



City of Venice

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

Meeting Minutes City Council

Tuesday, September 27, 2016

9:00 AM

Council Chambers

CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 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: Fire Chief Shawn Carvey, Utilities Director Tim Hochuli, Finance Director Linda Senne, Development Services Director Jeff Shrum, Public Works Director John Veneziano, Airport Director Mark Cervasio, Senior Planner Scott Pickett, City Engineer Kathleen Weeden, Assistant City Manager Len Bramble, and Assistant City Attorney David Jackson.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. RECOGNITION

[16-2246](#)

Recognize Verna Silk for her Service on the Parks and Recreation Advisory Board

Mayor Holic presented a certificate to Ms. Silk.

[16-2248](#)

Proclaim October 2016 as Domestic Violence Awareness Month, Presented to Cherie Heasley, Communications Manager, Safe Place And Rape Crisis Center (SPARCC).

Mayor Holic presented this proclamation to Ms. Heasley.

[16-2247](#)

Proclaim October 9-15, 2016 as "Fire Prevention Week", Presented to City of Venice Fire Chief Shawn Carvey

Mayor Holic presented this proclamation to Chief Carvey.

[16-2249](#)

Swear In: Firemedic Hunter Snyder, Venice Fire Department

Mayor Holic swore in Mr. Snyder.

[16-2265](#)

Recognize Battalion Chief Scott Blanchard for having received the Above and Beyond the Call of Duty Award as part of the Congressional Fire and Rescue EMS Awards (CFREA) for Florida's 16th Congressional District

Mayor Holic recognized Mr. Blanchard.

II. AUDIENCE PARTICIPATION

Scott Woodman, 229 Turin Street, Venice, spoke against the Florida Power and Light's (FPL) solar project and commented on his meeting with the city, neighbors, and FPL.

Steve Kimson, 410 Riviera Street, Venice, spoke on concerns with the FPL solar structure and agreement with Mr. Woodman.

Discussion followed on landscaping maintenance around the community center.

Janine Joyner, 817 Riviera Street, Venice, spoke on concerns with the FPL solar structure.

III. CONSENT SECTION:

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve all items on the consent section with the exception of Item Nos. 16-2254 and 16-2258. The motion carried unanimously by voice vote.

A. MAYOR

[16-2250](#)

Reappoint James Middleton to the Historic Preservation Board to Serve a Term from October 1, 2016 until September 30, 2019

This Reappointment was approved on the Consent Agenda.

[16-2251](#)

Appoint Eydie Kargas to the Parks and Recreation Advisory Board to Serve a Term from October 1, 2016 until September 30, 2019

This Appointment was approved on the Consent Agenda.

[16-2252](#)

Appoint Roger Efron to the Parks and Recreation Advisory Board to Serve a Term from September 27, 2016 until June 30, 2017

This Appointment was approved on the Consent Agenda.

[16-2253](#) Appoint Franklin Wright to the Historic Preservation Board to Complete the Term of Judith Bauer from September 27, 2016 until August 31, 2018

This Appointment was approved on the Consent Agenda.

B. CITY CLERK

[16-2255](#) Minutes of the September 1, 2016 Special Meeting

These minutes were approved on the Consent Agenda.

C. CITY MANAGER

Airport

[CON. NO.](#)
[61-2016](#) Approve Contract for Improvements to Hangar 1000 at the Venice Municipal Airport with Pioneer Building and Development, Inc. in the Amount of \$170,799 and Grant Authorization for the Mayor to Execute the Contract

This Contract was approved on the Consent Agenda.

[16-2256](#) Approval of Venice Municipal Mobile Home Park Maintenance Contract for the 2017 Fiscal Year

This Contract was approved on the Consent Agenda.

Finance

[16-2257](#) Authorize the Mayor to Execute the FDEP General Appropriations Grant Agreement LP58045 between City of Venice and Florida Department of Environmental Protection Agency for Venice Utility East Gate Water Distribution Improvement and Relocation Phase 1 Project

This Authorization was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

[16-2254](#) Appoint Marie Rust to the Public Art Advisory Board to Complete the Term of Leah Sherman from September 27, 2016 until October 31, 2017
Mayor Holic noted Ms. Rust was not a city resident; therefore she could not serve on the board.

This Appointment was pulled from the Consent Agenda.

Utilities

[16-2258](#) Approval to Apply for Cooperative Funding with Southwest Florida Water Management District (SWFWMD) in the Amount of \$11,000 for the

Advanced Metering Analytics Project and \$22,000 for the Continuation of the Toilet Replacement Project

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-2258.

Discussion followed on the advanced metering project, responses from constituents, facility maintenance, water consumption costs, and project funding.

Mr. Lavallee discussed project to include water conservation, leak detection, and water consumption.

Discussion continued on reducing water consumption, project funding, annual leaks detected, and utilities facility maintenance.

The motion carried by voice vote 6-1 with Ms. Anderson opposed.

VI. UNFINISHED BUSINESS

B. COUNCIL ACTION/DISCUSSION

[16-2266](#)

Authorization for the Mayor to Execute the 1) Second Amendment to Solar Lease and Easement Agreement and 2) Amendment to Memorandum of Solar Lease and Easement Amendment Documents with Florida Power & Light Company for Solar Array Being Installed at the Venice Community Center

Council had no objection to address this item out of order. Mayor Holic announced that FPL representatives requested this item be postponed.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to postpone Item No. 16-2266 to a future meeting.

Discussion continued on amending the motion to have entire structure removed, postponement request, obtaining residents input on removing structure, and having an agreed resolution by all parties involved.

Mr. Woodman spoke on community's response to project, relocating project to another site, and disagreement with project.

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

V. PUBLIC HEARINGS

ORDINANCES - FIRST READING

[ORD. NO.](#) [2016-16](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Relating to Properties Located at 490, 492, 494, and 505 Hauser Lane, as Reflected in Rezoning Petition No. 16-1RZ, Ronald J. Siegrist Revocable Living Trust, Ronald J. Siegrist, Trustee, for the Rezoning of the Property Described Therein, from Sarasota County

Residential, Multiple-Family 1 (RMF-1) Zoning District to City of Venice
Residential, Multiple-Family 4 (RMF-4) Zoning District; Providing for
Repeal of all Ordinances in Conflict Herewith; Providing for Severability;
and Providing for an Effective Date

Recess was taken from 10:12 a.m. until 10:28 a.m.

Mayor announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mr. Daniels returned to the dais at 10:30 a.m.

Mayor Holic opened the public hearing.

Mr. Persson questioned council on ex-parte communications and conflict of interest. There were no conflicts of interest. Mayor Holic and Mr. Daniels noted site visits, and Ms. Anderson noted she had a brief general discussion about this item with an audience member.

No written communication was received.

Scott Pickett, senior planner, being duly sworn, presented the city's case to include zoning amendment, summary of proposed rezone petition, aerial photograph, existing zoning map, proposed zoning map, consistency with the comprehensive plan, consistency with future land use map designation, land use compatibility, staff planning analysis, and staff summary and findings of fact.

Mr. Pickett responded to council questions to include units per acre, dwelling units, maximum density per acre, commercial units, planning commission's support, concurrency, property access, sidewalk widening, residents input, density compatibility, notices to residents, height standards, pedestrian safety, and comprehensive plan height and density restrictions.

Mr. Persson clarified restriction changes to the comprehensive plan and noted council must review application under the current comprehensive plan.

Mr. Pickett responded to council questions regarding public street access and zoning density.

Ronald Siegrist, 490 Hauser Lane, Venice, being duly sworn, spoke on his background, planning commission's request for council's approval, the Venetian Seaboard Master Plan, utilization of infrastructure, response to zoning petition, affordable work force housing, number of units requested, and consistency with future land use.

Discussion continued on work force housing, ability for applicant to provide affordable work force housing, site plan drawings and design, wetland designation, and inlets.

Mr. Persson clarified the city's zoning restriction.

Discussion continued on density bonus and identifying affordable housing.

Don O'Connell, 500 Hauser Lane, Venice, being duly sworn, noted his support of the applicant and spoke on concerns with stipulations placed on affordable work force housing.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Daniels, that Ordinance No. 2016-16 be approved on first reading and scheduled for final reading.

Discussion continued on egress, pedestrian safety, property advantages, and guarantee for developing work force housing.

The motion carried by the following vote:

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

[ORD. NO.
2016-17](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Property Located at 501 Hauser Lane, as Reflected in Resone Petition No. 16-2RZ, George A. and Norene M. Ronald, for the Rezoning Property Described Therein, from Sarasota County Residential, Multiple-Family 1 (RMF-1) Zoning District to City of Venice Residential, Multiple-Family 4 (RMF-4) Zoning District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date

Mayor announced this is a quasi-judicial hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Mr. Persson questioned council concerning ex-parte communications and conflicts of interest. There were no conflicts of interest, and Mayor Holic and Mr. Daniels noted site visits.

No written communication was received.

Council had no objection incorporating references as stated at the prior hearing for Ordinance No. 2016-16 and having Mr. Pickett present new

information only.

Mr. Pickett, being duly sworn, presented the city's case to include aerial photograph, existing zoning map, proposed zoning map, consistency with comprehensive plan, consistency with future land use, and staff summary and findings of fact.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2016-17 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

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

ORD. NO.
2016-19

An Ordinance of the City of Venice, Florida, Amending Chapter 86, Land Development Code, Article V, Use Regulations, Division 2, Resource and Conservation Zoning Districts, Sections 86-70 and 86-71; Division 4, Business Zoning Districts, Sections 86-90 Through 86-97; Division 5, Industrial Zoning Districts, Section 86-100; Division 6, Community Facilities Zoning Districts, Section 86-110; Division 7, Special and Overlay Zoning Districts, Section 86-120; Division 8, Planned Development Zoning Districts, Sections 86-130, 86-131 and 86-132; Regarding Special Exceptions and Prohibited Uses; Amending Division 9, Specific use Regulations by Adding Section 86-155, Pain Management Clinics; Amending Article VIII, General Administrative Provisions, Section 86-570(B), Definitions; Amending Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 2, Off-Street Parking and Loading Vehicular Facilities, Section 122-434, Number of Parking Spaces; Providing for Conflict with other Ordinances; Providing for a Severability Clause and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor opened the public hearing and noted a continuance request from staff.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Ordinance No. 2016-19 and the public hearing be continued to October 11, 2016. The motion carried unanimously by voice vote.

Recess was taken from 11:56 a.m. until 1:00 p.m.

VII. NEW BUSINESS

A. ORDINANCES

ORD. NO.
2016-20

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 46, Parks and Recreation; Article I, in General; Section 46-1, Description of City Parks System; Authorized Uses; and Article IV, Marine Activities; Division 5, Marine Parks; Section 46-186, Miscellaneous Rules; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

This Ordinance was pulled from the agenda and will be presented at a future meeting.

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

16-2259

Public Works Director John Veneziano: Proposed Tarpon Statue at W. Blalock/Arboretum (10 min.)

Mr. Veneziano spoke on the Venice Area Beautification Inc. (VABI) statue proposal, corridor proposal, and approval by the Parks and Recreation Advisory Board.

Discussion followed on statue maintenance and repairs, dolphin statue at the Jetty, statue donations, art placement, longevity of statues, statue design, statue capacity at Blalock Park, statue location, and funding.

Mr. Veneziano responded to council questions regarding budget for artistic fixtures and maintenance, proposed statue location and view, and obtaining resident input.

A motion was made by Council Member Gates, seconded by Council Member McKeon, to approve Item No. 16-2259. The motion carried by voice vote 6-1 with Mr. Daniels opposed.

16-2260

Airport Director Mark Cervasio: Airport Layout Plan and Request for Council Approval of the Interim Airport Layout Plan (10 min.)

Mr. Cervasio provided a brief history on the skydiving request and spoke on the Federal Aviation Administration (FAA) flight risk assessment, identified risks and mitigation measures, compatibility with the airport, airport layout plan, operator frequency, publications, parachute drop zones, and operator access routes.

Discussion followed on safety, site considerations, drop zone designated areas, location and monitoring of sheriff's helicopter, t-hangars, peak airport operation time, transient pilots, safety measures, and FAA flight risk assessment.

Mr. Cervasio responded to council questions regarding projected landing area, city's flight assessment, requirement for a radio on aircrafts, and city's liability.

Mr. Jackson responded to council questions regarding the city's liability, and Mr. Persson explained sovereign immunity.

Discussion ensued on location of drop zones, pilot radio communication, safety concerns, command pilot's responsibility, FAA's responsibility in supervising command pilots, commercial pilots, and near miss counts.

Paul Hollowell, 628 Armada Road South, Venice, spoke on support of skydiving at the airport and FAA safety recommendations.

Peter Wassylenko, 3540 Becker Road, Venice, spoke on support of skydiving operations.

Mr. Cervasio responded to council questions regarding participation of other skydiving companies, and noted the maximum number of jumps allowed per year per operator.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 16-2260. The motion carried by voice vote 6-1 with Mayor Holic opposed.

[16-2261](#)

Airport Director Mark Cervasio: Approval of Skydiving Standard Operating Procedures (5 min.)

Discussion ensued on the city's insurance coverage and risk management.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Item No. 16-2261.

Discussion followed on standard operating procedures (SOPs) to include runway altitude, established traffic pattern, residential areas adjacent to the airport, weather conditions, and FAA review board.

The motion carried by voice vote 6-1 with Mayor Holic opposed.

C. RESOLUTIONS

[RES. NO.](#)
[2016-28](#)

A Resolution of the City of Venice, Florida, Amending the Rules and Regulations for Venice Municipal Airport, Contents, Section 1 Definitions, Subsection 5.05 Parachute Jumping; and Providing for an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, that Resolution No. 2016-28 be approved and adopted.

Discussion followed on skydiving operations to include manager permissions, SOPs, drop zones, and parachuter license monitoring.

The motion carried by the following vote:

Yes: 6 - Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Cautero and Mr. Fraize

No: 1 - Mayor Holic

D. COUNCIL ACTION/DISCUSSION

CON. NO.
63-2016

Approve Commercial Skydiving Parachute Drop Zone Access Agreement between the City of Venice and Skydive Venice Beach, Inc.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to approve Con. No. 63-2016.

Discussion took place on project funding.

Recess was taken from 2:30 p.m. to 2:38 p.m.

The motion carried by voice vote 6-1 with Mayor Holic opposed.

UNFINISHED BUSINESS - Continued

A. ORDINANCES – FINAL READING AND PUBLIC HEARING

ORD. NO.
2016-18

An Ordinance of the City of Venice, Sarasota County, Florida, Amending the Code of Ordinances, Chapter 54, Solid Waste; Article V, Rates and Charges; Billing Procedure, Amending Section 54-161, Fee Schedule; Deposits; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

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 McKeon, seconded by Council Member Gates, that Ordinance No. 2016-18 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Mr. Cautero and Mr. Fraize

No: 1 - Ms. Anderson

16-2262

South Jetty Dolphin Statue Maintenance and Determining Proper Procedures for Assigning Work to Advisory Boards (Holic)

Discussion continued regarding procedures for assigning items to advisory boards, staff response time for questions, city's maintenance, providing council direction to other advisory boards, staff time consumption, charter provision, conducting a meeting with all advisory boards, placing item on the October 25, 2016 agenda for further discussion, board consolidation, and request for Ms. Senne to notify council the impact of any income to the city if Venice Regional Bayfront

Health moved outside city limits.

[16-2267](#)

Motion to Revise the FY2017 Proposed Budget to Include Rollover of \$200,000 in Heritage Park Walkway Improvements and \$131,250 in ADA Improvements Sidewalks/Parks/Bldgs from the Fiscal Year 2016 Adopted Budget and Increase the Appropriation to the Heritage Park Walkway Improvements in the Amount of \$200,000 from the One-Cent Sales Tax Fund. The Total Project Costs of \$531,250 from the One-Cent Sales Tax Fund will be Added to the FY2017 Budget

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 16-2267.

Ms. Weeden spoke on resurfacing the walkway, additional lighting, initial design and cost, Americans with Disabilities Act (ADA) requirements, asphalt texture, and root maintenance.

Discussion ensued on park usage, trail improvements, recyclable mulch, tree lights, project priority ranking list, city asset inventory, funding priority needs, and project funding by the one-cent sales tax.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to call for question. The motion carried by voice vote 5-2 with Ms. Anderson and Mr. Fraize opposed.

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

[16-2263](#)

Establish Deadline for Council to Provide Suggestions for Inclusion or Deletion on the City's Federal Legislative Priorities for the Upcoming Cycle (Holic)

A motion was made by Council Member Daniels, seconded by Council Member Gates, to move Item No. 16-2263 to the first November council meeting. The motion carried by voice vote unanimously.

[16-2264](#)

Mooring Cleanup (Holic)

Mayor Holic spoke on the mooring cleanup and noted he will email a short video to council.

C. RESOLUTIONS - Continued

[RES. NO.](#)
[2016-27](#)

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, to Update the City of Venice Section of the Sarasota County Local Mitigation Strategy Work Group Project List, to Update the Floodplain Management Plan, to Include the Updated Sarasota County Local Mitigation Strategy Work Group Project List and Floodplain Management Plan as Portions of the Sarasota County Unified Local Mitigation Strategy 2016, and for the Updated Floodplain Management Plan and Sarasota County Unified Local Mitigation Strategy 2016 to Serve as the Formal Guides for the City of Venice's Floodplain

Management and Hazard Mitigation Activities; Superseding Resolution No. 2015-23; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Resolution No. 2016-27 be approved and adopted.

Ms. Weeden provided a brief overview to include yearly rating system, resident discount, and annual mitigation list and project updates.

The motion carried by the following vote:

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

VIII. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

[16-2125](#)

Venice Library Update

Mr. Bramble provided an update on the Venice Library to include grand opening dates and building improvements.

Discussion continued on flag pole lighting, landscaping, parking lot lighting, safety improvements, installation of lightning rods, electrical services, and FPL project completion time frame.

IX. COUNCIL REPORTS

Council Member Cautero

Mr. Cautero reported on Venice MainStreet creating annual sponsorships.

Council Member Gates

Ms. Gates requested permission to attend a Metropolitan Planning Organization (MPO) meeting on economic development in October.

A motion was made by Council Member McKeon, seconded by Council Member Daniels, to allow Council Member Gates to attend the MPO meeting at Port Manatee on October 24, 2016. The motion carried unanimously by voice vote.

Council Member Gates Continued

Ms. Gates spoke on the Economic Development Advisory Board meeting regarding the chalk festival and funding city events.

Discussion ensued on city events, allocation of event profits, admission charges, merchant contributions, city manager amending tier for 501(c) (3) status, event expenses and revenues, city's billing and reimbursement process for vendors, and city event sponsorships.

Council Member McKeon

Mr. McKeon reported on the planning commission meeting and the Manasota League of Cities.

Council Member Daniels

Mr. Daniels spoke on Sarasota County Area Transit (SCAT) Transportation Board Meeting and MPO meeting attendance, Manatee and Sarasota County bus replacement, special events, countdown pedestrian crosswalks, roundabouts, and Sarasota County traffic signalization.

Council Member Anderson

Ms. Anderson had no report.

Council Member Fraize

Mr. Fraize reported on attended meetings to include the Southwest Florida Regional Planning Council, open house with city staff, Architectural Review Board (ARB), and Ethics and Sunshine Law.

Mayor Holic

Mayor Holic provided updates on meetings attended to include the Public Art Advisory Board, Historic Preservation Board, Parks and Recreation Advisory Board, and the Planning Commission.

X. AUDIENCE PARTICIPATION

No one signed up to speak.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 4:45 p.m.

ATTEST:

Mayor - City of Venice

City Clerk