



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, June 25, 2019

9:00 AM

Council Chambers

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### CALL TO ORDER

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

### ROLL CALL

**Present:** 7 - Mayor John Holic, Council Member Jeanette Gates, Council Member Bob Daniels, Vice Mayor Richard Cautero, Council Member 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, Recording Secretary Adrian Jimenez, Deputy City Clerk Danielle Lewis, and for certain items on the agenda: Development Services Director Jeff Shrum, Planning Manager Roger Clark, and City Engineer Kathleen Weeden.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Holic recognized former city employee Louis Condo and requested a moment of silence.

Ms. Stelzer offered the Invocation and led the Pledge of Allegiance.

### I. RECOGNITION

[19-4042](#)

Stephen Lingley, President, Erin Silk and Jan Kleckner, Fireworks Committee Members, Sertoma Club of Venice: Present a Check in the Amount of \$10,000 to the City of Venice for the 4th of July Fireworks Display

**Mayor Holic accepted this check on behalf of the city.**

[19-4043](#)

15-year Service Award, Judith Gamel, Executive Assistant, City Manager's Office

**Mayor Holic presented this award to Ms. Gamel.**

[19-4044](#)

30-year Service Award, Lori Stelzer, City Clerk

**Mayor Holic presented this award to Ms. Stelzer.**

**II. AUDIENCE PARTICIPATION will be limited to one hour.**

Don O'Connell, 500 Hauser Lane, spoke regarding the historic preservation ordinance to include demolition of historic properties.

Discussion followed regarding vetting the historic preservation ordinance.

Paul Cellec, Venice Area Society, Inc., noted support of Taxiway D extension at the airport.

Jeffery Boone, speaking as a city resident, recognized and spoke on Ms. Gamel's and Ms. Stelzer's service with the city.

**III. CONSENT SECTION:**

**A motion was made by Council Member Gates, seconded by Council Member Fiedler, to approve items in the Consent Agenda. The motion carried unanimously by voice vote.**

**A. MAYOR**

[19-4045](#) Reappoint Robert Young to the Code Enforcement Board to Serve a Term from July 1, 2019 Until June 30, 2022

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

[19-4046](#) Reappoint Judith Keeler to the Code Enforcement Board to Serve a Term from July 1, 2019 Until June 30, 2022

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

[19-4047](#) Reappoint Matt "Curt" Whittaker to the Historic Preservation Board to Serve a Term from July 1, 2019 Until June 30, 2022

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

[19-4048](#) Reappoint Student Member Christopher Miscannon to the Historic Preservation Board to Serve a Term from July 1, 2019 Until June 30, 2020

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

**B. CITY CLERK**

[19-4049](#) Minutes of the June 11, 2019 Regular Meeting

**These Minutes were approved on the Consent Agenda.**

**C. CITY MANAGER**

[19-4050](#) Approve Special Event Request - Turkey Trot for The Twig on November

16, 2019

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

[19-4051](#)

Approve Special Event Request - Fun Autocross Society of Tampa Event on August 27, 2019

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

#### Airport

[19-4062](#)

Approval to Submit an Application for Federal Assistance to the Federal Aviation Administration and Accept a Grant Offer to Construct Taxiway D Extension at the Venice Municipal Airport in an Amount not to Exceed \$1,964,028.94

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

#### Information Technology

[19-4055](#)

Authorize the Mayor to Sign Amendment 2 to Agreement CAC2017-0155 to Renew the Technology Agreement between the City of Venice and Sarasota County in the Amount of \$3,330.48 for the Term of September 13, 2019 Through September 12, 2020

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

#### Police

[19-4052](#)

Approve Agreement Between the City of Venice Police Department and Venice Regional Bayfront Health for the Tactical First-In Teams (TFIT)

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

#### Utilities

[19-4053](#)

Approval of a Unit Price Contract between the City of Venice and National Metering Services, Inc., for the Water Meter Replacement Program Phase 4, for Replacement of 2,725 Water Meters, Estimated Expenditure \$123,000

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

[19-4054](#)

Request Approval to Increase Evoqua Water Technologies Odor Control Chemicals Blanket Purchase Order in the Amount of \$120,000.00

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

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

There were none.

## V. PUBLIC HEARINGS

### A. ORDINANCES - FIRST READING

[CC 19-09CU](#) Consider and Act Upon Conditional Use Petition 19-09CU for the 300± Acre GCCF Planned Unit Development (PUD) Located East of I-75 Between Laurel Road and Border Road and Owned by Border Road Investments LLC, Myarra Property Joint Ventures LLC, Woolridge Investment-Florida LLC, and FC Laurel LLC to Allow for a Gated Community (Quasi Judicial)

Mayor Holic announced this is a quasi-judicial hearing.

There was no objection by council to address the rezone and conditional use petition together.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications. Mr. Newsom disclosed attending the planning commission hearing. There were no conflicts of interest.

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

Mr. Clark, being duly sworn, provided a presentation and spoke on application information, property background, aerial of subject property, surrounding properties, site photos, current zoning, GCCF planned unit development (PUD), conceptual plan, buffers, open space, allowable maximum number of units, PUD request, modifications and conditional use, consistency with the comprehensive plan, compatibility analysis, considerations for determining compatibility, mitigation techniques of Policy 8.2, land development code (LDC), concurrency, mobility, proposed stipulations by staff, summary and findings of fact, and planning commission's report and recommendation to city council.

Mr. Shrum, being duly sworn, spoke on proposed PUD language regarding building height, concern with PUD modifications requested, stipulations, and including criteria in the land development regulations (LDR) update on PUD standards.

Mr. Clark spoke to the request for a gated community.

Mr. Shrum spoke regarding the comprehensive plan, roadways between

Laurel Road and Border Road, roadways east and west of Jacaranda Boulevard, the city's last opportunity for a public roadway in the PUD, and noted proposed gated community would preclude public access.

Discussion followed on sound barrier, proposed roadway design, multi-use recreational trail (MURT), speed limit, traffic studies on connector roadway, future widening of I-75, public input on proposed roadway, roadway costs and funding, impact fees, amenity center, and flyover.

Mr. Shrum explained the term flyover.

Discussion ensued regarding Laurel Road's jurisdiction and Sarasota County's plan, spine road maintenance and construction, binding master plan for the subject property and The Bridges property, zoning change, the city's obligation to build or maintain the spine road whether gated or not, council's option to approve or deny gates, and road design.

Mr. Shrum noted the proposed road is consistent with city standards.

Ms. Fernandez commented on public road width.

Discussion continued on roadway width and design, public access, non-gated private road, council's options, public access in the event of an emergency, complete street proposal, limiting non-residential uses to five percent, commercial development and amenities within the PUD, building height, transportation study, road priority, alternative traffic options, Metropolitan Planning Organization (MPO)'s funding list, and roadway funding.

Recess was taken at 11:03 a.m. until 11:11 a.m.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke on combined existing developments, proposed maximum number of residential units, binding master plan, request to add proposed lakes to open spaces, traffic reduction with proposed rezoning, connector roadway design, MURT, neighborhood roadway design, architectural styles, amenity center, perimeter setback, sidewalks, building height, conditional use petition for gates, request to add 42 feet building height to the conditional use petition, request to strike first stipulation regarding Northern Italian architecture style requirement, request for stipulation on cell towers include cement foundation and guide wires area, restricting access if the road is private, 35 foot building height standard, The Bridges property zoning, and buffer along I-75.

John Neal, Neal Communities, being duly sworn, spoke on using a natural

buffer along I-75.

Mr. Boone requested approval of the rezone and conditional use petition as modified to include additional building height and expediting the review process if an application is required.

Discussion followed regarding berm, the need for a public roadway and public input, purpose for building height modification, potential assisted living facility (ALF), and plan discrepancy with approving a public road.

Pat Neal, Neal Communities, being duly sworn, noted how the development would be gated if the road is made public.

Discussion continued on sound barrier and I-75 widening.

Mr. Boone responded to council questions regarding the existing commercial mixed use (CMU) zoning.

Discussion ensued on length of the spine road, city and developer costs to build the road, reduction in density and traffic, comprehensive plan language on roads, mobility and impact fees, transportation and mobility needs in the area, and road project ranking.

Mr. Boone spoke to approving development plans today and working with staff on language for the road.

Discussion continued on project timeframe, obtaining input from finance and the city manager, Laurel Road level of service (LOS), traffic studies projecting the need for more north and south corridors on the east and west side of Jacaranda Boulevard, resident feedback, analyzing requested zoning change, and sound barrier.

Mr. Boone commented on restricting access, council options, and approving development plans today.

John Neal responded to council questions on tree buffers.

Discussion followed regarding postponing the rezone and conditional use petition, changes from first to second reading, available impact fee funds, spine road and sound barrier concerns, and cost difference between a private and public road.

Pat Neal spoke to the costs of public and private roads.

Ronald Courtney, 435 Otter Creek, being duly sworn, noted support of a

public road and commented on the administrative review process and staff negotiations.

Jerry Jasper, 130 Burano Court, on behalf of the Venetian Golf and River Club (VG&RC) Community Association, being duly sworn, spoke on connector road and requested council prioritize funding to widen Laurel Road.

Michael Wendroff, 213 Portofino Drive, being duly sworn, spoke on rezoning, PUD, comprehensive plan, compatibility, future land use, mixed use residential, architectural style, stipulations, previously approved developments, and staff recommendations.

Ron Feinsod, 1115 Ketch Lane, being duly sworn, spoke on economics, funding concerns, traffic studies, public and private roads, safety issues, and sound barriers.

Mr. Shrum spoke regarding building height, binding master plan, recommended stipulation on architectural style, CMU zoning, comprehensive plan requirements, and stipulation on acreage concerning the cell tower.

Ms. Fernandez noted she does not support adding the applicant's height request to the conditional use petition.

Discussion continued on funding, priority ranking list, and transportation study.

Mr. Shrum spoke regarding traffic study, consultant working on modeling exercise, future roadway needs, priority list of projects, Capital Improvement Schedule (CIS), and responded to council questions on project ranking and funding.

Mr. Lavallee spoke to mobility, road, and impact fees collected.

Mr. Shrum responded to council questions regarding architectural style requested by the applicant.

Mr. Boone spoke to referenced language in the comprehensive plan on architectural styles, transportation study, future reduction of traffic, binding master plan, height request, and expediting review of the conditional use petition.

Pat Neal spoke on providing a schematic price estimate on a public/private road, Laurel Road, and sound barriers.

Discussion continued on spine road, sidewalk, MURT, bike lanes, Laurel Road, and available funding sources.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Moore, seconded by Vice Mayor Cautero, to postpone Conditional Use Petition CC 19-09CU to July 9, 2019.**

Discussion took place on staff providing revenue estimate of impact fee stream and a preliminary project ranking list for the subject area, and Mr. Lavallee communicating with Capital Consulting on funding Laurel Road.

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

**ORD. NO.**  
**2019-19**

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Multiple Parcels located East of I-75 between Laurel Road and Border Road and Owned by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ, from Commercial Mixed-Use (CMU) and Planned Unit Development (PUD) Districts to a Planned Unit Development (PUD) District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi Judicial)

This item was discussed under Condition Use Petition CC 19-09CU.

**A motion was made by Council Member Fiedler, seconded by Vice Mayor Cautero, to postpone Ordinance No. 2019-19 to July 9, 2019.**

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

## **VI. NEW BUSINESS**

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

**19-4057**

Dr. Kristie Skoglund and Scott Pinkerton, the Florida Center for Early Childhood: Information on Organization (10 min.)

Dr. Kristie Skoglund, the Florida Center for Early Childhood, provided a presentation and spoke on mission statement, early childhood defined, the need, developmental delays and disabilities, programs, organization's numbers, ways to help support the organization, and answered council questions on difference between the organization and headstart program, number of participating children in Venice, and annual season of giving participation.

**19-4059**

Pamela DeFouw and Sandi Raasch, Wildlife Center of Venice: Information on Organization (10 min.)



Pamela DeFouw, Wildlife Center of Venice, provided a presentation and spoke on background, educating students and parents, community outreach, preserving and conserving, loss of habitat, providing orphans a home, Cooper's hawk, fish crows, black vultures, Great Blue Heron chick, orphaned blue jays, 2018 patients received, planning for the future, ways to help, and answered board questions regarding the new facility location, future of old facility, screech owls, and partnership with Save Our Seabirds organization.

[19-4060](#)

Rich Carroll and Steve Boone, Challenger Baseball: Past, Present, and Future and Consider Transferring Venice Park Impact Funds to a Grant Fund for the Challenger Baseball Organization (10 min.)

This item was not discussed.

## **AUDIENCE PARTICIPATION**

Donna Marquis-Cox, 729 Nokomis Avenue South, spoke on speeding on Nokomis Avenue and requested council's support addressing issue.

Mr. Lavallee commented on police officer presence and enforcement, and citations.

Discussion followed on solar stop signs.

## **A. COUNCIL ACTION/DISCUSSION**

[19-4063](#)

Discuss New Laws Relative to Shark Fishing (Holic)

Mayor Holic suggested having shark fishing regulations in place prior to the reopening of the pier.

Discussion followed regarding public swimming, shark fishing off the pier, potential accidents, procedures, developing an ordinance prohibiting shark fishing, pier buffers, and licensing.

**A motion was made by Council Member Daniels, seconded by Council Member Newsom, to direct the city attorney and staff to develop a draft ordinance eliminating shark fishing at the pier and beaches.**

Discussion continued regarding other jurisdictions that prohibit shark fishing, Florida Wildlife Commission (FWC)'s recommendations and regulations, city ordinance, licensing, and enforcement.

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

[19-4056](#)

Public Health Responses to Toxic Cyanobacterial Blooms: Perspectives from the 2016 Florida Event (Holic)

Mayor spoke to research on cyanobacterial blooms.

**PRESENTATIONS - Continued**[19-4061](#)

City Engineer Kathleen Weeden: Engineering Department Water Quality Discussion and Quarterly Project Update (10 min.)

Ms. Weeden provided a presentation and spoke on water quality to include stormwater outfall testing and rate study, sampling locations, stormwater quality standards, fecal coliform bacteria, surrounding contributions, Hatchett and Curry creeks, and answered board question regarding Curry Creek.

Ms. Weeden spoke on outfalls, water quality, funding grants, outreach to pool and landscaping companies, and water goats to include cost and potential sites.

Discussion followed regarding outfall monitoring and stormwater budget.

**A motion was made by Council Member Fiedler, seconded by Council Member Daniels, to approve funding for a watergoat. The motion carried unanimously by voice vote.**

Discussion continued on outfall monitoring, contributors affecting water quality, and Sarasota County's and the city's waste water treatment plant.

Ms. Weeden provided project updates on beach nourishment, Capri Isles bridge, city hall and fire station no. 1 generator, construction extension, Lord-Higel House parking lot, mobi-mat installation at Venice Beach, phase II paving road bond, phase III streets, beach outfall, Live Oak and Nokomis drainage projects, Ridgewood Avenue sidewalk, the Venice fishing pier, and downtown beautification project.

Discussion followed on crosswalk pavers.

**VII. CHARTER OFFICER REPORTS**City Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee had no report.

**VIII. COUNCIL REPORTS**

***Council Member Gates***

Ms. Gates commented on being a guest bartender at Cafe Venice for charity on July 1, 2019.

***Council Member Moore***

Ms. Moore reported on the Economic Development Corporation (EDC) meeting.

Discussion followed regarding EDC funding new jobs at existing companies.

***Council Member Newsom***

Mr. Newsom reported attending the tree ordinance workshop.

***Council Member Cautionero***

Mr. Cautionero spoke regarding a location for Old Betsy fire engine and security concerns.

Mayor Holic suggested the self storage facility by the Circus bridge for Old Betsy.

***Council Member Fiedler***

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

***Council Member Daniels***

Mr. Daniels reported on the Tourist Development Council (TDC) meeting and noted beach funding is a source for taxes.

Discussion followed regarding the barrier islands and beachfront property.

***Mayor Holic***

Mayor Holic spoke to having a policy for council member absences at meetings and suggested Ms. Fernandez research other jurisdictions.

Discussion took place regarding scheduling appointments on council meeting days, excused absences, and Ms. Fernandez providing options to council.

Mayor Holic reminded council members some of the proceedings today were quasi-judicial.

Discussion followed regarding quasi-judicial hearings, new and additional information provided by the petitioner at council meetings, planning commission being unaware of the city's budget, and council liaison to the planning commission.

Ms. Fernandez spoke to council members attending planning commission hearings on quasi-judicial matters and disclosing ex-parte communications.

Discussion continued regarding ex-parte communications, planning commission meeting agendas, and attorneys challenging council members attending quasi-judicial meetings.

Mayor Holic spoke to the county's response on redistricting.

Discussion followed on obtaining more information on redistricting, county vetting and securing population data and public input, and statements made at the county commission meeting.

Mayor Holic commented on upcoming Tiger Bay meeting, reported on Council of Governments (COG), and suggested scheduling a joint meeting with the City of North Port.

**There was consensus to schedule a joint meeting with the City of North Port.**

Discussion followed on the city manager preparing a meeting agenda for the joint meeting and Venice Regional Bayfront Hospital.

Mr. Lavalley commented on the Americans with Disabilities (ADA) lawsuit filed against Longboat Key.

## **IX. AUDIENCE PARTICIPATION**

There was none.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 4:08 p.m.

ATTEST:

\_\_\_\_\_  
Mayor - City of Venice

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