



City of Venice

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

Meeting Minutes City Council

Tuesday, May 25, 2021

9:00 AM

Council Chambers and Virtual

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

[21-5050](#)

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

CALL TO ORDER

Mayor Feinsod called the meeting to order at 9:03 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, Assistant City Manager Len Bramble, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Finance Director Linda Senne and Information Technology Director Christophe St. Luce.

All council members attended in person.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. RECOGNITION

[21-5053](#)

30-Year Service Award, Jimmy Campbell, Plant Operator A, Utilities Department

Mayor Feinsod presented this award to Jimmy Campbell.

[21-5051](#)

Proclaim the Week of June 6-12, 2021 as "National Garden Week", Presented to Patricia Swindell, Vice President, Venice Area Garden Club

Mayor Feinsod presented this proclamation to Patricia Swindell.

[21-5052](#)

Present Greg Vine, Venice Area Beautification, Inc. (VABI) Board Member and Venice Urban Forest Chairman, and Phil Ellis, VABI Board Member,

with the 2020 Friends of Our Urban Forest Award for Outstanding Project, Presented by John Rohan, Florida Urban Forestry Council Executive Committee Member

John Rohan presented this award to Greg Vine and Phil Ellis.

II. AUDIENCE PARTICIPATION will be limited to one hour.

No one signed up to speak.

III. CONSENT SECTION:

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve items in the Consent Agenda with the exception of Item No. 21-5056. 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 CLERK

[21-5054](#)

Minutes of the May 6, 2021 Charter Review Workshop

These Minutes were approved on the Consent Agenda.

B. CITY MANAGER

Airport

[21-5055](#)

Approval to Submit Application for Federal Assistance to the Federal Aviation Administration (FAA) and to Accept Grant Offer in the Amount of \$2,109,737.14 for the Construction of the Extension of Taxiway E at Venice Municipal Airport

This Item was approved on the Consent Agenda.

Finance

[21-5057](#)

Approval of Recommendation of Award by the Auditor Selection Committee to MSL, P.A., to Provide Professional Audit Services

This Item was approved on the Consent Agenda.

Public Works

[21-5058](#)

Approval to Fill Public Works Parks Municipal Service Worker Position for Downtown District

This Item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

21-5056

Approval to Waive the 3% Charter Cap Requirement for the Upcoming Fiscal Year 2022 Budget

In response to council's inquiry, Ms. Senne explained items causing an increase in the FY2021 budget, and commented on the operating and debt service millage and overall personnel budget in the general fund.

Vice Mayor Cautero requested items be presented in a chart format at the budget workshop, and spoke to excluding extraordinary items in the budget.

Ms. Senne advised the Coronavirus Aid, Relief, and Economic Security (CARES) Act was excluded from the budget.

Discussion followed regarding the American Rescue Plan to include utilizing funds for enterprise fund purposes and staff providing more information at the budget workshop, and the three percent charter cap.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, to approve Item No. 21-5056. 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. ORDINANCES

ORD. NO.
2021-19

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 50, Personnel, Article III, Pensions and Retirement, Division 3, Municipal Police Officers' Pension Trust Fund, Section 50-131, Definitions; Section 50-136, Benefit Amounts and Eligibility; Section 50-137, Pre-Retirement Death; Section 50-138, Disability; Section 50-140, Optional Forms of Benefits; Section 50-146, Minimum Distribution of Benefits; Section 50-158, Deferred Retirement Option Plan; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Dr. Fiedler, seconded by Council Member Pachota, that Ordinance No. 2021-19 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. CHARTER REVIEW COMMITTEE

[21-5059](#)

Discuss Charter Review Committee Applications

Dr. Fielder suggested to appoint the nine applicants and forgo the resolution.

Ms. Stelzer advised one application was received yesterday, and original resolution was for council to select seven members.

Discussion followed regarding extending the application deadline, starting charter review process, expanding from seven to nine members, selection process, ranking system, adhering to deadline, applications received, considering applications submitted within the deadline, not excluding residents who want to be involved, and public participation at meetings.

Ms. Fernandez noted applications were not included in the agenda, council needs to decide on a selection process, and appointments will be on the next agenda.

Discussion ensued on selection process, adhering to deadline, considering staff time, extending application deadline, enhancing transparency, resolution, and timeline.

Ms. Stelzer suggested extending the application deadline to this Friday at noon.

Ms. Fernandez confirmed there are no legal problems extending the deadline.

Discussion continued regarding public knowledge of candidates, process being transparent, and extending the application deadline.

There was consensus to extend the application deadline to Friday May 28, 2021 at noon.

Recess was taken at 10:12 a.m. until 10:23 a.m.

[RES. NO.
2021-16](#)

A Resolution of the City Council of the City of Venice, Florida, Establishing a Charter Review Committee; Superseding Resolution No. 2021-11; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Cautero, that Resolution No. 2021-16 be approved and adopted.

Discussion followed on clarifying the selection process to applicants, and experienced volunteers.

The motion carried by the following vote:

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

C. COUNCIL ACTION/DISCUSSION[21-5060](#)

Environmental Advisory Board Request for City Council to Send Letter to the United States Environmental Protection Agency Regarding Ocean Era Aquaculture Permit

Dr. George Davis, Environmental Advisory Board (EAB) member, spoke on the board's request, concerns with project, and Environmental Protection Agency (EPA) permit.

Tom Jones, EAB Chair, agreed with Dr. Davis' statements.

Discussion followed regarding the Army Corps of Engineer, EPA permit, purpose of EAB's letter, and opposition from other communities.

In response to council, Mr. Lavallee advised of his communication with Capital City Consulting on the city supporting/endorsing issues.

Dr. Davis responded to council questions regarding the board obtaining qualitative data to present to council.

Vice Mayor Cautero suggested the EAB consider initiatives that have broader political agreement and support.

Dr. Davis commented on project, obtaining information from Mote Marine Laboratory, red tide, and rescinding EPA permit.

Discussion followed regarding project location, EPA's deadline for public input, EAB's letter, issuing a city proclamation, and addressing red tide and water quality issues.

Mr. Jones was in agreement with issuing a city proclamation.

Dennis Peters, Gulfstream Aquaculture, LLC, commented on his involvement with the permitting process and working with Mote Marine Lab and Mote Aquaculture Research Park on this project, an aquaculture study conducted in Panama City, purpose of project, 60 day review by EPA, Army Corps of Engineer issuing permit, project site, using indigenous fish, and responded to council questions regarding using Sarasota County site for demonstration only, project timeframe, working in conjunction with Mote Marine, and the Gulf of Mexico Fishery Management Council (Gulf Council).

Discussion followed on having a representative from Gulfstream

Aquaculture make a presentation to council, being cognizant of council's opinion on political issues, and communicating Capital City Consulting's recommendation on endorsements to advisory boards.

Dr. Davis responded to council questions regarding consideration of the one year pilot project.

A motion was made by Council Member Kelly, seconded by Vice Mayor Cautero, to approve Item No. 21-5060.

Mayor Feinsod passed the gavel to Vice Mayor Cautero and left the dais at 11:16 a.m.

Discussion followed on modifying EAB's letter.

Mayor Feinsod returned to the dais at 11:19 a.m.

Vice Mayor Cautero returned the gavel to Mayor Feinsod.

Recess was taken at 11:19 a.m. until 11:26 a.m.

Discussion continued on council's previous request for the EAB to make a presentation on this item, lobbyist's recommendation on endorsements, and having Ms. Fernandez write a letter to the EPA.

Mr. Kelly restated his motion.

A motion was made by Council Member Kelly, seconded by Dr. Fiedler, for the city attorney to draft a letter to the Environmental Protection Agency (EPA) regarding the Ocean Era Aquaculture Permit as discussed by council. The motion carried by the following vote:

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

VI. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez commented on the Special Magistrate meeting and scheduling training for council on land use matters.

There was consensus to schedule training for council on land use matters.

City Clerk

Ms. Stelzer announced she will be retiring December 31, 2021, and advised plan is for Human Resources Director Alan Bullock to present options on her replacement at the September 14, 2021 meeting.

City Manager

Mr. Lavallee noted upcoming staff presentations from Utilities Director Javier Vargas on the city's reclaimed water master plan and City Arborist Jim Yelverton on the city's tree inventory.

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

Ms. Moore reported on the Tourist Development Council (TDC) meeting, and commented on the Special Magistrate and citizen input received regarding revised dog regulations.

Ms. Fernandez noted citations going to the Special Magistrate are those that are contested or unpaid.

Council Member Fiedler

Dr. Fiedler praised six staff members for their dedication to the city and residents.

Council Member Pachota

Mr. Pachota had no report.

Council Member Neunder

Dr. Neunder reported on Manasota League of Cities and the Metropolitan Planning Organization (MPO) meetings.

Council Member Kelly

Mr. Kelly had no report.

Council Member Cautionero

Vice Mayor Cautionero reported on the Auditor Selection Committee meetings.

Mayor Feinsod

Mayor Feinsod reported attending the ribbon cutting at the new public works building, and Leadership Venice hosted by the Venice Area Chamber of Commerce.

VIII. AUDIENCE PARTICIPATION

There was none.

IX. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 11:57 a.m.

ATTEST:

Mayor - City of Venice

City Clerk