


MEMORANDUM

To: Martin Black, City Manager

From: L.A. Heath Jr., Director of Public Works 

Date: December 5, 2005

Subject: Parks and Recreation, Chapter 46, Code of Ordinance
Ordinance No. 2006-05

The intent of amending the Parks and Recreation Code is to revise the City Parks inventory system, to revise the general rules and regulations for the Park and Recreation functions and to review adjustments for specific park locations.

Section 1. Changes the name of Curry Creek Park to the current nomenclature of Patriots Park, currently in the ordinance. Graser Park, Sawgrass Park, Marina Park and Boat Ramp, Venice Myakka River Park and Venetian Waterway Park are added to the city code. Venice City Council previously approved the Parks and Recreation Inventory Assessment Report performed in 2004 that identified these areas to be included to our code.

Section 2. The proposed Ordinance regarding conduct in parks concerning the General rules and regulations for all the parks has been totally revised. We attempted to incorporate as many of the rules and regulations from Sarasota County Parks and Recreation codes to create compatibility and consistency, improved enforcement and create uniformity within the entire parks system.

Section 3. and Section 4. Addresses specific rules and regulations for specific Parks that have different characteristics than the other parks for operational restrictions. These were Centennial Park, West Blalock Park, Patriots Park, Humphris Park and the Venetian Waterway Park. Under Park closure to vehicles during nighttime hours, Graser Park and Humphris Park were added to the current seven (7) parks listed in the city code.

The proposed ordinance was reviewed and developed by city staff in cooperation with Sarasota County Parks and Recreation staff, along with VABI and Citizen input. The proposed Ordinance was reviewed by the Venice Parks and Recreation Advisory Board and on November 22, 2005 was recommended to be presented to Venice City Council for approval.

If clarification is needed regarding the development or enforcement aspect of the proposed Ordinance, Police Chief, Jim Hanks or myself will offer our assistance.

cc: Mayor and City Council
Lori Stelzer, City Clerk
Robert Anderson, City Attorney
Jim Hanks, Chief of Police
Jack Colligan, Sarasota County Parks and Recreation Department

ROLL CALL: MR. WILLSON, YES; MR. TACY, YES; MR. SIMMONDS, YES; MR. HAMMETT, YES; MR. MOORE, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XXII. ORDINANCE NO. 2006-04, ANNEXING METES AND BOUNDS, PROPERTY SOUTH OF LAUREL ROAD, NORTH VENICE, FLORIDA, CITY OF VENICE (05-5AN) – APPROVED ON FIRST READING

Ms. Stelzer read the ordinance by title only.

Mr. Hammett **moved** that Ordinance No. 2006-04 be approved on first reading. **Seconded** by Ms. Taylor.

ROLL CALL: MR. SIMMONDS, YES; MR. MOORE, YES; MR. WILLSON, YES; MR. TACY, YES; MR. HAMMETT, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XXIII. ORDINANCE NO. 2006-05, AMENDING THE CODE OF ORDINANCES, CHAPTER 46, PARKS AND RECREATION, ARTICLE I, IN GENERAL, SECTION 46-1, DESCRIPTION OF CITY PARKS SYSTEM, AUTHORIZED USES AND ARTICLE III, CONDUCT IN PARKS – CONTINUED TO JANUARY 6, 2006

Ms. Stelzer read the ordinance by title only.

Mr. Moore **moved** that Ordinance No. 2006-05 be approved on first reading. **Seconded** by Mr. Willson.

Discussion followed regarding amending prohibition of bicycles in Centennial, West Blalock, and Patriots Parks and swimming and surfing within 50 feet of the Fishing Pier centerline.

Mayor Calamaras recommended that council members present their concerns to staff in writing.

Mr. Simmonds **moved** to continue Ordinance No. 2006-05 to the January 10, 2006, Council Meeting. **Seconded** by Mr. Willson. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XXIV. RESOLUTION NO. 2005-25, ACCEPTING UTILITIES AND IMPROVEMENTS INSTALLED BY VENETIAN COMMUNITY DEVELOPMENT DISTRICT AT VENETIAN GOLF & RIVER CLUB, PHASE 4B-1, NORTH VENICE, FLORIDA – APPROVED AND ADOPTED

Ms. Stelzer read the resolution by title only.

Mr. Tacy **moved** that Resolution No. 2005-25 be approved and adopted. **Seconded** by Mr. Simmonds.

Linda Depew - Parks Rules and the Pending Ordinance Revisions

From: Fred Hammett
To: Jim Hanks; Larry Heath
Date: 12/16/2005 2:35 PM
Subject: Parks Rules and the Pending Ordinance Revisions
CC: Linda Depew; Martin Black

At the last Council meeting Ordinance 2006-05 was continued to the January 10 meeting. At the December meeting it was requested that Council members send their concerns and comments to both of you for review and possible clarifications to the proposed Ordinance. I am not sure if it is to go back to Parks Committee or not, but that is someone else's concern.

In any case, here are my concerns and comments on the Ordinance:

1. Page 4, (3), no overnight camping. I would add the clause "exemptions may be authorized by the City Manager". I know that Pine View School has an Astronomy Night for the 6th Grade Science Class, and one of several choices like Tramanto Vista Park would be ideal for that experience. I support that camping in general should be excluded, but such an exemption for Pine View Science Class would be worth considering.
2. Page 4, (10), Dogs...are prohibited...may be impounded....There are areas that would seem appropriate for walking a dog on a leash as we permit on sidewalks and streets where there is no sidewalk. For example, Blalock Park would be appropriate to walk one's dog since there is no sidewalk around the Park and it is acceptable to walk a dog on a sidewalk. I will have a similar comment on bicycles at Blalock later. I think that having restrictions at the Beaches is debatable, there is a Dog Park alternative for that experience. For walking pets, in general, we are becoming too onerous.
3. Page 6, Sec. 46-65 Centennial Park, West Blalock Park....(a), bicycles, roller skates.....are prohibited. This is truly over regulation. As I said in Council Meeting, in some cases crossing Blalock Park is a route to Venice Elementary School, especially when there is no "regular" sidewalk in the area surrounding Blalock. My son and some of his friends used that route when they attended Venice Elementary School as well as the parents.
4. The whole subject of skateboarding. The Police Chief says that the Police Force has no authority to do anything about skateboards and their use. While I find that hard to believe, given it is the case, then, the Police should have the authority to police the misuse and abuse of skateboard activities as opposed to the outlawing of skateboarding in public places. Skateboarding should be in the same context of cycling, rollerblading, jogging or any other means of transportation, assisted or not. If a skateboarder is doing damage to public or private property, the Police should step in and take corrective action. I would suggest that taking the youthful violator to the Police Station and calling the parents to come and retrieve the child and explaining the transgressions would probably be self-correcting in short order. There could be a higher punitive remedies for repeating the offensives. Chief Hanks claims that his troops do not have that authority now, and I am suggesting that they be given that authority before outlawing the sport and recreation activity of skateboarding. As a sidebar, the City, County and YMCA are having discussions on increasing the challenges at the Skate Park. However, that said, where the skateboarding complaints are being made, is on flat parking lots and walks. Using the "simplicity" at the skate park is merely an excuse to accept bad behavior.

I am available to discuss any of these points if there is further questions or explanation desired. Please call or email me if you want to discuss these points.

Without some adjustments to the proposed Ordinance 2006-05, I will be in opposition.

Fred Hammett

AGENDA
VENICE CITY COUNCIL
December 13, 2005 – 1:30 P.M.

This meeting will be broadcast on Comcast Channel 21 on Wednesday, December 14, and Saturday December 17, 2005, at 9:30 a.m. For further information, log on to www.venicegov.com

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

I. AWARDS

Venice Holiday Parade Awards, Presented by Mayor Calamaras, Holiday Parade Committee Co-Chairs Sue Hebert and Mike Gelormino, and Sons of Italy Lodge No. 2747 President Fran Brenner

II. PROCLAMATION

Presented to Chair John Osmulski and Vice Chair Jerry Towery, Planning Commission, Designating December 14, 2005, as *City of Venice Planning Commission Day*

III. CERTIFICATES OF APPRECIATION

Presented to Police Communicators Paige Brown and June McLaughlin, Venice Police Department, for Saving a Life Through Their Dedicated Service

IV. RETIREMENT

Rollie Reynolds, Human Resources Officer

V. SERVICE AWARDS

5-Year Service Award

Jerry Manchester, Municipal Service Worker, Airport

10-Year Service Award

Pam Johnson, Public Information Officer, City Manager's Office

20-Year Service Award

Officer Bob Shaw, Venice Police Department

CITY OF VENICE

City Council

Interoffice Memorandum

TO: Mayor and Council
FROM: John Simmonds, Councilmember
SUBJECT: Parks and Recreation Ordinance No. 2006-05
DATE: December 28, 2005

I asked that Ordinance Number 2006-05 regarding parks and recreation be postponed because there was insufficient time for review and consideration. The Parks and Recreation Advisory Board rushed their consideration, with only one short presentation from the police chief, in order to get the ordinance to the next council meeting.

This ordinance imposes 18 additional restrictions on parks. I am particularly concerned about how you interpret number eight "activity not compatible with a public use"; and number 10, which permits no pets in any park other than Paw Park with impounding provisions.

I wonder about the requirement to close some parks after midnight particularly the public beach. I am also under the impression that Waterway Park is special and that those who are so involved in its construction and maintenance should submit their opinions regarding any restrictions. I am not opposed to any of the restrictions if necessary. I really need to be convinced as to why and to be comfortable that we are not unnecessarily over regulating our parks. A briefing by the police chief explaining the necessity of all the restrictions would be helpful.

Cc: Charter Officers
Larry Heath, Director, Public Works
Jim Hanks, Police Chief

From: Martin Black
To: Jim Hanks
Date: 1/3/2006 9:18:59 AM
Subject: Fwd: M&C Ord 2006-05 122805.doc

Jim, as requested by John, please be prepared to review the proposed restrictions and your perspective for their necessity at the next city council meeting.

Larry/Jim: please be prepared to also respond to the questions raised at the last meeting and the follow up email from Fred H.

Thanks!

>>> Linda Depew 12/28/2005 2:47:19 PM >>>

Attached is a memo from John Simmonds regarding Ordinance No. 2006-05 amending the parks and recreation rules. City Council has received a hard copy of the memo.

Linda

Linda Gamble Depew, CMC
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Any electronic data sent or received through this email address is public record governed by:
State of Florida, Public Records Law.

CC: Larry Heath; Linda Depew; Lori Stelzer; Mary Holcombe; Robert Anderson

XV. CHIEF JIM HANKS, VENICE POLICE DEPARTMENT, AND LARRY HEATH, DIRECTOR OF PUBLIC WORKS: PARKS AND RECREATION RULES AND REGULATIONS, ORDINANCE NO. 2006-05 (CONTINUED FROM 12/13/05 CITY COUNCIL MEETING)

Mr. Heath reviewed the current park rules and regulations revision process. Discussion followed regarding additional review by the Parks and Recreation Advisory Board; revision of Venice Fishing Pier issues; prohibition of bikes, segways, skateboards, rollerblades, and animals; site specific prohibitions; damage caused by skateboards, bicycles, roller blades; and pedestrian only zones in parks and other areas in the city.

(2:58) Chief Hanks advised that a separate ordinance would be required to establish pedestrian only zones in areas other than parks and reviewed past regulations regarding prohibition of bikes in the city's downtown area.

Discussion continued regarding review of the existing parks ordinance, restrictions in other cities and counties, and parks remaining accessible and usable.

There was **consensus** to refer Ordinance No. 2006-05, Amending the Code of Ordinances, Chapter 46, Parks and Recreation, Article I, in General, Section 46-1, Description of City Parks System, Authorized Uses and Article III, Conduct in Parks, to the Parks and Recreation Advisory Board for further review.

Recess was taken from 3:15 p.m. until 3:35 p.m.

XVI. PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND S & J PROPERTIES OF SOUTHWEST FLORIDA, LLC. – APPROVED

Ms. Holcombe displayed a land use map, pointed out property proposed for annexation, and stated the property is bounded on the north by Laurel Road and is contiguous along its entire southern boundary with city municipal limits. The Development Review Committee identified no outstanding technical issues and the pre-annexation agreement provides for proportionate cost sharing of facility improvements and impact fees. Staff and Planning Commission recommended approval. Ms. Holcombe advised that the property owner intends to join this property with property located to the immediate west.

Mr. Boone, agent for the applicant, concurred that the property is contiguous to southern limits of the city's boundary, reviewed the pre-annexation agreement, and requested approval.

(3:41) **Dan Lobeck**, attorney representing Sorrento Ranches Homeowners' Association, cited homeowners' concerns regarding high-density development in the area and inadequate buffering, and offered to discuss with the petitioners potential development of the parcel. Mr. Lobeck voiced concerns regarding the annexation's legality because the property is not contiguous to city limits and questioned if exceptions to the contiguity requirement applied.