



City of Venice

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

Meeting Minutes City Council

Tuesday, August 27, 2013

9:00 AM

Council Chambers

Broadcast

CALL TO ORDER

ROLL CALL

Present: 7 - Mayor John Holic, Vice Mayor Bob Daniels, Council Member Jim Bennett, Council Member Emilio Carlesimo, Council Member Jeanette Gates, Council Member Kit McKeon and Council Member David Sherman

Also Present:

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Judy Gamel, and for certain items on the agenda: Airport Administrator Chris Rozansky, Finance Director Jeff Snyder, City Engineer Kathleen Weeden, and Planner Roger Clark.

INVOCATION AND PLEDGE OF ALLEGIANCE

Led by Ms. Stelzer.

I. RECOGNITION

[TMP-0528](#)

Fire Department Company Citation Award

Mayor Holic recognized Lt. Derek Lowery, Firemedic Gerry Stause, Firemedic Joshua Hunter, Lt. Tony Fitzgerald, and Firemedics Richard Lanigan, Michael Brantley, and Chad Meyers for their participation in a marine rescue.

Mayor Holic Announcements

Mayor Holic read correspondence from a city resident commending the Venice Police Department for solving the burglary of their home and locating and returning the stolen property.

II. AUDIENCE PARTICIPATION

Paul Hollowell

Mr. Hollowell complimented the Utilities Department for resolving a sewer problem at his home.

III. CONSENT SECTION:

Ms. Gates moved to approve items in the consent section. Seconded by Mr. Sherman.

Motion carried on voice vote unanimously.

A. MAYOR

[13-0101](#) Appoint Adrienne Gould-Choquette and reappoint Mark Beebe, Ruth Ann Dearybury, and Fred Hind to the Architectural Review Board to serve terms from September 1, 2013 until August 31, 2016.

The appointment and reappointments were approved.

[13-0102](#) Reappoint Kevin McGrath to the Police Pension Board of Trustees to serve a term from October 1, 2013 until September 30, 2015.

This reappointment was approved.

B. CITY CLERK

[13-0103](#) Approval of Minutes

The Minutes of the July 23, 2013 Regular Meeting were approved.

C. CITY ATTORNEY

[13-0104](#) Approve First Amendment to City Attorney Agreement

This Amendment was approved.

D. CITY MANAGER

IV. UNFINISHED BUSINESS

ORDINANCES – FINAL READING AND PUBLIC HEARING

[ORD. NO.](#)
[2013-25](#) Amending the City Charter, Part I, Charter and Related Laws, Subpart A, Charter, Article III, Legislative, Section 3.04, Elections, Terms of Office and Term Limits, Section 3.05, Compensation and Expenses, Section 3.06 Prohibitions, 3.07, Vacancies, Forfeiture of Office, Standard of Conduct, Filling of Vacancies, Emergency Succession, Procedure of Forfeiture, Section 3.08, City Clerk, Section 3.09, Procedure, Section 3.10, City Attorney, Article IV, Administrative, Section 4.02, Appointment, Qualifications, Compensation, Removal, Section 4.04, Powers and Duties of the City Manager, Article V, Financial Procedures, Section 5.02, Submission of Proposed Budget and Budget Message, Article VIII, Charter Amendments, Section 8.03, Adoption of Amendment, Articles IX, Initiative and Referendum, Article X, Recall, Section 10.01, Recall, Article XI, General Provisions, Section 11.03

Ms. Stelzer read the ordinance by title only.

Mr. Carlesimo moved that Ordinance No. 2013-25 be placed on final reading. Seconded by Mr. Bennett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received. No one from the audience came forward to speak and Mayor Holic closed the public hearing.

Responding to Ms. Gates, Ms. Stelzer indicated that forfeiture of office was regulated under state laws.

Discussion followed regarding revising Sec. 3.07, Vacancies, forfeiture of office, standard of conduct, filling of vacancies, emergency succession, procedure of forfeiture; forfeiture of office; the city manager having authority to appoint and remove personnel.

Mayor Holic closed the public hearing.

A motion was made by Council Member Sherman, seconded by Council Member Bennett, that this Ordinance be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

ORD. NO.
2013-27

Amending Chapter 98, Floods; to Adopt a New Chapter 98, Floodplain Management, Sections 98-1 Through 98-57; to Adopt Flood Hazard Maps, to Designate a Floodplain Administrator, to Adopt Procedures and Criteria for Development in Flood Hazard Areas, and for Other Purposes; to Adopt Local Administrative and Technical Amendments to The Florida Building Code

Ms. Stelzer read the ordinance by title only.

Mr. Bennett moved that Ordinance No. 2013-27 be placed on final reading. Seconded by Mr. Daniels. Motion carried on voice vote unanimously.

Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that this Ordinance be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

ORD. NO.
2013-28

Amending Chapter 66, Taxation, Article IV, Public Service Tax, Division 2, Electricity, Metered Gas and Bottled Gas, by Adding Potable and Reclaimed Water

Ms. Stelzer read the ordinance by title only.

Mr. Carlesimo moved that Ordinance No. 2013-28 be placed on final reading. Seconded by Mr. Sherman. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Sherman, seconded by Council Member Bennett, that this Ordinance be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

ORD. NO.
2013-23R

Annexing Certain Lands Lying Contiguous to the City Limits, as Petitioned by Donna Michele Nazare, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions (Vacant Lot on Guild Drive)

Ms. Stelzer read the ordinance by title only.

Mr. Carlesimo moved that Ordinance No. 2013-23 be placed on final reading. Seconded by Mr. Daniels. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mayor Holic opened the public hearing and Ms. Stelzer stated that no written communications were received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Gates, that this Ordinance be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

V. NEW BUSINESS

Mr. McKeon recognized City of Naples Council Member Teresa Heitmann.

A. PRESENTATIONS

13-0105

Economic Development Chair Candice Roberts: Update to July 11th Economic Development Advisory Board Recommendation to Fund a Long-term Economic Development Implementation Plan (10 min.)

Ms. Roberts stated the Economic Development Advisory Board recommendation encouraged implementation of the plan in anticipation of \$30,000.00 in budget funding.

Ms. Roberts reviewed the plan, explaining that the plan accomplished tasks associated with Strategic Priority No. 4, Maintain a Growing Diverse Economy.

Ed Stephenson, attorney, briefed council members on contracting with an economic development implementation expert. This expert would propose and present marketing messages and plans to appropriate people, then make recommendations based on personal contacts with interested parties, and ultimately bring an investor forward to present a proposal. This expert would also be available to provide insights and recommendations relating to proposals.

Discussion followed regarding accomplishing multiple strategic priorities; establishing a performance based compensation; recognizing council's broader strategic goals; government being in the economic development business; facilitating local economic development; interfacing with county, regional, and state economic programs; and implementing proposed plans.

A motion was made by Council Member McKeon, seconded by Council Member Bennett, to direct the City Manager to review the proposal from the Economic Development Advisory Board and to report back to City Council by September 24, 2013. The motion carried by voice vote.

13-0106**Airport Administrator Chris Rozansky: Department Update (10 min.)**

Mr. Rozansky updated council members concerning staffing, dumpster enclosure construction projects, performance of a structural analysis of a t-hangar building acquired from a lease holder in 2010, runway and golf course construction, leasing the former Honoluana Restaurant site, instrument approaches for Runway 5-23, noise mitigation, deterioration of taxiways A and C, shifting Runway 13-31 to remove it from the runway protection zone, and demolition and development of the circus arena site.

Discussion followed regarding amending the Comprehensive Plan to accommodate development of the circus arena site, prior discussions concerning development of the site, scheduling a workshop to obtain public input, noise mitigation, utilizing the proposed economic development staff person, and the Building Official's timeline for the circus arena building.

Recess was taken from 10:20 a.m. until 10:30 a.m.

13-0107**Jeff Snyder, Finance Director: Monthly Financial Report (10 min.)**

After Mr. Snyder's report, discussion ensued regarding road impact fees, projects eligible for funding, the master parks plan resolution, and library impact fees.

Mr. Snyder indicated the next financial update would be presented in January 2014.

13-0109**Kathleen Weeden, PE, City Engineer, Christopher Hatton, PE, Project Manager, Kimley-Horn and Associates and Erin Gentle, GISP, Assistant Project Manager Kimley-Horn Associates: Downtown Mobility Study Update including Wayfinding Recommendations (10 minutes)**

Ms. Gentle provided an overview of the reverse angle parking design.

Ms. Weeden and Ms. Gentle answered questions relating to prior attempts to implement angle parking, reducing accidents, not acting on prior mobility studies, downtown business employee parking, location of the test area, interacting with merging traffic,

concrete versus asphalt curbing, repaving options, bike lanes, the effects of reducing West Venice Avenue to one lane, timing traffic lights, estimated costs, alternative barriers, and public feedback.

A motion was made by Council Member McKeon, seconded by Council Member Carlesimo, to accept the restripe limited recommendation of \$20,000 for both sides (Limited Reverse-angled Parking Implementation). The motion carried by voice vote.

Ms. Gentle provided information and answered questions relating to recreational wayfinding signage, sign placement, and proposed Phase I sign types.

A motion was made by Council Member Sherman, seconded by Council Member Carlesimo, to move forward with the request for bids using the proposed wayfinding concept presented for Phase 1 (Downtown Mobility Study). The motion carried by voice vote.

B. RESOLUTIONS

[RES. NO. 2013-21](#)

Authorizing the City to Proceed with the Submittal of an Application for State Funds Under Provisions of Section 161.091, Florida Statutes, to the Florida Department of Environmental Protection, Division of Water Resource Management, Beaches and Mines via the Office of Beaches and Coastal Systems , for the Florida Beach Management Funding Assistance Erosion Control Program Budget for Fiscal Year 2014/2015 for the Venice Beach Maintenance Nourishment Project; Authorizing the City Manager to Execute Said Application and Other Required Documentation; Authorizing the City Manager to Initiate Any Related Action Incidental Thereto

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Carlesimo, seconded by Council Member Sherman, that this Resolution be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

[RES. NO. 2013-22](#)

Accepting Utilities and Improvements Installed by WCI Communities, LLC, at Venetian Golf & River Club, Phase 6

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that this Resolution be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Vice Mayor Daniels, Council Member Bennett, Council Member Carlesimo, Council Member Gates, Council Member McKeon and Council Member Sherman

C. COUNCIL ACTION

[13-02PP](#)

Preliminary Plat for Venetian Golf & River Club, Phase 5, WCI

Communities (Quasi Judicial)

Mayor Holic announced this was a quasi-judicial procedure.

Council members stated no ex-parte communications had been received relative to the petition.

Mr. Clark, being duly sworn, reviewed the project; displayed site photographs and land use and zoning maps; and advised that Planning Commission unanimously recommended approval.

Dean Paquet, Engineer of Record, Kimley Horn & Associates, being duly sworn, displayed an aerial map of the site; and discussed changes in Phase 5, including density, lot size, and the condition of previously installed piping.

Discussion ensued regarding developing lots adjacent to the pond, being zoned single-family, lot size, being serviced by county sewer and city water, and putting this area on sewer service.

A motion was made by Council Member Sherman, seconded by Vice Mayor Daniels, that this Preliminary Plat be approved. The motion carried by voice vote.

[13-0108](#)

State Legislative Priorities

Council members discussed prioritization of the state legislative priorities.

Recess was taken from 11:55 a.m. until 1:30 p.m.

A motion was made by Council Member Sherman, seconded by Council Member Bennett, to approve the 2013 State Legislative Priorities as No. 1, U.S. 41 Bypass Improvements; No. 2, Home Rule with Subsets; and No. 3, Beach Renourishment. The motion carried by voice vote.

VIII. PRIVATE ATTORNEY-CLIENT SESSION

[13-0118](#)

1:30 P.M. OR SHORTLY THEREAFTER - PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS JEFFERY L. SNYDER VS. CITY OF VENICE

In attendance will be City Attorney Dave Persson, Mayor John Holic, Vice Mayor Bob Daniels, Council Members Jim Bennett, Emilio Carlesimo, Jeanette Gates, Kit McKeon and Dave Sherman, City Manager Ed Lavalley, and Roberts Court Reporting. (Expected Duration 45 minutes)

Mayor Holic announced that a Private Attorney-Client Session was being held at this time pursuant to Florida Statute 286.011(8), to discuss Jeffery L. Snyder vs. City of Venice. In attendance will be City Attorney Dave Persson, Mayor John Holic, Vice Mayor Bob Daniels, and Council Members Jim Bennett, Emilio Carlesimo, Jeanette Gates, Kit McKeon and Dave Sherman, City Manager Ed Lavalley, and Roberts Court Reporting. It is estimated the session will last approximately 45 minutes, after which time the regular council meeting will reconvene in council chambers.

Mayor Holic reconvened the regular meeting at 2:29 p.m. and announced the

termination of the Private Attorney-Client Session.

VI. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson provided an update relating to establishing utility connections for previously annexed properties, and recommended approval of a request to waive approximately \$2,000.00 in attorney fees for 3560 East Laurel Road.

Mr. Daniels moved to waive the \$2,000.00 attorney fee for 3560 East Laurel Road for the city water and sewer connection. The motion was seconded by Mr. Sherman.

Responding to Mr. Carlesimo, Mr. Persson indicated he could not confirm this request was due to a financial hardship.

Mr. Carlesimo moved to postpone action on the motion until council received further information concerning the waiver. Seconded by Mr. Daniels. Motion failed with Mr. Daniels, Mr. Bennett, Mr. McKeon, Mr. Sherman, and Mayor Holic opposed.

Mr. Persson advised that Kelly Fernandez, assistant city attorney, would attend the September 3, 2013 Budget Public Hearing.

Responding to Mr. Carlesimo, Mr. Persson stated he would provide council members with an update on outstanding cases in approximately one week.

A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman, to waive the \$2,000.00 attorney fee for 3560 East Laurel Road for the city water and sewer connection. The motion carried by voice vote.

City Clerk

Ms. Stelzer had no report.

City Manager

[13-0110](#)

Update on Correspondence with Sarasota County on Subsidy Requested for Emergency Management Services

Mr. Lavallee reviewed correspondence in agenda packet and provided background information.

Mayor Holic expressed concerns relating to communications with county representatives concerning emergency management services (EMS) and suggested billing the county for the city's costs for delivery of this service.

Discussion followed regarding the importance of maintaining cooperative relations with county officials; costs of maintaining EMS; resolving road transfer issues; maintaining city fire and police services; county funding maintenance for parks, beach renourishment, inland waterways; and maintaining adequate staffing of fire department personnel.

Mr. McKeon left the meeting at 3:31 p.m.

Council discussion continued regarding cooperation between city and county personnel.

Mr. McKeon returned at 3:32 p.m.

Council members discussed managing expenses, millage rates, and obtaining public input concerning police and fire department costs.

Jerry Collins, International Association of Firefighters representative, commented on the fire department meeting goals of prior studies, adequate staffing, Venice not being billed for receiving assistance from the Nokomis and Sarasota County Fire Departments, and the union negotiating pension changes.

[13-0111](#)

Strategic Plan Update

Mr. Lavalley provided an update on the top ten strategic plan goals.

Discussion ensued regarding the proposed community development director position, naming an outside selection team, staff responding to council direction, staffing costs, and department headcounts.

Mr. Lavalley discussed planning the joint meeting with North Port including staff time, scheduling a special council meeting to discuss topics, and aligning discussions with Venice's strategic plan.

VII. COUNCIL REPORTS

Mayor Holic

[13-0112](#)

Suggestions on how to formulate an equitable method to assess taxes for county law enforcement services.

Mayor Holic recommended that council members review the municipal taxing service unit information he handed out prior to rescheduling this discussion.

Marty Dover, city resident, thanked council members for looking into ways to save money, urged them to maintain a cooperative relationship with Sarasota County personnel, and spoke in opposition to merging city and county police departments.

Mr. Carlesimo left the meeting at 4:16 p.m.

[13-0113](#)

Update on Venetian Walk

Mayor Holic discussed project funding.

Mr. Carlesimo returned to the meeting at 4:19 p.m.

Council Member Carlesimo

[13-0115](#)

Recommendation from Parks & Recreation Advisory Board to Change City Code Regarding Dogs in Parks

Mr. Carlesimo discussed the Parks and Recreation Advisory Board recommendation to allow dogs in more city parks.

Linda Kenfield, Parks and Recreation Advisory Board chair, reviewed board discussions relating to changing existing regulations that allow dogs only in designated city parks.

A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman, to direct staff to review the proposal from the Parks and Recreation Advisory Board concerning dogs in parks and provide a recommendation to City Council by September 24, 2013. The motion carried by voice vote.

[13-0114](#)

Urge Support from Representative Buchanan and Senators Rubio and Nelson for Legislation Relative to Federal Emergency Management Agency Policy Which Discriminates Against the Owners of Cooperative and Condominium Apartments

Mr. Carlesimo reviewed the request.

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to send a letter as requested by Council Member Carlesimo concerning the Stafford Act. The motion carried by voice vote.

Council Member McKeon

[13-0119](#)

Items for FAST Fly-in, Washington, D.C.

Mr. McKeon reported on the event scheduled from September 9 through 12, 2013 and requested council input relating to discussion items.

Vice Mayor Daniels

[13-0116](#)

Second Drop-off Station on Venice Avenue

Mr. Daniels invited Kathy Cushing to outline the request for a second drop-off station.

Ms. Cushing, Venice Street Legal owner, discussed safety concerns which prompted the request.

Discussion followed regarding reverse angle parking affecting drop offs, obtaining input from city and police department staff, and including this issue in the mobility study.

[13-0117](#)

Status of Tracking Expired Contracts, Agreements, Ordinances, etc.

Mr. Daniels requested that this item be removed from the agenda.

COUNCIL REPORTS (continued)

Ms. Gates reported that she attended a tour of a Pinellas County homeless shelter.

Mayor Holic reported on Venice Police Department arrests.

Mayor Holic commented on a Sarasota County request to area municipalities to contribute to a homeless study.

Discussion followed regarding methods of dealing with homelessness.

Mr. Sherman reported on Charlotte Harbor National Estuary discussions relating to the value of eco-tourism.

Mr. Bennett had no report.

IX. AUDIENCE PARTICIPATION

X. ADJOURNMENT

The meeting adjourned at 4:54 p.m.

ATTEST:

Mayor - City of Venice

City Clerk
