



# City of Venice

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

## Meeting Minutes City Council

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Tuesday, February 12, 2019

9:00 AM

Council Chambers

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### 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: Utilities Director Javier Vargas, Public Works Director James Clinch, Finance Director Linda Senne, Development Services Director Jeff Shrum, Planner Katherine Woellner, and City Engineer Kathleen Weeden.

### INVOCATION AND PLEDGE OF ALLEGIANCE

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

### I. RECOGNITION

#### 19-3762

Proclaim the Week of February 17-23, 2019 as "Engineers Week", Presented to Pinky Pakalapati, P.E., Florida Engineering Society Member, Assistant City Manager Len Bramble, City Engineer Kathleen Weeden, Assistant City Engineer Alexander Boudreau, Public Works Director James Clinch, Utilities Director Javier Vargas, Assistant Utilities Director John Monville, Utilities Capital Improvement Program Manager John Banks and Kelsey Mahoney, Planning/GIS Technician

Mayor Holic presented this proclamation to Tom Green, Project Engineer, CDM Smith, Chris Sharek, Project Engineer, American Society of Civil Engineers (ASCE) Florida Section President-Elect, and engineers employed by the city.

#### 19-3763

2018 Employee of the Year, Wilberto Acosta, Police Service Aide, Venice Police Department

Mr. Lavallee presented this award.

**II. AUDIENCE PARTICIPATION will be limited to one hour.**

Sharol Louise Schell, 250 Santa Maria Street, provided a presentation on protecting our palms and spoke to overpruned palms, hurricane cut misconceptions, education, actions taken by other cities, supporting the city's arborist and suggested the city partner with the University of Florida's extension office.

Discussion followed on scheduling a community workshop.

Richard Packman, 303 Casa Del Lago Way, commented on the downtown project and merchants, new library, red tide, the city's stance on Murphy Oaks, sustainable growth, and the comprehensive plan.

Linda Roe, 801 Turf, requested council consider sustainable growth rather than deal with development.

Wilie Crawford, 1526 Pelican Point Drive, Sarasota, requested five minutes to speak and request was granted.

Mr. Crawford provided a presentation on a carillon and spoke on purchase of a traveling carillon for the benefit of the city, conducting free public performances for residents, type of location needed, potential site locations, and requested council approval to include staff assistance in finding a suitable site.

Mayor Holic noted Mariemont, Ohio has a carillon.

Discussion followed on Mr. Crawford making a presentation at a future council meeting and Mr. Lavallee requesting staff view proposed sites to include Legacy Park and Maxine Barritt Park.

**III. CONSENT SECTION:**

**A motion was made by Council Member Fiedler, seconded by Council Member Daniels, to approve items in the Consent Agenda with the exception of Item Nos. 19-3766, 19-3767, and 19-3768. The motion carried unanimously by voice vote.**

**A. MAYOR****19-3764**

Appoint Roger Effron to the Citizens Oversight Committee for School Facility Planning to Complete the Unexpired Term of Jennifer Baehr and Serve a Term from February 12, 2019 Until February 28, 2022

**This Appointment was approved on the Consent Agenda.**

**B. CITY CLERK**[19-3765](#)

Minutes of the January 9, 2019 Strategic Planning Workshop, January 11, 2019 Emergency Medical Services (EMS) Study Workshop, January 16, 2019 Strategic Planning Workshop, January 18, 2019 Convocation of Governments and January 22, 2019 Regular Meeting

**These Minutes were approved on the Consent Agenda.**

**D. CITY ATTORNEY**[19-3778](#)

Request Private Attorney Client Session: Neal Communities of SW FL, LLC, et al vs. City of Venice

**This Item was approved on the Consent Agenda.**

**IV. ITEMS REMOVED FROM CONSENT****C. CITY MANAGER**Public Works[19-3766](#)

Approve License Agreement Between the City of Venice and Golden Beach Associates, Inc. for Placement of Twenty-Nine (29) Street Sign Toppers

**A motion was made by Council Member Gates, seconded by Council Member Daniels, to disapprove Item No. 19-3766.**

Discussion followed regarding concerns with structural integrity of signs and starting a new trend, John Nolen signs, and discussions between Golden Beach residents and public works staff.

Mr. Clinch spoke to numerous meetings with residents and sign structures.

Discussion continued on policies and guidelines for sign toppers, original John Nolen Plan, Champions Way, neighborhood sign toppers, staff providing a proposal to council, compliance with Land Development Regulations (LDRs), maintenance, and postponing item to a future council meeting.

**A motion was made by Council Member Cautero, seconded by Council Member Fiedler, to postpone item to a future council meeting.**

Mr. Lavalley noted he will provide council with a timeline on a proposed policy at the next meeting.

**Mr. Cautero withdrew his motion and Ms. Fiedler withdrew her second.**

Discussion ensued regarding pulling item from the agenda, amending the motion, and staff providing a timeline at the next meeting.

The motion carried unanimously by voice vote.

There was consensus for staff to provide a timeline on a policy for sign toppers at the next council meeting.

## Utilities

### 19-3767

Approval of Rankings for RFQ 3092-18 Professional Engineering Services for Large Utilities Capital Projects - Well Projects: Phase 1, Water Production Well 8E; and Phase 2, Aquifer Storage and Recovery Well

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to approve Item No. 19-3767.

Mr. Vargas responded to council questions regarding capacity to store reclaim water.

The motion carried unanimously by voice vote.

### 19-3768

Approval of Rankings for RFQ 3092-18 Professional Engineering Services for Large Utilities Capital Projects - East Gate Utilities Relocation Phase 2 and Phase 3

A motion was made by Council Member Daniels, seconded by Council Member Fiedler, to approve Item No. 19-3768.

Discussion followed on staff providing a presentation on utilities capital projects to include expenses, accomplishments, and future plans.

Mr. Vargas noted information will be presented at the Capital Improvement Program (CIP) workshop.

The motion carried unanimously by voice vote.

## V. PUBLIC HEARINGS

### A. ORDINANCES - FIRST READING

#### ORD. NO. 2019-07

An Ordinance of the City of Venice, Florida, Granting Zoning Map Amendment Petition No. 18-03RZ Amending the Toscana Isles Planned Unit Development (PUD) to Clarify the Standards for Front Yard and Side Yard Setbacks With Respect to Corner Lots Within the PUD, Driveway Locations, and to Provide the Zoning Administrator Authority to Administratively Approve Minor Modifications to the PUD on Property Located at Knights Trail Road; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Holic noted this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez questioned council on conflicts of interest and ex-parte communications. Mr. Newsom disclosed site visit and Ms. Gates, Mr. Daniels, and Ms. Fielder disclosed driving by the site.

No written communication was received.

Ms. Woellner, being duly sworn, spoke to zoning map amendment and project proposal to include clarifying yards.

Discussion followed regarding correcting the planned unit development (PUD).

Jeffery Boone, representing applicant, being duly sworn, requested council approve ordinance, and responded to council questions on application filing date.

Mr. Boone spoke to application timeframe.

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. 2019-07 be approved on first reading and scheduled for final reading. 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.**  
**2019-09**

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 86, Land Development Code, Article IV, Development Review Procedures, Section 86-49(j), Site and Development Plan and Zoning Reviews and Section 86-50, Construction Plan Review and Permit; Article VI, Design and Development Standards, Division 2, Subdivision Design Standards, Section 86-232, Minimum Improvements and Division 5, Landscaping Requirements, Section 86-433, Plan Approval; and Chapter 74, Utilities, Article V, Stormwater Management, Division 3, Stormwater Management Utility, Section 74-264, Runoff of Stormwater and Best Management Practices (BMPs) for Construction Sites, to Allow the Issuance of Limited Construction Permits for Certain Land Development Projects; 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.

Ms. Stelzer noted written communication was included in the agenda packet.

Dan Bailey, 2005 South Orange Avenue, Sarasota, expressed his appreciation for staff's work on the ordinance.

Mr. Boone, representing several of his developer clients, spoke in favor of the ordinance and requested language include multi-family dwellings.

Mr. Shrum commented on the ordinance, staff's perspective on including multi-family developments, and language change.

Discussion followed on Ms. Fernandez revising the ordinance for final reading.

Mayor Holic closed the public hearing.

**A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2019-09 be approved on first reading and scheduled for final reading with the inclusion of language to include multi-family dwellings. 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. ORDINANCES**

#### **ORD. NO. 2019-08**

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 50-88, Disability Benefits; Amending Section 50-97, Miscellaneous Provisions; Amending Section 50-108, Reemployment After Retirement; Providing for Codification; 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 Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-08 be approved on first reading and scheduled for final reading. 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.**  
**2019-10**

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 50-85, Contributions; Adding Section 50-109, Supplemental Benefit Component for Special Benefits; Chapter 175 Share Accounts; Providing for Codification; 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 Council Member Daniels, seconded by Council Member Fiedler, that Ordinance No. 2019-10 be approved on first reading and scheduled for final reading. The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautionero, Mr. Newsom, Ms. Fiedler and Ms. Moore

***B. RESOLUTIONS*****RES. NO.**  
**2019-09**

A Resolution of the City of Venice, Florida, Requesting that the Governor Reinitiate the Public Hearing and Adoption Process for the Statewide Stormwater Treatment Rule; and Providing for an Effective Date

Ms. Stelzer read the resolution by title only.

**A motion was made by Council Member Daniels, seconded by Council Member Fiedler, that Resolution No. 2019-09 be approved and adopted. The motion carried by the following vote:**

**Yes:** 7 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautionero, Mr. Newsom, Ms. Fiedler and Ms. Moore

Recess was taken at 10:23 a.m. until 10:35 a.m.

***C. COUNCIL ACTION/DISCUSSION*****19-3769**

Rescind Council Action Taken on September 11, 2018 to Direct Staff to Assume the Responsibility of the City Managing Mobility and Park Impact Fees for Fiscal Year 2020

**A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve Item No. 19-3769.**

Discussion took place regarding implementation of managing the impact fee process, road funds, adding verbiage to the interlocal agreement that expenditure of funds would require an affirmative vote by the city and Sarasota County, and communication with the county.

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

Discussion ensued on having the city attorney review language on the

interlocal agreement, number of city interlocal agreements with the county, and language in the agreement referencing the city's consent prior to deploying funds.

**There was consensus to have the City Attorney look at new verbiage to add to the interlocal agreement that expenditure of funds would require an affirmative vote by the city and Sarasota County.**

**19-3770**

**Consider Disposition of Property Within the Parking Lot of the Venice Post Office (Holic)**

Discussion took place on staff researching property history, disposal of property, researching other city owned land that is sellable, inventory of city owned land, staff providing options to council, parks, property use, taxes and fact sheet, obtaining site plans and surveys for the post office and Bank of America building, and land parcel on the corner of Edmondson Road and Pinebrook Road.

**There was consensus for staff to research parcel and provide council with property history, site plans and surveys for the post office and Bank of America building, and inventory of city-owned properties.**

**19-3771**

**Direct Staff and/or City Attorney to Develop an Informational Fact Sheet on the City's Ability to Address Development (Cautero)**

Discussion took place on addressing resident inquiries on new developments, canned email responses, using fact sheets to communicate with residents, proof of need, considering a format with frequently asked and easy to understand questions, concurrency, and Mayor Holic working with the city attorney to create a standard template for email responses.

**A motion was made by Vice Mayor Cautero, seconded by Council Member Daniels, to have staff and the city attorney develop a fact sheet on the city's ability to address development. The draft will be reviewed by council for input and distributed to the public to increase awareness and education.**

Discussion ensued on fact sheet development.

Mr. Lavallee noted staff has already initiated this process in addressing important topics.

Discussion ensued on format to include frequently asked questions and easy to understand answers.

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

**19-3772**

**Consider Request from City of North Port for a Resolution to Support Child Welfare Reform (Holic)**

Discussion took place regarding written communication requests from other governmental agencies.

**A motion was made by Council Member Daniels, seconded by Council Member**



Newsom, to approve Item No. 19-3772.

Discussion continued regarding obtaining more background information, inviting the City of North Port to do a presentation, Child Welfare Reform, and obtaining lobbyist perspective to determine whether letters are effective.

The motion carried by a show of hands 4-3 with Ms. Gates, Ms. Fiedler, and Ms. Moore opposed.

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

19-3773

City Engineer Kathleen Weeden: Engineering Department Quarterly Update (10 min.)

Ms. Weeden provided a presentation and spoke to projects in design/evaluation and responded to council questions on city hall and fire station no. 1 generator funding.

Ms. Weeden spoke on the Lord Higel House parking lot, mobi-mat installation at Venice Beach, phase three paving road bond, and responded to council questions regarding Gulf Coast Boulevard and phase one funding.

Ms. Weeden continued to speak on projects in design, projects preparing for construction, the downtown beautification project, and responded to council questions on Miami Avenue paving, project completion date, and contract.

Discussion followed regarding stop signs, pedestrian crosswalk signals, traffic and speed on Venice Avenue, and traffic officer presence.

Ms. Weeden continued speaking on the downtown beautification project, original fence design, and fence revision and landscaping upgrades.

Discussion followed regarding the median fence.

19-3774

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

Ms. Senne reviewed general fund revenues for fiscal year (FY) 2019 and responded to council questions on Federal Emergency Management Agency (FEMA) reimbursement for solid waste.

Ms. Senne reviewed general fund expenditures and projected fund balances, and responded to council questions on unassigned funds.

Ms. Senne reviewed one cent sales tax, building permit fees, and fire

impact fee funds, road and park impact fees, airport, utilities, and solid waste enterprise funds, and responded to council questions regarding miscellaneous revenue and the solid waste and recycling stakeholder work group.

Ms. Senne reviewed the stormwater fund operating budget.

Discussion followed regarding's the city's credit rating, stormwater rate, yearly wage increases, enterprise fund adjustments, percentage of revenue contributed by the Venice Pier Group (VPG), spending one cent sales tax revenue in arrears, and revenue growth projections from one cent sales tax and the VPG.

## **VII. CHARTER OFFICER REPORTS**

### City Attorney

Ms. Fernandez provided an update on the Denovo litigation.

### City Clerk

Ms. Stelzer had no report.

### City Manager

Mr. Lavallee commented on the gate being installed at the Jetty.

## **VIII. COUNCIL REPORTS**

### ***Council Member Moore***

Ms. Moore spoke to her experience riding on the Wings of Freedom B-17 plane.

### ***Council Member Fiedler***

Ms. Fiedler noted attending the Venice Police Department (VPD) award ceremony, reported on the Charlotte Harbor National Estuary Program (CHNEP) and parks and recreation advisory board meetings, and requesting adding the master parks plan on the next council agenda.

Discussion followed on advisory board assignments, master parks plan, comprehensive plan and LDRs, park audits and obtaining a quarterly report from the county on county maintained parks, parks interlocal agreement with the county, parks maintenance, and board council member liaisons.

***Council Member Daniels***

Mr. Daniels commented on vehicle charging stations and fuel, meeting with Senior Vice President for Community Investments at Gulf Coast Community Foundation Jon Thaxton regarding red tide, Tourist Development Council (TDC) grants, Neal Communities chipping, bike accidents in the city, and Laurel Road corridor funding.

Discussion followed on addressing a transportation plan for the Laurel Road corridor at the CIP workshop.

***Council Member Gates***

Ms. Gates spoke on Visit Sarasota's donation to the BBQ Bash and clay shooting sponsorships.

***Council Member Newsom***

Mr. Newsom reported attending the Metropolitan Planning Organization (MPO) and planning commission meetings.

***Council Member Cautionero***

Mr. Cautionero commented on the upcoming Certified Local Government (CLG) workshop on April 8-9, 2019.

***Mayor Holic*****19-3775****Venice Area Beautification Flower Program Update**

Mayor Holic spoke on the upcoming Hometown Heroes Banquet at the Venetian Golf and River Club on February 17, 2019, Chamber of Commerce network lunch, Venice Area Beautification flower program, downtown beautification project, and traffic issues with the post office trucks on Harbor Drive.

Discussion followed regarding the Venetian Walk II project.

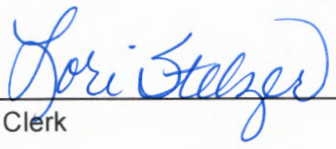
**IX. AUDIENCE PARTICIPATION**

There was none.

**X. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 1:42 p.m.

ATTEST:

  
Mayor - City of Venice  
City Clerk