



City of Venice

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

Meeting Minutes City Council

Tuesday, October 25, 2022

9:00 AM

Council Chambers

[22-5815](#)

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

Broadcast

CALL TO ORDER

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

ROLL CALL

Present: 6 - Mayor Ron Feinsod, Vice Mayor Nick Pachota, Dr. Mitzie Fiedler, Mr. Jim Boldt, Ms. Helen Moore and Mrs. Rachel Frank

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Kelly Michaels, City Manager Ed Lavallee, Assistant City Manager James Clinch, Administrative Coordinator Toni Cone, and for certain items on the agenda: Fire Chief Frank Giddens, Police Captain Andy Leisenring, Finance Director Linda Senne, Building Official Steve Beckman, Assistant Director of Public Works and Asset Management Ashlee Castle, Director of Human Resources Alan Bullock, and Public Information Officer Lorraine Anderson.

INVOCATION AND PLEDGE OF ALLEGIANCE

Clerk Michaels provided the invocation and Dr. Fiedler led the Pledge of Allegiance.

I. RECOGNITION

[22-5835](#)

Recognition Presentation to Tampa General Hospital AEROMED

City Manager Lavallee and Fire Chief Giddens accepted this recognition.

[22-5816](#)

Proclaim November 16, 2022 as "Geographic Information Systems (GIS) Day" and the Week of November 14-18, 2022 as "Geography Awareness Week", Presented to City of Venice GIS Employees Donald Hubbard, Will Smith, Kelsey Shope, Steven Berens and Christina Rimes

Mayor Feinsod presented this proclamation.

[22-5817](#)

America in Bloom Update and Award Presentation to the City of Venice

and Public information Officer Lorraine Anderson, Presented by Bob Vedder

Mr. Vedder presented this award to Public Information Officer Anderson and to Mayor Feinsod on behalf of the City.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Paul Forte, 633 Alhambra Road, spoke with concerns on road damage, safety, and erosion on Alhambra Road.

Sharon Hazeltine, 3520 E Laurel Road, spoke with concerns about City sewer plant, flooding of her property, and charges for runoff.

Chris Johnson, 2000 Tarpon Center Drive, spoke on behalf of Jetty Jacks in favor of Ordinance No. 2022-05, regarding the sale of alcohol at city beaches.

Justin Bloomquist, 19131 Mangieri Street, spoke on behalf of the Pilot House, in favor of Ordinance No. 2022-05, and positive effects on his business.

III. CONSENT SECTION:

Dr. Fiedler removed Con. No. 156-2022 from the Consent Agenda.

A motion was made by Mr. Boldt, seconded by Vice Mayor Pachota, that the Consent Agenda, with the exception of CON. NO. 156-2022, be approved. The motion carried unanimously by voice vote.

A. MAYOR

[22-5818](#)

Reappoint John Holic to the Venice Housing Authority to Serve a Term from 11/1/22 Until 10/31/2026

This reappointment was approved on the Consent Agenda.

B. CITY CLERK

[22-5819](#)

Minutes of the October 11, 2022 Regular Meeting

These minutes were approved on the Consent Agenda.

C. CITY ATTORNEY

[22-5820](#)

Request Private Attorney Client Session: Neal Communities of SWF, LLC, et al v. City of Venice

This item was approved on the Consent Agenda.

D. CITY MANAGER

Engineering

[22-37FP](#) Accept the Developers Completion and Payment Bonds in the Amounts of \$8,042,380.71 for Infrastructure Improvements and \$164,525.00 for Landscape and Irrigation Improvements from Meritage Home of Florida, Inc., and Authorize the Mayor, City Attorney and City Engineer to Sign the Magnolia Bay North Phase 1 Final Plat

This item was approved on the Consent Agenda.

[22-38FP](#) Accept the Developers Completion and Payment Bonds in the Amounts of \$9,612,145.06 for Infrastructure Improvements and \$535,950.00 for Landscape and Irrigation Improvements from Meritage Home of Florida, Inc., and Authorize the Mayor, City Attorney and City Engineer to Sign the Magnolia Bay South Phase 1 Final Plat

This item was approved on the Consent Agenda.

[22-5821](#) Authorize the Mayor to Accept Utility Easement Agreement Between Wisdom Properties, LLC, and the City of Venice for a Portion of Tract 14 and Tract 17, Toscana Isles (PID 0366130002)

This item was approved on the Consent Agenda.

Human Resources

[22-5822](#) Approve Collective Bargaining Agreement with Local 1718 American Federation of State County and Municipal Employees (AFSCME) for the Period of October 1, 2022 through September 30, 2025

This item was approved on the Consent Agenda.

[22-5823](#) Approve Collective Bargaining Agreement with Fraternal Order of Police (FOP) Sergeants and Lieutenants for the Period of October 1, 2022 through September 30, 2025

This item was approved on the Consent Agenda.

Police

[22-5825](#) Approve Interagency Agreement Between Sarasota County Sheriff's Office and the City of Venice for Use of Driving Simulators at the Knights Trail Park Facilities

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

[CON. NO.
156-2022](#) Authorize the Mayor to Execute the Locally Funded Agreement for Use of Park Impact Fees Between Sarasota County, Florida and the City of

Venice for Design and Construction of the New Public Park in Northeast Venice in the Amount of \$2,750,000

City Engineer Weeden responded to Council question regarding the next steps for the Northeast Park, this funding being needed for design contractors, and request for quotes estimated to take place in December.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Pachota, that CON. NO. 156-2022 be approved. The motion carried unanimously by voice vote.

V. PUBLIC HEARINGS

[CC 21-56SP](#) Consider and Act on Appeal of Planning Commission's Approval of Site and Development Plan Amendment Petition No. 21-56SP for Development of Three Pickleball Courts at the Existing Venetian Golf and River Club Site (Quasi-Judicial) - BOTH PARTIES REQUEST A CONTINUANCE TO THE JANUARY 24, 2023 COUNCIL MEETING

City Attorney Fernandez responded to Council question regarding the reason for continuance request and noted was there is a Southwest Florida Water Management District hearing in January the parties wish to resolve first.

A motion was made by Dr. Fiedler, seconded by Ms. Moore, to continue Item No. CC 21-56SP to the January 24, 2023 9 a.m. City Council meeting. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VI. NEW BUSINESS

RESOLUTIONS

[RES. NO. 2022-29](#) A Resolution of the City Council of the City of Venice, Florida, Amending the City of Venice Personnel Procedures and Rules, 2020 Edition, Section 2.1, Access to Group Health Insurance, and Section 2.2, Vacation Leave; and Providing an Effective Date

Clerk Michaels read the resolution by title only.

A motion was made by Ms. Moore, seconded by Vice Mayor Pachota, that Resolution No. 2022-29 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

VII. PRESENTATIONS

[22-5826](#) Captain Andy Leisenring and Assistant City Manager James Clinch: Update on Ordinance No. 2022-05, Sale, Possession and Consumption of Alcoholic Beverages at Public Beaches, and Council Direction on Renewal

of Ordinance (10 min.)

Captain Leisenring and Assistant City Manager Clinch provided an update on Ordinance No. 2022-05 regarding alcohol sales, consumption, and possession on City beaches in order to give Council information and an opportunity to revise the ordinance, which is scheduled to sunset in February.

Captain Leisenring stated there has been no increase in calls or issues due to the ordinance.

Discussion took place regarding citizen report, patrol of the parks by Venice Police Department, positive feedback from concessionaires, Jetty Villas, trespassing, and whether the issues were due to alcohol sales or consumption.

Assistant City Manager Clinch noted a proposed plan for increased signage at Jetty Villas since the property is close to an extremely busy park, and noted the activity seems unrelated to the alcohol ordinance.

A motion was made by Council Member Moore, seconded by Vice Mayor Pachota, to remove the sunset language from Ordinance No. 2022-05. The motion carried by the following vote:

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

No: 1 - Dr. Fiedler

[22-5827](#)

Finance Director Linda Senne, Building Official Stephen Beckman, and Director of Public Works Ricky Simpson: Budget Impacts, Building Permits and Inspection Process, and Collection of Storm Debris Post Hurricane Ian (15 min.)

Finance Director Senne, presented budget impacts of Hurricane Ian, including the general fund, building, airport, utilities, solid waste and stormwater funds. The estimated costs total \$17,697,799. She noted the solid waste fund cannot cover the increase costs and will have to use general funds and hope that Federal Emergency Management Agency (FEMA) will reimburse. FEMA reimbursements can take 18 months to 4 years to be received. She answered Council questions regarding other funding, insurance, FEMA, and Federal Aviation Administration (FAA) sources.

Building Official Beckman spoke on virtual inspection software, Hurricane Ian, and processes for inspections, and answered Council questions regarding the fact sheet, and engineering requirements for mobile homes.

Council Members thanked Mr. Beckman for addressing concerns at Bay Indies, the online fact sheet, and being proactive with virtual inspections.

XI. PRIVATE ATTORNEY-CLIENT SESSION[22-5830](#)

10:30 A.M. - PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS NEAL COMMUNITIES OF SWF, LLC ET AL V. CITY OF VENICE

In attendance will be City Attorney Kelly Fernandez, Special Counsel Derek Schroth, Mayor Ron Feinsod, Vice Mayor Nick Pachota, Council Members Mitzie Fiedler, Helen Moore, Jim Boldt and Rachel Frank, City Manager Ed Lavallee, and Roberts Court Reporting. (Expected Duration 30 Minutes)

Mayor Feinsod announced the private attorney-client session at 10:26 a.m.

Mayor Feinsod announced the private attorney-client session is over and the regularly scheduled meeting reconvened at 11 a.m.

PRESENTATION CONTINUED[22-5827](#)

Finance Director Linda Senne, Building Official Stephen Beckman, and Director of Public Works Ricky Simpson: Budget Impacts, Building Permits and Inspection Process, and Collection of Storm Debris Post Hurricane Ian (15 min.)

Assistant Public Works Director Castle provided a presentation on debris management including the contractors providing the service, timelines, and park services.

Assistant City Manager Clinch noted needing contractors due to the volume of debris, staffing issues, and explained the comparison of the storm to Hurricane Irma.

Assistant Public Works Director Castle noted the contractors worked seven days per week and shared the project status report received daily for debris collection, monitored staging area Wellfield park, construction and demolition debris, vegetative debris being made into mulch, Sarasota County landfill not accepting, currently taking to Fruitville road, reviewed FEMA debris guidelines, noting gated neighborhoods not authorized, working with the communities waiting for commercial properties. She stated condominiums, commercial properties, and mobile home parks are not eligible, provided comparison to Irma debris removal, potential dates, FEMA has packet, staff procedure, answering residents within one day.

Assistant City Manager Clinch noted still in damage assessment phase, gave an update of city facilities, mostly minor but widespread. He noted the damage assessment must be completed before repairs needed.

Discussion took place regarding gated communities, and creating a fact sheet with updates.

Assistant City Manager Clinch noted work with Army Corps of Engineers, impacts to the beach, the City Engineer, and funding.

Council thanked public works, utilities department and clarification of estimated cost based on haulers estimate.

Discussion took place regarding tree loss in the City, especially in parks and downtown. It was noted replacement of trees is not covered by FEMA and will be a question for Council in the future.

VIII. COUNCIL ACTION/DISCUSSION

[22-5828](#)

Discuss Storm Debris Collection from Private Roadways (Dr. Fiedler)

This item was removed from the agenda.

[22-5829](#)

Public Art Advisory Board Membership (Attorney Fernandez and Clerk Michaels)

Clerk Michaels explained the current composition of the Public Art Advisory Board.

Discussion took place regarding the inclusion of the executive director of the Venice Art Center on the board, city advisory board sizes, and obtaining a quorum.

There was consensus to amend the ordinance regarding the Public Art Advisory Board to include the Venice Art Center Executive Director, and to continue with a total of six board members.

[22-5824](#)

Charter Officer Pay Increase for Fiscal Year 2023

Discussion took place regarding need for more data, national and state averages, union contracts still on the table, these pay increases should occur after other positions, usually talked about during budget week, increase has historically been 3.5% for charter officers.

Human Resources Director Bullock discussed that it was the City Manager and City Clerk positions that needed to be addressed, one collective bargaining agreement is still being worked on, some have been completed, current amounts range between 9% - 15%, a comparison had been done to City of North Port and City of Sarasota.

Council requested the percentage increase other cities are getting for upcoming year, noted the credentials of City of Venice City Manager compared to others, population size, including one more city not in our area

but comparable, and reaching out to Florida League of Cities.

A motion was made by Vice Mayor Pachota, seconded by Mr. Boldt, to postpone action on charter officer pay increase for Fiscal Year 2023 until the November 29, 2022 City Council meeting. The motion carried by the following vote.

Yes: 6 - Mayor Feinsod, Vice Mayor Pachota, Dr. Fiedler, Mr. Boldt, Ms. Moore and Mrs. Frank

IX. CHARTER OFFICER REPORTS

City Attorney

City Attorney Fernandez had no report.

City Clerk

Clerk Michaels reported there was an increase in public records requests due to Hurricane Ian.

City Manager

City Manager Lavallee thanked every department for their work post Hurricane Ian.

X. COUNCIL REPORTS

Council Member Frank

Mrs. Frank had no report.

Council Member Boldt

Mr. Boldt reported on the airport meeting and stated he was extremely proud of staff.

Council Member Moore

Ms. Moore had no liaison reports and expressed recognition of the City staff's pride in their work.

Council Member Fiedler

Dr. Fiedler reported the Parks and Recreation Advisory Board talked about meetings next year and the Parks Master Plan. She also expressed appreciation for Chief Thorpe, Public Works Department, the Fire Department, and Building Official Beckman for their communication with homeowners associations (HOA).

Council Member Vice Mayor Pachota

Vice Mayor Pachota noted strategic planning

Mayor Feinsod

Mayor Feinsod stated this may be his last Council meeting and thanked City Manager Lavalley, Assistant City Manager Clinch, and all City staff for their knowledge the past three years.

XII. AUDIENCE PARTICIPATION

No one signed up to speak.

XIII. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 11:28 a.m.

ATTEST:

Mayor - City of Venice

City Clerk