a proposal is complete it will come to council.

[21-5287](#)

Discussion on Meeting Procedures (Pachota)

Mr. Pachota spoke regarding how meetings are conducted and Resolution No. 2021-43 regarding meeting attendance, points of order, and technology due to pandemic. He would like to keep order on the dais and if the mayor or vice mayor is not in person, recommended having council elect an in-person chair to preside over the meeting.

Discussion followed on meeting efficiency, points of order not being recognized, technology issues, and successfulness of the hybrid format.

Mr. Pachota noted there will be new council member(s) coming in, meetings have not been fluid and recommended amending the resolution to function efficiently for constituents and the city.

Discussion took place regarding the technology, issues, and solutions.

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez updated council on the status of the Murphy Oaks appeal.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee gave a holiday parade update regarding safety provisions, noted the chamber of commerce is interested in participating as a business partner, and responded to a council question regarding the road resealing project.

VIII. COUNCIL REPORTS

Council Member Fiedler

Dr. Fiedler had no report.

Council Member Pachota

Mr. Pachota had no report.

Council Member Moore

Ms. Moore noted the road conditions have been updated by engineering via emails with detail and can be forwarded to constituents.

Council Member Neunder

Dr. Neunder was absent.

Council Member Kelly

Mr. Kelly stated he attended the Florida League of Cities Institute for Elected Municipal Officials training and recommended newly elected officials attend as soon as possible.

Council Member Cautero

Mr. Cautero thanked constituents, staff, and council for support during his health issue and offered gratitude to health care providers who have been working tirelessly during the pandemic.

Mayor Feinsod

Mayor Feinsod commented on the ceremony for the grand opening of the affordable housing at Venetian Walk and would like more done in this direction.

IX. AUDIENCE PARTICIPATION

No one signed up to speak.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 11:38 a.m.

ATTEST:

Mayor - City of Venice

City Clerk