



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, April 8, 2014

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

### 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: Assistant Utilities Director Tim Hochuli, Director of Historic Resources James Hagler, Director of Administrative Services Alan Bullock, Benefits Coordinator Mary Ann Ellis, Building Official Vince LaPorta, Police Chief Tom McNulty, Police Captain Tom Mattmuller, and Fire Chief Jim Warman

### INVOCATION AND PLEDGE OF ALLEGIANCE

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

### I. RECOGNITION

- 14-0511** Proclaim April 20 through April 27, 2014 as Relay For Life Week, Presented to Trina Aker, Relay for Life Chairman, Relay for Life Committee Members and Cancer Survivors  
**This Proclamation was presented by Mr. Bennett.**
- 14-0512** Proclaim April 2014 as Water Conservation Month, Presented to Utilities Director Len Bramble and Tara Poulton, Government Affairs Program Manager, Southwest Florida Water Management District (SWFWMD)  
**This Proclamation was presented by Mr. Daniels.**
- 14-0513** Proclaim April 6 through April 12, 2014 as National Crime Victim's Rights Week, Presented to Concetta Hollinger, Sheriff's Office Victim Advocate Supervisor, Autumn Roppolo, Sheriff's Office Victim Advocate and Mara Dougherty, State Attorney's Office Victim Rights' Advisor

**This Proclamation was presented by Mr. Sherman.**

- 14-0514** Proclaim the Month of April 2014 as Donate Life Month, Presented to Jennifer Krouse, Director of Public Affairs, LifeLink Foundation

**This Proclamation was presented by Mr. McKeon.**

- 14-0515** Proclaim the Month of April, 2014 as National Sexual Assault Awareness Month, Presented to Leah McCallister, Victim Advocate, Safe Place and Rape Crisis Center (SPARCC)

**This Proclamation was presented by Ms. Gates.**

- 14-0516** Proclaim April 25, 2014 as National Arbor Day, Presented to Linda Kenfield, Chairperson of the Parks and Recreation Advisory Board

**This Proclamation was presented by Mr. Carlesimo.**

- 14-0517** Proclamation to Support the Campaign Against Summer Hunger, Presented to Aundria Castleberry, Director of Donor Relations, All Faiths Food Bank

**This Proclamation was presented by Mayor Holic.**

## **II. AUDIENCE PARTICIPATION**

John Sullivan, 256 Pensacola Road, displayed photographs of homes on Pedro Street and spoke in to opposition rezoning adjacent to Pedro Street to commercial general (CG).

Stephen Becker, 505 Barcelona Avenue, queried when signage for Kentucky Military Institute (KMI) Bridge would be installed.

Tony Pinzone, 978 Questa Avenue, expressed concerns relating to pressure reclaimed water charges.

Discussion ensued concerning resolution of reclaimed water rates.

Mr. Lavallee reviewed prior utility rate work group discussions concerning fees.

Discussion continued regarding drinking and reclaimed water rates, scheduling utility rate working group meetings to review reclaimed water rates, and the time frame for revising the utility billing process.

Mr. Hochuli stated that basic information could be provided at the next council meeting and recommended that this be discussed at a stakeholders meeting.

Mr. Lavallee stated that the scope of work of the stakeholders group

would be clarified to council members.

Mr. Persson stated the facts needed to be clarified prior to processing a new ordinance, discussed noticing timeframes, and noted possible action by the beginning of June.

Ms. Stelzer added that rates would be initiated thirty days subsequent to approval of an ordinance.

### **III. CONSENT SECTION:**

**A motion was made by Council Member Daniels, seconded by Council Member Gates to approve the items in the Consent Section. The motion carried by voice vote unanimously.**

#### **A. MAYOR**

- 14-0518** Reappoint John Burton to the Municipal Code Enforcement Board to Serve a Term from May 1, 2014 until April 30, 2017

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

- 14-0519** Appoint Bud LeFebvre to the Municipal Code Enforcement Board to Complete the Term of Gerald Grayce, April 8, 2014 until June 30, 2015

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

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

- 14-0520** Approval of Minutes - February 11, 2014 Regular Meeting and January 11, 2013 Strategic Planning/Team Building Session

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

#### **C. CITY ATTORNEY**

- 14-0521** Offer of Settlement, City to Pay Attorney Fees and Costs for Utility Connection at 501 Substation Road - \$1,909.50

**This Offer of Settlement was approved on the Consent Agenda.**

#### **D. CITY MANAGER**

##### Engineering

- 14-0522** Authorize Sale and Transfer of the Airmax SW40 SW Aeration System to Island Shores Owners Association, Inc. (Flamingo Ditch)

**This Sale and Transfer was approved on the Consent Agenda.**

- 14-01FP** Replat for Venetian Golf & River Club Phase 5 and Acceptance of

Developer's 115% Bond to Guarantee Completion, Submitted by WCI Communities, LLC

**This Final Plat was approved on the Consent Agenda.**

### Fire

**14-0523** Authorization to Accept Grant Award of \$1,626.75 and Proceed With Pre-Hospital Emergency Services Medical Equipment Purchase from 2013-2014 EMS Sarasota County Grant Funds

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

### Planning

**14-0524** Special Event Approval for Venice High School Fireworks - April 17, 2014

**This Special Event was approved on the Consent Agenda**

### Utilities

**14-0525** Approval of a Contract with Sanders Laboratories, Inc., at the Unit Prices Bid in Response to Invitation to Bid (ITB) 2981-14 for Routine Testing for the Reverse Osmosis Water Treatment Plant and the Eastside Water Reclamation Facility

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

## **IV. PUBLIC HEARINGS**

## **V. UNFINISHED BUSINESS**

### ORDINANCES – FINAL READING AND PUBLIC HEARING

**ORD. NO.** Amending the Official Zoning Atlas to Rezone Petition No. 13-3RZ, Windwood, for the Rezoning of the Property Described herein from  
**2014-08** Sarasota County Open Use, Estate (OUE) Zoning District to Planned Unit Development (PUD) Zoning District (Quasi-Judicial)

Mayor Holic announced this was a quasi-judicial hearing and Ms. Stelzer read the ordinance by title only. Mayor Holic opened the public hearing.

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

Ms. Stelzer reviewed emails and letters received by council.

Mayor Holic closed the public hearing.

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

**Daniels, that this Ordinance be approved and adopted. The motion carried by the following vote:**

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

**ORD. NO. 2014-09**      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

Ms. Stelzer read the ordinance by title only and Mayor Holic opened the public hearing. No written communication was received and no one signed up to speak. Mayor Holic closed the public hearing.

Recess was taken from 10:16 a.m. until 10:25 a.m.

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

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

## **VI. NEW BUSINESS**

### **A. ORDINANCES**

**ORD. NO. 2014-10**      Providing for the Designation of the Structure Located at 504 S. Armada Road, Historically Known as Rose Hill Apartments, as a Structure of Historic Significance Pursuant to Chapter 86, Land Development Code, Article II, Administration and Review Authorities, Section 86-28, Historic Preservation (Quasi-Judicial)

Mayor Holic announced this was a quasi-judicial hearing and Ms. Stelzer read the ordinance by title only. Mayor Holic opened the public hearing.

Mr. Persson questioned council members concerning conflicts of interest and ex-parte communications.

Mr. McKeon and Mayor Holic disclosed site visits.

Ms. Stelzer stated no written communications had been received.

Mr. Hagler provided background information, noting the designation would provide tax relief for the owner.

Discussion ensued regarding the existing condition of the building, guidelines for historic registers, and historic designation being at the request of the property owner.

Mr. Persson clarified existing regulations and historic designation regulations.

Discussion continued relating to intentions of the owner and including the apartment district in the Community Redevelopment Area (CRA).

Don O'Connell, 500 Hauser Lane, clarified guidelines for historic registers.

Discussion ensued regarding overseeing historic renovations and manufacturing historic looking fixtures.

Mayor Holic closed the public hearing.

**A motion was made by Council Member McKeon, seconded by Council Member Bennett, that this Ordinance be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

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

**ORD. NO.  
2014-11**

Amending the Code of Ordinances, Chapter 46, Parks and Recreation, Article II, Parks and Recreation Advisory Board, Section 46-31, Established; Membership; Term of Members; Vacancies; to Remove the Ex-Officio from the Board; Section 46-35, Functions; to Expand the Jurisdiction of the Parks and Recreation Advisory Board

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

Mr. Persson explained that ex-officio council members would no longer participate on the boards.

Discussion followed regarding council member participation on boards other than city boards and attending meetings as council members.

Mr. Persson clarified that council members assigned to boards would meet in the sunshine, but not participating as an ex-officio member would free council members from sunshine restrictions.

Mayor Holic noted the importance of STAR student participation on city boards.

Mayor Holic passed the gavel to Mr. Carlesimo.

**A motion was made by Mayor Holic, seconded by Council Member Gates, that verbiage in Section 46-31 of Section 2 of Ordinance No. 2014-11 be amended to read one member from the Venice Area High School student body recommended by the high school principal or his/her designee, appointed by the mayor and confirmed by city council and that the two mentions of "STAR member" be**

amended to "student member". The motion carried by voice vote unanimously.

A motion was made by Council Member Carlesimo, seconded by Council Member Gates, that Ordinance No. 2014-11 as amended be approved on first reading and scheduled for final reading. The motion carried by the following vote:

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

## **B. RESOLUTIONS**

**RES. NO. 2014-10**      Establishing Civil Penalties for Violations of Construction Without a Permit and Unlicensed Contracting

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Sherman, that Resolution No. 2014-10 be approved and adopted. The motion carried by the following vote:

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

**RES. NO. 2014-11**      Removing Ex-Officio Member of the Economic Development Advisory Board and Superseding Resolution No. 2011-09

Ms. Stelzer read the resolution by title only.

Discussion ensued regarding the importance of council member guidance to boards.

Responding to Mayor Holic, Mr. Persson clarified language pertaining to superseding prior resolutions.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Resolution No. 2014-11 be approved and adopted. The motion carried by the following vote:

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

**RES. NO. 2014-13**      Removing the Ex-Officio Member of the Environmental Advisory Board; Expanding the Duties and Responsibilities of the Board; and Superseding Resolution No. 2011-10

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Bennett, that Resolution No. 2014-13 be approved and adopted. The motion carried by the following vote:

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

**RES. NO.** Removing the Ex-Officio Member of the Public Art Advisory Board and  
**2014-12** Superseding Resolution No. 2011-08

Ms. Stelzer read the resolution by title only.

After the motion, recess was taken from 11:13 a.m. until 11:22 a.m.

Without objection, Mayor Holic reordered the agenda to discuss administrative services followed by the building official.

Tracy Ivey, member of the Environmental Advisory Board (EAB), requested that a STAR student be assigned to the EAB.

**A motion was made by Council Member Sherman, seconded by Council Member Gates, that Resolution No. 2014-12 be approved and adopted. The motion carried by the following vote:**

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

### **C. COUNCIL ACTION**

**14-0526** Approve Proposed Settlement Agreement Relative to David Dunn-Rankin vs. the Southwest Florida Water Management District and the City of Venice, DOAH Case No. 13-4728

**A motion was made by Council Member Sherman, seconded by Council Member McKeon, to approve Item No. 14-0526. The motion carried by voice vote unanimously.**

**14-0528** Administrative Services Director Alan Bullock: Department Update (10 min.)

Ms. Ellis provided an overview on the administrative services department's responsibility and staffing.

Mr. Bullock answered questions relating to the grants coordinator position, utilization of recruiters for the city manager position, and performing background checks.

Ms. Ellis briefed council members on meetings with union representatives, employee retention, benefits, employee meetings, wellness programs, risk management, and the information center desk.

**14-0529** Vince LaPorta, Building Official: Request to Add Three Positions-Deputy Building Official, Multi-Trade Inspector/Plans Examiner & Administrative/Customer Service Support Technician-to the Building Department (10 min.)

Mr. LaPorta provided background information pertaining to the request



including a current organizational chart; permit application and plan review process; inspections, and permit volume versus staffing levels; permit volume versus revenues; 2014 budget and projected revenues; expected future development; and outsourced services.

Discussion followed regarding proposed building estimates, establishing satellite offices, sharing inspection personnel, and fire sprinkler inspections.

Recess was taken from 12:16 p.m. until 1:30 p.m.

A motion was made by Council Member Carlesimo, seconded by Council Member Sherman, to approve Item No. 14-0529. The motion carried by voice vote unanimously.

#### ***D. PRESENTATIONS (1:30 p.m.)***

**14-0527** Virginia Haley, President, Visit Sarasota County: Tourism Update (15 min.)

Ms. Haley provided an update that included historical information, updates on the budget process, primary goals to increase visitors and visitor spending, feeder markets, advertising, sports venues, public relations, sales outcomes, promotions, visitor information vehicle program, and foreign journalist trips. She noted upcoming events to include the state cornhole championships, Rev 3, Fox Lea Farms, Snowbird Baseball Classic, and proposed YMCA swim meets, displayed Historic Venice and bike trails brochures and the Discover magazine, and concluded her presentation with comments relating to branding.

Discussion ensued regarding development of the Sarasota Bayfront area, support of the Suncoast BBQ Bash, hotel room availability, event calendar mail outs, return on investments for events, and sister city programs.

#### **VII. CHARTER OFFICER REPORTS**

City Attorney

City Clerk

Ms. Stelzer reminded council of the upcoming Certification of Election and Planning Commission Training.

City Manager

#### **VIII. COUNCIL REPORTS**

***Council Member Daniels***

**14-0530** Special Event Labor Costs

Mr. Daniels provided backup information and offered options to fund special event costs.

Responding to Mayor Holic, Mr. Lavalley commented on permit forms for special events requiring support of law enforcement agencies.

Discussion followed regarding obligations to save money for not-for profit organizations and law enforcement officers having authority over security agency employees.

Chief McNulty and Captain Mattmuller provided historical financial information relating to costs of law enforcement presence at special events.

This discussion will be continued at the April 29, 2014 special events workshop.

**14-0531** Circus Property Marketing Plan

Mr. Daniels reviewed marketing information provided by Virginia Haley.

Discussion followed regarding marketing plans that promote facilities and methods to promote the circus property.

**14-0532** City Hall Public Parking

Mr. Daniels reviewed existing parking conditions.

Discussion followed regarding parking on grass being illegal and there being available parking spaces at City Hall.

Recess was taken from 2:36 p.m. until 2:44 p.m.

## Additional Council Reports

Mr. Carlesimo reported on an April 1, 2014 joint meeting with the City of Sarasota and Sarasota County to discuss a recommendation to extend the community redevelopment area (CRA) district; April 2, 2014 SCAT meeting and discussions to expand the bus route in Venice; Coastal Advisory Committee meeting discussions concerning funding; CRA presentations at EDGIT and Venice MainStreet meetings; and an April 14, 2014 Economic Development Advisory Board (EDAB) meeting to hear a CRA presentation.

Mr. McKeon reported on Planning Commission's support of a variance requested by the Venice Theatre for new electronic signage, and

mentioned conflicts with other events scheduled during dates of the Chalk Festival.

Ms. Gates stated that Chalk Festival organizers were awaiting a confirmation concerning holding the event in Venice.

Mayor Holic expressed concerns relating to forming CRA districts, noting that additions could not be made to approved CRA districts, provided an update on scheduling MSTU meetings, requested that staff research utilizing people who have been assigned county community service, and discussed special assessments on taxes opposed to liens on properties.

Mr. Persson stated that he will provide council with a more definitive answer on the special assessment process.

At Mayor Holic's request, Chief Warman explained the existing lift assist program.

#### **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 3:16 p.m.

ATTEST:

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Mayor - City of Venice

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City Clerk

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