



City of Venice

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

Meeting Minutes City Council

Tuesday, February 26, 2019

9:00 AM

Council Chambers

CALL TO ORDER

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

ROLL CALL

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

ALSO PRESENT

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, Detective Sergeant Rob Goodson, Utilities Director Javier Vargas, Assistant Utilities Director John Monville, Finance Director Linda Senne, Controller Joe Welch, Public Works Director James Clinch, and Fleet and Facilities Manager Travis Hout.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Council Member Moore.

I. RECOGNITION

[19-3784](#)

Swear In: Officers James Atwell, Ryan Gagliano, Nicholas Hertel, Victor Montanez, and Steven Short

Mayor Holic swore in Officers Victor Montanez, Nicholas Hertel, Ryan Gagliano, Steven Short, and James Atwell.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Council Member Gates, seconded by Council Member Fiedler, to approve items in the Consent Agenda with the exception of Item No. 19-3786. The motion carried unanimously by voice vote.

A. CITY CLERK[19-3785](#)

Minutes of the February 12, 2019 Regular Meeting

These Minutes were approved on the Consent Agenda.

B. CITY MANAGERPublic Works[19-3787](#)

Increase Purchase Order with Resource Recovery Systems, LLC for Recycling Processing and Disposal in the Amount of \$240,892 for a Total of \$389,892

This Purchase Order was approved on the Consent Agenda.

[CON. NO.](#)
[141-2019](#)

Approval of a Unit Price Term Contract with American Import Auto, Inc., for Fleet Maintenance and Related Services

This Contract was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENTPublic Works - Continued[19-3786](#)

Approval of Fleet Vehicle Purchases from Alan Jay Chevrolet for Six (6) Units in the Amount of \$184,198 and Three (3) Units from Coggin Ford in the Amount of \$186,186 as Approved in FY19 Budget

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 19-3786.

Discussion followed regarding vehicle replacements, condition of vehicles replaced, five percent fuel reduction goal, electric vehicles, and total number of fleet.

A motion was made by Council Member Moore, seconded by Council Member Gates, to table Item No. 19-3786. The motion carried unanimously by voice vote.

V. PUBLIC HEARINGS**A. ORDINANCES – FINAL READING**[ORD. NO.](#)
[2019-07](#)

An Ordinance of the City of Venice, Florida, Granting Zoning Map Amendment Petition No. 18-03RZ Amending the Toscana Isles Planned Unit Development (PUD) to Clarify the Standards for Front Yard and Side Yard Setbacks With Respect to Corner Lots Within the PUD, Driveway Locations, and to Provide the Zoning Administrator Authority to Administratively Approve Minor Modifications to the PUD on Property

Located at Knights Trail Road; 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 procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez questioned council on conflicts of interest and ex-parte communications since the last hearing. There were none.

No written communication was received since the last hearing and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, that Ordinance No. 2019-07 be approved and adopted. The motion carried by the following vote:

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

[ORD. NO.
2019-08](#)

An Ordinance of the City of Venice, Florida, Amending Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund; Amending Section 50-88, Disability Benefits; Amending Section 50-97, Miscellaneous Provisions; Amending Section 50-108, Reemployment After Retirement; Providing for Codification; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, that Ordinance No. 2019-08 be approved and adopted. The motion carried by the following vote:

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

[ORD. NO.
2019-09](#)

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 86, Land Development Code, Article IV, Development Review Procedures, Section 86-49(j), Site and Development Plan and

Zoning Reviews and Section 86-50, Construction Plan Review and Permit; Article VI, Design and Development Standards, Division 2, Subdivision Design Standards, Section 86-232, Minimum Improvements and Division 5, Landscaping Requirements, Section 86-433, Plan Approval; and Chapter 74, Utilities, Article V, Stormwater Management, Division 3, Stormwater Management Utility, Section 74-264, Runoff of Stormwater and Best Management Practices (BMPs) for Construction Sites, to Allow the Issuance of Limited Construction Permits for Certain Land Development Projects; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

No written communication was received.

Tim Montgomery, 229 Cohosh Road, commented on supporting Sarasota Memorial Hospital's development plan, language in the ordinance regarding issuance of limited construction permits for certain land development projects, today's private attorney-client session, negotiating benefits for residents when considering development projects, and Laurel Road.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2019-09 be approved and adopted.

Mr. Lavallee spoke to purpose of the ordinance change to include developer interests, protection of the city's interests, allowing developers to proceed with site preparations while project is being reviewed for approval, and requiring the developer to restore the site to its original condition if project is not approved.

Ms. Fernandez noted ordinance would allow deep foundation permits for non-residential development projects.

Discussion followed regarding multi-family dwelling projects and payment bond.

The motion carried by the following vote:

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

ORD. NO.
2019-10

An Ordinance of the City of Venice, Florida, Amending, Chapter 50, Personnel, Article III, Pensions and Retirement, Division 2, Municipal Firefighters' Pension Trust Fund; Amending Section 50-85, Contributions;

Adding Section 50-109, Supplemental Benefit Component for Special Benefits; Chapter 175 Share Accounts; Providing for Codification; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith 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 Council Member Fiedler, that Ordinance No. 2019-10 be approved and adopted. The motion carried by the following vote:

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

VI. NEW BUSINESS

A. RESOLUTIONS

[RES. NO. 2019-08](#)

A Resolution of the City of Venice, Florida, Encouraging Congress to Create a Stream of Resources to Address Deferred Maintenance Needs in the National Parks System; and Providing for an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Resolution No. 2019-08 be approved and adopted. The motion carried by the following vote:

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

B. COUNCIL ACTION/DISCUSSION

[CON. NO. 142-2019](#)

Approval of an Agreement with Sweet Sparkman Architects in the Amount of \$995,761 for Professional Architectural and Engineering Services for Fire Station 1 and the City Hall Expansion

Mr. Clinch provided a presentation and spoke on the design contract for fire station no.1 and city hall expansion, purpose for combining projects, and city hall expansion, renovation and needs.

John Bryant, Sweet Sparkman Architects, spoke on city hall's construction budget.

Discussion took place regarding securing the cashier's office, cost to harden city hall, consolidation, costs to keep the fire department

operational during construction, public safety facility, cost overruns, building department expansion to include funding, cost estimate to renovate city hall, separating design costs, public safety facility budget, revenue bond, one-cent sales tax, Florida Power and Light (FPL) energy savings, fire station no. 1 building conditions, project budget, rebuilding fire station at current location, parking, cost savings to build fire station no. 1 at a new location, concern with staff handling multiple projects simultaneously, and project budget range.

Mr. Clinch commented on the project team.

Discussion ensued on project budget and public safety facility bond.

A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve CON. NO. 142-2019.

Discussion continued on splitting fire station no. 1 and city hall expansion design costs.

Don O'Connell, 500 Hauser Lane, commented on existing and proposed fire station no. 1 location and resident feedback.

Linda Roe, 801 Turf, inquired on proposed hardening of city hall.

Chris Ferrante, 620 Armada Road South, spoke to relocating fire station no. 1 to another location.

The motion carried unanimously by voice vote.

Recess was taken at 10:48 a.m. until 11:00 a.m.

[19-3788](#)

Direct Staff to Report City Hall Vehicle Usage by Date, Time, Miles Driven, Destination, With Exception of City Manager, Fire Marshal, and Building Inspectors from November 2018 through January 2019 and Report Sharing Opportunities for 2020 Budget (Daniels)

Mr. Daniels spoke to his request and asked staff to report findings at the March 26, 2019 council meeting.

Mr. Clinch recommended narrowing the request to assist staff.

Mr. Hout presented a sample vehicle activity report.

Discussion followed on the vehicle activity report, vehicles not being used, and department vehicle sharing.

There was consensus for staff to provide city hall vehicle usage data with exception of the city manager, fire marshal, and building inspectors, as recommended by staff.

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

[19-3792](#)

Fleet and Facilities Manager Travis Hout: Current and Future Fleet Inventory and Operations (10 min.)

Mr. Hout provided a presentation and spoke on fleet, current system process, Samsara GPS system to include dashboard information and camera system, disposals and replacements, reasons to replace units on a timeline, fuel costs and energy facts, the advantage of government pricing, finding the "sweet spot" and knowing when to dispose of units, national standards to include other municipalities replacement cycles, unit disposals, decrease in fleet size, maintenance, and fuel tanks.

Mr. Clinch spoke to implementing a policy on vehicle idling.

Mr. Hout spoke on future fleet operations and goals.

Discussion followed regarding the presentation, fuel tank containment wall, fuel contractor, local partnerships, including efficiency in the fuel policy, annual total maintenance costs, fuel usage and purchase costs, electric vehicles, and maintenance guidelines.

[19-3795](#)

12:00 P.M.- PRIVATE ATTORNEY-CLIENT SESSION, PURSUANT TO FLORIDA STATUTE 286.011(8), TO DISCUSS CITY OF VENICE VS. NEAL COMMUNITIES OF SW FL, LLC, ET AL, CASE NO. 17-3532 IN THE 12TH JUDICIAL CIRCUIT, SARASOTA COUNTY

In attendance will be City Attorney Kelly Fernandez, Special Counsel John Shubin, Special Counsel Ian DeMello, Mayor John Holic, Vice Mayor Rich Cautero, Council Members Bob Daniels, Mitzie Fiedler, Jeanette Gates, Helen Moore and Chuck Newsom, City Manager Ed Lavallee, and Roberts Court Reporting. (Expected Duration 1 hour)

Recess was taken at 12:00 p.m. for the Private Attorney-Client Session.

Mayor Holic announced a Private Attorney-Client Session will be held pursuant to Florida Statute 286.011(8) to discuss City of Venice vs. Neal Communities of SW FL, LLC.

In attendance will be City Attorney Kelly Fernandez, Special Counsel John Shubin, Special Counsel Ian DeMello, Mayor John Holic, Vice Mayor Richard Cautero, Council Members Bob Daniels, Mitzie Fiedler, Jeanette Gates, Helen Moore and Chuck Newsom, City Manager Ed Lavallee, and Roberts Court Reporting.

The session will last approximately one hour, after which the meeting will

reconvene in council chambers.

Mayor Holic announced at 1:58 p.m. that the Private Attorney-Client Session was over and the meeting was reconvened.

PRESENTATIONS - Continued

[19-3791](#)

Tom Jones, Chair, Environmental Advisory Board: Board Activity Update (10 min.)

Tom Jones, Environmental Advisory Board Chair, provided a board activity update to include red tide forum, septic systems, plastic pollution, staff attendance, future board plans, and frequency of meetings.

Discussion followed regarding reducing plastic pollution.

Mr. Jones responded to council questions on requesting support from city staff.

[19-3789](#)

Controller Joe Welch and Jeff Wolf, Manager, MSL CPAs and Advisors: Presentation of Comprehensive Annual Financial Report (CAFR) for Year Ending September 30, 2018 (10 min.)

Jeff Wolf, Manager, MSL CPAs and Advisors, spoke to required communications, services and deliverables.

Mr. Welch spoke on the fiscal year (FY) 2018 Comprehensive Annual Financial Report (CAFR) to include liabilities, non-capital related debt, governmental funds, income statements, reserves, encumbrances, enterprise funds, working capital, depreciation, fire and police pension plans, one-cent sales tax fund, assessed property values, and federal and state grants and loans.

Discussion followed on placing a copy of the CAFR at the public library for viewing.

[19-3790](#)

Erin Silk, CEO and Nick Flerlage, President, Venice MainStreet: Public Space Rental Fees (10 min.)

Nick Flerlage, President, Venice MainStreet (VMS), provided a presentation and spoke on VMS's mission statement, projects, and special event requests for relief from rental fees for use of public space.

Erin Silk, CEO, VMS, spoke to budget, rental fees, setbacks, VMS's impact to the city, marketing reach, website, events, promoting downtown, red tide impact to downtown businesses, and requested staff review public space rental fees.

Discussion followed regarding fee formula, policy goal, modifying rental agreement for local agencies, relief for cost of rental space criteria, requesting city staff to review rental policy, marketing, providing cost relief to VMS, and purpose of fees.

A motion was made by Vice Mayor Cautero, seconded by Council Member Fiedler, for staff to review the public space rental policy and report back to council. The motion carried unanimously by voice vote.

ITEMS REMOVED FROM CONSENT - Continued

[19-3786](#)

Approval of Fleet Vehicle Purchases from Alan Jay Chevrolet for Six (6) Units in the Amount of \$184,198 and Three (3) Units from Coggin Ford in the Amount of \$186,186 as Approved in FY19 Budget

A motion was made by Council Member Fiedler, seconded by Council Member Gates, to remove Item No. 19-3786 from table. The motion carried unanimously by voice vote.

The motion carried unanimously by voice vote.

PRESENTATIONS - Continued

[19-3793](#)

Assistant Utilities Director John Monville: Septic Tank Update and Request Approval to Proceed with Staff's Recommendation (10 min.)

Mr. Monville provided a presentation on septic systems and spoke on background, conventional septic system profile, typical existing connection to city infrastructure, septic and city septic system data, rules, regulations and proposed initiatives, septic systems in Sarasota County, septic to central sewer, estimated costs, recommended action, and responded to council questions regarding septic tanks within city limits, number of septic tanks that are in areas under development, acquiring rights, and properties with septic tanks along the waterway.

Javier Vargas, Utilities Director, noted proposal is to offer to pay septic tank inspections for city residents only, and staff is waiting for action from the state.

Discussion continued regarding Curry Creek, staff reviewing Substation Road and Hauser Lane, discussing costs with Sarasota County, and the state's action timeframe.

Mr. Lavallee noted he will inquire on the state's action during his conference call with Capital Consulting.

Discussion followed regarding voluntary septic tank inspections and notifying the county of the city's actions.

A motion was made by Council Member Moore, seconded by Council Member

Daniels, to approve staff's recommendation to implement educational outreach and offer free septic system inspections on a voluntary basis at \$500 per property paid by the city. The motion carried unanimously by voice vote.

[19-3794](#)

Fire Chief Shawn Carvey: Advance Life Support (ALS) Service Update (10 min.)

Chief Carvey spoke on an Advance Life Support (ALS) startup plan, projected revenues and expenses, three year phase in plan, number of paramedics to be hired, the county's projected revenue for fiscal year (FY) 2019, percentage of annual anticipated expenses, importance of taking over ALS service, response time, and responded to council questions regarding procurement of supplies, medical expert, acquiring skilled emergency medical services (EMS) professionals, staff training, dispatch system, consolidation of services, proposed number of units ready for deployment, the county's revenue, communication with the county fire chief, medical director, certificate of need, redeploying net revenue, and EMS impact fees.

Ms. Senne noted ALS revenue will be part of city general fund millage.

Discussion ensued regarding the county's plans to improve response time, property values and potential net revenues.

A motion was made by Council Member Fiedler, seconded by Council Member Daniels, for Chief Carvey and Deputy Chief Giddens to proceed with a plan for the city to take over Advance Life Support (ALS) services. The motion carried unanimously by voice vote.

A motion was made by Council Member Moore, seconded by Council Member Daniels, to extend the meeting end time to 6 p.m if necessary. The motion carried by voice vote 5-2 with Mr. Newsom and Ms. Fiedler opposed.

[19-3798](#)

Detective Sergeant Rob Goodson, Venice Police Department: Public Safety Facility Update (10 min.)

Detective Sergeant Goodson spoke regarding project construction, estimates, and budget summary.

Discussion followed on alternate revenue sources, bond referendum, not removing project items that would compromise staff's safety, staff requesting approval to proceed at the next council meeting, staff providing council with monthly progress memos, funding from one-cent sales tax, and addressing residents regarding cost overruns.

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee noted the utilities department received an award at the Mote Marine ceremony for the city's five phase water main replacement project.

[19-3796](#)

Timeline for Golden Beach Sign Toppers

Mr. Clinch spoke on sign permit requirements, applying to platted subdivisions on city streets, adding addendum to license agreement process, staff providing an update at the first council meeting in April, and responded to council questions regarding sign structure and converting John Nolen signs to new structure.

VIII. COUNCIL REPORTS***Council Member Newsom***[19-3797](#)

Sarasota/Manatee Metropolitan Planning Organization (MPO) Update

Mr. Newsom reported on the planning commission, Economic Development Council (EDC), and Metropolitan Planning Organization (MPO) meetings.

Council Member Fiedler

Ms. Fiedler reported on the Southwest Florida Regional Planning Council (SWFRPC) meeting.

Council Member Daniels

Mr. Daniels spoke regarding phase two of the bypass extension project, Venice Avenue Bridge, cell data request, beach landscape, traffic report on rubber hoses, Pinebrook Road and Edmondson Road intersection plans, Capri Isle Bridge, and Laurel Road.

Council Member Gates

Ms. Gates had no report.

Council Member Moore

Ms. Moore reported on the Architectural Review Board (ARB) meeting, Business Edge meeting at the Venice Area Chamber of Commerce, and commented on the Lions Club's initiative at Venezia Park.

Council Member Cautero

Vice Mayor Cautero reported attending Venetian Golf and River Club (VG&RC)'s annual meeting, and noted he is unable to attend the March 14, 2019 Council of Governments (COG) meeting.

Mr. Daniels volunteered to attend the COG meeting.

Mayor Holic

Mayor Holic requested his absence be excused for both council meetings in March.

A motion was made by Council Member Gates, seconded by Vice Mayor Cautero, to excuse Mayor Holic's absence at the March 12, 2019 and March 26, 2019 council meetings. The motion carried unanimously by voice vote.

Mayor Holic reported attending the Sunrise Rotary Hometown Heroes Banquet, Jewish Congregation of Venice food festival, National Active and Retired Federal Employees (NARFE), Night of Hope and Healing, and Grand Prix Fox Lea Farm events, and Council of Governments (COG) meeting.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 5:03 p.m.

ATTEST:

Mayor - City of Venice

City Clerk