City of Venice

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

Meeting Minutes
City Council

Tuesday, August 27, 2019 | **9:00 AM** | **Council Chambers**

CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 a.m.

ROLL CALL

Ms. Stelzer noted Ms. Fielder requested her absence be excused.

Present: 6 - Mayor John Holic, Council Member Jeanette Gates, Council Member Bob Daniels, Vice Mayor Richard Cautero, Council Member Charles Newsom and Council Member Helen Moore

Excused: 1 - Council Member Margaret Fiedler

ALSO PRESENT

City Attorney Kelly Fernandez, Assistant City Attorney David Jackson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Development Services Director Jeff Shrum, Planning Manager Roger Clark, and Utilities Director Javier Vargas.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Captain Mike Rose.

I. RECOGNITION

19-4107 Downtown Beautification Project Award Issued to the City of Venice by Venice Area Chamber of Commerce

Ms. Weeden accepted this award from the Venice Area Chamber of Commerce.

19-4108 5-year Service Award, Scott Hemp, Solid Waste Equipment Operator, Public Works

Mayor Holic presented this award to Scott Hemp.

19-4109 Councilmember Helen Moore - Certificate of Completion of the 2019 Institute for Elected Municipal Officials

Mayor Holic presented this certificate to Council Member Moore.

19-4110 Swearing In: Nathan McManus, Division Chief of Emergency Medical Services

Mayor Holic swore in Division Chief of Emergency Medical Services Nathan McManus.

19-4111 Retirement Certificate Presented to Captain Michael P. Rose, Venice Police Department

Mayor Holic recognized candidates Tim Brady, Nick Pachota, and Joe Neunder.

Mayor Holic presented this certificate to Captain Mike Rose.

II. PRESENTATIONS

19-4112 Consultant Chris Schoonover, Capital City Consulting: 2020 Legislative Session Discussion

Chris Schoonover, Capital Consulting, responded to council questions on the best method to communicate the city's position to state legislators and the top three issues affecting south Florida communities.

Discussion followed regarding the city's budget and return on investment for Capital Consulting, the state's action on affordable housing, Sadowski Trust Fund, and scheduling meetings between council members and state legislators.

A motion was made by Vice Mayor Cautero, seconded by Council Member Gates, to excuse Ms. Fiedler's absence. The motion carried unanimously by voice vote.

III. AUDIENCE PARTICIPATION will be limited to one hour.

Chris Simmons, 179 Toscavilla Boulevard, National Wildlife Federation, commented on the Mayor's memorandum regarding sewer spillage and suggested developers be held accountable for environmental damages.

Don O'Connell, 500 Hauser Lane, spoke regarding the historical preservation ordinance and St. Augustine's historical ordinance.

Dawn Champiny, 610 Barcelona Avenue, commented on stormwater drain labeling, spoke to conduct and ethics of city employees, and noted filing an ethics complaint against a council member who conducted a background check through the city server.

Janine Joyner, 817 Rivera Street, spoke to electric vehicle parking at the library and issue with golf cart parking.

Dennis King, 1121 Riviera Street, Experimental Aircraft Association (EAA) Chapter 1285, noted support of Ordinance No. 2019-20 regarding the

airport.

Dave Wimberly, Venice Aviation Society, Inc. (VASI), noted support of Ordinance No. 2019-20 and upcoming candidate forum at city hall on October 16, 2019.

Rob Merlino, 252 Glen Oak Road, commented on the pier and shark fishing regulations.

Pat Neal, 5800 Lakewood Ranch Boulevard, Sarasota, spoke on state programs to fund Laurel Road.

Discussion followed on staff reporting to council with a plan for Laurel Road at the September 10, 2019 meeting.

IV. CONSENT SECTION:

A motion was made by Council Member Gates, seconded by Council Member Moore, to approve items in the Consent Agenda with the exception of Item Nos. 19-4114 and 19-4100. The motion carried unanimously by voice vote.

A. MAYOR

19-4103 Reappoint Ruth Ann Dearybury to the Architectural Review Board to Serve a Term from September 1, 2019 Until August 31, 2022

This reappointment was approved on the Consent Agenda.

19-4104 Reappoint Candice Roberts to the Parks and Recreation Advisory Board to Serve a Term from September 1, 2019 Until August 31, 2022

This reappointment was approved on the Consent Agenda.

19-4105 Reappoint Mark Beebe to the Architectural Review Board to Serve a Term from September 1, 2019 Until August 21, 2022

This reappointment was approved on the Consent Agenda.

19-4106 Reappoint Reagan Leonard to the Construction Board of Adjustment and Appeals to Serve a Term from September 1, 2019 Until August 31, 2022

This reappointment was approved on the Consent Agenda.

B. CITY CLERK

19-4102 Minutes of the June 19, 2019 Budget Workshop, June 25, 2019 and July 9, 2019 Regular Meetings, and July 10, 2019 Continuation of July 9, 2019 Meeting

These minutes were approved on the Consent Agenda.

C. CITY MANAGER

Finance

19-4123 Approve the Ranking of Proposers for RFQ 3100-19 for Construction Management at Risk Services for the City of Venice Fire Station #1 and City Hall Expansion and Authorize Staff to Begin Negotiations

This item was approved on the Consent Agenda.

Human Resources

19-4101 Approve Proposed Settlement Agreement and Release between Plaintiffs Open Access for All, Inc., and Andres Gomez and the Defendant City of Venice, Florida

This agreement was appproved on the Consent Agenda.

Police

19-4113 Approve Memorandum of Understanding between Sheriff of Pinellas County, Florida and the City of Venice for Access to Florida's Facial Recognition Network (FR-NET)

This item was approved on the Consent Agenda.

19-4115 Approve Lease Agreement Between the West Coast Inland Navigation District and the City of Venice for Occupancy of the Regional Marine Law Enforcement Facility

This agreement was approved on the Consent Agenda.

19-4116 Approve Donation of Forfeiture Funds to Sarasota K9 Search & Rescue

This item was approved on the Consent Agenda.

19-4117 Approve Utilization of the Contraband Forfeiture Fund to Purchase Digital Mobile Device Forensics Software and Equipment

This item was approved on the Consent Agenda.

19-4118 Approve Donation of Forfeiture Funds to Project Lifesaver

This item was approved on the Consent Agenda.

19-4119 Approve Donation of Forfeiture Funds to Venice Challenger Baseball

This item was approved on the Consent Agenda.

Utilities

19-4099 Approval Requested to Use Piggyback with City of Naples for Insituform to Conduct Sanitary Sewer Rehabilitation Services in the Project Area for the Quoted Price not to Exceed $1,172,712.00

This item was approved on the Consent Agenda.

V. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

Police -Continued

19-4114 Approve Cooperation Agreement Between the West Coast Inland Navigation District and the City of Venice for Site Work at the Regional Marine Law Enforcement Facility for the Installation of the New Modular Office

A motion was made by Council Member Daniels, seconded by Council Member Gates, to approve Item No. 19-4114.

Discussion took place regarding expenses incurred by the city, requesting involved agencies to contribute towards expenses, and staff sending a letter to request funding.

The motion carried unanimously by voice vote.

A motion was made by Council Member Gates, seconded by Vice Mayor Cautero, to direct staff to send a letter to the agencies involved and request funding. The motion carried unanimously by voice vote.

Public Works

19-4100 Approve the Disposal of Surplus Vehicles and Heavy Equipment

A motion was made by Council Member Gates, seconded by Council Member Daniels, to approve Item No. 19-4100. The motion carried unanimously by voice vote.

Discussion took place on staff's report indicating fleet reductions instead of replacements.

VI. PUBLIC HEARINGS

A. ORDINANCES - FIRST READING

ORD. NO. 2019-27 An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for the Property Located at 1755 E. Venice Avenue and Owned by Aqueduct, LLC, to Amend Ordinance No. 2005-24, Pursuant to Rezone Amendment Petition No. 19-13RZ, to Eliminate a Stipulation Prohibiting the Developer from Proposing a Wall, Fence, or Gate Along the West Property Line; 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 procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications. Mr. Newsom disclosed attending the planning commission meeting. There were no conflicts of interest.

No written communication was received.

Council waived staff's and applicant's presentation.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-27 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

ORD. NO. 2019-28 An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for the Property Located at 1775 East Venice Avenue and Owned by Girl Scouts of Gulfcoast Florida, Inc., Pursuant to Zoning Map Amendment Petition No. 19-11RZ, from Sarasota County Open Use Estate-1 (OUE-1) and City of Venice Venetian Gateway Overlay (OUE-1/VG) District to City of Venice Residential Multi-Family 2 (RMF-2) District and City of Venice Venetian Gateway Overlay (RMF-2/VG) District; 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 procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications. Mr. Newsom disclosed attending the planning commission meeting. There were no conflicts of interest.

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

Roger Clark, being duly sworn, provided a presentation and spoke on zoning map amendment, site characteristics and photographs, surrounding property comparison table, future land use, zoning map, zoning comparison table, comprehensive plan consistency, mitigation techniques, criteria for rezone amendments, and planning commission's action.

Discussion followed regarding compliance with the comprehensive plan and joint planning agreement (JPA) area four.

Annie Boone, Boone Law Firm, being duly sworn, spoke to request, property location, annexation, zoning, and land use designation.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-28 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

Recess was taken at 10:31 a.m. until 10:40 a.m.

B. ORDINANCES – FINAL READING

ORD. NO. 2019-19 An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Multiple Parcels located East of I-75 between Laurel Road and Border Road and Owned by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ, from Commercial Mixed-Use (CMU) and Planned Unit Development (PUD) Districts to a Planned Unit Development (PUD) District; 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 procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications since the last hearing. Mr. Newsom noted watching the the video from the last meeting and Mr. Daniels disclosed driving by the property.

Ms. Stelzer noted written communication relating to the Gulf Coast Community Foundation (GCCF) was received and will be included as part of the record.

Mr. Daniels disclosed receiving complaints of an email template that was created and sent to residents.

Mr. Clark, being duly sworn, spoke to the stipulations in the ordinance and responded to council questions regarding non-residential uses, height, and adding stipulations.

Discussion followed regarding combining height variance with second reading of the ordinance.

Ms. Fernandez explained the variance is solely about height and is a separate petition that should be addressed on its own.

Discussion ensued regarding motion language, modified binding master plan (BMP), and height variance.

Jeffery Boone, Boone Law Firm, being duly sworn, commented on combining height variance with second reading of the ordinance and Ms. Gates asking questions on building height.

Ms. Fernandez noted comments made during the rezone hearing have to be made as part of the hearing for the variance if both items are combined.

Recess was taken at 10:57 a.m. until 11:02 a.m.

Mr. Boone spoke to revised proposed stipulations regarding cell tower, adding "proposed lakes" to the table in the BMP, consistency with the comprehensive plan, and proposed number of units.

Pat Neal, Neal Communities, being duly sworn, spoke on sound barrier between proposed development and I-75, and requested council not add a stipulation for a wall.

Michael Keane, Keane Acoustics, being duly sworn, spoke on conducted noise study on the property to include metrics used, monitoring locations, noise impact area, and mitigation techniques.

Mr. Neal spoke to sound improvements and noise mitigation techniques.

Mr. Boone spoke regarding modification of existing zoning, The Bridges property to include affordable housing concept and density, and inclusionary zoning.

Mr. Neal provided a presentation and spoke to affordable housing, cost of building homes, and homes that meet standards for the working family in Sarasota and Manatee counties.

Discussion followed regarding the planned unit development (PUD), developing a section of the property like a John Nolen community, height variance, The Bridges BMP, the city's process to amend an existing development without rezoning the property, comprehensive plan, commercial mixed-use (CMU), zoning change being in the best interest of the residents, density reduction, I-75 noise concerns, overlay districts, multi-family workforce housing structures, how the property fits into the county's 2020 plan and their expectation of workforce housing, conventionally framed condos, burden on evacuation centers, using block as a base on the first floor, building clubhouses to hurricane code standards for sheltering, GCCF's intention for affordable housing, and binding stipulations carrying forward to the property owner.

Discussion ensued regarding housing market demand, GCCF's aspirations, affordability outside of city limits, whether there is a binding obligation for market rate housing on this property, state and federal funding, impact fees, transportation concurrency, price range of affordable homes in the community, Habitat for Humanity houses, Treviso Grand apartments, maintenance on apartments versus single-family detached homes, PUDs, losing commercial property, requesting new gated communities to have a shelter, requesting developers to build amenity centers to hurricane standards, and liability insurance.

Recess was taken at 12:28 p.m. until 1:30 p.m.

A motion was made by Council Member Daniels, seconded by Council Member Gates, to table Ordinance No. 2019-19. The motion carried unanimously by voice vote.

B. RESOLUTIONS

RES. NO. 2019-16	A Resolution of the City of Venice, Florida, Consenting to Sarasota County Temporarily Supplying Sewer Service to the Sarasota Memorial Hospital Property Located at 2600 Laurel Road and Owned By Sarasota County Public Hospital Board within the City of Venice's Corporate Limits, and Providing An Effective Date

Dan Bailey, representing applicant, spoke on request for Sarasota County to temporarily supply water and sewer services to Sarasota Memorial Hospital (SMH).

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Resolution No. 2019-16 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

ORDINANCES – FINAL READING - Continued

ORD. NO. 2019-19 An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Multiple Parcels located East of I-75 between Laurel Road and Border Road and Owned by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ, from Commercial Mixed-Use (CMU) and Planned Unit Development (PUD) Districts to a Planned Unit Development (PUD) District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi Judicial)

A motion was made by Council Member Daniels, seconded by Council Member Gates, to remove Ordinance No. 2019-19 from the table. The motion carried unanimously by voice vote.

Mr. Shrum, being duly sworn, commented on the current zoning designations for both properties, consistency with the comprehensive plan, application and process to amend zoning, The Bridges BMP to include workforce housing, pre-annexation agreement, applicant's proposal, comprehensive plan strategy on hurricane shelters, determining shelter space based on types of developments, land development regulations (LDRs), the county's control of hurricane shelters, and responded to council questions on CMU development requirements.

Mr. Shrum noted CMU is used to accommodate more non-residential developments than a PUD zoning district, and responded to council questions regarding the five percent non-residential cap.

Discussion followed on the approved height variance in the BMP.

Mr. Shrum requested to add parcel ID number to the cell tower stipulation and noted staff has not reviewed the new information on acoustics.

Discussion continued regarding pre-annexation agreement requirement to widen Laurel Road from Knights Trail to the end of the development, hurricane shelters within PUDs, height variance, workforce housing, and the county's control of hurricane shelters.

Jerry Jasper, 130 Burano Court, being duly sworn, spoke to the move of The Bridges property from the Laurel Road corridor to northeast Venice for compatibility.

Mr. Boone spoke on districts proposed by GCCF for The Bridges BMP to include town center, neighborhood and neighborhood center.

Mr. Neal commented on GCCF's plan, ability to build and sell homes in the $220,000 range, and Florida House Bill (HB) 7103 prohibiting inclusionary zoning.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Vice Mayor Cautero, that Ordinance No. 2019-19 be approved and adopted with the revised proposed stipulations regarding the cell tower to include number four "Parcel ID No. 0389-00-2031 containing the cell tower facility shall not be included in the five percent non-residential limit for the GCCF planned unit development (PUD)" and removing the second sentence, and applicant to provide the revised binding master plan to reflect all changes. The motion failed by the following vote:

Yes: 3 - Mr. Daniels, Vice Mayor Cautero and Ms. Moore

No: 3 - Mayor Holic, Ms. Gates and Mr. Newsom

Excused: 1 - Ms. Fiedler

C. VARIANCES

CC 19-38 VZ Request for Variance Regarding the Maximum Height of Structures in the Planned Unit Development (PUD) District by Border Road Investments LLC; Myarra Property Joint Ventures LLC; Woolridge Investment-Florida LLC; and FC Laurel LLC; Pursuant to Rezone Petition No. 18-10RZ for the GCCF Property (Quasi Judicial)

No action was taken on the variance request due to denial of Ordinance No. 2019-19.

B. ORDINANCES - FINAL READING (CONTINUED)

ORD. NO. 2019-24 An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan to Include the Addition of Amendment No. 3 to the Amended and Restated Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) Between the City of Venice and Sarasota County; 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.

Mr. Shrum noted Florida Department of Transportation (FDOT) comments were received and requested correspondence be included as part of the record, and responded to council questions regarding a connector road from Clark Road to Knights Trail.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-24 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

ORD. NO. 2019-21 An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 18-01AN by Mary H. McMullen, Joseph W. Hurt, and Randall C. Hurt, Trustees of the Shackett Creek Trust under Agreement dated November 25, 2002, into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include said Additions; 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.

Ms. Stelzer noted communication received specific to today's hearing will be included as part of the record.

Mr. Clark confirmed the annexation is consistent with the comprehensive plan and responded to council questions regarding JPA area one and amendments to the JPA.

No one signed up to speak.

Mr. Boone spoke on the Hurt property annexation and pending comprehensive plan amendment and rezone applications on file.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Ordinance No. 2019-21 be approved and adopted.

Discussion continued regarding disapproving the annexation preventing property development, the city receiving tax revenue, contiguous properties annexed into the city, enterprise funds, the city's control of development, West Villages, written communications received, revenue generated from new construction, the city's financial stability and credit rating, number of acres annexed into the city, JPA, Pelican Pointe, revenue derived by developments adjacent to the city, comprehensive plan, and portion of Knights Trail designated as a mixed-use corridor (MUC).

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

Recess was taken at 3:01 p.m. until 3:10 p.m.

ORD. NO. 2019-22 An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 18-02AN by Flying Free Investments, LLC, Rustic Road Partners, LLC, Ronald Perkins, Caroline Martin f/k/a Caroline Chadwick, and Philip V. Burket Trust, into the Corporate City Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions; 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 and noted the ordinance was revised referencing the corporate entity.

Mayor Holic opened the public hearing.

Ms. Stelzer noted communication received specific to today's hearing will be included as part of the record.

No one signed up to speak.

Mr. Boone spoke on areas annexed into the city, Pelican Pointe to include potential tax revenue to the city, the city's control of growth, development rights east of the Myakka River, and how county residents impact the city.

Mr. Clark confirmed the annexation complies with the comprehensive plan,

and responded to council questions regarding drainage maintenance.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member Newsom, that Ordinance No. 2019-22 be approved and adopted.

Discussion continued regarding disapproving the annexation preventing property development, the city receiving tax revenue, financial feasibility analysis, and ad valorem taxes and impact fees generated by the annexation.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

ORD. NO. 2019-23 An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Pursuant to Petition No. 18-02CP to Change the Future Land Use Designation of Certain Properties Located East of I-75 and North and South of Rustic Road and Owned by Flying Free Investments, LLC, Rustic Road Partners, LLC, Ronald Perkins, Caroline Martin f/k/a Caroline Chadwick, and Philip V. Burket Trust, from Sarasota County Rural Future Land Use to City of Venice Mixed Use Residential (MUR), 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 communications were included in the agenda packet.

Mr. Shrum spoke to comments received by Southwest Florida Water Management District (SWFWMD) and FDOT, and requested correspondence be included as part of the record.

Mr. Shrum responded to council questions regarding receipt of county conditions/stipilations, planning commission's approval of the petition without stipulations, and development versus the county's response 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 Newsom, that Ordinance No. 2019-23 be approved and adopted.

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

ORD. NO. 2019-25 An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for Properties Located East of I-75 and North and South of Rustic Road and Owned by Flying Free Investments, LLC, Rustic Road Partners, LLC, Ronald Perkins, Caroline Martin f/k/a Caroline Chadwick, and Philip V. Burket Trust, Pursuant to Rezone Petition No. 18-07RZ, from Sarasota County Open Use Estate (OUE) to City of Venice Planned Unit Development (PUD); 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 procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications since the last hearing. There were none.

Ms. Stelzer noted written communication received after the agenda was posted will be included as part of the record.

There was no update by staff or the applicant.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member Moore, that Ordinance No. 2019-25 be approved and adopted.

Discussion took place regarding correspondence received comparing millage rates.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

C. VARIANCES (CONTINUED)

CC 19-34 VZ Request for Variance Regarding the Maximum Height of Structures in the

Planned Unit Development (PUD) District by Flying Free Investments, LLC, Rustic Road Partners, LLC, Ronald Perkins, Caroline Martin f/k/a Caroline Chadwick, and Philip V. Burket Trust, Pursuant to Rezone Petition No. 18-07RZ for the Rustic Road Properties (Quasi Judicial)

Mayor Holic announced this is a quasi-judicial procedure and opened the public hearing.

Ms. Fernandez queried council members on conflicts of interest and ex-parte communications. There were none.

No written communication was received.

Council waived staff's and applicant's presentation.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, to approve development order for Variance Petition No. CC 19-34VZ.

Discussion followed regarding height variances, including block as a base on the first floor, and relieving burden on hurricane shelters.

The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

VII. NEW BUSINESS

A. ORDINANCES

ORD. NO. 2019-20

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 14, Aviation, Article III, Operation of Municipal Airport, Section 14-54, City Regulations Adopted, and Section 14-56, Prohibited Activities, and Adopting by Reference the General Provisions, Definitions for Use, Rules and Regulations, and Minimum Standards for Commercial Aeronautical Activities for Venice Municipal Airport as Policy Guiding Documents; Providing for Repeal of All Ordinances in Conflict Herewith; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Council waived staff's presentation.

No one signed up to speak.

A motion was made by Council Member Moore, seconded by Council Member Daniels, that Ordinance No. 2019-20 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

Mr. Jackson replaced Ms. Fernandez at the dais.

RESOLUTIONS - Continued

RES. NO. 2019-10 A Resolution of the City Council of the City of Venice, Sarasota County, Florida, to Update the CIty of Venice Section of the Sarasota County Local Mitigation Strategy Work Group Project List and the Floodplain Management Plan of the Sarasota County Unified Local Mitigation Strategy 2016; to Adopt the Updated Floodplain Management Plan, Sarasota County Unified Local Mitigation Strategy 2016 and Sarasota County Multi-Jurisdictional Program for Public Information to Serve as the Formal Guides for the City of Venice's Floodplain Management and Hazard Mitigation Activities in Accordance with the National Flood Insurance Program for Community Rating System and 42 U.S.C. §5165, 44. C.F.R. §201.6,; Part 1 of Chapter 252, Florida Statutes, and Florida Administrative Code Chapter 27P-22; Superseding Resolution No. 2018-35; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Daniels, seconded by Council Member Newsom, that Resolution No. 2019-10 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Holic, Ms. Gates, Mr. Daniels, Vice Mayor Cautero, Mr. Newsom and Ms. Moore

Excused: 1 - Ms. Fiedler

C. COUNCIL ACTION/DISCUSSION

19-4096 Approve Updated 2020 State Legislative Priorities

A motion was made by Council Member Daniels, seconded by Council Member Moore, to approve Item No. 19-4096. The motion carried unanimously by voice vote.

19-4098 Discuss City Policy Changes in Reference to Sewage Spill on Jacaranda Boulevard (Holic)

Mayor Holic spoke to meeting with Mr. Neal regarding the sewer spill, accident, having staff include language in the developer's agreement for the city to receive compensation and recoup costs, requiring water and sewer lines to be clearly marked on site and development plans, each

parcel having clear instructions on who to contact in case of a line break, having an established plan on what the city or county must do in an event of a line break, costs associated with the plan should be afforded by the property owner, the county should notify the city when on city property, the city's utility department should be notified and have a representative on site if a sewer line breaks on city property and cost of city representative should be added to repair costs, permit for excavations, having an inspector check depth of lines, and communication between the city and county.

Discussion followed on locate service.

Discussion ensued regarding the county verifying pipe depth, communication between the city and county, ten year recap of spills, staff's proposal for excavation permits, and the city's rule on spills.

Mr. Vargas commented on reporting spills to the Health Department and Florida Department of Environmental Protection (FDEP).

Discussion followed regarding regulatory process to include sanctions.

Mr. Jackson referenced code language on protection of underground utility lines during excavation.

Discussion continued regarding scheduling a post-mortem meeting, punitive damages, directing staff to research regulatory process, and obtaining the county's report.

Mayor Holic passed the gavel to Vice Mayor Cautero.

A motion was made by Mayor Holic, seconded by Council Member Gates, to direct staff to develop an appropriate method of recouping the expenses incurred from a break in any utility lines within the City of Venice. The motion carried unanimously by voice vote.

Vice Mayor Cautero returned the gavel to Mayor Holic.

VIII. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 4:26 p.m.

ATTEST:

Mayor - City of Venice

City Clerk