

MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE, FLORIDA

August 20, 1974

A regular meeting of the City Council of the City of Venice, Florida was held this date at 7:30 P.M., in the City Hall with the following present: Mayor William L. McCracken, City Attorney Charles Wheeler, Councilmen: Berrisford Walker, David Farley and John A. Freeman; Councilwoman Janice Dean. Also present: City Clerk S. Albee, Jr. Member Absent: City Administrator Paul A. Youngberg, Sr.

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Calvin Davis, St. Marks Episcopal Church, gave the Invocation followed by Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mrs. Dean moved that minutes of meeting held August 13, 1974 be approved as presented. Motion seconded by Mr. Freeman and unanimous vote carried.

PINEBROOK SOUTH - Discussion of PUD Proposal

Richard Hazen, Esquire, Attorney for Pinebrook South made presentation to Council re proposed development, followed by Mr. Lane Marshall, Land Planner of Project.

After lengthy discussion, Mrs. Dean moved that Council approve and adopt recommendations A through D, (Additional Subdividing and Platting Requirements), as shown in Letter of Planning Commission, dated June 25, 1974, copy of which is attached hereto and made a part hereof, excepting on recommendation of City Attorney, so much of paragraph A, subparagraph 3, as reads "Every plat, etc". shall be amended to read that "Prior to adoption and approval, a site plan shall be presented to Council showing all necessary engineering data as pertains to drainage of lands involved." Further, that so much of Paragraph D, as reads "Bond, with a responsible surety," be amended to read, "Bond, and/or other acceptable security". Motion seconded by Mr. Walker and unanimous vote carried.

Mr. Walker moved that under Paragraph C, a new subparagraph 8, be entered to read that Developer shall construct a two lane bridge across Blackburn Canal concurrent with the development of the NE Section of property on the north side of said Canal. Motion seconded by Mrs. Dean and unanimous vote carried.

Mr. Walker moved that Paragraph G, be amended to indicate that all roads abutting single family lots shall be public ways and that roads leading into multi-family areas shall remain private and the responsibility of the Developer and/or any subsequent homeowners association. Motion seconded by Mrs. Dean and unanimous vote carried.

Mrs. Dean moved that Council delete Paragraph E and adopt without change Paragraphs F and H of Planning Commission letter. Motion seconded by Mr. Walker and unanimous vote carried.

Mr. Walker moved Council accept proposal of Developer to construct a recreational facility on Well Field Property adjacent to Pinebrook South in lieu of requirement to dedicate 8% of land area for municipal purposes. Motion seconded by Mr. Freeman and unanimous vote carried.

Mr. Walker moved that Council approve preparation of ordinance with stipulations directed and covered above. Motion seconded by Mr. Freeman and approved on Roll Call as follows: Mr. Farley, Mr. Walker and Mr. Freeman vote - YES. Mrs. Dean votes - NO. Motion carried by a majority vote.

VENICE



CITY BEACH PAVILION

PLANNING COMMISSION

June 25, 1974

Mr. David Farley,
President of City Council
and Members of City Council
City Hall
Venice, Florida 33595

Gentlemen:

The Venice Planning Commission after Public Hearing on June 24, 1974, recommends that the Venice City Council accept Pinebrook South as a PUD on the basis of the Master Plan now on display in Council Chambers and initialed and dated by the Chairman of the Planning Commission. However, along with this recommendation, we submit the following qualifying conditions which have been agreed to by the developer.

A. Additional Subdividing & Platting Requirements.

1. Each plat shall show the names of all streets and such names shall be approved by the City Council.

2. All surface drainage shall be so designed as to insure the maintenance of high quality environmental water rating; lakes, streams and waterways shall be provided with dams, weirs, or other control devices and upland drainage of water courses shall be so designed through the use of berm, dams, temporary ponding areas, water trenches or other devices to prevent the transmission of silts, sediments, nutrients, road oils or grease, or other contaminants into major water courses on or off the property.

3. Every plat shall show ground elevations based on a datum plan approved by the City Engineer; for land that slopes less than approximately 2% shall show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions; for land that slopes more than approximately 2%, either shall show contours with an interval of not more than 5 feet if ground slope is regular and such information is sufficient for planning purposes, or shall show contours with an interval of not more than 2 feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings.

4. Every plat shall show location of surface water drainage where water leaves the tract to swale, canal, natural stream or public storm sewer; water courses, marshes, rock outcrop, wooded areas, isolated preservable trees one foot or more in diameter, homes, barns, shacks and other significant features.

B. The developer shall submit complete preliminary engineering plans for drainage, sewer lines (including lift stations, if any) and water lines on subject property at the time of submitting preliminary plat for approval.

C. Developers Agreement: No plat shall be accepted or approved for recording until the developer shall have entered into an agreement, in form for recording, with the City of Venice, specifying the following:

1. The work to be done, and the time specified therefore, by the developer.

2. The exceptions, if any, recommended by the Planning Commission and approved by the City Council to standard requirements.

3. The participation in the development, if any, by the City of Venice and the time for completion of such work.

4. The lien, if any, imposed upon the land by the developer for any work performed by the City of Venice.

5. The conditions under which building permits will be allowed within the subdivision of the City of Venice.

6. The conveyance by the developer to the City of Venice of all water sewer and storm sewer lines installed within dedicated public rights of way.

7. The agreement of the developer to maintain and repair all streets constructed by the developer in the subdivision for a period of one year after completion of the same, and prior to acceptance of maintenance thereof by the City of Venice.

The developers agreement shall constitute a covenant by the City of Venice and the developer of the subdivision, the terms and conditions of which shall run with the land and be binding upon all successors in interest to the developer.

D. Bond, with a responsible surety, in form satisfactory to the City and in an amount equal to 110% of the City Engineer's estimated cost of the construction of streets, roads, drainage facilities, water distribution facilities, sewer collection facilities, bridges and other similar items for such lands dedicated, to be so subdivided, plus 10% per year of the estimated time of completion of such improvements.

If it is developers intent not to sell any lots or units until all improvements are installed and approved, then his bond should cover only those improvements, if any, that are outside the perimeter of his property

which he is obligated to furnish. Under these conditions, the City would not issue any building permits until such improvements have been completed and accepted by the City.

E. A minimum of 5% of approved number of building units shall be constructed within the first phase of construction, at rentals not to exceed \$200.00 per month (based upon 1973 dollars) for the purpose of providing living quarters for families with pre-college age children and other residents under approximately 45 years of age. The monthly rent may be adjusted every two years, based upon Consumer Price Indexes as now established by the U. S. Bureau of Labor Statistics or any successor governmental agency compiling such statistics. Utility charges may be additional to the basic rent charges.

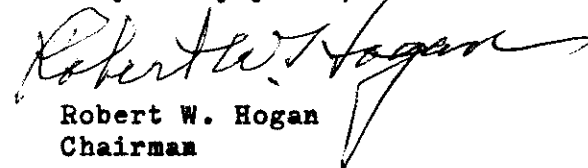
Developer may if, after a "fair" time trial has been given to the rental program and if found to be uneconomical, petition the City Council for relief. (Note, developer is planning on constructing 150-200 such units for rental, but these will be subject to condominium conversion, and what we would like to suggest, is that by specifying a minimum of 5% of all units to be held for rental until they are released by the City, will assure the City of a sufficient time trial to prove the economies. It is conceivable that developer could within 60 days say "the rentals are not working out, the whole is to go condos, etc.").

F. That there shall be a maximum of four (4) cuts from developer's property into Pinebrook Road between Venetian Parkway and Blackburn Canal.

G. Only Lucaya, Pinebrook Road, Pinebrook Way from Lucaya to Pinebrook Road, Longwood Parkway and Venetian Parkway to be dedicated to the City for maintenance; all other roads within the development to be maintained by developer and/or any subsequent homeowners association, etc., that may be formed.

H. Sidewalks to be installed along the entire west side of Pinebrook Road; along both sides of Pinebrook Way from Lucaya Avenue North and East to Pinebrook Road; both sides of Lucaya Avenue from Pinebrook Way East to Pinebrook Road.

Very truly yours,


Robert W. Hogan
Chairman

RWH:mc

MINUTES OF A RECONVENED MEETING
CITY COUNCIL VENICE, FLORIDA

December 30, 1974

The adjourned meeting of December 23, 1974, was reconvened this date at 4:00 P.M., in City Hall, Venice, Florida, with the following present: Mayor William L. McCracken, City Attorney Charles F. Wheeler, Councilmen: David Farley, Berrisford Walker and John A. Freeman. Also present: City Administrator Paul A. Youngberg, Sr. and City Clerk S. Albee, Jr. Member Absent: Councilwoman Janice Dean.

RESOLUTION NO. 518-74 - Agreement For PUD Zoning - Pinebrook South

Clerk read Resolution No. 518-74. During reading various segments of agreement were discussed at length by Council members and Attorney Richard Hazen, representing Pinebrook South.

On recommendation of Mayor, Mr. Walker moved that Exhibit "A" to Agreement for Zoning, be amended to include the following statement and that change be initialed by authorized agent of Pinebrook South:

"Tennis Courts shall be lighted and all improvements outlined hereon, shall be built to City's specifications and satisfaction, and shall have a value of not less than \$60,000."

Motion seconded by Mr. Freeman and unanimous vote carried.

On recommendation of City Attorney, Mr. Walker moved that Council approve a finding of fact, that agreement, stipulations and overall plan embodied in this Resolution No. 518-74, together with Ordinance No. 626-74 (Zoning of Pinebrook South to PUD), are in substantial compliance and do not create a substantial departure from plans submitted as part of initial application for PUD Zoning on August 20, 1974, and amended land use plan approved by Council on November 12, 1974. Motion seconded by Mr. Freeman and unanimous vote carried.

Mr. Walker moved that Resolution No. 518-74 be approved and adopted. Motion seconded by Mr. Freeman and approved on Roll Call as follows: Mr. Farley, Mr. Walker and Mr. Freeman vote - YES.

ORDINANCE NO. 626-74 - Zoning Pinebrook South - PUD

Clerk read Publisher's Affidavit of Notice of Publication.

Mr. Walker moved that Publisher's Affidavit of Publication be placed into records of this meeting. Motion seconded by Mr. Freeman and unanimous vote carried.

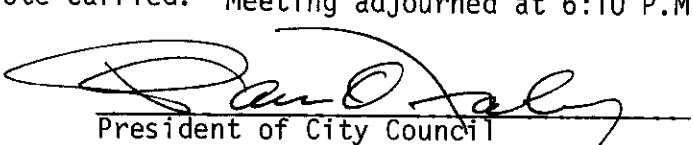
Mr. Walker moved that Ordinance No. 626-74 be placed on second and third readings and read by title only. Motion seconded by Mr. Freeman and unanimous vote carried.

Clerk read Ordinance No. 626-74 on second and third readings by title only.

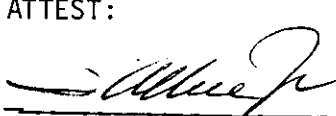
Mr. Walker moved that Ordinance No. 626-74 be approved and adopted. Motion seconded by Mr. Freeman and approved on Roll Call as follows: Mr. Farley, Mr. Freeman and Mr. Walker vote - YES.

ADJOURNMENT

There being no further business, Mr. Walker moved meeting be adjourned. Motion seconded by Mr. Freeman and unanimous vote carried. Meeting adjourned at 6:10 P.M.


President of City Council

ATTEST:


City Clerk

RECONVENED MEETING
CITY COUNCIL, VENICE FLORIDA

November 4, 1975

An adjourned meeting of October 28, 1975, was reconvened this date in Council Chambers, City Hall, with the following present: Mayor William L. McCracken, Councilmen Berrisford Walker, David Farley, John A. Freeman; Councilwoman Janice Dean. Also present: City Attorney Charles Wheeler; Acting City Administrator S. Albee, Jr.; Deputy City Clerk Thomas Holmes.

Meeting was called to order by Council President Walker at 7:30 P.M.

PINEBROOK SOUTH - Presentation of Final Plats Units 1 and 2 For Approval

Acting City Administrator Albee read report (copy attached and made part of Minutes) from City Engineer Yeatts addressed to Council with comments and recommendations concerning the proposed plat as required by Section 5-52 of the Code of Ordinances of the City of Venice.

Council held discussion concerning the request that City Engineer's signature not appear on final plat and concurred that their interpretation of request indicated City Engineer was not approving something which Mayor and Council President are required to sign, and that the purpose of having a City Engineer is for assurance that everything is approved prior to acceptance.

City Attorney Wheeler was requested to give opinion on requirement of City Engineer's signature and he stated there is no legal requirement that City Engineer's signature appear on plat.

Mr. Paul A. Youngberg, Sr., Consultant, Attorney Norwood Gay, and Engineer Wen Y. Chung, representing Ketch Construction Company, developers of Pinebrook South, addressed Council in reply to City Engineer's report and Mr. Youngberg stated that a final engineering report done by Ardaman and Associates, shown no need for sub-drainage in Units 1 and 2. He further stated that plats meet all requirements of State Statutes and City Code and wished to correct impression that County approval is needed, since plats do not have to be reviewed by County Engineering Department or County Commission, but are submitted directly to Clerk of Circuit Court for recording.

Developers requested City allow them to use portion of Wellfield property as a hauling road for heavy equipment to allow them to complete required road to the Recreation Center and avoid it being destroyed by the heavy equipment and necessity of rebuilding it later.

A lengthy discussion ensued concerning bonding requirements for uncompleted required improvements, in particular that portion of Pinebrook Road from Venice Avenue to south line of Unit 1, and Developer agreed to include latter item with all other construction items in a cash bond. Council instructed City Attorney Wheeler to pursue bonding requirements with Mellon Bank and concurred that since one week will be required to finish recreation center and plat cannot be signed until this is accomplished, to resolve at next regular council meeting the matters of Engineer's signature and bonding requirements for access road.

Council further agreed developer be allowed to use the well field site as a road for heavy equipment.

VENICE HOSPITAL - Closing The Rialto During Construction Period

Chief of Police Ferry, and Director of Public Works Larry Heath appeared before Council to report on their findings resulting from an on site study of blocking of The Rialto, and made the following recommendations:

1. Florida Department of Transportation to correct overhead sign on US 41 Business to divert The Rialto South traffic West along Palermo Place.

2. All barricading and signing to be approved by Florida DOT with hospital being responsible for the communication and action for this

which will be initiated after completion of item 1.

3. Detouring of traffic going South on The Rialto by turning it West on Palermo Place, South on Nokomis, East on San Marco, back to The Rialto.

4. Improvement of intersection of US 41 Business and Sovrano with necessary construction and techniques to control traffic.

5. Sovrano to be through street with stop for North bound traffic on The Rialto.

6. No right turn permitted from US 41 Business South onto Sovrano.

7. In return for City allowing The Rialto to be closed for approximately 15 months, the hospital should fund the US 41 Business and The Rialto intersection improvement, construction commencing as soon as possible after hospital construction the Rialto should remain barricaded and closed until the new construction of the intersection is completed.

Mr. Reed Anderson, representing the Venice Hospital, and Mr. Ken Breeding, owner of the property at intersection of Business 41 and Sovrano took part in discussion which followed, which resulted in Council decision to reject recommendation regarding improvement of the intersection of US 41 Business and Sovrano, since Mr. Breeding claimed ownership of the property, stating he had been responsible for the extension of Sovrano, from the Rialto to US 41 Business.

After considerable further discussion, with Mr. Anderson consenting, Mr. Farley moved that City close the Rialto for approximately 15 months during construction at the hospital, that hospital be responsible for barricading and signing the area subject to compliance with State Department of Transportation Regulations, that City Director of Public Works be responsible for contacting State Department of Transportation regarding removal of overhead sign directing The Rialto traffic South, that traffic be turned West on Palermo Place and allowed to route itself around the area, and that hospital complete improvements to intersection of The Rialto and US 41 Business and parking area installation on The Rialto, before opening The Rialto to traffic. Mrs. Dean seconded the motion and unanimous vote carried.

CHARLOTTE HARBOR ECOSYSTEM COMPLEX - Decision Against Endorsement

City Attorney Wheeler reported that in researching the project he had not been able to digest the overwhelming State Statute and Councilman Freeman pointed out that City had committed itself on the 208 Waste Treatment Management System for the Southwest Florida Area, therefore, he felt there was no purpose to be achieved by endorsing this movement.

Council directed Acting City Administrator to inform the Committee by letter stating reasons why no action was taken.

BANNER FLYING - Request For Permit Denied

Request by Mr. Corkleigh White for permit to fly banners over the City from the Venice Airport was denied on basis of question, raised by Councilman Freeman, of inability to control the banner messages once permit had been granted. Mrs. Dean moved that permit be denied. Mr. Farley seconded the motion and unanimous vote carried.

PROCLAMATION - Forget-Me-Not Days (DAV)

Mayor McCracken read Proclamation, proclaiming November 6, 7 and 8 as Forget-Me-Not Days.

WATER WORKS BOARD OF TRUSTEES - Reappointments To October 16, 1976

Mayor McCracken announced the following reappointments to the Water Works Board of Trustees for term October 16, 1975 to October 16, 1976:

Mr. John A. Freeman, Mr. Howard Myers, Mr. Leslie Willmott.

Mr. Harry Case and Mr. Eugene Caffrey, candidates for political office in election December 2, 1975, were invited to remain on Board in their

present positions, until date of required resignation as dictated by law, however, both gentlemen requested not to be considered for reappointment, but did agree to serve in ex-officio capacity as advisors to the Board until such time appointments are made to fill their vacated seats.

Mr. Freeman moved that appointments of Mr. Freeman, Mr. Myers and Mr. Willmott be confirmed. Mrs. Dean seconded the motion and unanimous vote carried..

WATER WORKS BOARD OF TRUSTEES - Resignation Of Mr. Leslie Willmott, December 31, 1975

Mayor McCracken read letter from Mr. Leslie Willmott submitting his resignation from the Water Works Board of Trustees effective December 31, 1975.

Mayor did not accept the resignation, asking the Acting City Administrator to hold the letter until later date, meanwhile, requesting Council to offer suggestions for appointments for him to consider.

POLICE DEPARTMENT - Letter of Appreciation From Venice-Nokomis Bank

Mayor McCracken read letter from Venice-Nokomis Bank commending Chief Ferry and Police Department for competent manner in handling the move made by the bank into their new building.

INSURANCE RATING - Class 6

Mayor McCracken read letter from Insurance Office of Florida informing City they had completed their survey of Fire Protection Facilities in Venice and City's rating has now been changed to the better classification of Class 6.

HIGLE PARK - Allocation of Funds From Florida Department Of Natural Resources

Mayor McCracken read letter from the Florida Department of Natural Resources notifying Sarasota County of availability of \$63,742.00 for use in boating improvement projects and that the City of Venice application for \$15,800.00 was active and valid pending completion of preliminary requirements. Mayor directed Mr. Paul Atrochin, Chairman of the Recreation Board to follow up with necessary paper work to keep request for funds current.

SARASOTA CHARTER REVIEW BOARD PUBLIC HEARING - City Attorney's Report

City Attorney Wheeler reported he had attended the Public Hearing held on October 30th, re amendments to Article V of the Sarasota County Charter concerning dual taxation along with City of Sarasota Attorney William Strode and Mr. Kenneth Thompson, Sarasota City Manager, and as a result of their appearance the Public Hearing was adjourned until two weeks later.

VALENTI HOUSE - Request For Action

Mr. John Sullivan, speaking from the audience, inquired into status of request that something be done about the Valenti house on Ponce de Leon Avenue, which was discussed at last meeting.

He was informed that Building Official had spoken by phone to Mrs. Valenti who said she would act right away to get property cleaned up.

Council instructed City Attorney to investigate means of accomplishing an external cleanup, as to advertising and posting price to owner and report back to Council.

CITY HALL CONFLICT OF INTEREST

Mr. Corkleigh White wished to speak on a conflict of interest in City Hall and was instructed by Council President to present his statements in writing to the President for his consideration.

ADJOURNMENT

There being no further business to be brought before Council, meeting was adjourned at 10:15 P.M.


President of City Council

ATTEST:


City Clerk

November 4, 1975

Honorable City Council
City of Venice
401 West Venice Avenue
Venice, Florida 33595

Reference: Pinebrook South, Units I and II final plat approval

Honorable Council:

Pursuant to Section 5-52 of the Code of Ordinances of the City of Venice, Florida, the City Engineer is required to deliver in writing after examination of the plat proposed for approval by the council, a report and recommendation concerning the following items: Please note the following comments refer to both Units I and II.

- A. Location and length of streets; are as previously approved on the Master layout and the preliminary plats.
- B. Easements along rear and side lot lines; easements five (5) feet in width have been provided for along all said contiguous lot lines both on the plats and in the Grant of Easement for utility and drainage purposes.
- C. Set-backs for lot lines will be established by the Building Department as applicable.
- D. Size of Corner Lots vary from approximately 10,500 sq. ft. to 18,640 sq. ft.
- E. Depth of lots in relation to frontage; is approximately 1 to 1 1/2. (80'X 120').
- F. Area of lots average approximately 9,600 sq. ft.
- G. Drainage requirements have been complied with the possible exception of the installation of subdrain when and where determined necessary.
- H. Parks and open spaces for public use. The open spaces (Lakes) have been constructed and the required City Park is approximately 90% complete.
- I. Zoning - PUD District 2.
- J. Street and Utility Improvements are approximately 80% complete and are in substantial compliance with City requirements. This is not to be construed as acceptance.

Since this is a Planned Unit Development under Resolution 518-74, all of the above matters have been heretofore considered and approved except as to completion thereof. Therefore, it would be more pertinent if we addressed ourselves to those requirements set forth in Resolution 518-74 concerning approval of plats in Pinebrook South.

SECTION 9, Page 8 of Resolution 518-74, concerns requirements and procedures for final platting of Pinebrook South. We will discuss by paragraphs these requirements and procedures as per the Resolution.

- (i) There are no substantial deviations from the previously approved preliminary plats.
- (ii) The Developer will be bonded in the amount of 110% of the Engineers estimate. The items of construction not complete as of the date of this report within the respective Units I and II and the City Recreation Area.

- (iii) Requirements for 50% useable open space are within substantial compliance.
- (iv) Relating to the construction of a twelve (12) inch water main and a six (6) inch sewer force main have been constructed and is subject to field testing.
- (v) Requirements for maximum dwelling units not to exceed 3.25 units per acre are in conformance with Unit I yielding 2.00 Units/AC and Unit II, 2.23 Units/AC.

SECTION 10, Page 9, requiring access to the platted units by paved road to Pinebrook Road is not in compliance at this time. The Developer contemplates bonding unfinished portion.

SECTION 11, Page 9, that portion of Pinebrook Road from the South property line of Unit I to the North line of Unit I to and including the entrance to the recreational park on City Wellfield property will be placed under bond. The remaining work within the City Recreation Site will have to be completed prior to City signatures. The connection from Venice Avenue to the south boundary of the property should be bonded according to the Agreement. Council may consider this requirement a hardship on the Developer at this time and waive this portion until the final units are platted.

CONCLUSIONS AND RECOMMENDATIONS:

After many exhaustive hours of meetings, Plat Reviews and Conversations, the plats have been brought substantially within requirements of State Statute 177 relating to maps and plats. The majority of Sarasota County requirements have been complied with. I recommend the approval of the final Record Plats for Pinebrook South Unit I and Unit II, subject to the following:

1. My final review of the Linen Plats.
2. All legal aspects are approved by City Attorney Wheeler.
3. All Bonding requirements are met.
4. The Developer understands this Plat approval does not imply approval or acceptance of the roadways or utilities which must occur prior to issuance of any Building Permit.
5. That this approval does not negate the possible installation of under drain where determined needed.
6. That on all future Plats the Council interpret Section 5-50 "Filing of Plat prerequisite to approval" the six full working days prior to the City Council meeting to imply the final Linen Plats after all corrections are made by earlier review.
7. I request that the City Engineers signature not appear on the final plat. That his report to Council as required stand for Public Record.

Respectfully submitted,

^s
Ted G. Yeatts PE,LS.
 City Engineer

MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE FLORIDA

November 12, 1975

A regular meeting of the City Council of the City of Venice, Florida was held this date in the City Hall with the following present: Councilmen John A. Freeman, David Farley; Councilwoman Janice Dean. Also present: City Attorney Charles Wheeler; Acting City Administrator S. Albee, Jr.; Deputy City Clerk Thomas Holmes. Members absent: Mayor William L. McCracken; Councilman Berrisford Walker.

Meeting was called to order by Council President Pro-tem John Freeman at 7:30 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Robert Lewis of the Church of the Nazarene delivered the Invocation followed by Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mrs. Dean moved the minutes of the meetings held October 14 and 17, 1975 be approved as presented. Motion seconded by Mr. Farley and unanimous vote carried.

ORDINANCE NO. 644-75 - Establishing Section 17-4 Code of Ordinances entitled "Parking Violations" - for Second and Third Readings

Deputy City Clerk read Publisher's Affidavit of Publication of Notice of proposed enactment.

Mr. Farley moved that Publisher's Affidavit of Notice of Proposed Enactment be placed into the records of this meeting. Motion seconded by Mrs. Dean and unanimous vote carried.

Mr. Farley moved that Ordinance No. 644-75 be placed on second and third readings by title only. Motion seconded by Mrs. Dean and unanimous vote carried.

Deputy City Clerk read Ordinance No. 644-75 on second and third readings by title only. There being no written or oral communications, Mr. Farley moved that Ordinance No. 644-75 be approved and adopted. Motion seconded by Mrs. Dean and approved on Roll Call as follows: Mr. Freeman, Mr. Farley and Mrs. Dean vote YES.

PINEBROOK SOUTH - Approval Of Final Plats Units 1 and 2

City Attorney summarized requirements necessary prior to approval of plats for Pinebrook South as stated by Resolutions Nos. 518-74 and 538-75, improvements to be completed by developer or covered by performance bond, or other acceptable sureties. Three areas were discussed, namely: Pinebrook Road, off site, from the intersection of the development to Venice Avenue East; Pinebrook Road from the Pinebrook South property line North to the Recreation Area and miscellaneous items of construction and paving in both Units 1 and 2, with a total estimated construction cost of \$46,166.46. Mr. Wheeler further stated he had prepared a subdividers cash completion bond based upon above which met with both his and Developer's approval.

Mr. Farley moved that Plats for Units 1 and 2, Pinebrook South be approved with stipulations that completion bond be executed, recreation area be completed, and completion of two connector roads namely Lucaya Avenue and intersection of Karen Street at Venetian Parkway. Motion seconded by Mrs. Dean and unanimous vote carried.

VENICE TAXPAYERS LEAGUE, INC. - Request For Ad Valorem Tax Study

Deputy Clerk Holmes read letter from Venice Taxpayers League requesting City Administrator and Comptroller initiate a study of ad valorem tax revenues derived from various classes of property such as mobile home parks, single family residences, apartments, professional buildings, business buildings and industrial installation in cooperation with the County property appraiser and a study of related revenues such as occupational licenses and intangible personal property taxes in order to pinpoint and eliminate inequalities in taxation.

Council directed Comptroller to proceed with the study.

ID BOND ISSUE ADMINISTRATIVE FEE, CALCULATION BASED ON FORMULA IN
RESOLUTION NO. 780-83, COUNCIL UPHOLDS (Continued)

Motion Backing Resolution

Mr. Atz moved to leave Resolution No. 780-83 stand as written and interpreted by the City. Motion seconded by Mr. Taylor.

Mayor Proctor said he happened to agree with Mrs. Hall that the City should not enter into a situation such as this with the idea of enriching itself or receiving an income in excess of covering its expenses. Mrs. Hall suggested splitting the difference, and making the fee \$15,000.

Mr. Gibson moved the question. Motion seconded by Mr. Atz and passed unanimously.

On Roll Call vote, Mr. Atz voted YES; Mr. Gibson, YES; Mrs. Hall, NO; Mr. Kalajian, YES; Mr. Kostock, YES; Mr. Taylor, YES; Mayor Proctor, NO. Motion carried.

PUBLIC HEARING, AMENDMENT TO PINEBROOK SOUTH PUD MASTER PLAN TO ALLOW
NURSING HOME ON TRACT D

The City Clerk read Notice of Public Hearing on proposed Amendment to PUD Master Plan, Allowing Nursing Home on Tract D, Pinebrook South.

Under written communications, Mr. Simanskey read a letter dated 4-20-83 from Planning Commission Chairman Tom Connolly recommending approval of the amendment subject to the area being cleared of all debris and rubbish.

Mayor Proctor opened the Public Hearing to the public.

Mr. Thomas C. Ford, Director of Pinebrook South Homeowners Association, reaffirmed his group's position that there would be no objections to this amendment provided there is no entry onto Sleepy Hollow and that a 50-foot buffer zone was provided around the property. In reply to Mr. Ford's plea for repair of bad streets in Pinebrook, Mayor Proctor said Council had voted some funds for that.

City Planner Chuck Place addressed the stipulations requested by the Pinebrook South Homeowners Association. Mr. Place said there is a buffer requirement for the area around the PUD, but not within. In this instance the PUD already exists and the amendment is by Resolution, in essence just changing the uses allowed in a given tract, not changing any of the development criteria. Mr. Place said he could not recall if any buffering had originally been required around the commercial area; if so, it would still be required for the use change to a nursing home. The Planning Commission is aware of the desire of the neighbors to have a buffer, and in fact the Commission discussed it before the neighbors brought up the issue. Mr. Place said at the time the site plan is submitted for the nursing home, the buffer would be taken into account.

Mr. Place stated a copy of the Minutes of this meeting will be placed in the records of Pinebrook and that will go before the Planning Commission at any time a site plan is reviewed by the Commission. Mr. Kostock said he just wanted to make it clear for the record that the request of the Association will be taken into consideration.

Mayor Proctor closed the Public Hearing.

RESOLUTION NO. 794-83, AMENDING PINEBROOK SOUTH PUD MASTER PLAN, APPROVAL

The City Clerk read Resolution No. 794-83, Amending Resolution No. 518-74, Providing a Nursing Home Shall Be a Permitted Use on Tract D, Pinebrook South, by title only.

Mr. Kalajian moved that Resolution No. 794-83 be approved and adopted. Motion seconded by Mr. Kostock.

On Roll Call vote, Mr. Taylor voted YES; Mr. Gibson, YES; Mrs. Hall, YES; Mr. Kostock, YES; Mr. Kalajian, YES; Mr. Atz, YES; Mayor Proctor, YES. Motion carried.

MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE, FLORIDA

APRIL 9, 1985

A Regular Meeting of the City Council was held this date in Council Chambers at City Hall. The meeting was called to order by Mayor Richard Louis at 1:00 P.M.

ROLL CALL

Roll was called with the following elected officials present: Mayor Richard Louis; Councilmen: William Gibson, Lucie Hall, John Kalajian, Kenneth Kostock and Edwin Taylor.

Mr. Gibson moved to excuse Councilman Eugene Atz. Motion seconded by Mr. Taylor and passed unanimously.

Also present: Assistant City Manager Gary Bennett, City Attorney Wayne Hall, Finance Director W. H. Kern, City Clerk Bernie Simanskey, and for specific Agenda items: City Planner Chuck Place and Building Official Robert Becker.

INVOCATION

The Invocation was led by Chaplain Bernie Simanskey, followed by the Pledge of Allegiance led by Mayor Louis.

MINUTES OF REGULAR MEETING OF MARCH 26, 1985, COUNCIL APPROVES

Mr. Taylor moved to approve Minutes of Regular Meeting of March 26, 1985. Motion seconded by Mr. Kalajian and passed unanimously.

PINEBROOK SOUTH SUBDIVISION, PETITION TO ALLOW HOME FOR AGED AS PERMITTED USE, PUBLIC HEARING HELD

The City Clerk read Notice of Public Hearing, Petition to Amend Resolution No. 518-74, Pinebrook South Subdivision, to Allow a Home for the Aged.

Under written communications, Mr. Simanskey read a letter dated 3-20-85 from Planning Commission Chairman Tom Regan, stating the Planning Commission, at a meeting held 3-19-85, considered the request of Attorney Paul Olson, representing prospective buyer, (firm of First Independent Financial Services, Inc.), to amend Resolution No. 518-74, as amended by Resolution No. 794-83, and found the request to allow a Home for the Aged as an additional permitted use in Tract D, Pinebrook South, in conformance with the Comprehensive Plan, and therefore recommended to City Council approval of the amendment. Vote was five to two.

Mayor Louis opened the Public Hearing.

Speaking in favor: Mr. James Toth, Toth and Associates, Architects and Planners, Bradenton, Florida. Mr. Toth, who said he was retained by First Independent Financial Services, briefly related history of land use under Pinebrook PUD agreement. This particular piece of land originally was slated as a neighborhood shopping commercial development. An amendment was made to the Resolution to allow construction of a nursing home, which was built and occupies approximately 50% of the site.

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PINEBROOK SOUTH SUBDIVISION, PETITION TO ALLOW HOME FOR AGED AS PERMITTED USE, PUBLIC HEARING HELD (Continued)

Mr. Toth said his client was in the process of purchasing the remaining 50% of the site with the intention of constructing a Home for the Aged, which he thought very similar and akin to a nursing home, and considerably less intensive than the original PUD allocation use of neighborhood commercial.

Mr. Toth said the project envisions 75 units of residential facilities for primarily ambulatory tenants. Meals and other (limited) services will be provided on a common basis. Units will not have kitchens.

Second speaker at the Public Hearing, Mrs. Martha Bonham, Pinebrook resident and treasurer of Pinebrook South Homeowners' Association, stated the Association had met last night to consider questions about the proposed land use. She asked how the following concerns were addressed: 1) A 50-foot buffer zone between the Home for the Aged and private homes existing on Lucaya Avenue; 2) Number of exits and entrances; 3) Height of the proposed building; 4) Adequate parking spaces; 5) Density. Mrs. Bonham said since there are only five residents in the nursing home at this time, the Association questioned whether or not there really is a need for another building at this particular time.

Mrs. Bonham said in addition, the Association would like to have some assurance that when the Pinebrook Resolution comes under consideration for a change, the Association be notified.

Building Official Robert Becker pointed out this was not a rezoning. [Petition requested additional permitted use]. Mr. Becker said the Planning Commission approved the site plan in conjunction with the application on March 19th.

Mayor Louis said he did not realize both had been approved at the same time. Mr. Taylor questioned when procedure allowed the public to speak against the site plan. Mr. Kalajian pointed out Council was holding a Public Hearing at this time, and the architect had with him an approved site plan and was available for questioning.

[In regard to informing the public, later Mr. Simanskey said the Code does not require a Public Hearing on this type of amendment (additional permitted use), but out of consideration for the people, the City Clerk's office had initiated and scheduled a Public Hearing, and placed an advertisement in the newspaper].

Mr. Toth returned to answer questions. He said everything mentioned so far had been discussed in detail with the City, and there had been several rounds of revisions to the plans. He said the site plan now shows: 1) Only access and exit are off Pinebrook Road; 2) A 50-foot setback is to be heavily landscaped and part of it will have a solid fence; 3) There is no density calculation based on units in a Home for the Aged or a Nursing Home; 75 units are planned, at least one or two less than under the current zoning; 4) Height of the building falls within zoning regulations. Center portion is three stories; part of the building adjacent to the property line is two stories; 5) Parking spaces exceed number called for by the zoning ordinance.

Mayor Louis closed the Public Hearing.

PINEBROOK SOUTH, HOME FOR THE AGED AS PERMITTED USE, ACTIONS TAKEN

1) Mr. Taylor moved to approve the amendment to Resolution No. 518-74, as amended by Resolution No. 794-83, to allow a Home for the Aged in Pinebrook South, adding all stipulations as set forth by the Planning Commission. Motion seconded by Mr. Kalajian and passed unanimously.

PINEBROOK SOUTH, HOME FOR THE AGED USE, ACTIONS TAKEN (Continued)

2) RESOLUTION NO. 863-85

The City Clerk read Resolution No. 863-85, Amending Resolution No. 518-74, Providing a Home for the Aged be a Permitted Use, Tract D, Pinebrook South, by title only.

Mr. Taylor moved Resolution No. 863-85 be approved and adopted. Motion seconded by Mr. Kalajian.

On Roll Call vote, Mr. Taylor voted YES; Mr. Gibson, YES; Mrs. Hall, YES; Mr. Kalajian, YES; Mr. Kostock, YES; Mayor Louis, YES. Motion carried.

1985 SUN FIESTA: COUNCIL WAIVES FEE FOR USE OF SHOWMOBILE, GIVES PERMISSION FOR PARADE, USE OF WEST BLALOCK PARK

Mrs. Lucille Doeble, past president of the Sun Fiesta, and Mr. Larry Schindel, new president, informed Council of plans for 1985 celebration, to be held October 19 through October 31. Theme is "Venice By The Sea."

Mr. Schindel requested permission to use West Blalock Park October 26 and 27 for Fiesta in the Park. He said Committee looked for alternate sites and found none suitable. He also requested use of the City streets for the parade on the 26th, which will follow basically the same route as last year. Lastly, he asked for use of the showmobile for the parade and Fiesta in the Park.

Mr. Gibson pointed out there is now a fee for use of the showmobile.

Fee Waived

Mr. Taylor moved to waive the fee for use of the showmobile for the Sun Fiesta parade and Fiesta in the Park, October 26 and 27, 1985. Motion seconded by Mr. Kalajian.

Mrs. Doeble confirmed the Committee operates close to a loss each year or breaks even. Mr. Schindel said a small fee is charged for each booth. Mr. Hall said last year Sertoma club paid \$100 for a permit for their booth, and then donated \$500 to the Committee so that it would break even.

On voice vote, motion passed unanimously.

Mr. Taylor moved the Sun Fiesta Committee be given permission to use the City streets for the parade on the 26th of October, and the use of West Blalock Park for Fiesta in the Park on October 26 and 27, 1985.

Motion seconded by Mr. Kalajian and passed unanimously.

REQUEST FOR PROPOSAL FOR CONSULTANT SERVICES, HISTORICAL SURVEY, COUNCIL APPROVES

City Planner Chuck Place explained Council's approval was required on the Request for Proposal (RFP) for Consultant Services, Historical Survey, before it can be sent to consultants and various state agencies. Copies were distributed to Council, and an official copy will be kept at City Hall.

The services of a consultant is based upon the receipt of the grant in aid from the state of \$8,000 toward the total cost of \$16,000 for the survey. The City is contributing \$6,000 local in kind services, and \$2,000 cash. The approximate cost paid to a consultant for the survey will be \$10,000, maximum. Mr. Place said a single letter notice will be sent to a listing of consultants, inviting them to request the actual RFP, which is bulky. Some time ago Council approved a total cash allocation of \$3,000, and the Historic Committee was not asking for additional funding.