

# City of Venice

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

## Meeting Minutes City Council

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Wednesday, November 30, 2016

9:00 AM

Council Chambers

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### CALL TO ORDER

Mayor Holic called the meeting to order at 9:11 a.m.

### ROLL CALL

**Present:** 7 - Council Member Kit McKeon, Council Member Deborah Anderson, Council Member Richard Cautero, Council Member Fred Fraize, John Holic, Jeanette Gates and Bob Daniels

### ALSO PRESENT

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Finance Director Linda Senne, Airport Director Mark Cervasio, Assistant City Engineer James Clinch, and Public Information Officer Lorraine Anderson.

### INVOCATION AND PLEDGE OF ALLEGIANCE

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

### ***B. COUNCIL ACTION/DISCUSSION***

16-2357

Discussion on City Representative for the Joint Management Advisory Board for Venice Performing Arts Center (Lavallee)

Mr. Lavallee appointed Fran Valencic as the city's representative for the Joint Management Advisory Board for Venice Performing Arts Center.

### **I. RECOGNITION**

16-2349

10-year Service Award, Aleksander Gregoire, Police Sergeant

**Mayor Holic presented this award to Sergeant Gregoire.**

16-2350

Recognize City Staff for their Assistance during the Willow Chase Road Sealing Project

**Mayor Holic recognized city staff for their assistance with this project.**

## II. AUDIENCE PARTICIPATION

Paul Hollowell spoke on behalf of the airport tenants; congratulated council for their support on the airport and thanked the Venice Police and Fire Department's for their assistance along the holiday parade route.

## III. CONSENT SECTION:

A motion was made by Council Member Gates, seconded by Council Member McKeon, to approve items in the Consent Agenda with the exception of Item Nos. 16-2351 and 16-2354. The motion carried unanimously by voice vote.

### B. CITY CLERK

[16-2352](#)

Minutes of the November 8, 2016 Regular Meeting

These Minutes were approved on the Consent Agenda.

### C. CITY MANAGER

#### Engineering

[CON. NO.](#)  
[73-2016](#)

Request Approval of Continuing Contracts for RFQ 3032-16 Engineer of Record/Civil Engineering Services with the Top Six Ranked Firms for an Initial Term of Three Years with the Option for Two One-Year Renewal Periods

This request was approved on the Consent Agenda.

#### Finance

[16-2353](#)

Request Approval to Transfer \$12,000 from the Employees Group Health Fund (Fund 501) to the Employee Flexible Spending Fund (Fund 503) for Fiscal Year 2016

This request was approved on the Consent Agenda.

#### Utilities

[16-2355](#)

Request Approval of Atkins North America, Inc., Change Order No. 1 to Work Assignment No. 6, US 41 Bypass Utility Relocations Project

This request was approved on the Consent Agenda.

## IV. ITEMS REMOVED FROM CONSENT

### A. MAYOR

[16-2351](#)

Mayor and City Council Liaison Appointments

A motion was made by Council Member Daniels, seconded by Council Member McKeon to approve Item No. 16-2351.

Ms. Gates requested to remove the Community Alliance of Sarasota County liaison appointment from the list.

Ms. Anderson left the dais at 9:28 a.m.

Discussion followed on the Charlotte Harbor National Estuary Program (CHNEP) to include membership costs and removal from the liaison appointment list.

Ms. Anderson returned to the dais at 9:30 a.m.

Discussion ensued on CHNEP to include membership benefit to the city, budgeted membership fees, obtaining information on water quality, providing council with a report or annual presentation, and ability for the city to participate and discuss issues.

Mr. Persson commented on the process of removing liaison appointments.

An amendment to the motion was made by Council Member Daniels, seconded by Council Member Anderson, to remove the Charlotte Harbor National Estuary Program from council liaison appointments. The amendment carried by voice vote 6-1 with Mr. Fraize opposed.

An amendment to the motion was made by Council Member Daniels, seconded by Council Member Gates, to remove the Community Alliance of Sarasota County from council liaison appointments. The amendment to the motion carried unanimously by voice vote.

The amended motion carried unanimously by voice vote.

### ***CITY MANAGER - Continued***

#### **Public Works**

##### **16-2354**

Request Approval to Purchase 3,000 Garbage Containers for the Automated Solid Waste Collection System from Schaefer Systems Inc., not to exceed \$135,000

This Item was removed from the consent agenda and will be put on a future agenda.

### **VI. UNFINISHED BUSINESS**

#### **ORDINANCES – FINAL READING AND PUBLIC HEARING**

##### **ORD. NO. 2016-20**

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 46, Parks and Recreation; Article I, in General; Section



46-1, Description of City Parks System; Authorized Uses; and Article IV, Marine Activities; Division 5, Marine Parks; Section 46-186, Miscellaneous Rules; 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 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 Daniels, that Ordinance No. 2016-20 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mr. McKeon, Ms. Anderson, Mr. Cautero, Mr. Fraize, Mayor Holic, Ms. Gates and Mr. Daniels

**ORD. NO.**  
**2016-23**

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 50-81, Definitions; Amending Section 50-84, Finances and Fund Management; Amending Section 50-85, Contributions; Amending Section 50-86, Benefit Amounts and Eligibility; Amending Section 50-88, Disability Benefits; Amending Section 50-90, Optional Forms of Benefits; Amending Section 50-95, Maximum Pension; Amending Section 50-107, Prior Fire Service; Providing for Codification; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability 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 Fraize, that Ordinance No. 2016-23 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mr. McKeon, Ms. Anderson, Mr. Cautero, Mr. Fraize, Mayor Holic, Ms. Gates and Mr. Daniels

Recess was taken from 9:45 a.m. until 9:54 a.m.

## **VII. NEW BUSINESS**

### **A. ORDINANCE**

ORD. NO.  
2016-24

An Ordinance Amending City of Venice Ordinance No. 2016-15 Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017; by Increasing the Total Revenue by \$16,192,541 and Total Expenditures by \$16,192,541; 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 Daniels, seconded by Council Member McKeon, that Ordinance No. 2016-24 be approved on first reading and scheduled for final reading.**

Discussion followed on having two separate ordinances and using overtime as opposed to additional personnel.

Mr. Lavallee commented on amending the ordinance and budget total, and building department employment positions, overtime, and inspections.

Discussion continued regarding scheduling inspections, enterprise fund, overtime, inspection and permit completion time frames, projected revenues and expenditures, permit fees, and building fee structure.

**An amendment to the motion was made by Council Member Anderson, seconded by Council Member Fraize, to remove \$192,541 from the ordinance.**

Discussion followed on reviewing revenues and expenditures, building department permit fees, permit and inspection time frames, and building fund.

Ms. Senne provided figures for the FY 2017 fund balance.

Discussion continued on development growth.

**The amendment failed by voice vote 1-6 with Ms. Anderson in favor.**

**The original motion carried by the following vote:**

**Yes:** 6 - Mr. McKeon, Mr. Cautero, Mr. Fraize, Mayor Holic, Ms. Gates and Mr. Daniels

**No:** 1 - Ms. Anderson

***COUNCIL ACTION/DISCUSSION - CONTINUED***16-2356

Direct the City Attorney to Investigate the City's Ability to Establish Rules Limiting the Time for Quasi-Judicial Hearings (Persson)

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve Item No. 16-2356.**

Discussion followed on time limits for quasi-judicial hearings.

The motion carried by voice vote unanimously.

16-2358

Southwest Florida Regional Planning Council (SWFRPC) Interlocal Agreement and By-laws Revision (Holic)

Discussion followed on Sarasota County's participation in paying municipalities' membership.

**A motion was made by Council Member Daniels, seconded by Council Member McKeon, directing the city manager to inquire with the county administrator on the county's participation for paying municipalities' membership. The motion carried by voice vote unanimously.**

16-2359

Preliminary Discussions on Fiscal Year Ending September 30, 2018 Budget Relative to Priorities in Building Replacement, Repair and Relocation (Holic)

Discussion followed on the public safety bond, public works building, and conducting a building analysis of all inventory.

Mr. Lavallee commented on asset inventory, priorities, safety facility, Seaboard area improvements and grant, and property acquisition.

Discussion continued on one-cent sales tax, purchased fleet vehicles, bond referendum, addressing facilities maintenance issues, and the city manager providing presentation to council.

Mr. Lavallee noted he will provide council with a schedule of asset priorities at the next council meeting.

Discussion ensued on fire tax, impact fees, one-cent sales tax revenue, depreciation funds, developing comprehensive ranking system for priority items, and staff providing future projections and recommendations.

16-2360

Direct Staff to Prepare a Resolution and Letter of Support for the Florida League of Cities President to Become a Member of the Constitution Revision Committee (McKeon)

**A motion was made by Council Member McKeon, seconded by Council Member Daniels, to approve Item No. 16-2360.**

Mr. McKeon provided a brief background on the Constitution Revision Committee (CRC), and recommended council support Mayor Susan Haynie to represent municipalities.

**The motion carried by voice vote 6-1 with Ms. Anderson opposed.**

16-2361

Request that the Economic Development Advisory Board Research the Necessary Steps to Establish Potential Tax Incentive Programs with Sarasota County for Historic Preservation Designations and Easements within the City (Cautero)



**A motion was made by Council Member Cautero, seconded by Council Member McKeon, to approve Item No. 16-2361.**

Discussion followed regarding the Historic Preservation Board requesting assistance from the Economic Development Advisory Board (EDAB) on establishing a potential tax incentive program, EDAB obtaining direction from city council, protocol on staff communication between boards, Certified Local Government (CLG), not assigning task to EDAB until staff feedback is received, staff support for advisory boards, staff time and assignments, staff involvement with the comprehensive plan, and strategic plan.

Greg Watkins, 320 Pedro Street, spoke on his support of establishing a tax incentive program, preserving architectural buildings, developing and identifying historic landmarks in the city, and providing homeowners with tax incentives.

Don O'Connell, 500 Hauser Lane, spoke on historic properties to include improvements, registering buildings, and tax incentives.

Discussion continued regarding assigning task to EDAB and postponing motion.

**An amendment to the motion was made by Council Member Cautero, seconded by Council Member Fraize, for city staff to provide council with a protocol on investigating and establishing a potential tax incentive program for historic preservation designations and easements within the City of Venice.**

Discussion continued on historic properties, researching municipalities that have an effective historic preservation program, challenges with assigning tasks to advisory boards, time frame to conduct research and report back to council, and quarterly progress reports starting with the second quarter.

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

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

Ms. Stelzer noted the minutes will reflect Item 16-2354 was removed from the consent agenda.

#### 16-2362

#### Federal Legislative Priorities for Fiscal Year 2018

**A motion was made by Council Member McKeon, seconded by Council Member Gates, to approve the legislative priorities for FY 2018.**

Discussion followed on the title and content of the post office relocation request, vetting status, community outreach, simplifying and re-wording language on the post office request, and priority listing of items.

**An amendment to the motion was made by Council Member Daniels, seconded by Council Member McKeon, to postpone Item No. 16-2362 to the next council meeting to make changes to the wording on the post office relocation request**

and make relocation of the federal post office number two, and coordinate a program to end homelessness and treat mental illness with an emphasis on veterans to item number three on the list. The amendment carried by voice vote 6-1 with Ms. Anderson opposed.

An amendment to the motion was made by Council Member Anderson, seconded by Council Member Gates, to change the wording from "consider discussing" to "discuss" on the last sentence of item number one on the list. The amendment carried unanimously by voice vote.

An amendment to the motion was made by Council Member Anderson, seconded by Council Member Daniels, to direct city manager staff to reword item number two and modify request to include the Veterans Affairs (VA) department to formulate an initiative for ending homelessness for veterans. The amendment carried unanimously by voice vote.

Emilio Carlesimo spoke on supporting the post office relocation and moving the item to number two on the priority list.

The amended motion carried unanimously by voice vote.

#### 16-2363

#### Topics for Convocation of Governments Agenda

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve agenda topics as presented.

Discussion followed on obtaining building inspector certification updates, determining school board enrollment needs, school board impact fees and use of fees for school developments, resource sharing, developing partnerships with other municipalities, street lighting on Bahama Street, Venice High School lightning detection system, and topics that should be discussed at the school board meeting.

An amendment to the motion was made by Council Member Daniels, seconded by Council Member McKeon, to add obtaining an update on the building inspector certification program, and use of partnerships with the school board, county, and the City of Venice. The amendment carried by voice vote unanimously.

The amended motion carried by voice vote unanimously.

Recess was taken from 12:00 p.m. until 1:00 p.m.

#### 16-2364

#### Elect Vice Mayor for 2017

Mayor Holic asked if any council members who did not wish to serve as Vice Mayor. Mr. Cautero, Ms. Gates, Mr. Daniels, Mr. McKeon, Ms. Anderson, and Mr. Fraize accepted nominations.

Mayor Holic opened the floor for nominations.

Mr. Daniels nominated himself for vice mayor, seconded by Ms. Gates. Mr. McKeon nominated Mr. Cautero for vice mayor, seconded by Ms. Gates. Mr. Fraize nominated Ms. Anderson for vice mayor, seconded by Ms. Gates.



Mayor Holic closed the floor for nominations.

Mr. Daniels withdrew his nomination for vice mayor and Ms. Gates withdrew her second.

By a show of hands, Mr. Fraize and Ms. Anderson were in favor of Ms. Anderson as vice mayor.

By a show of hands, Mr. Cautero, Ms. Gates, Mr. McKeon, and Mayor Holic were in favor of Mr. Cautero as vice mayor.

**Mayor Holic announced Mr. Cautero was elected Vice Mayor.**

### **C. PRESENTATIONS**

#### 16-2366

Assistant City Engineer James Clinch: Request for Council Action to Determine Osprey Ditch Safety Modification as Option 1 - Leave Facility As Designed, Option 2 - Install Guardrail or Option 3 - Install Pedestrian Rail

Mr. Clinch provided a safety assessment update on Osprey Ditch and requested council action to determine a safety modification option.

Discussion ensued on available modification options, safety and liability concerns, consideration of placing sidewalk on road, ditch's incline, filling in ditch and placing underground piping, cost safety, standing water concerns, ditch capacity, footage off pavement, limiting drainage, and closing ditch.

Mr. Clinch commented on ditch capacity, piping process, flooding, and costs.

Discussion ensued on potential flooding, enclosing ditch, placing sidewalk on road, property difference, and roadside swales.

**A motion was made by Council Member Daniels, seconded by Council Member Anderson, to approve option number one: leave Osprey Ditch in its current condition. The motion carried by voice vote 6-1 with Ms. Gates opposed.**

#### 16-2365

Bicycle and Pedestrian Coordinator Darlene Culpepper: Bicycle Friendly Community Silver Status Award (5 min.)

Ms. Culpepper spoke regarding the bicycle friendly community silver status award, program implementations, monthly bike ride event, Venice Police Department's participation, providing education to cyclists, scheduling more cycling events, and working with Venice MainStreet.

Discussion followed on appeal process, statistics on annual bicycle crashes, point system, and bike repair stations along bicycle trails.

16-2367

Code Enforcement Supervisor Paul Iannelli: Resort Dwelling Update (10 min.)

Mr. Iannelli provided updates on resort dwelling settlement agreements to include Milo and Altier properties, number of terminating agreements, annual inspections, compliance status, properties outside settlement agreements, complaints, citizen reporting, and monitoring and prosecution of cases.

Discussion followed regarding the property located at 420 Bayshore Drive, tracking vacation rental turnover rates, number of cases under investigation, and requesting information from the tax collector's office.

16-2368

Finance Director Linda Senne: Monthly Financial Update(10 min.)

Ms. Senne provided a financial report for the general fund to include expenditures, increases, and balance for fiscal year (FY) 2016, and noted the projected budget for FY 2017.

Discussion followed regarding actuary report, pension deficit, transferring expenses between funds, projected expenses, general fund reserve, and percentage budgeted for property taxes.

Ms. Senne discussed the building and airport's fund balance for FY 2016, and noted the airport is working on rates for the mobile home park. Discussion followed regarding rate study.

Ms. Senne discussed utility fund revenues, utility rate study and increase, and expenses for FY 2016. Ms. Senne continued to discuss the FY 2016 solid waste fund to include revenues, expenses, and increase in rates.

Discussion continued on enterprise and general funds, investment in capital assets, restricted balance, operating expenses, revising enterprise fund policy, pension liability, estimated cash balance for FY 2017, estimated projection for the FY 2017 budget, seasonal residents, and city manager assignments.

Ms. Senne discussed stormwater fund revenues, expenses, and budget for FY 2016.

**There was council consensus for Ms. Senne to provide council with data regarding the estimated differences in unassigned fund balances ending in FY 2016.**

Ms. Senne discussed the city's Quarterly Investment Report to include portfolio composition, market rate investments, city's average return and benchmark, federal fund target rate, rate increases, maturity rate, and general fund cash investment balances.

Discussion followed on quarterly cash and investments accruals, earnings credit rate and reflecting figures on the report, request for proposal (RFP) solicitations, bank fees and charges, reviewing banking fee structure used by other municipalities, operating services used by the city, and Ms. Senne suggesting recommended vendor for banking services to council in January.

Ms. Senne discussed the time table for the bond referendums.

Discussion followed on interest rates and competitive bidding.

Recess was taken from 2:42 p.m. until 2:55 p.m.

16-2369

City Manager Ed Lavallee: Circus Property Update

Mr. Lavallee provided an update on the circus property to include negotiations, proposal context, and profitable property use.

Discussion followed on obtaining resident input on proposals, public hearing guidelines, skydiving operations opening date, and landscaping around the airport.

## **VIII. CHARTER OFFICER REPORTS**

### City Attorney

Mr. Persson provided an update regarding negotiations with Neal Communities on extraordinary mitigation fees (EMF).

### City Clerk

Ms. Stelzer had no report.

### City Manager

Mr. Lavallee spoke on issuing a license to Venice Area Beautification, Inc. (VABI) for using the right-of-way, circus park restoration project, using monies from marketing budget for circus car restoration, and impact fees.

There was council consensus allowing the city manager to request support from the Council of Governments (COG) to redefine the term "capacity" for impact fees.

## **IX. COUNCIL REPORTS**

### ***Mayor Holic***

16-2370

Report on November Police and Fire Pension Plans Seminar



Mayor Holic reported on his attendance at the police and fire pension seminar, updating city property values, and use of impact fees.

Mr. Lavallee commented on the statutory requirements for actuary reporting.

***Council Member Fraize***

Mr. Fraize commented on his attendance at the Christmas parade.

***Council Member Anderson***

Ms. Anderson had no report.

***Council Member Daniels***

Mr. Daniels reported on the Tourist Development Council (TDC) meeting, tourist development tax funds, hotel development in Sarasota County, marketing grants, historical train depot, maintenance at parks, and traffic counters.

Discussion followed on city parks maintained by the county.

***Council Member McKeon***

Mr. McKeon reported on the Manasota League of Cities, county maintenance of parks, and status of the comprehensive plan.

***Council Member Gates***

Ms. Gates reported on items discussed at the EDAB meeting, and commented on her attendance at the Christmas parade.

***Council Member Cautero***

Mr. Cautero reported on his attendance at the Christmas parade, Venice MianStreet holiday events, historic preservation tax incentive program, and commented on impact fees.

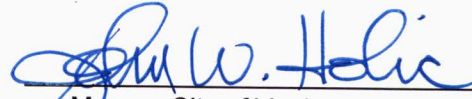
**X. AUDIENCE PARTICIPATION**

No one signed up to speak.

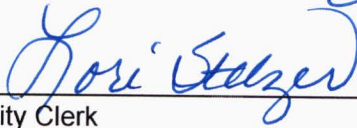
**XI. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 3:50 p.m.

ATTEST:



Mayor - City of Venice



City Clerk