



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, January 9, 2018

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, Vice Mayor Bob Daniels, Council Member 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 Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Fire Chief Shawn Carvey, Deputy Fire Chief Frank Giddens, Police Chief Tom Mattmuller, Development Services Director Jeff Shrum, Planner James Koenig, Public Works Director John Veneziano, Airport Director Mark Cervasio, and Finance Director Linda Senne.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Officer Todd Resch.

### I. RECOGNITION

[18-3042](#)

Recognize Holiday Card Winner: Tessa O'Leary, Fifth Grade, Venice Elementary School

**Mayor Holic and Mr. Lavallee recognized Holiday card winner Tessa O'Leary.**

[18-3043](#)

Recognize the Venice Area Garden Club for their Decoration of the Holiday Tree

**Mayor Holic recognized the Venice Area Garden Club for their decoration of the Holiday Tree.**

[18-3044](#)

Swearing in: Firefighter/EMT Kyle Hartley Promoted to Lieutenant

**Mayor Holic swore in Lieutenant Kyle Hartley.**

[18-3045](#)

Swearing In: Police Officers Joshua Brooks, Tyler Majka and Keith Silva

Mayor Holic swore in Police Officers Joshua Brooks and Tyler Majka.

## II. AUDIENCE PARTICIPATION

Jackie Mineo, Sovrano Road, spoke regarding the Venice Library donation.

Earl Midlam, 744 Pine Tree Road, commented on the lime pit, downtown projects, Sarasota County, new employee hires, and fire and Emergency Management Services (EMS) services.

Tom Jones, Environmental Advisory Board (EAB) Chair, spoke to Ready for 100% Campaign and requested council to pass a resolution.

Discussion followed regarding having a formal energy plan for the city, placing EAB's recommendation on a future council agenda, and operational costs.

Joseph Kent, 4324 Nizza Court, spoke to maintaining the shuffleboard courts and an article on the Scoop News.

## III. CONSENT SECTION:

Mayor Holic commented on the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, to approve items on the Consent Agenda. The motion carried unanimously by voice vote.

### A. MAYOR

[18-3036](#)

Appoint Richard Longo as the City of Venice Representative to the Sarasota/Manatee Metropolitan Planning Organization Citizen Advisory Committee to Serve a Term from January 9, 2018 until January 8, 2021

This Appointment was approved on the Consent Agenda.

### B. CITY CLERK

[18-3037](#)

Minutes of the December 12, 2017 Regular Meeting and December 29, 2017 Special Meeting

These minutes were approved on the Consent Agenda.

### C. CITY ATTORNEY

[18-3061](#)

Request Attorney-Client Session on January 23, 2018 from 12:00 to 1:30 p.m., for City of Venice v. Neal Communities of SW FL, L.L.C. et al

This Item was approved on the Consent Agenda.

#### **D. CITY MANAGER**

##### Police

[CON. NO.  
108-2018](#)

Approve Seventh Renewal of the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement

This Item was approved on the Consent Agenda.

##### Utilities

[18-3038](#)

Approve Execution of King Engineering Associates, Inc., Work Assignment No. 2016-01, Water Main Replacement Program, Phase 6 in the Amount of \$353,290

This Work Assignment was approved on the Consent Agenda.

[18-3039](#)

Approve Cooperative Purchase with the City of Palm Coast and Allied Universal Chemicals for the Purchase of Sodium Hypochlorite in the Amount of \$177,000 for Fiscal Year 2018

This Purchase was approved on the Consent Agenda.

[18-3040](#)

Approve General Underground, LLC, Deductive Change Order No. 1, in the Amount of \$285,149.42 for a New Contract Total of \$540,165.58 for the Reclaimed Water Distribution System Improvements

This Change Order was approved on the Consent Agenda.

[CON. NO.  
107-2018](#)

Approve Services with UIT, LLC for Cleaning and CCTV Inspection of Sanitary Sewer Lines in the Amount of \$250,000 for Fiscal Year 2018

This Item was approved on the Consent Agenda.

#### **IV. ITEMS REMOVED FROM CONSENT**

#### **V. NEW BUSINESS**

##### **A. ORDINANCES**

[ORD. NO.  
2018-01](#)

An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, as Petitioned by SHYD, LLC, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include said Additions; 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.

No one signed up to speak.

Mr. Koenig provided a presentation and spoke on the petition summary information, background, aerial photograph, photos of subject and surrounding properties, surrounding property information, existing future land use map (FLUM) and zoning map, planning analysis to include consistency with Florida Statute (F.S.) Chapter 171, comprehensive plan, concurrency review, and coordination with Sarasota County, summary findings, and proposed stipulations.

Ms. Fernandez replaced Mr. Persson at the dais.

Greg Roberts, representing applicant, spoke regarding parcel annexations, application process, and requested council's approval for properties to be annexed.

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Ordinance No. 2018-01 be approved on first reading and scheduled for final reading.**

Discussion followed regarding city growth and property annexations.

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

**Yes:** 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Newsom and Ms. Fiedler

**No:** 1 - Mr. Fraize

## **VI. PUBLIC HEARINGS**

### **A. ORDINANCES - FIRST READING**

[ORD. NO.](#)  
[2018-02](#)

An Ordinance of the City of Venice, Florida, Amending the 2010 City of Venice Comprehensive Plan, Land Use and Development Chapter, Future Land Use and Design Element, to Amend Map FLUM-1, City of Venice 2030 Future Land Use Map to Change the Future Land Use Map Designation of Property Located on Albee Farm Road (Parcel Identification Nos. 0404-05-0002 and 0404-12-0002) from Sarasota County Low Density Residential to City of Venice Medium Density Residential; 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 Holic opened the public hearing.

Ms. Stelzer noted written communication was received and included in the agenda packet.

Mr. Shrum commented on amending the 2010 comprehensive plan and enclave annexations.

Mr. Koenig provided a presentation and spoke on the petition summary information, aerial photograph, existing and proposed FLUM, planning analysis, comparison of existing and proposed designations, compliance with the land development code (LDC) to include effect of the proposed amendment on the financial feasibility of the comprehensive plan and consistency with applicable requirements of F.S. Chapter 163, summary findings, and stipulation.

Mr. Roberts spoke regarding the properties, future land use designations, comprehensive plan amendment, vested rights, and requested council to approve the comprehensive plan amendment.

Discussion followed on the adopted comprehensive plan and future land use designations.

No one signed up to speak.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Ordinance No. 2018-02 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Newsom and Ms. Fiedler

**No:** 1 - Mr. Fraize

Recess was taken from 10:25 a.m. until 10:35 a.m.

**ORD. NO.**  
**2018-03**

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Rezone Petition No. 16-06RZ, Relating to Property in the City of Venice Located on 1041 Albee Farm Road and Owned by SHYD, LLC, for the Rezoning of the Property Described in Section 3 Below, from Sarasota County Open Use Estate 2 (OUE-2) to City of Venice Residential, Multiple-Family 3 (RMF-3); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for 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.

Ms. Fernandez questioned council on ex-parte communications and conflicts of interest. Mr. Newsom noted site visit and hearing a

presentation at the planning commission meeting, Ms. Gates noted her company is working at Magnolia Park, and Mayor Holic, Vice Mayor Daniels, and Mr. Fraize noted site visits with no communication. There were no conflicts of interest.

Ms. Stelzer noted written communication was received and included in the agenda packet.

Mr. Shrum, being duly sworn, explained why petitions are running concurrently.

Discussion followed regarding staff process on annexations.

Mr. Koenig, being duly sworn, provided a presentation and spoke on the petition summary information, aerial photograph, existing and proposed FLUM and zoning maps, comparison of existing and proposed zoning designations, planning analysis to include consistency with the comprehensive plan, concurrency review, and compliance with the LDC, summary findings, and stipulation.

Mr. Roberts, being duly sworn, spoke to residential multi-family 3 (RMF-3) zoning designations, pre-annexation agreement, and planning commission's approval.

No one signed up to speak.

Mayor Holic closed the public hearing.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, that Ordinance No. 2018-03 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Mr. Cautero, Mr. Newsom and Ms. Fiedler

**No:** 1 - Mr. Fraize

## ***B. ORDINANCES – FINAL READING***

### [ORD. NO. 2018-04](#)

An Ordinance of the City of Venice, Florida, Amending the 2010 City of Venice Comprehensive Plan, Land Use and Development Chapter, Future Land Use and Design Element, Map Flum-24 Village on the Isle (VOTI) Campus, and Amending the 2017-2027 City of Venice Comprehensive Plan, Appendix 5 - Areas of Unique Consideration, Map Flum-24 Village on the Isle (VOTI) Campus, by Revising the VOTI Campus Boundary and Adding 0.99± Acres to the VOTI Campus Involving Properties Located at 800 and 900 South Tamiami Trail (Parcel Identification Nos. 0430-07-0007 and 0430-02-0018); 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 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 Gates, seconded by Vice Mayor Daniels, that Ordinance No. 2018-04 be approved and adopted.**

Discussion followed regarding Village on the Isle (VOTI) being a faith based organization and area density.

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

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

## **V. NEW BUSINESS - Continued**

### **B. COUNCIL ACTION/DISCUSSION**

#### 18-3047

Approve Developer's Agreement Between Neal Communities of Southwest Florida, LLC, a Limited Liability Company and Border and Jacaranda Holdings, LLC, a Limited Liability Company and the City of Venice for the Milano Planned Unit Development (PUD)

**A motion was made by Vice Mayor Daniels, seconded by Council Member Newsom, to approve Item No. 18-3047.**

Discussion took place regarding concurrency.

**The motion carried by voice vote 6-1 with Mr. Fraize opposed.**

Jeffery Boone, Boone Law Firm, spoke on concurrency analysis.

#### 18-3049

Growth (Fraize)

Discussion took place regarding the Tischler Report, city growth, police and fire impact fees, report data, extraordinary mitigation fees (EMF), government services impact fees, general fund fees, gated communities, road impact fees, population growth, enterprise funds, property owners selling land, expansion of city businesses and services, homeowners insurance, growth cycles, traffic and road infrastructures, and monitoring costs.

Mr. Boone spoke to the Tischler Report, growth, and sales tax.

Discussion continued regarding the Tischler Report, annexations, revenues offsetting impact of development, economic impact, and Ms. Stelzer providing a copy to council of Mr. Persson's memorandum from the August

16, 2016 council meeting.

Recess was taken from 12:00 p.m. until 1:15 p.m.

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

[18-3041](#)

Doug Lozen, Foster & Foster: Police Pension Annual Report (20 min.)

Doug Lozen, Foster and Foster, spoke to the results of the police pension trust fund study to include city funding requirements, investment earnings, funding status, recommendation from the pension board, and projected scenarios to include a Cost of Living Adjustment (COLA).

Discussion followed regarding COLA, funded ratio, last pay adjustment for retirees, number of retirees in the plan, the city's retirement contribution, mortality mandated by the state, and annual required contribution (ARC).

Ms. Senne spoke on the fiscal year (FY) 2018 budget for retirement contributions.

Discussion continued regarding the budget to include Salem Trust Fund and Florida Retirement System (FRS), the city's required contribution, COLA, and December 18, 2018 deadline to lock in rates.

**A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, to direct staff to implement Scenario B to include addition of a one-time COLA increase in benefits equal to one percent for each full year of retirement as of October 1, 2017, up to a ten percent maximum increase.**

Discussion followed regarding COLA increase, separating FRS and the city's retirement contribution into different line items in the budget, police and fire pensions, and methodology.

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

[18-3048](#)

Police Chief Tom Mattmuller: Traffic Enforcement and Parking Regulations (10 min.)

Chief Mattmuller noted promoting Officer Paul Freeman to a Master Patrol Officer, and spoke on traffic enforcement, traffic crashes, responding to citizen complaints, social media, purchase of message boards, monthly updates from SITE (Special Investigation Traffic and Enforcement) team, and traffic enforcement on Nokomis Avenue.

Discussion followed regarding growth and traffic, data collection and tracking, speeding on Venice Avenue, message boards, communicating with the county on a satellite jail facility, storage and purchase of police equipment, traffic stops, jail transport, closing local holding facility, staffing



levels, city's traffic light synchronization, and parking signs at Hecksher Park.

[18-3046](#)

Fire Chief Shawn Carvey and Deputy Chief Frank Giddens: Hurricane Irma Update (10 min.)

Chief Carvey noted attending a symposium and spoke regarding public outreach, debris cleanup, electrical power and transfer switch at city hall, shelters, and the Venice Community Center (VCC) to include hurricane category rating, evaluating windows, and building elevation.

Deputy Chief Giddens spoke regarding the agencies involved in finding shelters, possible centers to include Laurel Nokomis and Venice Middle Schools, the VCC, and shelter transportation.

Chief Carvey spoke on assigning liaisons to the mobile home parks and assisted living facilities, and educating residents.

Discussion followed regarding concrete poles, schools, water and sewer, the VCC, generators and natural gas fuel, using hardened business facilities as shelters, the county's responsibility for finding shelters, having a county representative attend the next council meeting, CodeRed, certification of shelters, maintenance agreement with the county, coordinating with the county, hurricane season, transportation setup at the VCC, Mr. Lavalley sending a letter to the county administrator, and the county's short and long term plans.

[18-3057](#)

Public Works Director John Veneziano: Asset Management - 5-Year Capital Improvement Program (CIP) for Maintenance and Upgrades to City Assets (15 min.)

Discussion took place regarding having a separate meeting for motions and council being provided with a hard copy of Mr. Veneziano's report.

Mr. Veneziano spoke to identifying city needs.

Mayor Holic left the dais at 3:04 p.m.

Mr. Veneziano spoke regarding facility conditions, maintenance needs, five year general fund maintenance request, fleet replacement, and one-cent sales tax revenue.

Discussion followed regarding one-cent sales tax project estimates and the county's responsibility on regional parks.

Mayor Holic returned to the dais at 3:10 p.m.

Discussion continued regarding regional parks, beach renourishment, Wellfield and Chuck Reiter Park fields, portion of Wellfield Park shared with the Utilities Department, playground equipment, county volunteer groups, adopt a park, fire station no. 51, one-cent sales tax, Mr. Lavalley having the fire department contact a consultant for conceptual plans for fire station no. 1 and include cost estimates, removing public works and fire station no. 1 from the one-cent sales tax fund, facility condition assessment, annual operating costs, and fire station no. 3.

**There was council consensus to direct the city manager to have the fire department contact a consultant for conceptual plans for fire station no. 1 and include cost estimates.**

Dick Longo, 295 Marsh Creek Road, commented on post Hurricane Irma cleanup and the Long-Term Care Ombudsman Program (LTCOP) advocacy group.

## **NEW BUSINESS - Continued**

### ***COUNCIL ACTION/DISCUSSION - Continued***

#### [18-3058](#)

Request Council Selection of a Library Capital Campaign Project Element to Support and a Funding Source

Ms. Gates left the dais at 3:32 p.m.

Mr. Newsom left the dais at 3:33 p.m.

Discussion took place regarding the compass rose, library name, and LED solar roof panels.

Ms. Gates returned to the dais at 3:35 p.m.

Discussion continued on solar and photovoltaic roof panels.

Mr. Newsom returned to the dais at 3:36 p.m.

Discussion followed on the outdoor reading garden, City of Venice logo or seal on the compass rose, partnership with Sarasota County and Florida Power and Light (FPL), and revisiting item at the next council meeting.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to postpone Item No. 18-3058 to January 23, 2018. The motion carried unanimously by voice vote.**

#### [18-3050](#)

Request the City to Pay the Difference from 8% to 10% from the General Fund for Southwest Florida Retirement Center's Month to Month Lease for Parking at the Venice Municipal Airport (Holic)

Discussion took place regarding VOTI's partnership with the city, length of

arrangement, total costs, city meetings held at VOTI, and lease rate.

Mr. Cervasio spoke to monthly lease cost, short term agreement, Federal Aviation Administration (FAA) requirements and approval, and termination of the agreement.

Discussion followed regarding the renovation project timeframe, contributing eight percent for the first six months, and recognizing VOTI's partnership with the city.

Mr. Lavallee suggested the city pay the first month lease payment of \$2,800.

**A motion was made by Council Member Gates, seconded by Council Member Cautionero, for the city to pay the first month lease payment of \$2,800 as VOTI is a good business partner and provides free conference space and other benefits to the city for strategic planning and other events.**

Ms. Fernandez noted the public purpose needs to be clearly stated and reflected in a resolution or the meeting minutes.

Discussion continued regarding VOTI's investment and services provided to the community, and staff's negotiation with the lease agreement.

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

[18-3051](#)

Update on the Parade of Champions for Venice High School and Request Marketing Funds in Support of the Parade (Holic)

Mayor Holic noted parade details and requested marketing funds for hot dogs and buns.

Discussion followed on placing gateway street banners or signs recognizing the high school teams as state champions.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to use marketing funds to make three gateway banners and purchase hot dogs and buns, with a cap of \$2,500. The motion carried unanimously by voice vote.**

[18-3059](#)

Update on City Building Rat Control (Daniels)

Mr. Fraize left the dais at 4:13 p.m.

Discussion followed on beautifying the alleyway between Venice and Miami Avenue and including item on the next council agenda.

Mr. Fraize returned to the dais at 4:15 p.m.

[18-3060](#)

Update on Coyote Actions (Daniels)

Mr. Daniels noted upcoming workshop.

[18-3052](#) Request Staff to Consider the Change of Use to Three Hour Parking at Hecksher Park with Posted Signs and to Notify Business Owners of the Change by February 28, 2018 (Daniels)

Mayor Holic noted newly installed signs.

[18-3053](#) Request City Attorney to Send Letter to Environmental Working Group Regarding Retraction of False Statements in Water Report to be Completed by February 28, 2018 (Daniels)

Discussion took place on the request for the Environmental Working Group (EWG) to retract false statements in the water report.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to approve Item No. 18-3053.**

Discussion followed regarding EWG's response, purpose for sending a letter, coordinating with other cities, city audit, and including water monitoring on the next meeting agenda.

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

[18-3054](#) Council Member Training (Daniels)

Discussion took place on developing a resolution.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to direct staff to develop a resolution with recommended courses for council members to include Institute for Elected Municipal Officials (IEMO), Advanced IEMO, Roberts Rules of Order, and Metropolitan Planning Organization (MPO) and Sarasota County Economic Development Council (EDC) board member training, by the end of February 2018. The motion carried unanimously by voice vote.**

[18-3055](#) Harassment Policy Compliance (Daniels)

Discussion followed on reviewing city policies and procedures for employees.

**A motion was made by Vice Mayor Daniels, seconded by Council Member Newsom, to direct staff and the city attorney to review policies and procedures for employees. The motion carried unanimously by voice vote.**

## **VII. CHARTER OFFICER REPORTS**

### City Attorney

Ms. Fernandez had no report.

### City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee provided an update on the Traffic Advisory Task Force meeting.

**VIII. COUNCIL REPORTS*****Council Member Gates***

Ms. Gates commented on audience addressing council members individually and adding verbiage to the mayor's instructions.

Ms. Stelzer noted she will review the code.

Ms. Gates commented on her city business cards and city issued cell phone procedures to include adding city email addresses and department head telephone numbers in the cell phones.

***Council Member Fraize***

Mr. Fraize had no report.

***Council Member Newsom***

Mr. Newsom spoke to the Economic Development Corporation (EDC) and planning commission meetings.

Discussion followed regarding permitting process timeframes and measuring turnaround time for building permits.

***Council Member Fiedler***

Ms. Fiedler thanked Mr. Jones and the EAB for the Ready for 100% Campaign initiative and requested to place topic on the next council agenda.

***Council Member Cautero***

Mr. Cautero provided an update on Venice MainStreet and suggested discussing roles of advisory boards at the strategic planning meeting.

***Council Member Daniels***

[18-3056](#)

County Parks Help (Venice Train Depot)

Mr. Daniels spoke regarding the Venice roundabout, MPO's five year plan, bypass, and the Orioles and Braves sports facilities.

**Mayor Holic**

Mayor Holic spoke on the Parks and Recreation Advisory Board meeting to include Sarasota County's termination of the interlocal agreement and conducting park audits.

Discussion took place regarding Venice Avenue and Pinebrook Road intersection and topic for strategic planning.

**IX. AUDIENCE PARTICIPATION**

No one signed up to speak.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 4:59 p.m.

ATTEST:

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Mayor - City of Venice

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