



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, November 28, 2017

9:00 AM

Council Chambers

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### CALL TO ORDER

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

### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Jeanette Gates, Council Member Bob Daniels, Vice Mayor Richard Cautero, Council Member Fred Fraize, Council Member Charles Newsom and Council Member Margaret Fiedler

### Also Present

City Attorney Dave Persson, Assistant City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavalley, Assistant City Clerk Heather Taylor, and for certain items on the agenda: Finance Director Linda Senne and Development Services Director Jeff Shrum.

### INVOCATION

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

### I. AUDIENCE PARTICIPATION

No one signed up to speak.

### II. CONSENT SECTION:

**A motion was made by Council Member Gates, seconded by Council Member Fraize to approve items in the Consent Section with the exception of Item Nos. 17-2990 and 17-2996. The motion carried by voice vote unanimously.**

#### A. MAYOR

[17-2988](#)

Appoint C. Richard Hale to the Municipal Code Enforcement Board to Serve a Term from November 28, 2017 until November 30, 2020

**This Appointment was approved on the Consent Agenda.**

[17-2989](#)

Appoint David M. Stone to the Environmental Advisory Board to Serve a Term from November 28, 2017 until November 30, 2020

**This Appointment was approved on the Consent Agenda.**

**B. CITY MANAGER**Utilities

[17-2991](#) Approve King Engineering Work Assignment No. 10, Change Order No. 2, Water Main Replacement Program, Phase 5 in the Amount of \$67,996.00 Bringing the New Contract Amount to \$328,261.00

**This Work Assignment was approved on the Consent Agenda.**

**III. ITEMS REMOVED FROM CONSENT**Engineering

[17-2990](#) Accept Grant of Easement for Sidewalk on Madrid Avenue Adjacent to the Che Vista Development from MPS Development & Construction, LLC

**A motion was made by Council Member Daniels, seconded by Council Member Gates to approve Item No. 17-2990.**

Discussion took place regarding the planning and approval of the project, funding of the sidewalk project by the developer, Mike Miller.

**The motion carried by voice vote unanimously.**

**MAYOR - Continued**

[17-2996](#) Mayor and City Council Liaison Appointments

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 17-2996.**

Discussion took place regarding concern with the county economic development corporation (EDC) appointment and the frequency of turnover for the board appointment.

**A motion was made by Council Member Daniels, seconded by Council Member Newsom, to amend the motion to change the board appointment for the EDC from Mr. Newsom to Mr. Daniels.**

Discussion took place regarding building relationships with the county, continuing continuity, and the time commitment needed to serve on the EDC.

**The amendment to the motion failed by voice vote with Ms. Gates, Vice Mayor Cautero, Mayor Holic, Mr. Fraize and Ms. Fiedler opposed.**

**The motion carried by voice vote with Mr. Daniels opposed.**

## V. PUBLIC HEARINGS

### A. ORDINANCES – FINAL READING

ORD. NO.  
2017-22

An Ordinance of the City of Venice, Florida, Adopting a 2017-2027 Comprehensive Plan Replacing the Adopted 2010 Comprehensive Plan in its Entirety; Providing for the Following Elements of the Comprehensive Plan: Introduction, Background, Land Use, Transportation and Mobility, Open Space, Housing, Infrastructure, Public Schools, and Neighborhoods; Providing for an Appendix; Providing for Severability; Providing for Repeal of all Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Ms. Fernandez replaced Mr. Persson at the dais.

Mayor Holic opened the public hearing.

Mr. Shrum reviewed the comments received from the state agencies, requested council include the changes received in their motion, spoke to actions taken to resolve the discrepancies annotated by the state agencies, responded to council questions regarding the number of comments received previously in 2010, incorporation of the proposed changes and amendments discussed at the September 19, 2017 meeting, state requirements for a 30 day response time, and prior legal issues and commented on follow up action to include the joint planning agreement and land development code updates and commented on the need to actively monitor the plans effectiveness.

Discussion took place regarding ensuring additional protections in the plan.

Ms Stelzer stated that all written communications were included in the agenda packet or received via email.

Dan Lobeck, Sarasota, spoke to the six compromises he emailed to council to achieve balance, evaluating merits of a policy, and to his concern with items removed from the comprehensive plan.

Bill Dowling, 332 Pensacola Rd., spoke to the 2010 comprehensive plan and concern with policies that have been omitted from the proposed comprehensive plan.

Linda Underwood, 332 Pensacola Rd., expressed her concern with new development and the need for safeguards to be placed into the land

development regulations (LDR).

Kindra Muntz, 5869 Venisota Road, spoke to the John Nolen vision and consideration to protect the people and environment.

Beverly Densler, 316 Park Lane Drive, expressed her concern with development and the adverse effect it has on environment and to the removal of regulatory policies from the comprehensive plan.

Tom West, 312 Circle Drive, spoke to the plan for the airport green space in 2012 and the lack of slow growth criteria in the proposed comprehensive plan.

Jeffery Boone, Boone Law Firm, spoke to the 2010 comprehensive plan review by state agencies, lawsuit against the city, and councils objection to items requested to include in the proposed comprehensive plan.

Ms. Stelzer read written communication received by Patricia Sleight, 636 Alhambra Road.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, that Ordinance No. 2017-22, including the changes proposed by staff, be approved on final reading.**

Discussion took place regarding meetings held by the planning commission to allow for maximum input of citizens and stakeholders, action taken by the planning commission to remove contradictory and ambiguous language, compatibility review matrix, inability to have 100% agreement on the plan, compatibility with policy 8.2 and Mr. Lobeck's requests, traffic, bike and pedestrian level concerns, connectivity and walkability with gated communities that annexed into the city, and property rights laws.

**The motion carried by the following vote:**

**Yes:** 5 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero and Mr. Newsom

**No:** 2 - Mr. Fraize and Ms. Fiedler

Recess was taken from 11:02 a.m. until 11:15 a.m.

## **VI. NEW BUSINESS**

### **C. PRESENTATIONS**

[17-2992](#)

Camille Cline, Friends of the Venice Public Library Inc.: The Venice Library Capital Campaign (10 min.)

Without objection, Mayor Holic reordered the agenda to hear this item at

this time.

Ms. Cline provided an update on the library capital campaign to include goal of \$1.3 million, ability to be able to adapt to future needs, mission of The Friends of the Venice Public Library, timeline for opening of the new library, history, naming opportunities, program endowment for adults and youth, floor plans, capstone, and recognition levels, and asked council for \$100,000 gift.

Discussion took place regarding the city manager determining the amount available for funding when reviewing the budget, previous donations to the library, property value, lease agreement with the county regarding legal rights to involvement with naming opportunities, and participation in long term maintenance of the library.

Mr. Lavallee requested clarification from Ms. Cline regarding timing of the contribution, levels of recognition, and consideration of the value of leased land.

Discussion ensued regarding property value.

Ms. Cline spoke to the gift going through The Friends of Venice Public Library and the counties contribution of \$11 million.

Discussion followed on use of one cent sales tax.

**There was consensus for Mr. Lavallee to include \$100,000 contribution for the library in the 2019 budget.**

## **ORDINANCES – FINAL READING**

### [ORD. NO. 2017-34](#)

An Ordinance to be Known as the City of Venice Public Safety Impact Fee Ordinance; Providing Definitions, Rules of Construction and Findings; Providing for the Imposition of Fire Impact Fees on all Fire Impact Construction Within the City of Venice; Adopting a Schedule of Fire Impact Fees and Classifying Uses of Property Subject to such Impact Fees; Providing for The Calculation of Alternative Fire Impact Fees; Providing for the Use of Fire Impact Fee Monies Collected; Providing for the Imposition of Law Enforcement Impact Fees on all Law Enforcement Impact Construction Within the City of Venice; Adopting a Schedule of Law Enforcement Impact Fees and Classifying Uses of Property Subject to such Impact Fees; Providing for the Calculation of Alternative Law Enforcement Impact Fees; Providing for the Use of Law Enforcement Impact Fee Monies Collected; Providing for Exemptions in Connection with Public Safety Impact Fees; Providing for Changes of Size and Use; Providing for Payment and Collection of Public Safety Impact Fees; Providing for Applicability; Providing an Alternative Collection Method for

Public Safety Impact Fees; Providing for Credits for Developer Contributions; Providing for Review Hearings; Requiring Review of the Impact Fee Study and the Public Safety Impact Fee Ordinance; Declaration of Exclusion from the Administrative Procedure Act; Providing for Severability; Providing for Notice of Public Safety Impact Fee Rates and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communications were 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 Fraize, that Ordinance No. 2017-34 be approved on final reading.**

Mr. Lavallee responded to council questions regarding the estimated annual income.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

Recess was taken from 11:54 a.m. until 1:15 p.m.

[ORD. NO.  
2017-35](#)

An Ordinance of the City of Venice, Florida, Amending Ordinance No. 2000-91, Which Incorporated a Pre-Annexation Agreement with One Putt Associates, Ltd, a Florida Limited Partnership, by Incorporating a First Amendment to Pre-Annexation Agreement; Providing for Conflicts Herewith; Providing for Severability; and Providing for an Effective Date

Mr. Persson replaced Ms. Fernandez at the dais.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communications were received.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, that Ordinance No. 2017-35 be approved on final reading. The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

[ORD. NO.](#)  
[2017-36](#)

An Ordinance Amending City of Venice Ordinance No. 2016-15 which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017; by Increasing the Total Revenue by \$441,000 and Total Expenditures by \$441,000; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communications were received.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member Fiedler, that Ordinance No. 2017-36 be approved on second reading.**

Discussion took place regarding additional expenses to the upcoming budget, revenue decreases, inflation, assets in need of repair, and creating a three year facility plan.

Mr. Lavallee spoke to building maintenance, ongoing costs, and focusing on maintenance and restoration.

Discussion continued on setting funds aside for a maintenance fund, and cost of vehicle maintenance.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

## **VI. NEW BUSINESS - Continued**

### **A. ORDINANCES**

[ORD. NO.](#)  
[2017-33](#)

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 2, Administration, Article VIII, Boards, Section 2-383, Public Art Advisory Board, Changing the Frequency of Meetings; 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 and stated no one signed up to speak.

**A motion was made by Council Member Gates, seconded by Council Member Daniels, that Ordinance No. 2017-33 be approved on first reading and scheduled for final reading.**

Discussion took place regarding merging the public art advisory board and the architectural review board, discussing board functions during strategic planning, council better delegating items to advisory boards and providing

information and expectations to board chairs at the annual meeting.

**The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

## **B. RESOLUTIONS**

### [RES. NO. 2017-29](#)

A Resolution of the City of Venice, Florida; Urging Parques Reunidos Servicios Centrales, S.A., the Owner and Operator of Miami Seaquarium, to Retire Lolita, the Endangered Orca Whale from her Tank at Miami Seaquarium and Move her to a Sea Pen in the Pacific Northwest as Soon as Possible

Ms. Stelzer read the resolution by title only.

**A motion was made by Council Member Fiedler, seconded by Council Member Daniels, that Resolution No. 2017-29 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Fraize, Mr. Newsom and Ms. Fiedler

## **C. PRESENTATIONS - Continued**

### [17-2997](#)

Linda Senne, Finance Director: Financial Update and Estimated Cost of Hurricane Irma (10 min)

Ms. Senne provided an update to include general fund revenues and general fund expenses, and responded to council questions regarding 2018 projections for the police and fire impact fees.

Mr. Persson responded to council questions regarding extraordinary mitigation fee lawsuit funds.

Ms. Senne continued to respond to council questions regarding airport, utilities and stormwater enterprise funds, 9% increase in 2017 revenue from 2016, minimum required reserve funds, FEMA reimbursement, spring training facility impact on air traffic at the airport and possible positive revenue.

## **D. COUNCIL ACTION/DISCUSSION**

### [17-2993](#)

Naming of City Assets

Mayor Holic spoke to ordinance examples from other municipalities and suggested providing the ordinances from Naples and Fort Myers to the parks and recreation advisory board to obtain feedback at a future joint meeting.



Discussion took place regarding removing renaming of streets as an option and previous council direction to advisory boards.

Ms. Stelzer spoke to previous direction given for her to research Florida League of Cities.

Discussion continued regarding timing of discussion, suggesting review of Sarasota County's policy on naming city assets, including a statement regarding items that could be discriminatory in nature, and review of out of state policies.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to direct staff and the city attorney to develop a draft of policies and procedures to include parks and buildings no later than the first quarter, 2018.**

**A motion was made by Council Member Gates to amend the motion to state city assets with the exception of streets.**

**Council Member Gates withdrew her motion.**

**Council Member Daniels restated his motion to state direct staff and the city attorney to develop a draft of policies and procedures for city assets with the exception of streets. The motion was seconded by Council Member Fraize and approved by voice vote unanimously.**

#### [17-2998](#)

Naming a Building after Julia Cousins Laning

**A motion was made by Council Member Daniels, seconded by Council Member Gates, to direct staff or the city attorney to name a building after Julia Cousins Laning.**

Discussion took place regarding Ms. Laning's contributions to the city and waiting until a criteria is determined for naming of buildings.

Mr. Lavallee commented on Ms. Laning's contribution towards the purchase of the archive building and her interest to have the archive building dedicated to her family's name and celebrating the naming of a building with Ms. Laning in a time sensitive manner.

Discussion took place regarding city policy, application for naming buildings and expediting the process.

**A motion was made by Council Member Daniels, seconded by Council Member Gates to postpone the motion until the December 12, 2017 meeting.**

Discussion continued on the city manager reviewing the May press release from the Gulf Coast Community Foundation regarding Ms. Laning's contributions.

**The motion carried by voice vote unanimously.**

#### [17-2994](#)

Discuss Group Pictures of Council and the Years they Served to be

Displayed in Community Hall (Holic)

Mayor Holic spoke to the item to include recognition of all members of council.

Discussion took place regarding location for display.

**A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to display pictures of council members in city hall.**

Mayor Holic clarified a group of individual pictures by seat number.

**The motion carried by voice vote unanimously.**

#### [17-2995](#)

Election of Vice Mayor

Mayor Holic asked if any council members did not wish to serve as vice mayor. Mr. Newsom, Ms. Gates and Ms. Fiedler stated they did not wish to serve.

**Council Member Newsom moved to nominate Council Member Daniels as Vice Mayor, seconded by Council Member Gates.**

**Council Member Fiedler moved to nominate Council Member Fraize as Vice Mayor, seconded by Council Member Daniels.**

**Council Member Cautero moved to nominate himself as Vice Mayor, seconded by Council Member Gates.**

**By ballot vote, Council Member Daniels was selected as Vice Mayor.**

## **VI. CHARTER OFFICER REPORTS**

### City Attorney

Mr. Persson had no report.

### City Clerk

Ms. Stelzer had no report.

### City Manager

Mr. Lavallee recognized the planning department for their work on the comprehensive plan and spoke to the Mayor's banquet.

## **IX. COUNCIL REPORTS**

### ***Council Member Daniels***

Mr. Daniels spoke to signage in county owned/city operated parks, suggested the city manager send a letter to invite park representatives for Chuck Reiter and Wellfied parks to the joint meeting with the county and

reported on the Tourist Development Council (TDC) meeting regarding impact of rowing competition, beach renourishment funding, Virginia Haley to present to council on tourism in the beginning of January, and the economic impact of tourism.

***Council Member Fraize***

Mr. Fraize reported on Regional Planning Council's (RPC) upcoming meeting and stated there may not be a need for future representation at the meeting.

***Council Member Fiedler***

Ms. Fiedler had no report.

***Council Member Gates***

Ms. Gates spoke to the Holiday parade to include the need for more garbage cans and enforcement regarding candy being thrown from vehicles and floats.

Mr. Lavallee spoke to the status of the concession at the jetty.

Ms. Gates spoke to parents being upset over false information regarding sports parks and the need to communicate with the public.

Mr. Lavallee commented on possible county commission discussion to announce the termination of the parks maintenance interlocal agreement.

Discussion ensued regarding the need for cause to terminate the interlocal agreement.

**There was consensus for the city attorney to review the process for termination of interlocal agreements.**

Discussion continued on the master agreement with the county and the parks, reviewing the interlocal agreements at the December 12, 2017 meeting, properties included in the interlocal agreement, discussing viable options, county revenue source for parks, and county contributions to other parks.

***Council Member Newsom***

Mr. Newsom had no report.

***Council Member Cautero***

Mr. Cautero reported on historic preservation board regarding tax incentives.

***Mayor Holic***

Mayor Holic spoke to the holiday parade to include the need for more trash cans and use of the marketing budget to pay for broadcasting of the parade, and requested a citizen representative for Metropolitan Planning Organization (MPO).

**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 3:59 p.m.

ATTEST:

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Mayor - City of Venice

\_\_\_\_\_  
City Clerk