



City of Venice

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

Meeting Minutes City Council

Tuesday, February 25, 2020

9:00 AM

Council Chambers

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:02 a.m.

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Council Member Richard Cautero, Vice Mayor Charles Newsom, Dr. Margaret Fiedler, Council Member Helen Moore, Council Member Nick Pachota and Dr. Joseph Neunder

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Police Captain Charlie Thorpe, Utilities Director Javier Vargas, Controller Joe Welch, Development Services Director Jeff Shrum, Director of Public Works and Asset Management James Clinch, and Planning Manager Roger Clark.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. PRESENTATION

[20-4412](#)

Captain Charlie Thorpe, Venice Police Department, Reese McFarlane, Teen Coordinator/Keystone Coordinator, Madison Martin, Youth Speaker: Keystone/Boys and Girls Club (10 min.)

Captain Thorpe commented on the Keystone Boys and Girls Club.

Reese McFarlane, Teen and Keystone Coordinator, spoke on the Boys and Girls Club to include available programs.

Madison Martin, youth speaker, spoke regarding skills learned at the program.

Mr. McFarlane noted the club is interested in job shadowing and volunteering for boards.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Carol Kaplan, 804 Ormond Street, spoke regarding having a non partisan government.

Mike Pachota, Sharky's Restaurant, provided a history of Sharky's and noted Justin Pachota is the new company president.

Justin Pachota, Sharky's Restaurant, presented rent check to the city and spoke to the number of employees at Sharky's and Fin's, beach parking, pier rehabilitation, the city setting aside funds for future pier improvements, and restaurant improvements to include solar panel project.

Debra Schyuinck, 1701 Auburn Road, spoke regarding council denying the appointment of Fred Fraize to the Construction Board of Adjustment and Appeals.

Charles Rusman, 1845 Lancashire Drive, Venice, noted agreement with comments made by Ms. Schyuinck and spoke to the importance of volunteers.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Vice Mayor Newsom, to approve items in the Consent Agenda. The motion carried unanimously by voice vote.

A. MAYOR

[20-4413](#)

Reappoint Richard Francis to the Citizen Tax Oversight Committee to Serve a Term from February 29, 2020 Until February 29, 2024

This Reappointment was approved on the Consent Agenda.

B. CITY CLERK

[20-4414](#)

Minutes of the January 30, 2020 Parks Special Meeting and February 11, 2020 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY MANAGER

[20-4415](#)

Approve Special Event: Tour de Femme on April 5, 2020 at the Venice Train Depot

This Item was approved on the Consent Agenda.

Airport

CON. NO.
152-2020

Approve the Contract with UNICOM Government, Inc. for the Amount Not-To-Exceed \$313,194.94 for the Airport Security Project

This Contract was approved on the Consent Agenda.

Historical Resources

20-4416

Approve Conceptual Plan for 2020 Public Arts "Venice Fanta-Sea" Project

This Item was approved on the Consent Agenda.

Police

20-4417

Approve Memorandum of Understanding between the City of Venice and Tom Knight, Sheriff of Sarasota County, for the Appointment of Deputy Sheriffs

This Item was approved on the Consent Agenda.

20-4418

Approval to Purchase Spacesaver Storage Lockers for the City of Venice Public Safety Facility from Patterson Pope in the amount of \$238,856

This Item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

There were none.

Recess was taken at 9:32 a.m. until 9:40 a.m.

V. PUBLIC HEARINGS

A. ORDINANCES – FINAL READING

ORD. NO.
2019-19

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Multiple Parcels located East of I-75 between Laurel Road and Border Road and Owned by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ, from Commercial Mixed-Use (CMU) and Planned Unit Development (PUD) Districts to a Planned Unit Development (PUD) District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez inquired on conflicts of interest and ex-parte communications since the last meeting. Dr. Fiedler disclosed receiving comments from neighbors. There were no conflicts of interest.

Per Ms. Fernandez's request, council members confirmed they were present at the June 25, 2019, July 9, 2019 and August 27, 2019 meetings or reviewed the meeting videos.

No written communication was received since the last hearing.

Mr. Shrum, being duly sworn, provided a brief introduction and noted today's presentation will focus on items that have changed since the last hearing.

Mr. Clark, being duly sworn, provided a presentation and spoke on the Gulf Coast Community Foundation (GCCF) project timeline, zoning map amendment petition, property background, surrounding properties, site photographs, comprehensive plan, and the binding master plan (BMP).

Mr. Shrum clarified there is no obligation to rezone the property.

Mr. Clark spoke on the planned unit development (PUD) request, modifications and conditional use, comprehensive plan strategies, compatibility analysis, mitigation techniques of Policy 8.2, land development code (LDC), mobility to include traffic study and access improvements, staff's proposed stipulations, findings of fact, planning commission's report and recommendation to city council, revisions to the BMP to include removing 100 foot right-of-way and potential for residential uses in the amenity area, applicant's proposed stipulations, cell tower, adding the word "lakes" to the table in the BMP, staff's memorandum dated June 17, 2019 regarding applicant's request for additional building height, and conditional use requirement on building heights over 35 feet.

Mr. Shrum commented on the PUD language and height variance.

Mr. Clark reviewed and answered questions received from the mayor, noted "lakes" was added to the table in the BMP, and spoke to revised stipulations provided by the applicant at the August 27, 2019 hearing.

John Neal, Nealland and Neighborhoods, being duly sworn, spoke to building strong communities, mixed use developments, credibility, variety of homes offered, limitations due to cell tower, and amenity area.

Jim Collins, planner with the Boone Law Firm, being duly sworn, noted the

application is consistent with the comprehensive plan, and commented on the MUR land use designation, proposed PUD request, and Policy 8.2 regarding compatibility.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke regarding approved development plans, proposed density and building height reductions, stipulations, cell tower, non-residential uses, and turn lanes on Laurel Road and Border Road.

Mr. Neal requested council approve proposed PUD with the revised stipulations.

Mr. Boone presented proposed stipulations.

Discussion followed regarding new style homes, flexibility for townhomes, and amenity area.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Cautero, that based on the evidence in the record, Ordinance No. 2019-19 be approved and adopted with the five stipulations presented by the applicant.

Discussion followed regarding density reduction, compatibility, and having a guaranteed minimum space for the amenity area.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

B. VARIANCES

[CC 19-38 VZ](#) Request for Variance Regarding the Maximum Height of Structures in the Planned Unit Development (PUD) District by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ for the GCCF Property (Quasi Judicial)

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

Ms. Fernandez inquired as to conflicts of interest and ex-parte communications. There were none.

No written communication was received.

There was no presentation by staff or the applicant.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Cautero, to approve the development order for Variance Petition No. CC 19-38VZ.

Discussion took place regarding the importance of variances, public perception of variances, and standard building heights.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

Recess was taken at 10:46 a.m. until 10:56 a.m.

VI. UNFINISHED BUSINESS

[20-4374](#)

Director of Public Works and Asset Management James Clinch and Assistant Director Rick Simpson: Request Approval of 5-Year Capital Improvement Project (CIP) Schedule for Park Impact Fee Projects (15 min.)

Mr. Clinch spoke to revising Capital Improvement Project (CIP) sheets based on council's input, Sarasota County partnering with the city on a park project for northeast Venice, finding a location for a park in northeast Venice, Venezia Park project, and responded to council questions regarding allocating money for park amenities, replacing the playground equipment at Venezia Park, partnership with the Venice Lions Club, pickleball courts, and Hecksher Park playground.

A motion was made by Dr. Fiedler to approve Item No. 20-4374 with the addition of one million dollars in FY22 for a park in northeast Venice.

Dr. Fiedler withdrew her motion.

A motion was made by Vice Mayor Newsom, seconded by Council Member Pachota, to approve Item No. 20-4374.

Discussion followed on importance of obtaining residents feedback, Venezia Park, northeast area growth and having amenities for the area, community outreach, and the Venice Lions Club.

The motion carried unanimously by voice vote.

VII. NEW BUSINESS

A. ORDINANCES

[ORD. NO.](#) [2020-05](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund, Section 50-87,

Death Prior to Retirement, and Section 50-88, Disability Benefits; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Council Member Pachota, seconded by Dr. Fiedler, that Ordinance No. 2020-05 be approved on first reading and scheduled for final reading.

Discussion followed on cancer related disability coverage for firefighters.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

B. RESOLUTIONS

[RES. NO. 2020-02](#)

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Neal Communities of Southwest Florida, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Cautero, seconded by Vice Mayor Newsom, that Resolution No. 2020-02 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

[RES. NO. 2020-03](#)

A Resolution of the City of Venice, Florida, Accepting On-Site and Off-Site Utilities and Improvements Installed by Heartis Venice, LLC, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Council Member Cautero, that Resolution No. 2020-03 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Vice Mayor Newsom, Dr. Fiedler, Ms. Moore, Mr. Pachota and Dr. Neunder

C. COUNCIL ACTION/DISCUSSION

[20-4419](#)

Authorize the Mayor to Sign Acceptance by Grantee for the Utility Easement Granted by Heartis Venice, LLC

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve Item No. 20-4419. The motion carried unanimously by voice vote.

VIII. CHARTER OFFICER REPORTS**City Attorney**

Ms. Fernandez noted staff is working on updating and improving the citation process and an ordinance will be coming forward to council.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee commented on strategic planning and prospect of scheduling a second meeting, and spoke to the value of surveys.

IX. COUNCIL REPORTS***Council Member Newsom***

Vice Mayor Newsom suggested discussing representation of city council on county boards at the budget workshop, reported on the Economic Development Corporation (EDC) meeting, and noted meeting with chair of the Southwest Florida Regional Planning Council (SWFRPC).

Discussion followed regarding the city's participation on the SWFRPC.

Council Member Fiedler

Dr. Fiedler commented on the city's participation on the SWFRPC and noted planning commission will be meeting tomorrow with the Environmental Advisory Board (EAB) regarding the land development regulations (LDRs).

Council Member Moore

Ms. Moore reported on the Venice Housing Authority (VHA) and Architectural Review Board (ARB) meetings.

Council Member Cautero

Mr. Cautero commented on strategic planning and noted there is no need for a second meeting, and reported on the Braves on Miami event, Venice Sunrise Rotary Hometown Heroes banquet, and inquired on the county's perspective on the coronavirus.

Mr. Lavallee noted he will contact the county and provide feedback to council.

Council Member Neunder

Dr. Neunder reported on the Tourist Development Council (TDC) meeting and thanked staff for the garbage truck detail experience.

Council Member Pachota

Mr. Pachota reported attending the Atlanta Braves kickoff event in North Port.

Mayor Feinsod

Mayor Feinsod spoke on meeting with state legislatures in Tallahassee, meetings with representatives from EDC and Mote Marine, and reminded council members to remain non partisan.

Recess was taken at 11:45 a.m. until 1:01 p.m.

D. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

[20-4420](#)

Controller Joe Welch and Jeff Wolf, Manager, MSL, Inc: Presentation of 2019 Comprehensive Annual Financial Report (CAFR) and External Annual Audit

Jeff Wolf, Manager, MSL, Inc., provided a presentation and spoke to audit purpose, review and verification of documents, internal control and compliance, federal and state grants, other reports, and required communications.

Mr. Welch reviewed financial highlights for general, other governmental and enterprise funds, pension/Other Post Employment Benefits (OPEB) obligations, unfunded liabilities, return on investments, grants and loans expended, and commented on other information in the Comprehensive Annual Financial Report (CAFR).

Discussion followed regarding the general fund balance reserve, the city's credit rating, staff providing ideas on how to shorten the gap of unfunded pension liabilities at the budget workshop, unfunded liability trend within the last year, required annual contribution, and two percent return on investment.

A motion was made by Council Member Pachota, seconded by Dr. Neunder, to accept the 2019 CAFR as presented. The motion carried unanimously by voice vote.

[20-4421](#)

Javier Vargas, MPA, Utilities Director and Amanda Schwerman, PE, Black and Veatch: Water System Master Plan Update (15 min.)

Mr. Vargas commented on the city's water system master plan.

Amanda Schwerman, P.E., Black and Veatch, provided a presentation and spoke on master plans, comprehensive water system planning, population growth, demand forecast tool, water treatment plant capacity, water supply capacity, water system improvement results, water main replacement program, capital improvement cost needs, and position of the city's future water system.

Discussion followed regarding life expectancy of water main pipes and sanitary sewers, projected capital improvement costs, wastewater treatment plant capacity and agreement with county, pump station, proposed storage facility, total department costs, Mr. Vargas providing council with an update on what the department has done since 2012 and future projections at the budget workshop, and reverse osmosis filtration system.

X. AUDIENCE PARTICIPATION

There was none.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 1:51 p.m.

ATTEST:

Mayor - City of Venice

City Clerk