



City of Venice

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

Meeting Minutes City Council

Tuesday, September 10, 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: Director of Public Works and Asset Management James Clinch, Procurement Manager Peter Boers, Director of Human Resources Alan Bullock, Utilities Director Javier Vargas, Police Captain Eric Hill, and Special Events and Marketing Coordinator Shirley Gibson.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mr. Lavallee.

I. RECOGNITION

[19-4130](#)

Mayor's Pillar of the Community Award, Presented to Suncoast Reef Rovers

Mayor Holic presented this award to Suncoast Reef Rovers.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Dennis King, 1121 Riviera Street, Experimental Aircraft Association (EAA) Chapter 1285, noted support of CON. NO. 149-2019 and Ordinance No. 2019-20 regarding the airport.

Dave Wimberly, Venice Aviation Society, Inc. (VASI), requested council approve CON. NO. 149-2019 and Ordinance No. 2019-20, and commented on two pilots who conducted relief flights to the Bahamas.

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 Nos. 19-4143, CON. NO. 151-2019, and 19-4137. The motion carried unanimously by voice vote.

A. CITY MANAGER

[19-4131](#) Approve Special Event Request: Tinkergarden Fall Lantern Walk on November 3, 2019

This special event was approved on the Consent Agenda.

[19-4132](#) Approve Letter to Florida Department of Transportation (FDOT) Regarding City Council and Venice Police Department Approval of the 2019 Christmas Boat Parade

This item was approved on the Consent Agenda.

[19-4144](#) Authorize Mayor to Execute the First Amendment to the Tree Protection Interlocal Agreement between City of Venice and Sarasota County Extending the Termination Date to January 1, 2020

This item was approved on the Consent Agenda.

Airport

[CON. NO. 149-2019](#) Approval of Contract with Ajax Paving Industries of Florida, LLC for a Total of \$1,994,467.38 to Construct Taxiway D Extension at Venice Municipal Airport

This contract was approved on the Consent Agenda.

Engineering

[19-4133](#) Approve License Agreement Between the City of Venice and Arcata Del Sol, LLC, to Construct a Drainage Swale

This license agreement was approved on the Consent Agenda.

[19-4134](#) Accept Temporary Utility Easement from Sarasota County Public Hospital District for Provision of City Water Services During Construction of Sarasota Memorial Hospital

This item was approved on the Consent Agenda.

Historical Resources

[19-4135](#) Request Approval to Rename the Dale Laning and Julia Cousins Laning Archives & Research Center to the Julia Cousins Laning and Dale Laning Archives & Research Center

This item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

Public Works

[19-4143](#)

Approval of Unit Price Term Contracts for Disaster Debris Removal, Reduction, Disposal and Other Emergency Cleanup Services with Crowder Gulf Joint Venture, Inc., DRC Emergency Services, LLC, and Southern Disaster Recovery Services, LLC

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to approve Item No. 19-4143.

Discussion took place on requiring contractors to remove and cleanup all disaster debris.

Mr. Clinch noted the contract language is tailored to meet Federal Emergency Management Agency (FEMA) requirements and contractors will pick up items that are reimbursable.

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

[CON. NO. 151-2019](#)

Approval of Term Contract for Five Years, Between the City of Venice and Single Stream Recyclers, LLC, for Single Stream Recycling Processing in the Amount not to Exceed \$600,000 Annually

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to approve CON. NO. 151-2019.

Discussion took place on customers closing dumpster lids, pickup of wet recycling items, moisture contamination, public education, delivery of automated cans in January 2020, grant, contract not to exceed amount, projected costs, recycling volume and rate surcharge, contract price, vendor, selling the city's recyclable materials, single streaming, and reducing environmental impact by excluding disposal of plastic bags.

The motion carried unanimously by voice vote.

Utilities

[19-4137](#)

Request Approval to Execute Agreement with Ardurra Group, Inc. for Consultant Services for Designing and Related Services for East Gate Utility Relocations Phase 2 in the Amount not to Exceed \$1,024,231

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to approve Item No. 19-4137.

Mr. Vargas responded to council questions on how non-city residents supplied with city water and sewer services are charged and the number of

homes outside city limits using city water and sewer services.

The motion carried unanimously by voice vote.

V. PUBLIC HEARINGS

A. ORDINANCES – FINAL READING

[ORD. NO.
2019-27](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for the Property Located at 1755 E. Venice Avenue and Owned by Aqueduct, LLC, to Amend Ordinance No. 2005-24, Pursuant to Rezone Amendment Petition No. 19-13RZ, to Eliminate a Stipulation Prohibiting the Developer from Proposing a Wall, Fence, or Gate Along the West Property Line; 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 queried council members on conflicts of interest and ex-parte communications since the last hearing. Mayor Holic disclosed driving by the site. There were no conflicts of interest.

In response to Mr. Daniels' request, Ms. Fernandez explained campaign contributions and support do not create a conflict of interest absent a "quid pro quo".

Ms. Stelzer noted written communication received after the agenda was posted will be added to the agenda packet.

There was no update by staff or the applicant.

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. 2019-27 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.
2019-28](#)

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for the Property Located at 1775 East Venice Avenue and Owned

by Girl Scouts of Gulfcoast Florida, Inc., Pursuant to Zoning Map Amendment Petition No. 19-11RZ, from Sarasota County Open Use Estate-1 (OUE-1) and City of Venice Venetian Gateway Overlay (OUE-1/VG) District to City of Venice Residential Multi-Family 2 (RMF-2) District and City of Venice Venetian Gateway Overlay (RMF-2/VG) District; 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 queried council members on conflicts of interest and ex-parte communications since the last hearing. There were none.

Ms. Stelzer noted written communication received after the agenda was posted will be added to the agenda packet.

There was no update by staff or the applicant.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Vice Mayor Cautero, that Ordinance No. 2019-28 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.](#)
[2019-20](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 14, Aviation, Article III, Operation of Municipal Airport, Section 14-54, City Regulations Adopted, and Section 14-56, Prohibited Activities, and Adopting by Reference the General Provisions, Definitions for Use, Rules and Regulations, and Minimum Standards for Commercial Aeronautical Activities for Venice Municipal Airport as Policy Guiding Documents; Providing for Repeal of All Ordinances in Conflict Herewith; and Providing for 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. 2019-20 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. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS

[19-4138](#)

Alan Bullock, Director of Human Resources; Ray Carter, Gehring Group Risk Management Consultant and Clay Austin, FMIT Director of Trust Services: Request to Approve Renewal of Property and Liability Insurance from October 1, 2019 to September 30, 2020

Mr. Bullock spoke to the city's property and liability insurance coverage for fiscal year 2020, the city's risk exposure, Florida Municipal Insurance Trust (FMIT) and Preferred Governmental Insurance Trust (PGIT) options, workers' compensation claims, and recommended council select FMIT.

Ray Carter, Gehring Group Risk Management Consultant, noted conducting site visits and identifying areas to lower the city's risk exposure, and spoke regarding special events, identifying proper insurance for special events, hurricane expenses, FMIT, and workers' compensation retention.

Clay Austin, FMIT Director of Trust Services, commented on risk management and the city's partnership.

Mr. Carter responded to council questions regarding future addition of Emergency Medical Services (EMS), legislative impacts, and recommended to increase the funding level five percent.

Discussion followed on special events risk and liability, insurance guarding against crime/employee dishonesty, insurance coverage for volunteers, FMIT proposal, workers' compensation claims, claims within the last five years, adopt-a-park program, flood insurance, and insurance premiums on new hardened buildings.

A motion was made by Council Member Daniels, seconded by Council Member Moore, to approve Item No. 19-4138 as presented by staff with the selection of Florida Municipal Insurance Trust (FMIT). The motion carried unanimously by voice vote.

Recess was taken at 10:15 a.m. until 10:25 a.m.

Ms. Fernandez inquired if Ms. Fiedler reviewed the video and audio for first

reading of Ordinance Nos. 2019-27 and 2019-28 due to being absent at the August 27 and August 28, 2019 council meetings. Ms. Fiedler stated she watched both meetings live.

[19-4139](#)

Special Events & Marketing Coordinator Shirley Gibson, City Manager's Office, and Captain Eric Hill, Venice Police Department: Citizens University (10 min.)

Captain Hill explained how the citizens university idea was developed and commented on the success of the citizens academy and meeting with department heads on the program.

Ms. Gibson spoke on the citizens university program to include January 15, 2020 launch date, invited council members to sign up and be part of the group, and noted the program is open to city residents and/or citizens who own or are employed by city businesses.

Discussion took place on working with students, teaming with schools, public education on the city's form of government, staff time allocated to the program during ongoing city projects, community outreach and involvement, and the program's schedule excluding working people and business owners.

In response to council's request, Ms. Gibson spoke regarding Road-E-O event sponsorships and noted partnering with Florida Weekly for advertisement.

Discussion followed on the programs schedule accommodating working people in the future, measuring the program's success to include surveys, and department lesson plans.

B. ORDINANCES

[ORD. NO.
2019-30](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 54, Solid Waste, Article I, In General, Section 54-1, Definitions; Article III, Storage, Preparation and Collection of Solid Waste, Division 2, Preparation, Section 54-61, Preparation of Solid Waste; Article V, Storage, Preparation and Collection of Recyclables, Division 2, Preparation, Section 54-120, Preparation of Recycling; Article VI, Rates and Charges; Billing Procedure, Section 54-161, Fee Schedule; Deposits, and Adding Article VIII, Private Roll-Off Container Haulers; Providing for Repeal of all Ordinances in Conflict Herewith; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Council Member Newsom, seconded by Council Member Gates, that Ordinance No. 2019-30 be approved on first reading and scheduled for final reading.

Discussion took place on requiring contractors working in the city to use city dumpsters, definition of a "new customer" and staff defining the term in the ordinance, discouraging property owners to relocate cans to a different property, status on hiring a consultant to study recycling impact fees and staff providing a timeline, cost of cans, and embedded radio frequency tags on cans.

Mr. Clinch commented on looking into trucks that read cans to ensure cans are on the appropriate property.

Mr. Lavallee noted staff will present a timeline to council in December.

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

C. RESOLUTIONS

[RES. NO. 2019-18](#)

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Sarasota County Public Hospital District, and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Fiedler, seconded by Council Member Daniels, that Resolution No. 2019-18 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

[RES. NO. 2019-21](#)

A Resolution of the City of Venice, Florida, Authorizing Appropriate Government Officials to Execute a Public Transportation Grant Agreement for Project Number 444191-1-94-01 by and Between the State of Florida Department of Transportation and the City of Venice, Florida, to Provide Participation in an Aviation Project to Construct Parallel Taxiway D Extension; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Moore, seconded by Council Member Gates, that Resolution No. 2019-21 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

D. COUNCIL ACTION/DISCUSSION

[19-4140](#)

Request to Abort the Pinebrook/Venice/Ridgewood Avenues Intersection Capital Improvement Project and Request Sarasota County to Redirect the Funds to Expand Laurel Road (Fiedler)

A motion was made by Council Member Fiedler, seconded by Council Member Gates, to approve Item No. 19-4140.

Ms. Fiedler spoke to funding Laurel Road's expansion and requested to reduce funding allocation for the Pinebrook/Venice/Ridgewood Avenues intersection improvement project and redirect remainder of funds to Laurel Road's expansion.

Ms. Fiedler withdrew her motion and Ms. Gates withdrew her second to the motion.

A motion was made by Council Member Fiedler, seconded by Council Member Gates, to reduce funding allocation to \$2.3 million for the Pinebrook/Venice/Ridgewood Avenues intersection improvement project and redirect remainder of funds to Laurel Road's expansion.

Discussion took place on staff providing a presentation to council, obtaining documentation from the county on their funding commitment, the city's commitment on improving the Pinebrook Road and East Venice Avenue intersection, ability to fund both projects, transportation study, staff's perspective on priorities and timeline, considering a public/private partnership, previous council action on the Jacaranda Road extension, engaging the county, Florida Department of Transportation (FDOT) and Metropolitan Planning Organization (MPO), the county's transportation plan, comprehensive plan, accidents at the Pinebrook Road and East Venice Avenue intersection, public safety, adding Laurel Road's expansion to the capital improvement project list, and unintended consequences.

Vice Mayor Cautionero requested staff's perspective on available funding, Pinebrook/Venice/Ridgewood Avenues intersection project estimate, using impact fees for other projects, alternate funding sources that can be utilized, and public/private partnerships.

Discussion continued regarding the transportation study, the city's relationship with the county, obtaining documentation on the county's funding commitment, including the city engineer's input to staff's presentation, and ability to readdress a failed motion.

The motion failed by voice vote 1-6 with Ms. Fiedler in favor.

[19-4141](#)

Request to Discuss Future Multi-Use Hurricane Shelter and Bankshot Playcourts (Holic)

Mayor Holic spoke regarding shelters, county funding to harden Taylor Ranch School, requesting the fire department to provide an analysis on shelters they visited in the county, designating a city representative to be

included in county discussions on hurricane shelters for the city, multi-use shelters, and bankshot playcourts.

There was consensus for the fire department to provide an analysis on shelters they visited in the county and for the city manager to request designation of a city representative to be included in county discussions on hurricane shelters for the city.

VII. CHARTER OFFICER REPORTS

City Attorney

[19-4142](#)

Discussion of Virtual Meeting Attendance Policy

Ms. Fernandez spoke to virtual attendance meeting policy to include participation rights, remote voting, excluding quasi-judicial proceedings, and process in other jurisdictions.

Discussion followed on engaging the Information Technology (IT) department, streaming delay, sound quality, misuse of policy, meeting lengths and communication issues, and the city attorney working with staff on a policy.

There was consensus for the city attorney to work with staff on a virtual attendance meeting policy.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee had no report.

Discussion took place regarding the city's noise ordinance and Miami Avenue alleyway improvements.

VIII. COUNCIL REPORTS

Council Member Moore

Ms. Moore commented on the upcoming Venetian Walk II ground breaking ceremony.

Council Member Newsom

Mr. Newsom reported on the Economic Development Corporation (EDC), Architectural Review Board (ARB), and planning commission meetings.

Council Member Cautero

Mr. Cautero had no report.

Council Member Fiedler

Ms. Fiedler had no report.

Council Member Daniels

Mr. Daniels spoke on the county's mosquito presentation at the Venice Community Center, state board Tourist Development Council (TDC) meeting, Scenic America grants, and speed limit signs on Venice Avenue.

Council Member Gates

Discussion took place regarding the circus property lease and state of emergency notification to council prior to public disclosure.

Mayor Holic

Mayor Holic spoke to attending the annual Blue Mass and the county's legislative delegation meeting, and commented on upcoming 9-11 memorial ceremonies and bronze megalodon tooth sculpture presentation at the Public Art Advisory Board meeting, City of Sarasota purchasing two pieces of artwork for round-a-bouts, and staff researching how developers can contribute art to the city.

Vice Mayor Cautionero noted the Public Art Advisory Board is researching how to fund public art in the city.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 12:19 p.m.

ATTEST:

Mayor - City of Venice

City Clerk