



City of Venice

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

Meeting Minutes City Council

Tuesday, February 23, 2021

9:00 AM

Council Chambers

Instructions on How to Watch and/or Participate in the Meeting

[21-4922](#)

Instructions on How to Watch and/or Participate in the Meeting

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:01 a.m.

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Vice Mayor Richard Cautero, Council Member Helen Moore, Council Member Nick Pachota, Dr. Joseph Neunder, Council Member Brian Kelly and Dr. Margaret Fiedler

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Fire Chief Shawn Carvey, Police Chief Tom Mattmuller, Utilities Director Javier Vargas, Assistant Utilities Director Patience Anastasio, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Controller Joseph Welch and Information Technology Director Christophe St. Luce.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. AUDIENCE PARTICIPATION will be limited to one hour.

There was none.

II. CONSENT SECTION:

A motion was made by Dr. Neunder, seconded by Council Member Moore, to approve items in the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

A. CITY MANAGERPolice[21-4923](#)

Approve Voluntary Cooperation And Operational Assistance Agreement Between The Sarasota County Sheriff's Office And The City of Venice, Florida Regarding Caspersen Beach

This Agreement was approved on the Consent Agenda.

III. ITEMS REMOVED FROM CONSENT

There were none.

IV. PUBLIC HEARINGS**A. ORDINANCES - FIRST READING**[ORD. NO.](#)
[2021-03](#)

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 Comprehensive Plan Pursuant to Petition No. 20-58CP to Incorporate the 2019 City of Venice Water Supply Work Plan by Reference and Include it in the Associated Data, Inventory and Analysis (DIA); Providing for Severability; Providing for Repeal of All Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

No written communication was received.

Council waived staff's presentation.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Council Member Kelly, to approve Ordinance No. 2021-03 on first reading and transmit to the Department of Economic Opportunity for Review.

Discussion took place regarding the city's water supply work plan to include maximum dwelling units and total build-out in Northeast Venice, water supply and projected demand.

Mr. Vargas responded to council questions on plans to ensure adequate water supply beyond 20 years, expanding capacity of existing wells, projected water supply timeframe, and capacity to support development.

Dr. Fiedler commented on a document provided by Assistant City Manager Len Bramble on the city's water supply and suggested document be added on the city's website.

Mr. Vargas responded to council questions regarding salt water intrusion into wells, and minimizing cyber attack risks.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

[ORD. NO.
2021-04](#)

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 Comprehensive Plan Pursuant to Petition No. 20-62CP to Incorporate Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) Amendment Numbers 4 and 5, Approved and Adopted by the City of Venice and Sarasota County, Into the Appendix of the City of Venice 2017-2027 Comprehensive Plan; Providing for Severability; Providing for Repeal of all Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

No written communication was received.

Council waived staff's presentation.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Vice Mayor Cautero, to approve Ordinance No. 2021-04 on first reading and transmit to the Department of Economic Opportunity for Review. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

[ORD. NO.
2021-05](#)

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 90, Buildings and Building Regulations, Article IV, Technical Codes, Section 90-204, Permits and Fees; 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.

No one signed up to speak.

Mr. Shrum spoke regarding fee schedule for building permit fees, 20

percent permit fee reduction, state law, generated revenues, budget, and monitoring fees, and adjusting fees on a regular basis.

Ms. Fernandez clarified council's action on adopting ordinance.

Mr. Shrum responded to council questions regarding adjusting fees on a quarterly basis, charging accurate fees for services, and evaluating fee structure.

Ms. Fernandez explained ordinance will provide ability to pass a resolution that will reduce permit fees to comply with state law.

Mr. Shrum responded to council questions regarding monitoring frequency, date of new legislation, cause of excess revenues, and providing council with reports on a quarterly basis.

Mr. Welch commented on rate change, compliance with state law, monitoring fees, excess revenues, 20 percent discount, permit volume, and fund balance.

Discussion followed regarding comparing practices with other municipalities, evaluating fee structure, and annual target reserve.

Ms. Fernandez responded to council questions regarding Neal Communities' refund of building permit fees.

A motion was made by Dr. Neunder, seconded by Vice Mayor Cautero, that Ordinance No. 2021-05 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

B. ORDINANCES – FINAL READING

[ORD. NO. 2020-37](#)

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Pursuant to Petition No. 19-08CP to Create the Transitional (MUT) Future Land Use Designation in Strategy LU 1.2.9.e, to Create Strategy LU-KT 1.1.7 - Mixed Use Transitional In The Knights Trail Neighborhood, and to Change the Future Land Use Map Designation on a Portion of Real Property Located East of I-75 and South of Rustic Road (214± Acres) from Sarasota County Rural to City of Venice Mixed Use Transitional (MUT) Along with Revisions to Related Maps and Tables; 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 Feinsod opened the public hearing.

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

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Moore, that Ordinance No. 2020-37 be approved and adopted.

Discussion took place regarding industrial uses adjacent to residential homes, the parcels' future land use designation, and the need for commercial land.

The motion carried by the following vote:

Yes: 4 - Ms. Moore, Mr. Pachota, Dr. Neunder and Dr. Fiedler

No: 3 - Mayor Feinsod, Mr. Cautero and Mr. Kelly

ORD. NO.
2020-38

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 19-07RZ, to Change the Zoning Designation for Property Generally Located East of I-75 and South of Rustic Road (214± Acres), from Sarasota County Open Use Estate (OUE) to City of Venice Commercial, General (CG) and Residential, Multi-Family 3 (RMF-3) Districts; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez inquired on conflicts of interests and ex-parte communications since the last hearing. There were none.

No written communications were received since the last hearing.

There was no update by staff or the applicant.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that based on the evidence in the record, Ordinance No. 2020-38 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Recess was taken at 9:57 a.m. until 10:07 a.m.

ORD. NO.
2021-06

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances Chapter 46, Parks and Recreation, Article I, In General, Section 46-1, Description of City Parks System; Authorized Uses; Article III, Conduct in Parks, Section 46-62, General Rules and Regulations for All Parks, Beaches and Recreational Areas; and Section 46-66, Certain Parks Closed to Vehicles During Nighttime Hours; 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 Feinsod opened the public hearing.

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

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Kelly, seconded by Council Member Moore, that Ordinance No. 2021-06 be approved and adopted. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

ORD. NO.
2021-08

An Ordinance Amending City of Venice Ordinance No. 2020-21 which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2020 and Ending September 30, 2021; By Increasing the Total Revenue by \$103,538 and Total Expenditures by \$103,538, and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

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

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Dr. Neunder, that Ordinance No. 2021-08 be approved and adopted.

Discussion followed regarding starting the application process for the new position.

The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

V. NEW BUSINESS

A. COUNCIL ACTION/DISCUSSION

[21-4924](#)

Discuss Recommended Changes to the City Charter

Ms. Fernandez noted proposed amendments are being brought before council to determine whether additional discussion is desired prior to drafting the ordinance.

Discussion followed regarding backup material for agenda requests, having proposed amendments reviewed by a charter review board, granting the city manager authority to call special meetings, ten year charter review, and allowing public input.

Ms. Fernandez advised the city does not have a mandated charter review period.

Discussion continued on timeframe for a charter review board to review the entire charter.

A motion was made by Council Member Pachota, seconded by Dr. Neunder, that council pass a resolution to have items listed in Item No. 21-4924 vetted by a charter review board and then drafted as an ordinance.

Discussion followed regarding council's purview to review charter.

Mr. Pachota called for a point of order and noted he is the motion maker and should speak first.

Discussion continued on whether to have a limited scope or entire charter review.

Ms. Fernandez commented on providing a resolution to establish a charter review board at the next council meeting, and keeping referendum on a general election ballot.

Discussion ensued on reviewing entire charter, voter participation in 2022, Mr. Pachota's motion, and the community's engagement in the process.

Dr. Fiedler called for a point of order and noted there is a motion on the floor.

An amendment to the motion was made by Council Member Pachota, seconded by Dr. Fiedler, to have the entire charter reviewed by a charter review board.

Discussion followed regarding timeframe to review charter and staff to prepare a resolution, and process being transparent.

The amendment carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

The amended motion for council to pass a resolution to have the entire charter reviewed by a charter review board and then drafted as an ordinance carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Mr. Pachota, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Recess was taken at 10:40 a.m. until 10:47 a.m.

[21-4893](#)**Discuss Rotation of Council Members for Virtual Meeting Attendance for Physical Quorum**

Discussion took place regarding a rotation system, council attendance for a physical quorum, including item in the charter for review, round-robin system, city hall sanitation, and Resolution No. 2020-43 remote meeting attendance.

Jeffery Boone, Boone Law Firm, spoke to displaying documents on overhead camera during public hearings.

[21-4894](#)**Response and Actions Related to COVID-19**

Chief Carvey spoke on providing vaccines to homebound residents, and responded to council questions on assisting residents sign up online, adding information on the city's website, Venice High School students assisting with setting appointments, and statewide vaccination numbers.

Mayor Feinsod noted vaccinated residents should remove their names from the county's list.

Discussion followed regarding appointment transfers, and testing negative after a positive result.

VI. CHARTER OFFICER REPORTSCity Attorney

Ms. Fernandez had no report.

City Clerk

Ms. Stelzer reminded council of the public records request for council emails.

City Manager

Mr. Lavalley commented on the COVID-19 vaccine site selection.

VII. COUNCIL REPORTS***Council Member Moore***

Ms. Moore had no report.

Council Member Fiedler

Dr. Fiedler recognized Mr. Bramble for providing a document on city's water supply and for his response in a Herald Tribune article on loosening restrictions for special events. Dr. Fiedler recommended Mr. Bramble's document be added on the city's website and distributed to council.

Council Member Pachota

Mr. Pachota commented on his role assisting with vaccines.

Council Member Neunder

Dr. Neunder reported on the Metropolitan Planning Organization (MPO) meeting.

Council Member Kelly

Mr. Kelly had no report.

Council Member Cautero

Vice Mayor Cautero reported on Venice MainStreet meeting and presenting a Catholic Schools Week proclamation.

Mayor Feinsod

Mayor Feinsod commented on complaints received on the dog park.

VIII. AUDIENCE PARTICIPATION

There was none.

IX. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 11:29 a.m.

ATTEST:

Mayor - City of Venice

City Clerk