



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, July 23, 2013

9:00 AM

Council Chambers

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### 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: Planner Roger Clark, Senior Planner Scott Pickett, Utilities Len Bramble, City Engineer Kathleen Weeden, Building Official Vince LaPorta, Public Works Director John Veneziano, and Finance Director Jeff Snyder.*

### INVOCATION AND PLEDGE OF ALLEGIANCE

*Led by Patrol Officer David Smyth*

### I. RECOGNITION

1. [13-0033](#) 10-year Service Award, Gerard R. Stause, Venice Fire Department, Firemedic

*Mayor Holic presented a 10-year service award to Firemedic Gerard Stause.*

**This Recognition was presented**

2. [13-0034](#) Retirement Certificate Presented to Patrol Officer David A. Smyth, Police Department

*Mayor Holic presented a retirement certificate to Patrol Officer David A. Smyth.*

**This Recognition was presented**

### II. AUDIENCE PARTICIPATION

### III. CONSENT SECTION:

*Sharky's item will be heard at 1:30 p.m.*

**A. MAYOR****Approval of the Consent Section**

A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman to approve items in the Consent Section. The motion carried unanimously on voice vote.

- [13-0035](#) Approve Letter of Support to the Office of Criminal Justice Grants for the Distribution of \$117,186 of Federal Fiscal Year 2013 Justice Assistance Grant Program Funds for Mental Health Court

**This Board Member Report was approved**

- [13-0036](#) Reappoint Mike Horan and Reagan Leonard to the seven member Construction Board of Adjustment and Appeals to serve terms from August 1, 2013 until July 31, 2016, and Robert Kovarik as a consumer representative to the ten member Construction Board of Adjustment and Appeals to serve a term from August 1, 2013 until July 31, 2016

**These Appointments were approved.**

- [13-0037](#) Appoint Cynthia Hicks and Jim Woods to the Parks and Recreation Advisory Board to serve terms from August 1, 2013 until July 31, 2016

**These Appointments were approved.**

**B. CITY CLERK**

1. [13-0038](#) Approval of Minutes

**The Minutes were approved.**

**C. CITY ATTORNEY**

1. [13-0039](#) Request Private Attorney Client Session: Jeffery L. Snyder vs. City of Venice

**This Presentation with Action was approved.**

**D. CITY MANAGER**

1. [13-0040](#) Approve Agreement with the School Board of Sarasota County Defining Provision of Funds to Support School Resource Officers in Venice Schools - Providing Subsidy of \$126,141

**This Agreement was approved.**

2. [13-0041](#) Creation of City-wide Master Parks Plan

**This Presentation with Action was approved.**

3. [13-0042](#) Approve Agreement with Patrick Kavanagh, Workplace Safety Program/Employee Ethics & Behavior, not to exceed \$10,500
- This Agreement was approved.**

### Airport

1. [13-0043](#) Approve Second Amendment to Lease between the City and BVK, Inc. and Sublease between BVK, Inc. and Sarasota Avionics, Inc.
- This Lease was approved.**

### Engineering

1. [13-0044](#) Acceptance of Utility Easement from Sarasota County Public Hospital Board for Venice Urgent Care Project
- This Agreement was approved.**
2. [13-0045](#) Approve License Agreements between the City of Venice and the Villas of Venice, Inc. Condominium Association for the Flamingo Ditch Improvements
- 1. Restoration Work License Agreement
  - 2. Corrective Work License Agreement
- These Agreements were approved.**
3. [13-0046](#) Accept Easements from Island Shores Owners Association, Inc. for the Flamingo Ditch Improvements
- 1. Permanent Utility Easement
  - 2. Temporary Construction Easement 1
  - 3. Temporary Construction Easement 2
- These Agreements were approved.**
4. [13-0047](#) Accept Temporary Construction Easements from Single Family Homes for the Flamingo Ditch Improvements
- 1. Campbell - Lot 2, Block 11, Golden Beach Unit No. 2
  - 2. Cossentina - Lot 6, Block 11, Golden Beach Unit No. 2
  - 3. Gambina - Lot 3, Block 11, Golden Beach Unit No. 2
  - 4. Hare - Lot 5, Block 11, Golden Beach Unit No. 2
  - 5. Hooper - Lot 8, Block 11, Golden Beach Unit No. 2
  - 6. Mason - Lot 9, Block 11, Golden Beach Unit No. 2
  - 7. Schiefele - Lot 10, Block 11, Golden Beach Unit No. 2
  - 8. Vasilion - Lot 7, Block 11, Golden Beach Unit No. 2
- These Agreements were approved.**
5. [13-0048](#) Accept Drainage Easement from Candace H. Borreson, Trustee for the Outfall 1 & 2 Project
- This Agreement was approved.**

6. [CON. NO. 03-2013](#) Municipal Separate Storm System (MS4) Permit Monitoring Interlocal Agreement with Sarasota County

**This Contract was approved.**

### Fire

1. [13-0049](#) Accept 2012 Assistance to Firefighters Grant Award for Communication Equipment and Thermal Imaging Cameras, Approve Appropriation of Funds into the FY 2012-13 Budget, Authorize the Use of General Fund in Lieu of One Cent Sales Tax Funds for City's Match, Authorize Purchase of Equipment and Approve the Rollover of Any Unused Grant Award and City-Match Funds into the FY 2013-14 Budget

**This Agreement was approved.**

### Utilities

1. [13-0050](#) Approve Work Assignment No. 4, King Engineering Associates, Inc., Environmental Campus Enhancement Project, Conceptual Planning, \$96,115
2. [13-0051](#) Approve Work Assignment No. 14, Arcadis-US, Inc., Water Treatment Plant Odor Control System Improvements, \$401,450
3. [13-0052](#) Approve Work Assignment No. 5, McKim & Creed, Inc., Eastside WRF Reclaimed Water Filtration System Improvements, \$299,797

**This Work Assignment was approved.**

**This Work Assignment was approved.**

**This Work Assignment was approved.**

## **IV. PUBLIC HEARINGS**

1. [13-0053](#) Grant Perpetual Easement from the City of Venice to Florida Department of Transportation for US 41 ByPass at Ruscelletto Park

*Ms. Stelzer read the notice of public hearing and Mayor Holic opened the public hearing. Ms. Stelzer stated there were no written communications.*

*City Engineer Kathleen Weeden provided background information and answered questions concerning location of the sidewalk and landscaping.*

*No one came forward to speak and Mayor Holic closed the public hearing.*

**A motion was made by Council Member Sherman, seconded by Council Member Bennett, to approve the perpetual easement from the City of Venice to Florida Department of Transportation for U.S. 41 Bypass at Ruscelletto Park. The motion carried by voice vote.**

2. [13-0054](#) Execute City Deed for land donation from the City of Venice to Florida

**Department of Transportation for US 41 ByPass at Ruscelletto Park**

*Ms. Stelzer read the notice of public hearing and Mayor Holic opened the public hearing. Ms. Stelzer stated there were no written communications.*

*City Engineer Kathleen Weeden provided background information, pointing out the Florida Department of Transportation (FDOT) will pay all costs associated with utilities within this property.*

*No one came forward to speak and Mayor Holic closed the public hearing.*

**A motion was made by Council Member Carlesimo, seconded by Vice Mayor Daniels, to approve the deed for land donation from the City of Venice to Florida Department of Transportation for U.S. 41 Bypass at Ruscelletto Park. The motion carried by voice vote.**

**ORDINANCES - FIRST READING**

1. [ORD. NO. 2013-21](#) Amending Chapter 86, Land Development Code, Article IV, Development Review Procedures, Section 86-41, Public Workshop Requirements; Section 86-42, Conditional Use; Article VIII, General Administrative Provisions, Section 86-570, Definitions and Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 1, Generally, Section 122-394, Exclusions from Height Limits (Text Amendment 13-2AM)

*Ms. Stelzer read the ordinance by title only. Mayor Holic opened the public hearing and Ms. Stelzer stated no written communications had been received.*

*City Planner Roger Clark provided background information and answered questions regarding building height measurement, density standards, building height, FEMA standards relating to height, affordable and workforce housing density bonus criteria, and workforce housing within city limits.*

*No one came forward to speak and Mayor Holic closed the public hearing.*

**A motion was made by Council Member McKeon, seconded by Council Member Gates, that this Ordinance be approved on first reading. 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

2. [ORD. NO. 2013-22](#) Amending Chapter 86, Land Development Code, Article V, Use Regulations, Division 3, Residential Zoning Districts, Regarding Signs, Section 86-80, RE Residential, Estate (Single-Family) District; Section 86-81, RSF Residential, Single-Family District; Section 86-84, RTR Residential, Tourist Resort District; Division 4, Business Zoning Districts, Section 86-94, CBD Commercial Business District, and Section 86-97, CMU Commercial Mixed Use District; Article VI, Design and Development Standards, Division 3, Signs, Adding Section 86-400, Signs, Section 86-401, Exemptions; Article VIII, General Administrative Provisions, Section 86-570, Definitions; Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 4, Signs,

Subdivision I, In General, and Deleting Subdivision II, Permit, Section 122-582, Exemptions, Section 122-558, Signs Advertising Property For Sale Or Lease (Text Amendment 13-3AM)

*Ms. Stelzer read the ordinance by title only. Mayor Holic opened the public hearing and Ms. Stelzer stated no written communications had been received.*

*Senior Planner Scott Pickett provided background information, including sign code workshops and stakeholder meetings, displayed photographs of typical window signage, and discussed portable signs and vehicle identification sign standards. Council members expressed concerns relating to whether or not the standards were anti-business and discussed state laws relating to displaying contractor name and license numbers, gated community regulations concerning business identification on vehicles, promoting business, the ambiance of downtown, postponing action until a unified sign ordinance has been approved, spinning signs, and vehicle mounted sign regulations.*

*(10:26) Wayne Welsh, business owner, handed out photographs, and commented on portable sign regulations.*

*Discussion ensued regarding location of business signs, public expectation of an agent being on duty when the business is open, bringing the sign in when no agents are on duty, variances, promoting business, and revising ordinance language.*

*Mayor Holic closed the public hearing.*

*Council Member Bennett moved that Ordinance No. 2013-22 be postponed until the first meeting in September. Seconded by Council Member Daniels.*

*After council discussion, Mr. Bennett revised the motion to postpone Ordinance No. 2013-22 until September 24, 2013. Seconded by Vice Mayor Daniels. Motion carried on voice vote with Ms. Gates and Mr. Carlesimo opposed.*

*Recess was taken from 11:06 a.m. until 11:20 a.m.*

**This Ordinance was postponed.**

## **ORDINANCES – FINAL READING AND PUBLIC HEARING**

### **[ORD. NO. 2013-14](#)**

*Ms. Stelzer read the ordinance by title only.*

*Ms. Gates moved that Ordinance No. 2013-14 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 no written communications had been received.*

*No one signed up to speak and Mayor Holic closed the public hearing.*

**A motion was made by Vice Mayor Daniels, 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.](#)  
[2013-15](#)

*Mayor Holic announced this is a quasi-judicial procedure and Ms. Stelzer read the ordinance by title only.*

*Mr. Carlesimo moved that Ordinance No. 2013-15 be placed on final reading. Seconded by Mr. Bennett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.*

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

*Mayor Holic opened the public hearing and Ms. Stelzer stated no written communications had been received. Mayor Holic closed the public hearing.*

*Recess was taken from 11:06 a.m. until 11:20 a.m.*

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, 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

### ORDINANCES - FIRST READING

3. [ORD. NO.](#)  
[2013-13](#) Amending the Code of Ordinances, Chapter 74, Utilities, by Modifying Utility Rates and Charges and Defining Maintenance Responsibilities
- Ms. Stelzer read the ordinance by title only. Mayor Holic opened the public hearing and Ms. Stelzer stated no written communications had been received.*
- Utilities Director Len Bramble introduced Andy Burnham, Burton and Associates, along with members of the rate study stakeholders group.*
- Mr. Burnham provided background information, including a summary of results and recommendations to include bulk users as part of the stakeholder workgroup committee, and initiate billing and readiness to serve fees.*
- Council members discussed bulk users and reclaimed water rates.*
- Mr. Burnham continued with a review of customer impact tables.*
- (12:16) E.G. Dan Boone, Boone Law Firm, representing Venice Golf Association, clarified comments concerning scheduling a stakeholders meeting in the fall.*
- Mayor Holic closed the public hearing.*
- Recess was taken from 12:22 p.m. until 1:31 p.m.*
- Discussion ensued regarding bulk customer billing rates.*

**A motion was made by Council Member McKeon, seconded by Council Member Carlesimo, that this Ordinance be approved on first reading amended to reflect the addition of "not applicable to bulk users" to the title of Tables O and R. 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

#### **D. COUNCIL ACTION**

##### [13-0057](#)

Sharky's on the Pier Plan Revision - Addition of "Shark Fin" on top of Restaurant

*Ms. Weeden provided background information, and noted that height did not exceed maximum FAA height standards and that staff recommended approval. Mayor Holic declared a conflict of interest, passed the gavel to Vice Mayor Daniels, and left the dais.*

*Discussion followed regarding this item being deemed as an architectural feature rather than a sign.*

*After the vote, Mayor Holic returned to the dais and Vice Mayor Daniels returned the gavel to Mayor Holic.*

**A motion was made by Council Member Sherman, seconded by Council Member Gates, to approve the addition of a shark fin on top of Sharky's Restaurant to the 100 percent construction plans. The motion carried by voice vote, with Mayor Holic abstaining.**

#### **V. UNFINISHED BUSINESS**

##### ORDINANCES – FINAL READING AND PUBLIC HEARING

1. [ORD. NO. 2013-17](#) Adopting the Annual Update to the Five Year Schedule of Capital Improvements and Related Data and Analysis Contained in Volume I, Appendix C of the City of Venice Comprehensive Plan

*Ms. Stelzer read the ordinance by title only.*

*Mr. McKeon moved that Ordinance No. 2013-17 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 no written communication was received. No one signed up to speak and Mayor Holic closed the public hearing.*

*Ms. Weeden answered questions concerning the Indian Avenue turn lane being completed within the next two weeks, capital improvement projects funding, park impact fee funding, and parking lot routine maintenance.*

**A motion was made by Council Member Carlesimo, seconded by Council Member Sherman, 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



3. [ORD. NO. 2013-20](#) Amending Chapter 54, Solid Waste, Article VI, Disaster Debris Management, by Deleting the Existing Sections and Replacing Them with More Specific Criteria for the Determination of When to Remove Debris from Private Streets and Roadways After a Natural Disaster

*Ms. Stelzer read the ordinance by title only.*

*Ms. Gates moved that Ordinance No. 2013-20 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.*

*Mayor Holic closed the public hearing.*

*After Ms. Gates' motion, Public Works Director John Veneziano responded to questions relating to access to private property, overriding regulations during an emergency, and utilizing collaborative efforts during the bidding process.*

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Ordinance No. 2013-20 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

## VI. NEW BUSINESS

### A. ORDINANCES

1. [ORD. NO. 2013-23](#) 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.*

**A motion was made by Council Member Gates, seconded by Council Member Sherman, that this Ordinance be approved on first reading. 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

2. [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.*

*Mayor Holic reviewed his proposed amendment concerning the balanced budget.*

*Discussion followed regarding spending funds saved by downsizing, and whether or not the ordinance placed restrictions on the city manager.*

*Mr. Bennett moved to amend the motion to eliminate Question 1 and the amendment of Section 2-31, Salary Increase. Seconded by Mr. Carlesimo.*

*Discussion followed regarding compensation to city council.*

*Amendment to motion carried on voice vote unanimously.*

*After approval of the amended motion, Mr. Persson indicated the ordinance would return for first reading at the August 13, 2013 council meeting in order to comply with advertising requirements.*

**A motion was made by Council Member Sherman, seconded by Vice Mayor Daniels, that this Ordinance be approved on first reading amended to eliminate Question 1 and the amendment of Section 2-31, Salary Increase, with the addition of Mayor Holic's proposed amendment relative to Section 5.02. 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

3. [ORD. NO. 2013-24](#) Amending Chapter 2, Administration, Article VI, Code Enforcement, Division 2, Code Enforcement Board, Section 2-331, Notices; to Conform to Florida Chapter 2013-193 Regarding Section 162.12, Florida Statutes as Amended

*Ms. Stelzer read the ordinance by title only.*

**A motion was made by Vice Mayor Daniels, seconded by Council Member Sherman, that this Ordinance be approved on first reading. 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

4. [ORD. NO. 2013-26](#) Amending Chapter 62, Streets, Sidewalks and Other Public Areas, Article III, Driveways and Curbs, Section 62, Right-of-Way Use Authorization

*Ms. Stelzer read the ordinance by title only.*

*Mr. LaPorta provided background information and responded to questions concerning the ordinance not being retroactive, the ordinance relating to the former Three Crowns building, and state level regulations.*

*Responding to Mr. Daniels, Mr. Persson indicated the ordinance provided a funding source to take action to restore a right-of-way.*

*Discussion continued regarding costs to place a bond, Americans with Disabilities Act (ADA) accessibility, property owners pulling bonds, and the ordinance providing tools to resolve this type of issue.*

**A motion was made by Council Member Bennett, seconded by Vice Mayor Daniels, that this Ordinance be approved on first reading amending Section 62-62 to read "... within the ROW may be required of the owner of the property making the request as a condition of the permit." 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

## **B. PRESENTATIONS**

1. [13-0055](#) John Veneziano, Public Works Director, and Kathleen Weeden, City Engineer: South Jetty Parking Lot Update (5 min.)

*Ms. Weeden displayed an aerial map of the area and provided background information including park location, maintenance responsibilities, and problems relating to refurbishing the parking lot.*

*Mr. Veneziano commented on maintenance of the existing shell surface and Ms. Weeden concurred that shell was the most viable surfacing option at this time.*

*Recess was taken from 2:44 p.m. until 2:55 p.m.*

**This Presentation was heard and no action was taken**

2. [13-0056](#) City Manager Ed Lavalley and Finance Director Jeff Snyder: Proposed Fiscal Year 2013-2014 Budget; Set Millage Rate and Public Hearing Dates (20 min.)

*Mr. Lavalley and Mr. Snyder provided an overview of the budget including budget preparation guidelines, economic considerations, objectives, taxable value, millage rate histories, budget and staffing history, and staff recommendations relating to millage and debt service, establishing a water tax, and funding expenses.*

*Mayor Holic outlined the Bicycle Friendly Community budget request and asked that the item be added for discussion at the budget workshop.*

*Council members discussed the number of bicycle accidents being high, reserve fund totals, economic upturns, and Sarasota County adding employees.*

*Ms. Gates said she would be absent from the September 17, 2013 budget hearing.*

*Recess was taken from 4:10 p.m. until 4:20 p.m.*

**A motion was made by Council Member Carlesimo, seconded by Council Member Bennett, that the dates for the public hearings on millage and budget be set for 5:01 p.m. on Tuesday, September 3 and Tuesday, September 17, 2013, both beginning at 5:01 p.m. The motion carried by voice vote unanimously.**

**C. RESOLUTIONS**

1. [RES. NO. 2013-07](#) Approval of Utility Work by Highway Contractor Agreement (at Utility Expense) with FDOT for the US 41 ByPass Project  
*Ms. Stelzer read the resolution by title only.*  
  
**A motion was made by Vice Mayor Daniels, seconded by Council Member McKeon, 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
2. [RES. NO. 2013-14](#) Conveying a Deed to the State of Florida Department of Transportation for the US 41 ByPass Project  
*Ms. Stelzer read the resolution by title only.*  
  
**A motion was made by Council Member Carlesimo, 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
3. [RES. NO. 2013-15](#) Conveying a Perpetual Easement to the State of Florida Department of Transportation for the US 41 ByPass Project  
*Ms. Stelzer read the resolution by title only.*  
  
**A motion was made by Council Member Gates, 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
4. [RES. NO. 2013-16](#) Approval of Utility Work by Highway Contractor Agreement (at FDOT Expense) for US 41 ByPass Project with FDOT  
*Ms. Stelzer read the resolution by title only.*  
  
**A motion was made by Council Member Sherman, seconded by Council Member Carlesimo, 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
5. [RES. NO. 2013-17](#) Supporting Home Rule and Requesting Repeal of Florida Statute, Section 509.032(7) Preempting City Authority to Control Vacation Rentals

*Ms. Stelzer read the resolution by title only.*

**A motion was made by Council Member Bennett, 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

6. [RES. NO. 2013-18](#) Deleting Article XII, Transitional Provisions, Section 12.04, Transitional Terms and Section 12.07, Schedule, from the City Charter

*Ms. Stelzer read the resolution by title only.*

*Responding to Mr. Bennett, Mr. Persson and Ms. Stelzer indicated that a legislative history of the resolution would be available.*

**A motion was made by Council Member Sherman, 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

7. [RES. NO. 2013-19](#) Amending the Purchasing Card Program Policy and Procedures, Superseding Resolution No. 2008-25

*Ms. Stelzer read the resolution by title only.*

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, 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

## VII. CHARTER OFFICER REPORTS

### City Attorney

1. [13-0058](#) Wellfield Park Update

*Mr. Persson reviewed his letter dated July 8, 2013, pointing out recommendations to either process a Master Parks Plan or proceed with the rezoning.*

*Responding to Mayor Holic, Mr. Persson indicated the property could remain as Wellfield Park and permissible uses could be segregated in the Master Plan.*

*After Mr. Sherman made the motion, council members discussed Challenger Baseball, voters approving the land purchase for public facilities, developing a Master Parks Plan, and identifying an alternate location for Challenger Baseball facilities.*

**A motion was made by Council Member Sherman, seconded by Vice Mayor Daniels, to direct staff, the city attorney, and the Parks and Recreation Advisory Board to implement a Master Plan for the city's park system. The motion carried**

with Mr. Carlesimo opposed.

2. [13-0059](#) Christine Davis vs. City of Venice Litigation Update

*Mr. Persson reviewed the case and, responding to Mr. Daniels, indicated that legal costs were not recoverable.*

**This Presentation was presented.**

3. [13-0060](#) Sarasota Memorial Hospital vs. City of Venice Litigation Update

*Mr. Persson reviewed the case and stated he would meet with council members individually once the matter becomes final.*

**This Presentation was presented.**

City Clerk

*Ms. Stelzer had no report.*

City Manager

*Mr. Lavallee had no report.*

## VIII. COUNCIL REPORTS

### **Mayor Holic**

1. [13-0061](#) 2013 VIVA Florida 500

*Mayor Holic reviewed the letter from Russ Gutman concerning participating in the 2013 Viva Florida 500 time capsule project.*

**There was consensus to participate in the 2013 Viva Florida 500 commemoration as presented in correspondence from Russ Gutman, with assistance from Pam Johnson.**

2. [13-0062](#) Bicycle Friendly Community Budget Request

*Mayor Holic reiterated that this request would be discussed during budget workshops.*

3. [13-0063](#) Approve attendance at 2013 Florida Ethics Conference

*Ms. Stelzer handed out travel budget and expenditures which were reviewed by Mayor.*

**A motion was made by Council Member Gates, seconded by Council Member Carlesimo, that the city cover expenses for Mr. Bennett's attendance at the Intercounty Best Practice Visit in Nashville from September 29 to October 2, 2013. The motion carried by voice vote unanimously.**

4. [13-0064](#) Approve attendance at Florida League of Cities 87th Annual Conference

*Discussion ensued regarding council member attendance at the Florida Ethics Conference from October 2 through 4, 2013; the Florida League of Cities 87th Annual Conference from August 15 through 17, 2013; and the Finance Tax Home Rule and Growth Management Seminar on August 1, 2013.*

A motion was made by Council Member Bennett, seconded by Vice Mayor Daniels, that the city cover expenses for Mr. McKeon, Mr. Sherman, and Mayor Holic's attendance at the Florida League of Cities 87th Annual Conference in Orlando from August 15 to 17, 2013; Mr. Daniels' attendance at the Finance Tax Home Rule and Growth Management Seminar on August 1, 2013; and Mayor Holic's attendance at the 2013 Florida Ethics Conference in Orlando from October 2 to 4, 2013. The motion carried by voice vote unanimously.

5. [13-0065](#)

Joint Meeting with North Port Commissioners

*Council members discussed topics for discussion and scheduling options for the joint meeting with North Port Commissioners.*

A motion was made by Council Member Carlesimo, seconded by Council Member McKeon, to schedule a joint meeting with the North Port City Commissioners. The motion carried by voice vote with Ms. Gates, Mr. Daniels, and Mayor Holic opposed.

6. [13-0066](#)

Transfer of Roadways

*Mayor Holic reviewed background information relating to the road transfer issue.*

*Mr. Lavallee discussed options to fund upgrades to county roads or lower city road standards.*

*Discussion ensued regarding prior and existing discussions and agreements.*

*Responding to Mayor Holic, Mr. Veneziano indicated that Sarasota County was responsible for maintenance of park signs and setting fees, and pointed out that any information needed by city staff could be requested at the monthly county Parks and Recreation Council meetings.*

*Discussion ensued regarding table seating at the Venice Beach pavilion, relationships between prior city and county managers, importance of written agreements, the city not being involved in approving agreements between the county and users of city parks, county facility fee structures, and the importance of clear communication with Sarasota County officials.*

A motion was made by Council Member McKeon, seconded by Vice Mayor Daniels, to approve transmittal of Mayor Holic's proposed letter to Sarasota County Commission Chair Carolyn Mason regarding the transfer of roadways. The motion carried by voice vote with Mr. Bennett opposed.

### **Council Member Gates**

*Ms. Gates commented on scheduling a Town Hall meeting after the election in November.*

*Discussion followed regarding scheduling a Town Hall meeting and whether or not to place the charter amendments on the ballot.*

### **Council Member Carlesimo**

1. [13-0067](#)

Participation in Manasota League and Florida League of Cities' Efforts to Further Repeal HB 833

*Mr. Carlesimo reviewed the request.*

*Mr. McKeon reminded council members that home rule was a small portion of HB 833.*

**A motion was made by Council Member McKeon, seconded by Council Member Bennett, to authorize Mr. Carlesimo's participation in any organized efforts by the Manasota League and Florida League of Cities to further repeal HB833, and to keep council informed. The motion carried by voice vote unanimously.**

## **Coastal Advisory Committee**

*Ms. Weeden reported on funding approval for the City of Venice West Coast Inland Navigation District (WCIND) grant program requests relating to the Hatchett Creek dredging project and installation of a boat lift for the new fire boat.*

*Mayor Holic requested that Ms. Weeden provide a draft letter thanking the Sarasota Board of County Commissioners for considering the requests.*

*Mr. Carlesimo requested that a copy of the letter be sent to Coastal Advisory Board Committee members.*

*Mr. Carlesimo reported on Parks and Recreation Advisory Board concerns relating to the condition of Anita's hot dog stand at Humphris Park.*

*Council members discussed working with Fran Valencic to recognize Venice residents on milestone birthdays.*

## **Council Member Kit McKeon**

*Mr. McKeon reported that he volunteered to attend the Florida League of Cities Federal Action Strike Team (FAST) Fly-in to Washington D.C. on September 10 through 12, 2013. Expenses will be covered by the Florida League of Cities. Mr. McKeon indicated he could set up meetings with Florida legislators at council's request.*

## **Council Member Jim Bennett**

*Mr. Bennett reported on discussions with Florida Department of Transportation representatives regarding efforts to influence federal officials to support allowing bridges remaining closed for longer periods.*

*Mr. Bennett also reported on Tampa Bay Regional Transportation Association long range planning which includes providing direct transportation from Venice to Tampa, his tour of the Port of Ft. Lauderdale, and serving on the Community Alliance of Sarasota County Homelessness Committee.*

## **Council Member Dave Sherman**

*Mr. Sherman reviewed a request from Venice MainStreet Executive Director Kat Quast to support a Sarasota County grant proposal.*

**There was consensus to write a letter in support of the grant proposal for Venice MainStreet to be used to develop and air a 30-second television spot promoting Venice as a destination.**

## **IX. AUDIENCE PARTICIPATION**



*There was no audience participation.*

## **X. ADJOURNMENT**

*The meeting adjourned at 6:16 p.m.*

ATTEST:

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

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