



City of Venice

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

Meeting Minutes City Council

Tuesday, April 10, 2018

9:00 AM

Council Chambers

CALL TO ORDER

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, Assistant City Clerk Heather Taylor, City Manager Ed Lavallee, and for certain items on the agenda: Fire Chief Shawn Carvey, Development Services Director Jeff Shrum, and Director of Human Resources Alan Bullock.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. RECOGNITION

[18-3225](#) 5-year Service Award, James C. Eppley, Airport Operations and Maintenance Supervisor

Mayor Holic presented this award.

[18-3226](#) Proclaim the Month of April 2018 as "Sexual Assault Awareness Month", Presented to Cherie Heasley, Communications Manager, Safe Place And Rape Crisis Center (SPARCC)

Ms. Gates presented this proclamation.

[18-3227](#) Proclaim the Month of April 2018 as "Child Abuse Prevention Month", Presented to Shelby Marsh, Prevention Educator, Child Protection Center

Mayor Holic presented this proclamation.

[18-3228](#) Proclaim the Month of April 2018 as "Donate Life Month", Presented to James Lavery, Donate Life Organizer Volunteer and Liver Recipient

Ms. Fiedler presented this proclamation.

II. AUDIENCE PARTICIPATION

Larry Humes, 240 Santa Maria St., spoke to the Kentucky Military Institute (KMI) history and values, Gulf Coast Community Foundation funds designated with the intent to assist in building a new museum and possible discussion between KMI Alumni Association and the city regarding the city's envision for a museum that will represent the KMI values with a possible partnership.

III. CONSENT SECTION:

A motion was made by Council Member Gates, seconded by Vice Mayor Daniels to approve items in the Consent Section. The motion carried by voice vote unanimously.

A. MAYOR

[18-3229](#)

Appoint Bruce Weaver to the Architectural Review Board to Serve a Term From April 10, 2018 until March 31, 2021

This Appointment was approved on the Consent Agenda.

B. CITY CLERK

[18-3234](#)

Minutes of the March 16, 2018 Strategic Planning Meeting, March 27, 2018 Regular Meeting, and March 28, 2018 Continuation of March 27, 2018 Meeting

These Minutes were approved on the Consent Agenda.

C. CITY MANAGER

[18-3244](#)

Approve the Event Agreement for the Southern Tandem Bicycle Rally on October 12 - 14, 2018

This Agreement was approved on the Consent Agenda.

Engineering

[CON. NO.](#)
[116-2018](#)

Authorize the Mayor to Execute Change Order #1 to Bayshore Construction, Inc., in the Amount of \$136,176.00 to Complete Repair of the Fire Damaged Portions of the Service Club Boardwalk

This Change Order was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

V. PRESENTATIONS

[18-3230](#)

Andy Hanson, Florida League of Cities Account Executive and Alan

Bullock, Human Resources Director: Property Insurance and City Assets (10 min.)

Mr. Bullock provided an update on property insurance to include assets covered with the Florida League of Cities, premiums, and returns on coverage.

Andy Hanson, Florida League of Cities, Account Executive, spoke to property coverage provided to the city to include Florida Municipal Insurance Trust (FMIT) financial strength, insured assets value, savings to the city, property premiums, property appraisals conducted in 2013, and deductibles.

Discussion took place regarding prior council direction, process for determining what items are insured, vehicle insurance, wind insurance at the Venice Pier, common deductible amounts, percentage of assets insured, boat dock insurance, named storm deductibles, and insurance for baseball field lighting.

Mr. Lavallee spoke to coverage for the fire at the beach and further review of the city's asset list to determine future coverage options.

VI. PUBLIC HEARINGS

[18-01VR](#)

Petition for Vested Rights for Property Located at Murphy Oaks, N. Auburn Rd./ Border Rd. (Windham Development, Inc.) Determination for Rezoning in Low Density Residential to PUD as Done Prior to the Adoption of the 2017 Comprehensive Plan (Quasi Judicial)

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

Mr. Persson queried council members regarding conflicts of interest. There were none. Mr. Newsom disclosed a site visit and discussion in the community. Ms. Gates and Mr. Daniels disclosed site visits with no communication. Ms. Fielder disclosed site visits with community discussion and responded to Mr. Persson's questions regarding the content of her discussion with Dick Longo. Mr. Fraize disclosed site visits with communication regarding merit of the site.

Ms. Stelzer stated written communications were provided in the agenda packet and one received via email.

Mr. Shrum, being duly sworn, reviewed the petition to include location, determination criteria, reason for vested rights request including prior council recommendation, Comprehensive Plan requirements, and staff review and findings.

Gregg Singleton, Singleton Engineering Inc., project manager, being duly sworn, spoke to petition submittal.

Victor Romano, 708 Egret Walk Lane, being duly sworn, spoke to events attended at Fox Lea Farm and his opposition to the petition.

Mayor Holic closed the public hearing.

A motion was made by Vice Mayor Daniels, seconded by Council Member Newsom, that Item No. 18-01VR be approved.

Discussion took place regarding how a Planned Unit Development (PUD) rezone assists in mitigating challenges that were presented at prior rezone hearing, purpose of the vested rights application, name change to Murphy Oaks, density, citizen concerns, prior council direction, and the amount of control the city has with PUD designations.

Mr. Shrum clarified for the record that an application has been filed for the PUD rezone.

The motion carried by voice vote with Mr. Fraize opposed.

[18-3231](#)

Authorize the Mayor to Execute an Underground Easement to Florida Power & Light Company for Relocation of the Power Service and Transformer at 1600 S. Harbor Drive, PID #0431-13-0001

Mayor Holic opened the public hearing.

Ms. Stelzer stated no one signed up to speak and no written communication had been received.

Mayor Holic closed the public hearing.

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, that Item No. 18-3231 be approved. The motion carried by voice vote unanimously.

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

A. ORDINANCES – FINAL READING

[ORD. NO.
2018-11](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Rezone Petition No. 17-13RZ, Relating to Property in the City of Venice Located Between Border Road and Laurel Road, Approximately 3,500 Feet East of Jacaranda Boulevard and Owned by Pamlico Point Management, LLC, for the Rezoning of the Property Described Therein, from Sarasota County Open Use Estate (OUE) to City of Venice Planned Unit Development (PUD); Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing

for an Effective Date (Quasi-Judicial)

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Mr. Persson queried council members on conflicts of interest and ex-parte communication since the first reading. There were none. Mr. Persson questioned Mr. Cautero regarding review of the provided material and whether he viewed the first hearing. Mr. Cautero stated that he was able to review all information.

Jeff Boone, Boone Law Firm, being duly sworn, responded to Mr. Cautero's question regarding his questioning of Frank Domingo at first reading of the ordinance.

Frank Domingo, Stantec, being duly sworn, responded to Mr. Cautero's question regarding measurement locations spoke to at the first reading.

Ms. Stelzer stated one written communication was received via email.

Mr. Shrum, being duly sworn, spoke to an additional staff recommended stipulation.

Mr. Persson spoke to a change in verbiage in stipulation 12.

Pat Wayman, 3071 Border Rd., being duly sworn, spoke to a letter from Myakka River Management Coordinating Council dated September 22, 2014, Joint Planning Agreement (JPA) special consideration, entrance location, and intensity.

Jerry Jasper, 130 Burano Ct., Venetian Golf and River Club Community Association, being duly sworn, expressed opposition to the petition, spoke to access locations, and traffic and provided clarification of opposition of upgrading the narrow portions of the road to county standards.

Mr. Boone spoke to the letter presented by Ms. Wayman and clarified it was in regards to The Woods.

Mayor Holic closed the public hearing.

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, that Ordinance No. 2018-11 be approved and adopted with the amendment of stipulation 12 to read "MURT along Laurel Road system - Unless Sarasota County requires a significant expansion of Laurel Road, the applicant shall provide at least an 8-foot MURT along the Laurel Road system as generally depicted on Exhibit 'A', location to be determined subject to TRC/County review." and the addition of stipulation 13 to read "The agreement regarding the PUD obligations

and concurrency shall be approved and executed by the developer and the city prior to any further development approvals."

Discussion took place regarding concern with buffer zones, wildlife corridors, the need for wells with increased growth, egress, and safety concerns with use of firearms in properties surrounding Willow Chase and Venetian Golf and River Club.

The motion carried by the following vote:

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

No: 1 - Mr. Fraize

B. RESOLUTIONS

[RES. NO. 2018-07](#)

A Resolution of the City of Venice, Florida, Vacating a Portion of an Existing Right-Of-Way at Park Boulevard South Adjacent to Aldea Mar Condominiums, as Recorded in Condominium Book 4, Page 9, 9A-9D, Public Records of Sarasota County, Florida, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communication had been received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fiedler, that Resolution No. 2018-07 be approved and adopted. The motion carried by the following vote:

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

VII. NEW BUSINESS

Recess was taken from 11:01 a.m. until 11:04 a.m.

A. ORDINANCES

[ORD. NO. 2018-12](#)

An Ordinance of the City of Venice, Florida, Extending the City's Consent to the Inclusion of the Incorporated Area of the City of Venice in the Sarasota County Emergency Medical Services Municipal Service Taxing Unit; 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 Vice Mayor Daniels, seconded by Council Member Gates, that Ordinance No. 2018-12 be approved on first reading and scheduled for final reading.

Discussion took place regarding compensation for emergency medical services (EMS).

Chief Carvey spoke to dispatching of fire vehicles and staff, frequency of call responses, and responded to council questions on mutual aid, impact on the fire department, percent of ambulance calls versus fire calls, and backup provided to Nokomis.

Discussion continued on collection of .66 mills, date to be passed for revenue to be collected, discussion with Sarasota County commissioners, revising the ordinance to include expectations of compensation, providing an update on discussion with the county at second reading, surveys conducted in the past, laws regulating the number of vehicles dispatched per call, and whether there is a need for additional EMS units.

There was consensus to direct the city manager to review Sarasota County's relief plan to provide an additional unit in the Grove Street area.

Mr Lavallee spoke to the county's strategic plan and the number of personnel required on the scene.

Discussion took place on operational fees, safety of residents, having three trained people per ambulance to eliminate costs associated with fire truck dispatch, and determining how to proceed next year to offer the most cost effective and best service to the community.

Mr. Lavallee spoke to expected discussion at the upcoming budget workshop.

Discussion took place on calls where fire and EMS respond to calls outside of the city.

Mr. Persson replied to council questions regarding the expiration date of the ordinance, funding issues, council determining what the city feels is reasonable compensation, and the city manager providing a more in depth review for second reading.

The motion carried by the following vote:

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

B. RESOLUTIONS

RES. NO. **2018-08**

A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Amending the City of Venice Personnel Procedures and Rules,

2013 Edition, Sections 1.21 Employee Conduct and Discipline and 1.23 Policy Against Harassment; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, that Resolution No. 2018-08 be approved and adopted. The motion carried by the following vote:

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

C. COUNCIL ACTION/DISCUSSION

[18-3235](#) Accept Utility Easement between Aldea Mar Condominium Association, Inc. and City of Venice for the Installation, Maintenance and Servicing of Utility Line or Lines

A motion was made by Council Member Gates, seconded by Council Member Fiedler, that Item No. 18-3235 be approved. The motion carried by voice vote unanimously.

[18-3236](#) Direct City Manager to Research Red Turtle Lighting Prior to Making any Further Expenditures (Holic)

A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, that Item No. 18-3236 be approved.

Mayor Holic spoke to the item to include prior council direction, Mote Marine requirements for shielding, and the purpose of the motion.

Discussion took place regarding review of energy consumption.

The motion carried by voice vote unanimously.

Recess was taken from 11:53 a.m. until 1:00 p.m.

[18-3237](#) City Council Meetings and Quasi-Judicial Hearing Procedures (Holic)

Ms. Fernandez replaced Mr. Persson at the dais.

Mayor Holic spoke to the item to include only asking questions for clarification during quasi-judicial hearings and time limitations for presentations.

Discussion took place regarding procedures for attorneys to question other attorneys during presentations and objections.

Ms. Fernandez spoke to relevancy objections and course of action and determinations when objections are made.

[18-3238](#) Direct Staff to Place Florida Department of Transportation (FDOT) Senior Program on City Website and in City Newsletter (Daniels)

A motion was made by Vice Mayor Daniels, seconded by Council Member Newsom, that Item No. 18-3238 be approved.

Ms. Fernandez responded to council questions regarding the city's liability by placing the information on the website.

Discussion took place regarding homeowners association programs for ride sharing, Mr. Daniels obtaining further information, and adding to the information to the library's website.

Mr. Daniels stated he would obtain further information from Florida Department of Transportation (FDOT).

The motion carried by voice vote unanimously.

[18-3239](#)

Emergency Shelter Issues (City Attorney)

Ms. Fernandez spoke to the item to include the 2018 Statewide Emergency Shelter Plan.

Discussion took place regarding use of libraries as emergency shelters, building to storm standards, requirements for public buildings, YMCA use as a public shelter, new public safety facility capacity, Sarasota County's responsibility, developing a transportation plan with the Venice Community Center (VCC) as a relocation center, and concerns with lack of communication process to provide information to citizens.

Mr. Lavallee commented on discussions with staff, expectation that the county will have a draft plan this week, and providing direction to staff to list facilities that the county will open in time to do hurricane resistance testing and obtain feedback.

Discussion ensued on concern with population age and transportation to a congregation area, schedules for shelters to open, state mandate regarding generator service at assisted living facilities, state requirements for inspections and certifications, number of authorized shelters in the county, distance to closest shelters from the VCC, elevation levels, developing a plan B for the safety of the community, cause of Sarasota County shelter deficit increase, and the county's mid to long-term goals.

Janine Joyner, 817 Riviera St., spoke to the American Red Cross 4496 shelter regulations, least-risk decision making, and suggested use of Venice High School and VCC.

Jackie Mineo, Sovrano Rd., expressed concern with shelters reaching capacity, use of shelter of last resort, and state requirements to establish strategies for refuge of last resort programs.

Ms. Fernandez commented on review and approval of comprehensive emergency management plans.

[18-3240](#)

Parks Interlocal Agreement Proposal to Submit to Sarasota County

Mr. Lavallee spoke to the three steps to resolve disagreement, regional services, and categories of regional population or local residents, reviewed proposal as discussed with Sarasota County to include graduated schedule to accept parks that the city agrees to maintain and the separation of Wellfield Park and Pinebrook Park.

Discussion took place regarding the need for a statement regarding park impact fees, county responsibility for updating signs, parking at Wellfield Park, responsibility of operations, maintenance and capital improvements, maintenance and renovations needed at parks, expected timeframe, surveys to determine client base for parks and centers, clarifying what constitutes cause, term of agreement, and capital improvements for Chuck Reiter and Wellfield Parks to have a date certain.

A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Item No.18-3240 be approved.

Discussion took place regarding adding previous council suggestions, postponing to the next meeting for Mr. Lavallee to provide proposal with added suggestions, and drafting an agreement with updated language with projections for each park.

A motion was made by Council Member Cautero, seconded by Vice Mayor Daniels, to postpone Item No. 18-3240 until the April 24, 2018 City Council meeting to allow for the city manager to provide council with a draft agreement with the updated language and projections for each park.

Mr. Lavallee reviewed items for council agreement to include language on termination or cause, minimal 20-year agreement with a 10-year renewal, transfer of capital responsibilities for the parks considered servicing regional population, not accepting the west part of the Venetian Waterway Trail as part of the city's responsibility, doing a survey of Higel Marine Park, Hecksher Park and Venice Community Center to sample whether they are regional in nature, and staggered transition of parks under the city's responsibility.

Discussion followed regarding including a statement on impact fees.

The motion carried by voice vote unanimously.

Recess was taken from 3:25 p.m. until 3:30 p.m.

VIII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

[18-3241](#)

Update Regarding Council Obtaining a Capital Project Tracking Spreadsheet

Mr. Lavallee provided an update on providing a schedule of capital projects and format for future updates to be provided to city council.

[18-3242](#)

Update Regarding Installation of Weather Proof Camera System at the Pier

Mr. Lavallee provided an update on security with emphasis on estimates for a fiber optic lines and camera system at the pier, downtown redevelopment project with concern to security, and stated more specific information would be provided at a later date.

Discussion took place regarding discussing beach parking bid and building permit status at the April 24, 2018 city council meeting and creating a business initiative for local businesses to install cameras.

In response to council questions, Mr. Lavallee provided an update on hotel contract proposal at the airport.

IX. COUNCIL REPORTS

Council Member Daniels

Mr. Daniels reported on the Warrior Program at the Venice Performing Arts Center and proclamation presentation at the South Venice Yacht Club.

Council Member Fiedler

Ms. Fiedler had no report.

Council Member Cautero

Mr. Cautero reported on sponsorships received at Venice MainStreet.

Council Member Gates

Ms. Gates reported on the PGT childcare ribbon cutting ceremony, stated she will not be in attendance during the joint meeting on April 19, 2018 and encouraged members to attend the Suncoast BBQ Bash event.

Council Member Fraize

Mr. Fraize reported on code enforcement board meeting.

Council Member Newsom

Mr. Newsom reported on the PGT childcare ribbon cutting ceremony and planning commission meeting.

Mayor Holic

Mayor Holic reported on PGT childcare ribbon cutting ceremony and Veteran's Night at Venice High School.

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 3:47 p.m.

ATTEST:

Mayor - City of Venice

City Clerk