



City of Venice

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

Meeting Minutes City Council

Tuesday, February 13, 2018

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, Vice Mayor Bob Daniels, Council Member Richard Cautero, Council Member Fred Fraize, Council Member Charles Newsom and Council Member Margaret Fiedler

Also Present:

City Attorney Dave Persson, Assistant City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavalley, Assistant City Clerk Heather Taylor, and for certain items on the agenda: Utilities Director Javier Vargas, Development Services Director Jeff Shrum, Fleet Manager Travis Hout, and City Engineer Kathleen Weeden.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

I. RECOGNITION

18-3106

Proclaim February 18-24, 2018 as "Engineers Week", Presented to Greg Stevens, P.E., President of Florida Engineering Society - Myakka Chapter, Amjid Hussain, P.E., Professional Traffic Operations Engineer of Sarasota County Public Works Representing American Society of Civil Engineers SunCoast Chapter, Assistant City Manager Len Bramble, City Engineer Kathleen Weeden, Public Works Director John Veneziano, Utilities Director Javier Vargas, Assistant Utilities Director John Monville, Assistant City Engineer James Clinch, Utilities Project Manager Tony Wierzbicki, Stormwater Engineer Tara McKinney, and Stormwater Engineering Analyst Gillian Carney

Mayor Holic presented this Proclamation.

18-3107

Swear in Firefighter/EMT Ryan Hellmer, Venice Fire Department

Mayor Holic swore in Firefighter/EMT Ryan Hellmer.

II. AUDIENCE PARTICIPATION

Mayor Holic read an email received regarding recognition of services provided by the Venice Police Department. He also recognized Lieutenant Lowery for actions taken during an incident at the Venice Regional Hospital.

Erin Silk and Rod Nafziger, CEO and President of Venice MainStreet, presented the city with two awards for outstanding improvements for Legacy Park and East Venice Avenue median upgrades.

III. CONSENT SECTION:

A motion was made by Vice Mayor Daniels, seconded by Council Member Cautero to approve items in the Consent Section with the exception of Con. Nos. 109-2018 and 110-2018. The motion carried by voice vote unanimously.

A. CITY CLERK

[18-3108](#)

Minutes of the January 19, 2018 Convocation of Governments Special Meeting, January 23, 2018 Regular Meeting, January 30, 2018 Capital Improvement Program Workshop, and January 31, 2018 Private Attorney-Client Session, Denovo Law Services, LLC vs. City of Venice

These Minutes were approved on the Consent Agenda.

B. CITY MANAGER

Police

[18-3109](#)

Approval to Declare Two Mercury Verado 200 Outboard Motors as Surplus and Authorize Staff to Dispose at Auction

This Agreement was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

Engineering

[CON. NO.](#)
[109-2018](#)

Authorize the Mayor to Execute Sovereignty Submerged Lands Fee Waived Lease Renewal (BOT File No. 580226443) for the Venice Public Fishing Pier located at 1600 S. Harbor Drive

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates to approve Con. No. 109-2018.

Ms. Weeden responded to council questions regarding the \$600 processing fee and procedures for charging pier use fees.

Discussion took place regarding allowing ample time for agreements to be

reviewed, prior council review in 2013, the possibility to request an extension for review, and revisions should a fee be applied in the future.

A motion was made by Council Member Fiedler, seconded by Vice Mayor Daniels, to postpone Con. No. 109-2018 until February 27, 2018 city council meeting. The motion failed by voice vote with Mr. Newsom, Ms. Gates, Mayor Holic, and Mr. Fraize opposed.

The motion carried by voice vote unanimously.

Public Works

CON. NO. 110-2018

Approval for Disposal of Surplus Vehicles and Heavy Equipment at Auction or via PublicSurplus.com

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates to approve Con. No. 110-2018.

Mr. Hout responded to council questions regarding the timeframe for disposing of vehicles that no longer have operational value, front loader solid waste truck maintenance issues, potential costs for maintenance, and vehicle defects.

The motion carried by voice vote unanimously.

V. PUBLIC HEARINGS

A. ORDINANCES – FINAL READING

ORD. NO. 2018-05

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 17-12RZ, Relating to Property in the City of Venice Located on Laurel Road West of I-75 and Owned by Carlton J. Hurt Trust, Randall C. Hurt, Joseph W. Hurt and Mary McMullen, Rezoning the Property from Sarasota County Open Use Estate-1 (OUE-1) to City of Venice Residential, Single-Family-4 (RSF-4); 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 hearing.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members regarding ex-parte communications and conflict of interest. Mr. Daniels disclosed site visits with no communication. There were no conflicts of interest.

Ms. Stelzer stated no written communication had been received and no

one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, that Ordinance No. 2018-05 be approved on final reading. The motion carried by the following vote:

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

ORD. NO.
2018-06

An Ordinance Amending City of Venice Ordinance No. 2017-31 Which Adopted the Official Budget of the City of Venice, Florida for the Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018; by Increasing the Total Revenue by \$1,821,695 and Total Expenditures by \$1,821,695; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Stelzer stated no written communication had been 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 Fiedler, that Ordinance No. 2018-06 be approved on final reading. The motion carried by the following vote:

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

VI. NEW BUSINESS

A. ORDINANCES

ORD. NO.
2018-07

An Ordinance of the City of Venice, Florida, Further Amending Chapter 50, Personnel, Article III, Pensions and Retirement, Division 3, Municipal Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Venice, Florida, as Subsequently Amended; Amending Section 50-131, Definitions by Amending the Definitions of "Actuarial Equivalent", "Credited Service" and "Spouse"; Amending Section 50-134, Finances and Fund Management; Amending Section 50-138, Disability; Amending Section 50-145, Maximum Pension; Amending Section 50-158, Deferred Retirement Option Plan; Adding Section 50-161, Share Plan; Use of Chapter 185 Premium Tax Revenues; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date

Ms. Stelzer read the ordinance by title only and stated no one signed up to

speak.

A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Ordinance No. 2018-07 be approved on first reading and scheduled for final reading.

Discussion took place regarding legal guidance and the need for a written review from Jim Linn.

Ms. Stelzer spoke to Mr. Linn's review of the ordinance and stated his review would be included for second reading of the ordinance.

The motion carried by the following vote:

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

B. RESOLUTIONS

RES. NO. 2018-04

A Resolution of the City of Venice, Florida, Establishing Rates for Utility Customers for the Testing, Repair, Installation, and Replacement of Backflow Prevention Assemblies; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, that Resolution No. 2018-04 be approved and adopted.

Mr. Vargas responded to council questions regarding cross connection and backflow devices, 10-year inspection and replacement of underground devices cost estimation, incorporating a cross connection maintenance monthly fee, and benefits of a new device.

Discussion continued regarding underground backflow devices.

The motion carried by the following vote:

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

Recess was taken from 10:20 a.m. until 10:32 a.m.

RES. NO. 2018-05

A Resolution of the City of Venice, Florida, Encouraging Council Members to Attend Various Training Opportunities to Enhance their Job Performance and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, that Resolution No. 2018-05 be approved and adopted.

Discussion took place regarding benefits of Florida League of Cities' classes, prior class experience, webinar options, inability to enforce the resolution, and guidance from charter officers.

The motion carried by the following vote:

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

C. COUNCIL ACTION/DISCUSSION

18-3110

Appoint Sharon Maynard to the Venice Fire Department (VFD) Stakeholder's Work Group

A motion was made by Council Member Gates, seconded by Vice Mayor Daniels, that Item No. 18-3110 be approved. The motion carried by voice vote unanimously.

CON. NO. 111-2018

Authorize the Mayor to Execute Change Order #2 to DeJonge Excavating Contractors, Inc., in the amount of \$12,628.00 for the Edmondson Multi-Use Trail Project (FIN#436987-1-58-01)

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates to approve Con. No. 111-2018.

Ms. Weeden responded to council questions regarding funding from Florida Department of Transportation (FDOT), FDOT bid procedure, cause for cost overruns, bidded unit cost spreadsheet, unforeseen field conditions, site visits to determine field conditions, limitations with unit based billing, contractor scheduling and certifications, field proficiency, updating council on the cause of price increase, and contingency funds.

Mr. Lavallee spoke to providing a quarterly overrun and underrun report to council.

Discussion continued on grade adjustments on sidewalks and including capital projects on the city's website.

The motion carried by voice vote unanimously.

CON. NO. 112-2018

Authorize the Mayor to Execute Change Order #3 to DeJonge Excavating Contractors, Inc., in the amount of \$28,036.15 for the Edmondson Multi-Use Trail Project (FIN#436987-1-58-01)

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates to approve Con. No. 112-2018.

Pam Schierberg, President, Waterford Homeowner Association (HOA), expressed concern with negative impact and damage caused by vehicles and heavy equipment parking and requested communication with the HOA regarding costs and impact.

Discussion followed regarding the impact the damages will have on the project cost and communication process with residents.

The motion carried by voice vote unanimously.

18-3111

Discuss Creating a Procedure for Organizations Requesting City Funding (Fiedler)

Discussion took place regarding funding requests from outside sources, establishing a procedure for request of funds, current procedure for funding through the economic development marketing budget, and special event procedures.

Mr. Lavallee stated that all new special event funding requests come to council and spoke to marketing budget allocations.

Discussion ensued on future discussion at the budget workshops.

VII. UNFINISHED BUSINESS

17-2976

Direct Staff to Draft an Ordinance for Pier Uses, Conduct on Fishing Pier and Parking Area (Holic)

Without objection, Mayor Holic reordered the agenda to discuss this item at this time.

Mayor Holic reviewed the comments received from the Venice Pier Citizens Group.

Discussion continued on minimal violations observed, surveillance camera repairs, effective enforcement, and pierboard dedication as a revenue source.

Mr. Lavallee responded to council questions regarding camera replacement.

Discussion followed regarding patrolling the pier.

Rob Merlino, Venice Pier Citizens Group, spoke to enforcing the current ordinance and discussion with pier users and thanked council for allowing the group to provide input.

There was consensus to leave the existing ordinance as is.

COUNCIL ACTION/DISCUSSION - Continued

18-3112

Discuss and Act On Acceptable Levels of Service for Pedestrians and Bicyclists (Fiedler)

Discussion took place regarding mobility transportation report level E designations, planning commission discussion on transportation and mobility in the comprehensive plan, barriers to include FDOT and Metropolitan Planning Organization (MPO) control, resistance from

citizens, funding, possible solutions to include planning commission and council being more mindful of connectivity and mobility when reviewing new development petitions, use of county impact fees for new access, gas tax revenue, and projects to improve levels of service.

Jeff Boone, Boone Law Firm, spoke to spending of revenue sources, new home mobility fees, mobility fee credits, and directing funds where they are needed.

Pat Neal, Neal Communities, spoke to complete streets, multi-use recreational trails, and applying mobility fees where best used.

Discussion followed on Mr. Neal including bike and pedestrian use on Legacy Trail and Edmondson Road in his study, integrating pedestrians and cyclists with vehicles, the need for more bike lanes and sidewalks, the goal of the study and focusing resources on major roads.

Recess was taken from 12:24 p.m. until 1:30 p.m.

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

18-3114

City Engineer Kathleen Weeden, Metropolitan Planning Organization (MPO) 2018 City of Venice Priority List

Ms. Weeden and Dick Longo, MPO Citizen Advisory Committee representative, reviewed the city's 2018 priority list and responded to council questions regarding funding, and transportation and infrastructure funding from Washington D.C.

Discussion took place regarding accident and EMS response at the intersection of Pinebrook Road at East Venice Avenue and Ridgewood Avenue, widening of Laurel Road at Jacaranda Boulevard, and speed of traffic on Laurel Road.

Ms. Weeden responded to council questions regarding funding sources.

Mr. Longo spoke to identifying safety issues and soliciting the respective funding opportunities.

Discussion continued on mobility fees, including a list of requests to evaluate for safety funds, addressing congestion issues during the corridor analysis, roundabouts, and impact and mobility fees update.

Ms. Fernandez spoke to the process should the city collect impact fees.

Ms. Weeden reviewed safety projects to include Pinebrook Road at Water Street where there have been high numbers of fatalities and accidents, Pinebrook Avenue Intersection at Venice Avenue and Ridgewood Avenue, and US 41 By-pass at Detwilers, short term priorities to include 1) replace/upgrade Capri Isle Boulevard bridge over Curry Creek, 2) Pinebrook Road at E. Venice Avenue and Ridgewood Intersections, 3) adaptive traffic signals, five year priorities to include 1) widening of E. Laurel Road to Jacaranda, 2) widening of Jacaranda Boulevard from Border Road to Laurel Road, 3) right turn lane on Westbound Edmondson Road at Pinebrook Road, 4) expand Pinebrook Road to four lanes with sidewalks and bike lanes from Edmondson to E. Venice Avenue, 5) expand Pinebrook Road to four lanes with sidewalks and bike lanes from E. Venice Avenue to Center Road, and ten year priorities to include 1) extend Knights Trail north to 681 and 2) full interchange at 681.

Council requested Mr. Lavalley obtain a 2017 county accident report.

Mr. Longo spoke to adaptive traffic lights and their impact, River Road's status on the MPO list, and bluetooth use for traffic counts.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fiedler, to recommend the MPO priority list as discussed. The motion carried by voice vote unanimously.

Mr. Shrum commented on prioritization of projects in regards to the comprehensive plan, level of service standards, and capital improvement plan and schedule consistency.

18-3115

Detective Robert Goodson: Public Safety Facility Update (10 min.)

Detective Goodson provided an update to include bond resolution process, completion of site evaluation, meetings with Auburn Woods community, negotiations with engineering firm, and submittals for construction management services, and responded to council questions regarding scheduling of the design and construction process.

Ms. Weeden spoke to the process moving forward in regards to timing and actions already taken.

Discussion followed regarding budget for new building, building certification, energy efficiency, timing of bond validation, and communication with residents in Auburn Woods.

18-3116

Mayor Holic: State of the City

Mayor Holic provided the State of the City to council members to review prior to the February 27, 2018 council meeting.

COUNCIL ACTION/DISCUSSION - Continued

18-3113

Utilities Drinking Water Assessment (Daniels)

A motion was made by Vice Mayor Daniels, seconded by Council Member Gates, to direct staff to establish a three year outside review process starting in 2020 to be planned and budgeted in the utilities operational plan and to issue summary reports to users and social media.

Discussion took place regarding the purpose of the motion, cost, adding a sunset provision, and three year versus five year audits.

Mr. Lavallee spoke to the city's annual testing process for water quality and Mr. Vargas' initiative to mail results to citizens.

The motion carried by voice vote unanimously.

UNFINISHED BUSINESS - Continued18-3085

Interlocal Agreement Between the City of Venice and Sarasota County Regarding Parks and Recreation Services (Holic)

Mayor Holic spoke to verbiage in the interlocal agreement regarding scheduling of activities on the field and operation and maintenance of parks, previous discussion with Sarasota County, negotiations with the county, providing Mr. Lavallee direction, proposal from staff to staff level for the city to take over all of the parks over a period of five years with the county taking over Wellfield Park and possibly Pinebrook Park, and council to give authority to Mr. Lavallee to negotiate with the county.

Discussion took place regarding the pros and cons of allowing the county to take over Pinebrook Park and giving Mr. Lavallee authority to negotiate.

Mr. Persson replaced Ms. Fernandez on the dais at 3:16 p.m.

Discussion continued regarding dialogue between council members and county commissioners, definition of interlocal agreement, and informing the county of the city's expectations.

Mr. Persson spoke to prior dual taxation lawsuit.

Mr. Lavallee stated that the city attorney will accompany him to the meeting with the county and that discussion will take place on the validity of the termination letter, and expressed appreciation for council clarifying items that are deal breakers.

A motion was made by Vice Mayor Daniels, seconded by Council Member Fraize, to accept the mayor's letter as is and direct the city manager to provide the letter to Sarasota County.

Discussion took place regarding prior requests to and experience with the county on various topics, sending the mayor's letter after Mr. Lavallee

meets with county staff, knowing the city's expectations prior to February 27, 2018 meeting, and maintaining a level head with the end users in mind.

Mr. Lavalley informed council he will communicate with them individually after his meeting with the county and spoke to sending the letter, flaws in the interlocal agreement and resolution with exclusive responsibility of each park.

Discussion followed regarding income and expenses for the community center.

Vice Mayor Daniels amended the motion, seconded by Council Member Fraize, to direct the city manager to communicate the essence of the mayor's letter after his meeting with Sarasota County staff, if necessary. The amended motion carried by voice vote with Ms. Fiedler opposed.

VIII. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson reported on the lawsuit with Fibernet regarding cables under Intracoastal Waterway.

City Clerk

Ms. Taylor had no report.

City Manager

Mr. Lavalley reported on the Army Field Band at the Venice Performing Arts Center on March 13, 2018 and Up with People at Trammell Castle on March 5, 2018.

IX. COUNCIL REPORTS

Council Member Daniels

Mr. Daniels stated he will be contacting the MPO as previously discussed and that he will be filling in for the mayor at the Warriors Rock Concert.

Council Member Cautero

Mr. Cautero reported on upcoming meetings and provided feedback regarding the Hurricane Irma joint meeting.

Council Member Gates

Ms. Gates had no report.

Council Member Fiedler

Ms. Fiedler reported on upcoming meetings and provided feedback on the

Hurricane Irma joint meeting.

Council Member Newsom

Mr. Newsom reported on Chamber of Commerce EDC meeting regarding pain management clinics and provided feedback regarding the Hurricane Irma joint meeting and congratulated those who had involvement with the championship parade.

Council Member Fraize

Mr. Fraize provided feedback on the championship parade.

Mayor Holic

Mayor Holic reported on the council of governments meeting and the parks and recreation advisory board meeting and requested boards have audience participation at the beginning of their meetings.

Discussion took place regarding striping for pickleball on the basketball courts.

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 4:47 p.m.

ATTEST:


Mayor - City of Venice


City Clerk