



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, July 12, 2016

9:00 AM

Council Chambers

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### CALL TO ORDER

Mayor Holic called the meeting to order at 9:15 a.m.

### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Deborah Anderson, Council Member Richard Cautero and Council Member Fred Fraize

### ALSO PRESENT

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Finance Director Walter Pierce, Controller Linda Senne, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Senior Planner Roger Clark, City Engineer Kathleen Weeden, and Assistant City Manager Len Bramble.

### INVOCATION AND PLEDGE OF ALLEGIANCE

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

### I AUDIENCE PARTICIPATION

Mayor Holic recognized Arianna Murdocca from the Economic Development Advisory Board (EDAB) for being awarded with the 2016 Hamilton Scholars award, and spoke on how police handled a protestor situation on Sunday.

Don O'Connell, 500 Hauser Lane, spoke on the postal relocation project, downtown parking garage, restoration of Park View Hotel, and support from council on relocation.

John Ritchie, 500 Buena Vista Drive, Nokomis, spoke regarding the flag at the end of West Venice Avenue not being flown, and fixing of light.

Bob Vedder, 603 Four Bays Drive, Nokomis, spoke on the friends of

parks group, Venice Area Beautification, Inc. (VABI) landscaping improvements and accomplishments made over the last year, number of groups reporting to public works, and Sarasota County funding for hanging plants.

Terry Purdy, 2500 North Tamiami Trail, Nokomis, spoke on commercial intensive (CI) and commercial general (CG) zoning districts, use and restrictions, and proposed changes to code.

Marion Lutz, Director of Englewood Animal Rescue (EAR), spoke on being a beneficiary of Brew Bash, EARS services, collaboration with other animal rescue centers, events, and servicing all of Florida.

Pat Wayman, 3071 Border Road, Venice, spoke on the impact development has on trees, and extraordinary mitigation fees.

Gerald Bullano, 316 Park Boulevard South, spoke on single use plastic shopping bags.

## II. CONSENT SECTION:

**A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve items in the Consent Section with the exception of Item Nos. 16-2108, 16-2109, and 16-2110. The motion carried unanimously by voice vote.**

### A. CITY CLERK

16-2107 Minutes of the June 27, 2016 Budget Workshop

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

### B. CITY MANAGER

#### Airport

CON. NO.  
56-2016 Authorize the Mayor to Execute an Agreement for Consultant Services with American Infrastructure Development, Inc. in the Amount of \$489,015 to Provide Professional Services Related to Design and Construction of the Rehabilitation of Aircraft Parking Aprons at Venice Municipal Airport

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

Mr. Lavallee responded to council questions regarding late bidders at the airport.

#### Engineering

16-2111 Authorize the Mayor to Execute a License Agreement with Parkview East Owners Association, Inc., for the Replacement of a Dumpster

Enclosure

This Item was approved on the Consent Agenda.

### Utilities

CON. NO.  
57-2016

Approval of Contract with Applied Drilling Engineering, Inc. in the Amount of \$474,350 for Replacement Well 7AW

This Contract was approved on the Consent Agenda.

### **CITY MANAGER - continued**

16-2108

Approve Agreement Between the School Board of Sarasota County and the City of Venice which Provides that the School Board Agrees to Pay \$103,113.00 to the City of Venice for School Resource Officer Services from July 1, 2016 to June 30, 2017

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-2108.**

Discussion followed on the expected demands of a School Resource Officer (SRO) and history on why Sarasota County Sheriff's Office no longer provides the service.

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

16-2109

Approve Joint Automated Capital Improvement Program (JACIP) Update for Venice Municipal Airport

**A motion was made by Council Member McKeon, seconded by Council Member Gates, to approve Item No. 16-2109.**

Discussion ensued on taking care of non aeronautical renters and road paving at the mobile home park.

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

16-2110

Authorize the Mayor to Execute a Work Assignment with Atkins North America, Inc., in the Amount of \$158,088 for Engineering Services during Design, Permitting and Construction of Improvements to the S. Harbor Drive/Airport Ave./Beach Rd. Intersection

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve Item No. 16-2110.**

Discussion continued regarding project being funded by impact fees, problems with traffic gridlock, funding previously approved and vetted by city council, and intersection previously identified as one requiring additional capacity.

Ms. Weeden responded to council questions on the vetting process to include the intersection was identified by city council and staff as an area to provide safety improvements by approved use of road impact

fees, hiring of a design team, funding agreement, and comprehensive evaluation being completed.

Discussion followed on Venice being asked to be a pilot for the new technology on traffic lights, intersection project oriented towards tourist season and special events, formal traffic count has not been conducted by staff, other suggested improvements, placing stop signs at this location, implementing process on prioritizing projects, and guidelines for impact fees.

Ms. Weeden spoke on the mobility fee process.

The motion carried by voice vote 5-2 with Mr. Fraize and Ms. Anderson opposed.

### III. NEW BUSINESS

#### A. COUNCIL ACTION/DISCUSSION

##### 16-2099

Approve 2017 State Legislative Priorities

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 16-2099.**

Discussion ensued on accomplishing legislative priorities that are listed on the plan.

The motion carried by voice vote unanimously.

##### 16-2112

Approve Envision Venice Strategic Plan for Fiscal Year Ending September 30, 2017

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 16-2112.**

Discussion continued on cost savings and initiatives, moving forward with proposals and accomplishing items in the strategic plan, Sarasota County's lack of interest in the community redevelopment area (CRA), having flexibility on the strategic plan, changing items in the strategic plan based on current events, and depreciation schedules for new vehicle purchases.

The motion carried by voice vote unanimously.

There was council consensus to change depreciation schedule from FY 2018 to FY 2017.

##### 16-2113

Set the Preliminary Operating Millage Rate at 3.6000 Mills and the Debt Service Millage Rate at .1660 Mills for the Fiscal Year Ended 9/30/17

This Item was discussed on July 13, 2016.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve the dates for the public hearings on millage and budget be set for Tuesday, September 13 and September 27, 2016, both beginning at 5:01 p.m.**

The motion carried by voice vote unanimously.

16-2114

Update on Status of Discussions to Resolve Disagreements with Neal Communities Regarding Legality of Extraordinary Mitigation Fees

Mr. Persson commented on the letter he received from Jeff Boone (dated July 5, 2016), and the letter he sent to council (dated July 6, 2016), regarding status of negotiations with Neal Communities on extraordinary mitigation fees.

16-2115

Establish Deadline to Resolve Disagreement with Neal Communities Regarding Extraordinary Mitigation Fees (Anderson)

Mr. Persson spoke on his plan and recommendations (as outlined in his email to council dated July 11, 2016) for resolving issue with Neal Communities on extraordinary mitigation fees.

Discussion continued regarding concerns with other contributors to the mitigation fund, amount of fees held, account where fees are held, and total amount of fees collected.

**A motion was made by Council Member Anderson, seconded by Council Member Fraize, to have a deadline of September 1, 2016 to resolve the disagreement with Neal Communities regarding extraordinary mitigation fees and to be indicated by signed settlement agreement.**

Mr. Persson explained settlement discussions will not be shared until discussions are over, council will be notified if a conclusion is reached at an earlier time, and if matter does not resolve by December it will be brought to council's first meeting in January for discussion.

**Ms. Anderson withdrew her motion.**

**A motion was made by Council Member Anderson, seconded by Council Member Daniels, to accept Mr. Persson's plan (presented in an email dated July 11, 2016) for resolution of the issue regarding extraordinary mitigation fees to be paid by Neal Communities. The motion carried by voice vote unanimously.**

16-2116

Direct Staff and the Parks and Recreation Advisory Board to Work Together to Find Qualified Groups or Residents to Adopt City Parks or City Hall, with 100% Adoption Expected to be Complete in 2017 (Daniels)

Recess was taken from 10:50 a.m. until 11:00 a.m.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 16-2116.**

Discussion ensued on Friends of Pinebrook Park, finding organizations and residents to adopt parks and coordinate with the Parks and Recreation Advisory Board, obtaining more resources to help take better care of parks, providing assistance to VABI, having Parks and Recreation Advisory Board develop guidelines and work with VABI to get a process vetted, defining authority of groups, use of sheriff work crews,

city hall landscaping, and having parks and recreation to provide recommendations to council.

**Mr. Daniels withdrew his motion.**

**A motion was made by Council Member Caetero, seconded by Council Member Fraize, to direct staff and Parks and Recreation Advisory Board to research potential implementations of adopt a parks program and report to city council with a recommendation.**

Discussion continued on the importance of going through advisory boards first.

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

16-2117

Consider Recommendation of the Planning Commission to Research the Elimination of Parking on Both Sides of Ormond Street, Consider Direction of No Parking Signs on Both Sides of Ormond Street and Direct Cars to Park at the Public Beach or Graser Park

**A motion was made by Council Member Gates to approve Item No. 16-2117. The motion failed due to lack of a second.**

Discussion continued on the city manager's role on traffic issues, recommendation made by planning commission to city council, Che Vista discussion, and parking and safety concerns on Ormond Street.

16-2118

Consider Recommendation from the Environmental Advisory Board Regarding a Proposed Resolution to Support the Initiatives by Local Municipalities in Florida to Lessen the Negative Impact of Single-Use Plastic Shopping Bags on the Environment

**A motion was made by Council Member Fraize, seconded by Council Member Daniels, that Item No. 16-2118 be approved.**

Discussion followed on considering recommendations from the Environmental Advisory Board (EAB), plastic bags not deteriorating in the landfills, limited resources, issue not coming from residents, whether city is equipped to handle this type of ordinance, effects of a unilateral ban, consumer behavior, exemptions, lack of health department in the city, sanitizing reusable bags, biodegradable bags, and impact on residents.

John Kurz, Surfrider Foundation representative, commented on the proposed resolution to include a private program for coastal communities to participate in a pilot program to ban bags. Mr. Kurz mentioned cities that have adopted the resolution and the research conducted on sanitizing plastic bags.

**The motion failed by voice vote 2 -5 with all but Mr. Daniels and Mr. Fraize opposed.**

16-2119

Follow-up on Brew Bash Special Event and the Non-Profit Designation (Holic)

Discussion continued on non local non-profit groups using local services, for profit brew bash organizer, relocating event to fairgrounds, effect on residents, issue with outside groups only being charged direct costs and using profits outside the city, and beer sold by non-profit organizations.

Erin Silk, Venice MainStreet, spoke on history of working with Brew Bash organizations.

Mr. Lavallee spoke on issue with event profits being spent outside of the city, cost of city services, and charging for use of public space.

Discussion followed on criteria and guidelines for events, approval of recurring events, consideration of other important charities, and fees for non aeronautical events that are for profit.

Ms. Silk spoke on partnerships and contract agreements with for profit event promoters.

Discussion followed on caution with limiting non profits that benefit the city.

Robin Parsons, event promoter for Brew Bash, spoke on last year's approval of the event and current issue for not using a Venice non-profit organization.

Mary Sargent, 934 Orinoco West, spoke on Englewood Animal Rescue to include servicing all of Sarasota County, use of local veterinarians, foster homes in Venice, and funding.

Bill Ahern, Island Time Spirits, spoke on involvement with event, prior issues with event organizer, and suggested for event promoters and non-profit sponsors to prove profits benefit the city.

Barbara Quinn, Women's Sertoma Club, spoke on the application process for special events, information disclosed in the application, community benefits, and use of proceeds.

**There was consensus to direct the city manager, in concert with the Economic Development Advisory Board, to review and update criteria and guidelines for special events taking place in the city and report back to city council.**

16-2120

Post Office Relocation (Holic)

Lunch recess was taken from 12:38 p.m. until 1:45 p.m.

**This Item was discussed on July 13, 2016.**

16-2121

MCRHS/MCR Health Services Letter of Support (Holic)

This Item was discussed on July 13, 2016.

## **B. RESOLUTIONS**

### **C. PRESENTATIONS WILL BE HEARD AT APPROXIMATELY 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED TO ACCOMMODATE PRESENTATIONS**

#### 16-2122

Lee Lichtle, Chair, Solid Waste and Recycling Stakeholders' Group: Recommend 5% Increase in Solid Waste and Recycling Rates for All Users (10 min.)

Mr. Lichtle spoke on budget, recommendation of a five percent increase, conducting a comprehensive review of department operations, automation, providing council with a comprehensive plan and recommendations, and equipment needs.

Mr. Lichtle responded to council questions regarding reserve balance.

Discussion continued regarding Manatee County going to single streaming recycling and changes to landfill, protection of workers, use of the one cent sales tax for vehicle purchases, automation, bidding from outside sources, revenue funds, and outsourcing roll-offs.

Mr. Lichtle responded to council questions regarding outsourcing, available commercial services, and rate comparison to North Port.

#### 16-2123

Martin P. Black, General Manager, The West Villages: The West Villages Overview (10 min.)

Mr. Black provided a presentation and overview on the The West Villages to include development of The Renaissance homes, development of a 60-acre school board site, town center for commercial services, Sarasota Memorial Hospital creating a medical services campus, future changes to master plan, future development to downtown Venice, phases and target completion dates, update on baseball stadium proposal for the Atlanta Braves, and Sarasota County's support on bond.

Mr. Black responded to council questions regarding recreational parks and facilities.

#### 16-2124

Barry Iozuke, Director, Golden Strand Apartments, Inc.: Request Council Direct Staff to Review the Request of Golden Strand Residents and to Work with Florida Power & Light (FPL) on the Conversion to Underground Electric Lines from Poles that Front Along The Esplanade S. Between West Venice Avenue and Granada Avenue and Report Back to Council (10 min.)

Mr. Iozuke requested for council to consider funding underground

services. Mr. Iozuke commented on safety concerns and proposals from Florida Power and Light (FPL).

Mr. Iozuke responded to council questions to include cost of the project, improvement of area, and appearance of beach area.

Discussion continued on future staff discussion with FPL and cost of underground utilities.

Mr. Iozuke commented on the road bond covering the underground work along The Esplanade.

Discussion ensued on better communication between FPL and the city.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, that Item No. 16-2124 be approved.**

Mr. McKeon left the dais at 2:34 p.m.

Discussion ensued regarding the use of taxpayer money used to benefit a small group of people.

Mr. McKeon returned to the dais at 2:38 p.m.

Discussion continued on staff investigating if issue exists in other neighborhoods, unintended consequences and spiraling costs, asking staff to inform council if this is the only neighborhood impacted, cost estimates, and having estimates available beforehand.

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

## **B. RESOLUTIONS - continued**

### RES. NO. 2016-21

A Resolution of the City of Venice, Florida, 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 Restoration Assistance, Beaches and Mines Funding Assistance Program for Fiscal Year 2017/2018 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; and Providing an Effective Date

Mr. Stelzer read resolution by title only.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, that Resolution No. 2016-21 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Cautero and Mr. Fraize

**IV. PUBLIC HEARINGS**13-03PP.1

## TOSCANA ISLES UNIT 1 PRELIMINARY PLAT AMENDMENT

Agent: Jeffery Boone, Esq.

Owners: LALP Lots VI, LLC; LALP Lots IV, LLC; LALP Lots S14, LLC;  
and LALP Development, LLC

Staff: Roger Clark, Senior Planner

Mayor Holic announced this is a quasi-judicial procedure.

Mr. Persson announced there are no conflicts of interest and no ex-parte communications.

Mr. Clark, being duly sworn, presented the city's case on Toscana Isles Unit 1 preliminary plat amendment to include summary of petition, summary of preliminary plat amendment, stipulation to petition, background, increase in lot sizes, aerial photograph of existing land use, future land use map, zoning map, approved conceptual land use plan, proposed and previously approved unit 1 preliminary plat, reduction of residential lots, commercial mixed use zoning, shifting of buffer locations, and proposed changes.

Mr. Clark responded to council questions regarding lot sizes and modifications to buffer locations.

Mr. Clark continued his presentation regarding compliance with the comprehensive plan and land development code (LDC) standards, concurrency review, staff findings of fact, and planning commission approval.

Mr. Boone, being duly sworn, spoke on the preliminary plat, consistency with city regulations, proposed reduction and changes to lots, off-site shifting of buffers, adjustments to preliminary plat, and request for approval.

Mr. Boone responded to council questions regarding the joint planning areas (JPA), wildlife corridors, and consistency with the comprehensive plan.

John Peshkin, 5310 Clark Road, being duly sworn, responded to council questions on wildlife corridors, removal and replacement of trees, and buffer zones.

Mr. Boone responded to council questions regarding buffer footage and shifting.

Alexander Hays, 5310 Clark Road, being duly sworn, commented on the

shifting of buffers.

Mr. Peshkin commented on the requirements of the planned unit development (PUD).

Mr. Boone responded to council question regarding the increase of lot sizes.

Mr. Hayes responded to council questions regarding sidewalks and widening of lots.

Mr. Clark responded to council questions regarding Mr. Snyder's vote against this issue due to concerns with buffers being off-site, concurrency, and evacuation routes.

Discussion ensued on the lack of discussion regarding wildlife corridors during rezoning.

Mr. Shrum, being duly sworn, noted the comprehensive plan was reviewed and required a full environmental analysis.

No one signed up to speak.

Mr. Boone noted the comprehensive plan policy required a study on wildlife corridors, and rezoning of property is consistent with the comprehensive plan.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Preliminary Plat Amendment Petition No. 13-03PP.1 with the following stipulation: Prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney. The motion carried by voice vote with Mr. Fraize opposed.**

16-02PP

TOSCANA ISLES UNIT 2 PRELIMINARY PLAT

Agent: Jeffery Boone, Esq.

Owners: LALP Lots VII, LLC; LALP Lots VIII, LLC; LALP Development, LLC; LALP Lots X, LLC; and LALP Lots XI, LLC

Staff: Roger Clark, Senior Planner

Recess was taken from 3:38 p.m. until 3:46 p.m.

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

Mr. Persson announced there are no conflicts of interest, and ex-parte communications included site visits by Mr. McKeon, Mr. Daniels, and Mayor Holic.

Mr. Clark, being duly sworn, presented the city's case on Toscana Isles Unit 2 preliminary plat amendment to include summary of petition, background history, aerial photograph of property, zoning, approved conceptual land use, proposed unit 2 preliminary plat, site development plans, proposed development for unit 2, landscape buffer, compliance with comprehensive plan and Toscana Isles planned unit development (PUD), compliance with standards, concurrency review, staff finding of facts, and planning commission action.

Mr. Boone, being duly sworn, presented case to include consistency with comprehensive plan, PUD, land development regulations (LDRs), and city regulations, and requested approval.

Mr. Peshkin, being duly sworn, responded to council questions regarding driveway setbacks.

Discussion continued on providing disclosures to potential residents regarding mining operations and gun range noises.

No written communication was received and no one signed up to speak.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Preliminary Plat Petition No. 16-02PP with the following stipulation: Prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney.**

Discussion continued regarding the large number of signs approved in the city and county surrounding, and disapproving the next stage of development.

**The motion carried by voice vote 5-2, with Ms. Anderson and Mr. Fraize opposed.**

14-03PP.1

VILLAGES OF MILANO REPLAT OF TRACT 200

Agent: Jeffery Boone, Esq.

Owners: Neal Communities of Southwest Florida, LLC

Staff: Scott Pickett, Senior Planner

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

Mr. Persson announced there are no conflicts of interest, and ex-parte communications included site visits by Mr. McKeon, Mr. Daniels, and Mayor Holic.

Mr. Pickett, being duly sworn, presented the city's case regarding the Villages of Milano replat of tract 200 to include summary of petition,

aerial photograph, surrounding property information, zoning map, approved binding master site plan, tract 200 as part of phase one, detail site plan, compliance with the VICA planned unit development (PUD), required landscape buffer, compliance with Land Development Code (LDC) subdivision standards, concurrency review, staff findings of fact, stipulation, and planning commission action.

Mr. Boone, being duly sworn, presented his case to include consistency with comprehensive plan, PUD, and all city codes and regulations applicable to plats, and requested approval.

Mr. Boone responded to council questions regarding Joint Planning Agreement (JPA) guidelines, JPA planning area, and buffer zones.

Ms. Stelzer noted an email communication from Walt Rossman dated July 7, 2016 was received.

Patricia Wayman, 3071 Border Road, Venice, being duly sworn, spoke on property not being subject to JPA, county commissioner's letter from 2007, city and county agreement, removal of homes along Border Road area, lot sizes complying with county standards, meeting neighborhood standards, and obtaining attorney's opinion on whether the city is following JPA.

Mr. Boone's rebuttal included relevance to JPA, zoning of property, compatibility review done and in compliance with regulations and policies, and not new PUD.

Ms. Anderson made point of order due to Mr. Boone's disparaging of public views. Mr. Boone apologized to Ms. Wayman.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve Preliminary Plat Amendment Petition No. 14-03PP.1 with the following stipulation: Prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney.**

Discussion continued regarding city council's legal counsel, increasing development, protection of wetlands, development of wildlife corridors, and development agreement on purchased property.

Ms. Anderson suggested a briefing with Mr. Persson regarding the law on property rights and placing item on a future agenda.

**The motion carried by voice vote 5-2, with Mr. Fraize and Ms. Anderson opposed.**

Agent: Jeffery Boone, Esq.  
Owners: Neal Communities of Southwest Florida, LLC  
Staff: Scott Pickett, Senior Planner

Mayor Holic announced this is a quasi-judicial procedure.

Mr. Persson announced there are no conflicts of interest, and ex-parte communications included site visits by Mr. McKeon, Mr. Daniels, and Mayor Holic.

Mr. Fraize noted his life was threatened over this item and the importance of considering residents views.

Mayor Holic opened the public hearing.

Mr. Pickett, being duly sworn, presented the city's case on the Villages of Milano phase 2 preliminary plat to include no requirement to Joint Planning Agreement (JPA) provisions, summary of proposed preliminary plat, stipulations, aerial photograph, surrounding adjacent property information, approved master site plan, phase 2 site plan, compliance with the VICA planned unit development (PUD), required landscape buffers, compliance with standards, concurrency review, staff findings of fact, and planning commission actions.

Mr. Boone, being duly sworn, presented petitioner's case to include consistency with comprehensive plan, PUD, and all city codes and regulations applicable to plats, and requested approval.

Melanie Smith, Stantec, being duly sworn, spoke on landscaping plans, FPL lines and regulations, and work with utilities on fire hydrant and valve locations.

Mr. Boone commented on buffer widths and materials exceeding requirements.

Ms. Smith responded to council question regarding replacement of trees on Border Road.

Mr. Boone responded to council question regarding the different footage on buffer zones.

Mr. Pickett responded to council questions regarding developer stipulations on the amount of open space acceptable to the city attorney, and VICA PUD requirements.

Mr. Pickett responded to Mr. Rossman's email regarding land use on Border Road to include mixed land use on different sides of Jacaranda, developer chose six foot fence, landscaping buffer, sidewalks, lights,

wetland preservation, and conservation sign.

Discussion followed on ramifications with development on the land, wildlife impact, and wetlands.

Mr. Pickett responded to council questions regarding the removal, replacement, and required number of trees.

Mayor Holic left the dais with Mr. Persson at 5:02 p.m.

Mayor Holic and Mr. Persson returned to the dais at 5:04 p.m.

Discussion followed on tree replacement, required tree inventory by developers, wetland retention ponds, storm service drain, and influencing taxpayers decision.

Pat Wayman, 3071 Border Road, being duly sworn, commented on the plat and wall view along Border Road. Ms. Wayman read part of the JPA agreement to include zoning petition, adjoining areas, and setbacks.

Discussion continued on the signed pre-annexation agreement.

Mr. Boone's rebuttal included the PUD minimum requirement of open space, tree requirements, lack of forester in the city, and removal of exotic landscaping.

Ms. Smith spoke on wetlands to include permitting, protection, and permission for development on property. Ms. Smith also mentioned lights are not required on the sidewalk.

Mr. Boone noted compatibility policies of Sarasota County and the city's comprehensive plan were followed.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Preliminary Plat Petition No. 16-01PP with the following stipulations: The restriping improvement of the intersection of Jacaranda Boulevard and Border Road shall be completed prior to the issuance of the first certificate of occupancy in the Phase 2 preliminary plat, prior to the approval of any final plat associated with the subject preliminary plat, the developer shall restrict all open space shown on the approved preliminary plat in accordance with Section 86-130(j)(3) in a manner satisfactory to the City Attorney, and the final number and location of water main valves, and the final design of the connection to the existing 12" city water main at the northeast corner of Jacaranda Boulevard and Border Road will be approved by the Utility Department as part of the construction plan review.**

Discussion ensued on issuing of permits, property owner rights, support

of the Villages of Milano by the Venetian Golf and River Club, property maintenance by Mr. Neal, and reporting threats to the police department.

The motion carried by voice vote 5-2, with Mr. Fraize and Ms. Anderson opposed.

### ORDINANCES - FIRST READING

ORD. NO.  
2016-10

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 86, Land Development Code, Article V, Use Regulations, Division 4, Business Zoning Districts, Section 86-92, CG Commercial, General District and Section 86-93, CI Commercial, Intensive District; Providing for the Revision of the General Intent Statement for the CI District by Removing Language Referencing Highly Automotive-Oriented Uses and Uses of a Neighborhood or General Commercial Type and to Expand, Clarify and Reorganize Uses in the CG and CI Zoning Districts; Establishing Development and Density Standards for Multi-Family Development in the CI Zoning District; Providing for Repeal of all Ordinances in Conflict Herewith to the Extent of Such Conflict; Providing for Severability and Providing an Effective Date

This ordinance was discussed on July 13, 2016.

### ORDINANCES – FINAL READING

ORD. NO.  
2016-12

An Ordinance Amending the City of Venice, Florida Code of Ordinances, Chapter 22, Elections, Section 22-6, Certification of Election Results to Provide more Flexibility in Scheduling the Date to Certify the Election Results and Swear in the Newly Elected Mayor and Council Members; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing for an Effective Date

This ordinance was discussed on July 13, 2016.

### **V. CHARTER OFFICER REPORTS**

#### City Attorney

This item was discussed on July 13, 2016.

#### City Clerk

This item was discussed on July 13, 2016.

#### City Manager

16-2125

Venice Library Update

This item was discussed on July 13, 2016.

**VI. COUNCIL REPORTS**

***Mayor Holic***

This item was discussed on July 13, 2016.

***Council Member Fraize***

This item was discussed on July 13, 2016.

***Council Member McKeon***

This item was discussed on July 13, 2016.

***Council Member Daniels***

This item was discussed on July 13, 2016.

***Council Member Gates***

This item was discussed on July 13, 2016.

***Council Member Anderson***

This item was discussed on July 13, 2016.

***Council Member Cautero***

This item was discussed on July 13, 2016.

**VII. AUDIENCE PARTICIPATION**

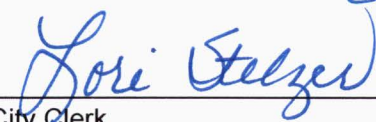
No one signed up to speak.

**X. ADJOURNMENT**

The meeting was recessed at 5:41 p.m. until Wednesday July 13, 2016 at 11:00 a.m.

ATTEST:

  
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Mayor - City of Venice

  
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City Clerk