



City of Venice

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

Meeting Minutes City Council

Tuesday, May 28, 2024

9:00 AM

Council Chambers

[24-0191](#)

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

Broadcast

CALL TO ORDER

Mayor Pachota called the meeting to order at 9:00 a.m.

ROLL CALL

Present: 7 - Mayor Nick Pachota, Ms. Joan Farrell, Vice Mayor Jim Boldt, Ms. Helen Moore, Mrs. Rachel Frank, Mr. Ron Smith and Mr. Rick Howard

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavalley, Assistant City Manager James Clinch, Deputy City Clerk Toni Cone, and for certain items on the agenda: Finance Director Linda Senne, Planning and Zoning Director Roger Clark, Director of Human Resources Alan Bullock, and Historical Resources Manager Harry Klinkhamer.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels offered the Invocation followed by the Pledge of Allegiance led by Mrs. Frank.

I. AUDIENCE PARTICIPATION will be limited to one hour.

Jean Mumper, 1555 Tarpon Center Drive, spoke on voting terms and keeping yearly voting.

Jackie Mineo, spoke on the Supervisor of Elections presentation, questioned who initiated the election timing discussion, and ethics.

Ed Martin, 409 Everglades Drive, spoke on development, elections, continuing election timing and terms, and finances.

Curt Whittaker, 613 West Venice Avenue, spoke on the importance of elections, trust, the history of the current voting system, election cycles of other municipalities, and reasons to keep off year elections.

Anthony Demeo, 249 Mestre Place, spoke on a local VPD and having it manned after hours, and in favor of yearly elections.

24-0208 General Audience Participation

II. CONSENT SECTION:

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, to approve items in the Consent Section, with the exception of Item No. 24-0195. The motion carried unanimously by voice vote.

A. CITY CLERK

[24-0192](#) Minutes of the May 14, 2024 Regular Meeting

These minutes were approved on the Consent Section.

[24-0193](#) Appoint Kyle Vartanian to the Historic and Architectural Preservation Board to Complete the Unexpired Term of Joseph Moody from May 28, 2024 to August 31, 2024, and Serve the Following Full Term from September 1, 2024 to August 31, 2027

This appointment was approved on the Consent Section.

[24-0194](#) Appoint Mary Bimonte and Stacey Bolin to the Citizen Tax Oversight Committee to Serve a Term from May 28, 2024 to May 31, 2028

These appointments were approved on the Consent Section.

III. ITEMS REMOVED FROM CONSENT

B. CITY MANAGER

Police

[24-0195](#) Approve Security Services Agreement with Epiphany Cathedral Catholic School

City Manager Lavallee answered a Council question regarding compensation of the officer and whether Epiphany would be paying 100% of the salary, stating the coverage at the school is considered a detail, Epiphany does pay 100% of the cost, and in the next budget Council will consider a request for a designated officer, which the school would pay for. He also stated this is a one of a kind contract, in response to a Council question.

A motion was made by Mrs. Frank, seconded by Ms. Moore, that Item 24-0195 be approved. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

IV. PUBLIC HEARINGS

ORDINANCES – FINAL READING

[ORD. NO.
2024-07](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, by Amending Section 1.15.2., Temporary Use Permit (Private Property), Pursuant to Text Amendment Petition No. 24-17AM, to Authorize the Temporary Use of Portable Storage Containers Under Certain Conditions; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

Written communications were provided in advance.

There was no staff update.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Ordinance No. 2024-07 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2024-09](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund; Amending Section 50-81, Definitions; Amending Section 50-84, Finances and Fund Management; Amending Section 50-96, Minimum Distribution of Benefits; Amending Section 50-104, Credit for Military Service Prior to Employment; Amending Section 50-107, Prior Fire Service; Amending Section 50-109, Supplemental Benefit Component for Special Benefits, Chapter 175 Share Accounts; Providing for Codification; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

There was no staff update.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Ordinance No. 2024-09 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[ORD. NO.
2024-10](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article IV, Finance, Division 2, Purchases, by Amending Section 2-216, Approval of Purchases; Purchasing Threshold, Deleting Section 2-217, Local Preference, and Amending Section 2-223, Conflicts of Interest and Section 2-226, Surplus and Scrap Disposal; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

Mayor Pachota opened the public hearing.

There were no written communications.

There was no staff update.

There was no public comment.

Mayor Pachota closed the public hearing.

A motion was made by Vice Mayor Boldt, seconded by Ms. Moore, that Ordinance No. 2024-10 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

V. NEW BUSINESS

A. ORDINANCES

[ORD. NO.
2024-08](#)

An Ordinance of the City of Venice, Florida, Submitting to the Electors of Venice Proposed Amendments to the City of Venice Charter; Providing Directions to the City Clerk; Providing Ballot Titles, Summaries and Text for the Proposed Amendments; Providing for Conflicts; Providing for Severability; Providing for an Effective Date for the Ordinance; and Providing for an Effective Date for Approved Amendments

Clerk Michaels read the ordinance by title only.

A motion was made by Vice Mayor Boldt, seconded by Mrs. Frank that Ordinance No. 2024-08 be approved on first reading and scheduled for final reading.

Jim Perry, 577 Misty Pine Drive, spoke on elections, requested an explanation on why this item was not sent to the Citizen Advisory Board (CAB) and Charter Review Committee, asking where the proposal initiated, the election cycle, and recommended Council abandon this plan.

Joan Roscoe, 882 Wood Sorrel Lane, spoke on the election cycle, other Florida municipalities whose elections do not coincide with the county/national elections, and encouraged a thorough review.

Steve Heffler, 487 Padova Way, spoke on elections, respect for City Council, voter perception, community input into discussion before putting it on the ballot.

George Davis, 121 Castile Street, spoke against having elections only on even years, and the benefits of odd year elections.

Debbie Gericke, 146 Bella Vista Terrace, spoke on extension of election terms, straight ticket voters, non-partisanship, stated a four-year cycle will skew the Council, recommended keeping the Council well-rounded, public optics, and a lack of property appraisal for recent lease agreement amendment.

Ruth Cordner, 246 Montelluna Drive, spoke against changing the election cycle, benefits of odd year elections, other municipalities in the United States who hold off cycle elections, public perception and trust, and financial priorities.

Dean Calamaris, 13 Gulf Maonor Drive, spoke on elections, history, issues with being on even year only elections, partisanship which was not previously an issue.

Maureen Graybil, 5 Gulf Manor Drive, spoke against changing the election cycle, and in favor of off year elections.

Joe Nisi, 5030 Seagrass Drive, spoke on elections, and the benefits of turnover in public officials.

Nancy DeForge, 332 Laurel Hollow Drive, spoke on the history of election terms, local elections, and the importance of informed voters.

Discussion took place regarding the reasons behind the proposal, history not being a reason to leave things the same, concern about voter burnout, agreement with issues citizens have brought up, option to postpone the issue, the topic being considered twice in the past 15

years, sending it to the Charter review committee, wording of the ballot question, importance of good leadership, evaluating information based on the facts, voters' capabilities, the length of ballots should not be an issue, the money not being insignificant, the voters being the decision makers, other municipalities, election cycles, and clarifying the language.

City Attorney Fernandez responded to a Council question, stating the City cannot produce a fact sheet to send out to voters/citizens, information can only be posted for voters to access of their own accord, do not need to change the charter to reference the additional year, as it is only transitional.

A motion was made by Mr. Smith, seconded by Ms. Farrell, to postpone this issue indefinitely so the charter review committee can be convened to make recommendations on it and any wording for the ballot. The motion failed by the following electronic vote:

Yes: 2 - Ms. Farrell and Mr. Smith

No: 5 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

An amended motion was made by Vice Mayor Boldt, seconded by Mrs. Frank, that Ordinance No. 2024-08 be approved on first reading and scheduled for final reading, with the amended language to the ballot title to read: align city election dates to County/State/Federal elections, coinciding office terms, shortening term limits. The motion carried by the following electronic vote:

Yes: 5 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

No: 2 - Ms. Farrell and Mr. Smith

Recess was taken from 10:43 a.m. until 11:02 a.m.

[ORD. NO.
2024-12](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 2, Administration, Article VIII, Boards, Section 2-382, Citizen Advisory Board, by Modifying the Membership Requirements for the High School Student Position; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Clerk Michaels read the ordinance by title only.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Ordinance No. 2024-12 be approved on first reading and scheduled for final reading.

The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

B. RESOLUTIONS**[RES. NO.
2024-13](#)**

A Resolution of the City of Venice, Florida, Approving an Amendment to the Public Transportation Grant Agreement for Project Number 452977-1-94-01 by and Between the State of Florida Department of Transportation and the City of Venice, Florida in the Amount of \$22,987 for the Venice Municipal Airport Master Plan Update; Authorizing Appropriate City Officials to Execute it; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

Recess was taken from 11:08 a.m. until 11:13 a.m.

A motion was made by Ms. Moore, seconded by Vice Mayor Boldt, that Resolution No. 2024-13 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

**[RES. NO.
2024-14](#)**

A Resolution of the City of Venice, Florida, Approving an Amendment to the Public Transportation Grant Agreement by and Between the State of Florida Department of Transportation and the City of Venice, Florida, by Extending the Expiration Date of the Agreement to December 31, 2024, for Project Number 450585-1-94-01 Rehabilitation of Runway 13-31 and Relocate Windssocks at the Venice Municipal Airport; Authorizing Appropriate City Officials to Execute it; and Providing an Effective Date

Clerk Michaels read the resolution only.

A motion was made by Mr. Howard, seconded by Vice Mayor Boldt, that Resolution No. 2024-14 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

**[RES. NO.
2024-15](#)**

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by TI Investors of Revello Apartments LLC and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Revello Multi-Family Project)

Clerk Michaels read the resolution by title only.

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, that Resolution No. 2024-15 be approved and adopted. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

C. PRESENTATION[24-0196](#)

Planning and Zoning Director Roger Clark: Sawgrass Update

Planning and Zoning Director Clark provided an update on the potential Sawgrass Rezoning which was pulled in February, stating staff has reviewed the complex and long history, the City zoning district is unique to Sawgrass, not taking away any property rights, there are no indications to change current uses, there is no requirement to change zoning, City has previously enforced Sarasota County zoning on the property, and mutual agreement from both primary owners to leave zoning as is.

Council thanked staff for the thorough analysis, the in-depth summary, and appreciation for parties coming to an agreement.

D. PRESENTATION WITH ACTION[24-0198](#)

Finance Director Linda Senne: Budget 3% Cap

Finance Director Senne presented a request for approval to exceed the 3% budget cap for FY2025, and answered a Council question regarding the assessed property values, noting the actual numbers will be received from the Property Appraiser soon, and stated the fund balance/reserves will be carried forward, but are not allocated for current year expenses (FY25).

A motion was made by Vice Mayor Boldt, seconded by Mr. Howard, to approve the request to exceed the 3% Budget Cap for Fiscal Year 2025 Budget. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

[24-0197](#)

Assistant City Manager James Clinch and Historical Resources Manager Harry Klinkhamer: Endorsement of the City of Venice Centennial Celebration Planning (10 min.)

Assistant City Manager Clinch and Historic Resources Manager Klinkhamer provided a presentation on the proposed Centennial Celebration Plan to serve as a guiding document to include stakeholder organizations, background, themes and objectives, timeline and city events, budget and projected costs, community outreach, engagement and participation, next steps.

Assistant City Manager Clinch and Historic Resources Manager Klinkhamer answered Council questions regarding the event approval process, long-term usage of signs and history plaques at parks, especially John Nolen Park, picture books funding. Council thanked staff, and noted there were opportunities to work with friends of the

involved non-profits.

A motion was made by Mr. Smith, seconded by Vice Mayor Boldt, that the Centennial Plan be approved as presented. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

E. COUNCIL ACTION/DISCUSSION

24-0199

Appoint Student Member Hayden Heaney to the Citizen Advisory Board to Serve a Term from May 28, 2024 to May 31, 2025 (Council Member Moore Requested to Keep the Application Pool Open)

A motion was made by Ms. Moore, seconded by Mrs. Frank, to appoint Hayden Heaney to the student seat on the Citizen's Advisory Board for a term of May 28, 2024 to May 28, 2025. The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

24-0200

Appoint Alexandros Dafoulas to the Citizen Advisory Board to Complete the Unexpired Term of Nancy Dixon from May 28, 2024 to March 1, 2025 (Council Member Moore Requested to Keep the Application Pool Open)

A motion was made by Mrs. Frank, seconded by Vice Mayor Boldt, to appoint Alexandros Dafoulas to the Citizen's Advisory Board for a term of May 28, 2024 to March 1, 2025.

Discussion took place regarding the ranking process, time to interview applicants, and background checks for employees and possibly for board candidates.

The motion carried by the following electronic vote:

Yes: 7 - Mayor Pachota, Ms. Farrell, Vice Mayor Boldt, Ms. Moore, Mrs. Frank, Mr. Smith and Mr. Howard

24-0201

Discuss Charter Officer Performance Appraisal Process (Council Member Smith)

Mr. Smith introduced the topic of evaluations and goals for charter officers.

A motion was made by Mr. Smith, seconded by Ms. Farrell, to schedule a workshop to collectively set goals for the Charter Officers for the next year as envisioned in the evaluation process Council Members have been asked to complete.

Mr. Smith asked if the Director of Human Resources would be able assist with SMART (specific, measurable, attainable, relevant, time-based/trackable) goals in a workshop.

Director of Human Resources Bullock commented on employee evaluations, the Council body overseeing the work of the Charter

Officers, a new form being developed two years ago, done on an individual basis, recommended having something on the record, no direct link to pay, and noted evaluations of the Charter Officers are not required.

Discussion continued requiring Council members to fill out forms, not needing a workshop, confidentiality, whether the budget is for the position or individual, difficulty in evaluating operations, issues with making a public record, consulting an employment attorney, group goals being an option, one-on-one conversations to address issues on an ongoing basis, guidance from the Director of Human Resources, only Council being able to evaluate, suggested tool, and not a requirement.

The motion failed by the following electronic vote:

Yes: 2 - Ms. Farrell and Mr. Smith

No: 5 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

[24-0202](#)

Discuss Appropriateness of Staff Over-Ruling Council Directives
(Council Member Smith)

Mr. Smith introduced the topic in relation to actions that took place on November 11, 2023 regarding the Sawgrass rezoning.

A motion was made by Mr. Smith, seconded by Ms. Farrell, to give clear direction to staff that once Council has acted and voted on a matter that Council alone can change it.

Discussion took place regarding a second reading not taking place after staff learned of a potential issue and staff pulled the ordinance, and whether it was appropriate since staff had originated the application, or whether it was no longer a staff request.

City Attorney Fernandez stated the matter was handled appropriately. However, if Council wanted the process to work differently they could give that directive.

Discussion continued whether any changes needed to take place to the process, concerns about spreading inaccurate information, transparency, and Council has ability to act as intended.

The motion failed by the following electronic vote:

Yes: 2 - Ms. Farrell and Mr. Smith

No: 5 - Mayor Pachota, Vice Mayor Boldt, Ms. Moore, Mrs. Frank and Mr. Howard

VI. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez stated the GCCF Planned Unit Development (PUD) Amendment denial will soon have a Special Magistrate secured and the parties will be able to schedule mediation, and she and Planning and Zoning Director Clark will meet with special counsel on PUD amendment language.

City Clerk

Clerk Michaels had no report.

City Manager

City Manager Lavallee thanked Council for approving the request to exceed the 3% budget cap and expressed appreciation for the one-on-one conversations with Council members and the Finance Director.

VII. COUNCIL REPORTS

Council Member Howard

Council Member Howard had no report.

Council Member Frank

Council Member Frank had no report.

Council Member Farrell

Council Member Farrell had no report.

Council Member Smith

Council Member Smith inquired as to the timing of communications received from the public as it relates to adding them to the official record. Clerk Michaels indicated all communications received by the City are officially a public record. As it relates to process of posting them on the agenda, communications received prior to the launching of that meeting agenda are posted on the agenda. Communications received after the agenda launch are posted to the agenda in the next round if it relates to an item having a second reading.

Council Member Moore

Council Member Moore had no report.

Vice Mayor Boldt

Vice Mayor Boldt had no report.

Mayor Pachota

Mayor Pachota reported on attendance at the Memorial Day event, Jewish Heritage month proclamation, and the Suncoast Reef Rovers clean up.

VIII. AUDIENCE PARTICIPATION

Doreen Maynard, 1030 Albee Farm Road, Apartment 416, spoke on housing issues, her personal history, crime, and parking issues.

IX. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 12:59 p.m.

ATTEST:

Mayor - City of Venice

City Clerk