



City of Venice

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

Meeting Minutes City Council

Tuesday, January 24, 2017

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 Caution and Council Member Fred Fraize

ALSO PRESENT

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavalley, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Finance Director Linda Senne, Development Services Director Jeff Shrum, Public Works Director John Veneziano, and Assistant City Manager Len Bramble.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. RECOGNITION

[17-2455](#)

Swear In: Lieutenant Matthew Tomer, Venice Fire Department

Mayor Holic swore in Lieutenant Matthew Tomer.

[17-2456](#)

2016 Employee of the Year: Mike Wisdom, Municipal Service Worker II, Public Works Department

Mr. Lavalley presented this award to Mike Wisdom.

II. AUDIENCE PARTICIPATION

Tom Pendergrass, 787 Bridle Oaks Drive, spoke on proposed Pinebrook Park location for the police station, wildlife preserve, and suggested council look at corner of Pinebrook Road and Ridgewood Avenue.

MaryAnn Griswold, 361 Airport Avenue, spoke regarding trolley stops and the need for signage. Discussion followed regarding Ms. Griswold's use of the trolley.

Mary Ellen Smolinski, 1220 Berkshire Circle, spoke on proposed Pinebrook Park location for the police and fire station, wildlife, and suggested council look at other areas.

Ann Superko, 1238 Berkshire Circle, spoke on proposed Pinebrook Park location for the police and fire station, wildlife, parks master plan, and code requirements.

Mayor Holic noted council has not discussed the location proposed by staff and changes will have to be done by referendum.

Dale Shaw, President of Berkshire Circle Homeowners Association, 1215 Berkshire Circle, spoke on proposed Pinebrook Park location, wildlife and habitat, reevaluating sites, and Waterford Associations' position.

Gerald Bullano, 316 Park Boulevard South, spoke regarding single use plastic shopping bags and noted opposition to resolution proposed in item no. 17-2462.

William Strickland, 1244 Berkshire Circle, spoke regarding Pinebrook Park, protecting wildlife, and potential issues with east and west corridor.

III. CONSENT SECTION:

A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve items on the Consent Agenda with the exception of Item No. 17-2460. The motion carried unanimously by voice vote.

A. MAYOR

[17-2457](#) Appoint Orlando Wright to the Construction Board of Adjustments and Appeals to Complete the Term of David Kotek from January 24, 2017 until July 31, 2017

This Appointment was approved on the consent agenda.

[17-2458](#) Reappoint Arianna Murdocca as a Student Member to the Economic Development Advisory Board to Serve a Term from January 24, 2017 until January 23, 2018

This Reappointment was approved on the consent agenda.

[17-2459](#) Reappointment Shaun Graser, Charles Newsom, and Barry Snyder to the Planning Commission to Serve a Term from February 1, 2017 until January 31, 2020

These Reappointments were approved on the consent agenda.

IV. ITEMS REMOVED FROM CONSENT

B. CITY CLERK

17-2460

Minutes of the December 12, 2016 Parks Master Plan Workshop and January 10, 2017 Regular Meeting

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2460.

Discussion followed regarding the The Woods property motion made by Mr. Fraize and seconded by Ms. Anderson on the January 10, 2017 meeting.

Mayor Holic noted in the future, if there is an objection to something in the minutes, council members identify the set of minutes and section they would like to discuss.

Ms. Stelzer asked council members to contact the city clerk ahead of time if there is a concern with the meeting minutes so staff can research the minutes and try to resolve concern before the council meeting.

Discussion continued on concern with wording on The Woods property motion in the January 10, 2017 meeting minutes and postponing item until the next council meeting for further review.

A motion was made by Council Member Daniels, seconded by Council Member Anderson, to postpone Item No. 17-2460 until the next council meeting to review motion in the January 10, 2017 regular meeting minutes regarding purchase of The Woods property. The motion carried unanimously by voice vote.

V. PUBLIC HEARINGS

A. ORDINANCES – FINAL READING

ORD. NO. 2017-01

An Ordinance of the City of Venice, Florida, Amending Section 1 of Ordinance No. 2006-27, Annexing Certain Lands Lying Contiguous to the City Limits Between Laurel and Border Roads, as Petitioned by Gulf Coast Strategic Investments, Inc, a Florida Not For Profit Corporation, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions, to Correct a Scrivener's Error in the Legal Description and to Redefine the Boundaries of the City to Include the Legally Described Land Herein; and Providing 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 Daniels, seconded by Council Member Gates, that Ordinance No. 2017-01 be approved and adopted. 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.
2017-02](#)

An Ordinance of the City of Venice, Florida, Amending Section 2 of Ordinance No. 2008-24, Relating to the Bridges, Rezoning Petition No. 07-3RZ for the Rezoning of the Following Described Property Lying Between Laurel and Border Roads from Sarasota County "Open Use Rural (OUR)" Zoning District to City of Venice "Commercial, Mixed Use (CMU)" Zoning District, to Correct a Scrivener's Error in the Legal Description and to Correct the Official Zoning Atlas of the City of Venice to Provide the Correct Legally Described Land Located Within a Commercial, Mixed Use (CMU) District Classification; and Providing an Effective Date (Quasi Judicial)

Mayor Holic 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 on ex-parte communications and conflicts of interest. There were no conflicts of interest. Mayor Holic noted driving by the site.

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 Daniels, seconded by Council Member Gates, that Ordinance No. 2017-02 be approved and adopted.

Mr. Persson explained quasi-judicial hearings and requirements.

The motion carried by the following vote:

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

Discussion followed on ex-parte communications and disclosing conversations, and Mr. Persson clarified established rules for quasi-judicial proceedings.

VII. NEW BUSINESS

A. ORDINANCES

ORD. NO.
2017-03

An Ordinance of the City of Venice Florida, Amending the Code of Ordinances, Chapter 46, Parks and Recreation; Article III, Conduct in Parks, Section 46-61, Penalty; Removing Section 46-68, Smoking Prohibited on Beaches; Providing for a Severability Clause; 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 Gates, seconded by Council Member McKeon, that Ordinance No. 2017-03 be approved on first reading and scheduled for final reading.

Discussion followed regarding the county's process, removing no smoking signs at park entrances, enforceability of ordinance, delaying ordinance, Mr. Persson researching the county's process, wording on signs, county and city signs, and State of Florida law regarding smoking in parks and beaches.

A motion was made by Council Member Daniels, seconded by Council Member Anderson, to postpone Ordinance No. 2017-03 for one council meeting for the city attorney to research the county's process for prohibiting smoking on beaches. The motion failed by a show of hands 3 to 4 with Mr. McKeon, Ms. Anderson, Ms. Gates, and Mayor Holic opposed.

The motion carried by the following vote:

Yes: 5 - Mayor Holic, Mr. McKeon, Ms. Gates, Ms. Anderson and Mr. Cautionero

No: 2 - Mr. Daniels and Mr. Fraize

C. COUNCIL ACTION/DISCUSSION

17-2463

Water Conservation (Fraize)

Mr. Fraize spoke regarding global concern with water conservation, comprehensive plan, and flushing potable water.

Discussion followed regarding Venice's water supply, best practices for water consumption, fire safety, lack of water source, slowing development, obtaining more information from the utility department, flushing fire hydrants, reviewing ordinance, flushing lines and water conservation, the fire department's input, dead ends, and having staff provide a presentation to council.

Discussion continued on staff direction, dead end lines and whether water flushing is needed, looking at new and reconstruction areas, gallons used during flushing, how many dead ends are in the city, ordinances to guide developers, and improvements and methodologies used in other areas of the country.

Mr. Lavallee noted looping dead end lines is a major project.

Discussion continued on project starting point, Sawgrass Community's dead end lines, schedule for flushing lines, amount of water flushed, assigning staff work, city's water system, obtaining a staff report, and water rationing.

Mr. Bramble spoke regarding the water treatment plant operators' responsibility, water system, flushing areas, fire department's time requirement for flushing hydrants, and communication between the operators and the fire department.

Discussion followed regarding obtaining a staff report on when and how much water is flushed, city development and future conservation of water, and minimizing dead end lines.

Recess was taken from 10:44 a.m. until 10:55 a.m.

A motion was made by Council Member Fraize, seconded by Council Member Anderson, for staff to provide council with a report on number of areas and amount of water flushed. The motion carried by voice vote 5 to 2 with Mr. Daniels and Ms. Gates opposed.

B. PRESENTATIONS WILL BE HEARD AT 11:00 A.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

[17-2461](#)

Jennifer Hecker, Executive Director, Charlotte Harbor National Estuary Program: Supporting Venice's Water Resource Protection Efforts (15 min.)

Ms. Hecker provided a presentation and spoke on aligning with the city's goals, environmental education and awareness, estuary protection and restoration, improving water quality, activities in the watershed, projects in Venice to date, and partnerships with other municipalities.

Discussion followed on work done by the CHNEP, Charlotte Harbor, active memberships, the city's monetary contribution, and providing updates to council.

[17-2462](#)

Tom Jones, Environmental Advisory Board Chair: Consider Request from the Environmental Advisory Board for Council's Support for Plastic Bag Limitation to Lessen the Negative Impact of Single Use of Plastic Bags in the Environment (10 min.)

Mr. Jones requested council to support the resolution on single use plastic bags, spoke on the negative impact of single use plastic bags, and noted support does not commit Venice to take any action.

Discussion followed regarding residents action in keeping the city clean, asking support from local businesses, supporting other communities in

the state without the city's commitment, biodegradable plastic bags, resolution, enforcement by a larger governmental jurisdiction, State of Florida legislation, and other cities and counties that passed resolutions.

A motion was made by Council Member Fraize, seconded by Council Member McKeon, to advance sample resolution as a regular resolution to be voted on at the next council meeting.

Discussion followed regarding wording in resolution, presentation to legislature, revising resolution, and deadline.

The motion failed unanimously by voice vote.

A motion was made by Council Member Anderson, seconded by Council Member Fraize, to direct Mr. Jones and Ms. Anderson to work on resolution and bring back to council by the second meeting in February.

Mr. Persson spoke on the sunshine law and discussion took place regarding process to draft resolution.

The motion was withdrawn.

There was council consensus for the city attorney and the city clerk to work on the resolution.

COUNCIL ACTION/DISCUSSION - Continued

[17-2468](#)

Council Direction on Use of Wellfield Park for New Police Station Site and Referendum Process

There was no objection by council to discuss this item next on the agenda.

Mr. Lavallee spoke on the suggested site location for a public safety facility, overall project cost, reasons for looking at site, neighborhood concern with protecting open space and natural habitat, and acreage.

Discussion followed regarding city owned land at Capri Isles, corner of Pinebrook Road and Ridgewood Avenue, firing range and training area, relocation of fire station No. 2, concerns with drainage and proximity to intersection at Venice Avenue, referendum and time frame, intersection improvements, city manager providing more options, community outreach, matrix, removal of lime pits, rezoning of the park, and county shooting range.

Mr. Lavallee noted the fire department has identified an alternate site for training, and police will have simulated shooting training inside the new station.

Discussion continued on trails throughout Wellfield Park, including police and fire department on vote, use of Pinebrook Park, property cost included in referendum, drainage issues, master parks plan, moving forward with referendum, indoor gun range, site layout, time frame for

securing bond, Jacaranda extension and eagle nest preservation, city manager providing visual and information on natural habitat to council, Ajax property, hurricane standards, original Pinebrook Park design, emails received by the city, suggested southwest corner of Wellfield Park, and referendum and interest rate time limit.

Mr. Daniels left the dais at 12:13 p.m.

Ms. Senne spoke on issuing debt, requirements for spending bond money, and arbitrage.

Mr. Daniels returned to the dais at 12:16 p.m.

Discussion continued on securing bond, conducting further analysis of specific sites, site layout, property tax, two story footprint, task force presenting information to council, defining Pinebrook Park, directing staff to move forward with referendum, Venice Avenue property, and considering other locations.

Mr. Persson noted plans need to be reviewed by the Planning Commission and Parks and Recreation Advisory Board.

Discussion followed regarding zoning of Pinebrook property.

Ken Loeffler, 1224 Berkshire Circle, spoke regarding seasonal residents, absentee ballot, and postponing referendum.

Discussion followed on absentee ballots and Ms. Stelzer checking with the elections office regarding process, ballot deadline, securing funds, mail in ballots, site selection, May referendum time frame, Wellfield Park southwest corner site analysis, sunshine law, process for amending plan, having enough land space to build the joint facility, eliminating baseball fields, obtaining visual site layouts of Wellfield and Pinebrook Parks, supporting constituents, voting process, looking at other sites, and request for proposal (RFP).

A motion was made by Council Member Cautero, seconded by Council Member Daniels, to have staff move forward with work required for a referendum as soon as practical to determine the specific location of a public safety facility on government owned land. The motion carried unanimously by voice vote.

Recess was taken from 1:11 p.m. until 2:30 p.m.

[17-2464](#)

Changing the Permitted Parking Time in Centennial Park from Five Hours to Two or Three Hours (Holic)

A motion was made by Council Member Daniels, seconded by Council Member Fraize, to approve Item No. 17-2464 to change permitted parking time in Centennial Park from five hours to three hours.

Mr. McKeon returned to the dais at 2:31 p.m.

Discussion followed regarding goal for limiting parking hours, trolley service, remote parking, reducing parking limit to three hours, available parking options, obtaining resident feedback, valet parking at the Venice Theater, consistency with changes made by council, employees parking downtown, Venice MainStreet's position towards changing the permitted parking time at Centennial Park, parking incentives, reducing parking limit to four hours, parking incentives, and seasonal parking enforcement.

An amendment to the motion was made by Council Member Anderson, seconded by Council Member Cautero, to change the permitted parking time from five hours to four hours for the months of January through April.

Discussion continued on seasonal parking enforcement, using remote parking, gradually reducing the parking limit, cost per parking sign, parking enforcement coinciding with trolley service, and business owner, free, and handicap parking.

The amendment failed by voice vote 2 to 5 with Mr. Fraize, Mr. Daniels, Ms. Anderson, Ms. Gates, and Mayor Holic opposed.

An amendment to the motion was made by Council Member Anderson, seconded by Council Member Fraize, to enforce parking hours in Centennial Park the months of January through April. The amendment carried by voice vote unanimously.

The amended motion to change the permitted parking time in Centennial Park from five hours to three hours for the months of January through April carried by voice vote 5 to 2 with Mr. Cautero and Ms. Gates opposed.

[17-2465](#)

Discussion and Certification of Parks Master Plan to Planning Commission and Parks and Recreation Advisory Board

Mr. Veneziano spoke on proposed changes to the parks master plan draft.

Discussion followed regarding council's certification of the draft plan and Mr. Persson provided clarification on the process.

Discussion continued regarding items discussed at the December 16, 2016 parks master plan workshop, eliminating statistical information, changing interlocal agreements with the School Board, property for the police station, Centennial Park, study cost, obtaining input from the planning commission and parks and recreation advisory board, unanswered study questions, parks funding and maintenance costs, pickleball courts, expense schedule, and the city's vision with the school board and other municipalities for parks and recreation.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, to certify the Parks Master Plan to Planning Commission and the Parks and Recreation Advisory Board. The motion carried unanimously by voice vote.

[17-2466](#)

Proposed Legislation on Business Tax Receipt (Holic)

Mayor Holic spoke regarding local control over business tax receipts, meeting with legislative delegation, and supporting the Florida League of Cities and home rule.

A motion was made by Council Member Daniels, seconded by Council Member Gates, for the Mayor to draft a letter to Senator Greg Steube and copy all of the Florida legislators that were at the legislative delegation regarding opposition to proposed legislation on business tax receipts.

Discussion followed on providing a copy of the support letter to the Manasota League of Cities, drafting letter collectively to include all council members signature, and revenue.

The motion carried unanimously by voice vote.

[17-2467](#)

Trolley Route and Advertising

Discussion followed regarding the trolley to include feedback, route, intent, support of a third year, parking at the Venice Community Center, Jetty stop, obtaining perspective from Sarasota County Area Transit (SCAT), council's vision and intent if service is approved for a third year, service at Anna Maria Island, Florida Department of Transportation (FDOT) subsidy, suggestion for Mr. Lavalley and Mr. Daniels meeting with the SCAT director, funding, and managing services.

Linda Dalton, Traffic Advisory Task Force member, spoke on the trolley route and study.

Bill Forquer, 999 Inlet Circle, spoke regarding his trolley experience, trolley marketing, and Uber and Lyft transportation services.

Discussion followed regarding Uber and Lyft regulations, and trolley study.

Mr. Lavalley spoke regarding ordinance for advertising and signage on the trolley. Discussion followed on sign code ordinance.

VIII. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson had no report.

City Clerk

Ms. Stelzer had no report.

Discussion followed regarding ordinance communication expiration and

project update. Ms. Stelzer noted a demo will be provided for staff next week, and more details will be provided after the demo.

City Manager

17-2469

Ajax Property Update

Mr. Lavallee provided an update on the Ajax property to include solicitation to staff on property use, property access, utility booster station, infrastructure connection, noise and vegetation buffer, and communication with the county to determine their use of the property.

Discussion followed on forming resident stakeholder groups, noise concerns, Willow Chase, Toscana Isles and the Venetian Golf and River Club, future of Ajax property and opening discussion to all residents, strategic planning, commercial zoning, mixed use, booster station relocation, and original intent for purchasing the property.

Mr. Lavallee spoke regarding annexed properties that need to be rezoned, meeting the county's zoning standard, initiating process, and requested council waive rezoning fees to correct those properties. Mr. Persson requested to place a resolution on the next agenda for council action.

Discussion continued on property owner notifications and process. Mr. Shrum spoke on long and short term solutions, identifying properties, and providing updated map and information on the city's website.

Mr. Lavallee spoke on closure of permits. Discussion followed regarding public works and the planning department's staff and funding. Mr. Lavallee noted the topic will be on the next meeting agenda for further discussion.

IX. COUNCIL REPORTS

Council Member Fraize

Mr. Fraize provided an update on the Southwest Florida Regional Planning Council (SWFRPC) meeting and promise zone.

Council Member Anderson

Ms. Anderson spoke regarding a comprehensive plan objective summary, resident outreach groups, surveys, and adding city council salaries as an agenda item for the next meeting.

Council Member Daniels

Mr. Daniels reported on the Metropolitan Planning Organization (MPO) meeting, bicycle trails, Florida Department of Transportation (FDOT)

meeting, Manatee County Area Transit (MCAT) operations, transportation tax and funding, and tourism tax.

Discussion followed regarding tourism tax collected from Venice.

Council Member Cautero

Mr. Cautero reported on the Sarasota County Coastal Advisory Committee meeting and Venice MainStreet.

Council Member McKeon

Mr. McKeon reported on the ManaSota League of Cities meeting, and provided an update on the comprehensive plan and workshop meeting dates.

Discussion followed on having the city attorney review the proposed comprehensive plan draft and provide a synopsis of policy implications for each provision.

Council Member Gates

Ms. Gates spoke on city business outside of city limits, county meeting attendance, Atlanta Braves baseball team, receiving update on showmobile, and posting ride sharing information on the city's facebook and website.

There was council consensus to have information on ride sharing posted on the city's facebook and website.

Ms. Gates reported on the Economic Development Advisory Board (EDAB) meeting, Economic Development Corporation (EDC) meeting, Student Advisory Council (SAC) meeting at the Venice High School, and the Gondolier's best of Venice.

Discussion followed regarding the city's transportation service application process and requirements.

Mr. Daniels left the meeting at 5:00 p.m. and did not return.

Mayor Holic

Mayor Holic had no report.

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 5:02 p.m.

ATTEST:

Mayor - City of Venice

City Clerk