

City of Venice

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

Meeting Minutes City Council

Tuesday, December 10, 2019

9:00 AM

Council Chambers

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor Ron Feinsod, Council Member Richard Cautero, Vice Mayor Charles Newsom, Council Member Margaret Fiedler, Council Member Helen Moore, Council Member Nick Pachota and Dr. Joseph Neunder

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavalley, Deputy City Clerk Danielle Lewis, and for certain items on the agenda: Fire Chief Shawn Carvey, City Engineer Kathleen Weeden, Director of Public Works and Asset Management James Clinch, Utilities Director Javier Vargas, Finance Director Linda Senne, Controller Joe Welch, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Arborist/Tree Program Administrator Jim Yelverton, and Utilities Head Operator Chloe Crouch.

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Mayor Feinsod.

I. AUDIENCE PARTICIPATION will be limited to one hour.

David Whited, 532 Riviera Street, expressed interest in the development of Venezia Park and reminded council there are indigenous species in the park.

James Green, 1070 Laurel Road East, Nokomis, commended council for the new flagpole that was installed at the Venice fishing pier and asked for consideration to add a couple of additional rod holders at the pier.

Randy Mineo, 233 Sovrano Road, spoke regarding the development of Venezia Park, expressed concern about the pine trees being cut down, and noted Venezia Park would be a perfect spot for the urban forest.

Frankie Maguire, 520 Habitat Boulevard, Osprey, noted being a member

of the League of Women Voters of Sarasota County and read a letter being submitted to the editor by the league's president Carol Hartz on the Equal Rights Amendment (ERA).

II. CONSENT SECTION:

A motion was made by Council Member Moore, seconded by Council Member Neunder, to approve items in the Consent Agenda with the exception of Item Nos. 19-4295 and 19-4296. The motion carried unanimously by voice vote.

A. MAYOR

19-4287 Appoint Sandra Petway to the Parks and Recreation Advisory Board to Serve a Term from December 10, 2019 until December 31, 2022

This Appointment was approved on the Consent Agenda.

19-4288 Appoint Ronald Musselman to the Architectural Review Board to Serve a Term from December 10, 2019 until December 31, 2022

This Appointment was approved on the Consent Agenda.

B. CITY CLERK

19-4289 Minutes of the November 12, 2019 Regular Meeting, November 19, 2019 Certification of Election Results, and November 19, 2019 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY MANAGER

19-4290 Approve Appointment of City Manager Ed Lavallee to the Board of Directors of the Florida Resiliency and Energy District (FRED)

This Appointment was approved on the Consent Agenda.

Engineering

19-4291 Authorize the Mayor to Execute Modification to Subgrant Agreement Between the Division of Emergency Management and the City of Venice in the Amount of \$125,675.66, Increasing the Total Grant Award Amount to \$650,675.65 for the City of Venice Generator Project No. 4337-33-R

This item was approved on the Consent Agenda.

19-4292 Approval of Contract with Spectrum Underground, Inc. in the Amount of \$657,203.25 for the Live Oak Stormwater Improvements Project

This Contract was approved on the Consent Agenda.

19-4293 Award of Contract for the Capri Isles Boulevard Bridge Replacement

Project to Zep Construction, Inc. in the Amount Not to Exceed \$1,333,531.18

This Contract was approved on the Consent Agenda.

19-4294

Authorize the Mayor to Execute the Cooperative Funding Agreement (Type 3) Between the Southwest Florida Water Management District and City of Venice for Stormwater Outfall Monitoring (Q079) for \$75,000.00

This Cooperative Funding Agreement was approved on the Consent Agenda.

Public Works

19-4297

Approval of Private Hauler Agreement

This Private Hauler Agreement was approved on the Consent Agenda.

Utilities

19-4298

Authorize the Purchase of Five Stationary Generators from Mid Florida Diesel, Inc. in the Amount of \$160,370.00

This Purchase was approved on the Consent Agenda.

III. ITEMS REMOVED FROM CONSENT

CITY MANAGER - Continued

19-4295

Authorize the Mayor to Execute the Locally Funded Agreement for Use of Park Impact Fees Between Sarasota County and the City of Venice for ADA Mobi-Mats at Beach Parks

A motion was made by Vice Mayor Newsom, seconded by Council Member Caetero, to approve Item No. 19-4295.

Discussion took place regarding the mobi-mats to include maintenance, storage, liability, removal during turtle season, monitoring, access and management.

Ms. Weeden spoke to the maintenance of the mobi-mats at Siesta Key, evaluating the mobi-mats prior to installation, recommending Venice Beach first, monitoring and maintenance by volunteer groups, removal of mats during turtle season, researching the city's liability, working with Sarasota County to monitor mats, and storage.

Discussion followed regarding the monitoring and maintenance of mobi-mats by staff, and maintenance of mobi-mats at Siesta Key.

Mr. Clinch spoke on concerns with maintenance and available staff, and responded to council questions regarding cost to add staff to maintain the

mats.

Discussion ensued on postponing item, funding agreement with Sarasota County, Venice Area Beautification, Inc. (VABI) volunteers, having adequate staffing to maintain mats, alternatives at other beaches, and mat material.

Ms. Weeden expressed concern with the city having to repay impact fees if the mobi-mats do not work at the test site.

Discussion continued on postponing item until January, maintenance concerns, selected locations requested by residents to include Venice Beach, Service Club Park and the north pier parking area, costs, and life expectancy.

A motion was made by Council Member Fiedler, seconded by Vice Mayor Newsom, to postpone the motion to approve Item No. 19-4295 to the second meeting in January. The motion carried unanimously by voice vote.

19-4296

Authorize the Mayor to Execute the Locally Funded Agreement for Use of Park Impact Fees Between Sarasota County, Florida and the City of Venice for the Design of Venezia Park

Ms. Fiedler requested to postpone Item No. 19-4296 to the second meeting in January and spoke to project cost, comprehensive plan, and scheduling a workshop.

Discussion followed regarding design proposal and obtaining public input prior to moving forward with the project.

Mr. Clinch advised he will update council in January on the parks interlocal agreement and progress made with the county.

Discussion continued on obtaining public input, scheduling a comprehensive meeting to address the city's parks, and scheduling a public workshop with the Parks and Recreation Advisory Board and including a consultant.

Jeffrey Boone, city resident, noted living alongside Venezia Park since 1983 and requested the playground equipment be replaced at the park.

Discussion ensued regarding impact fees, money budgeted for the playground, and Venice Lions Club.

A motion was made by Council Member Moore, seconded by Council Member Cautero, to approve Item No. 19-4296. The motion carried unanimously by voice vote.

IV. PUBLIC HEARINGS

CC 19-33PP Consider and Act Upon Preliminary Plat Amendment Petition No. 19-33PP for The Woods at Venice now known as Venice Woodlands, to Allow for Modification of the Landscape Plan (Quasi-Judicial)

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

Ms. Fernandez questioned council members on conflicts of interest and ex-parte communications. Mr. Newsom and Ms. Fiedler disclosed site visits. There were no conflicts of interest.

Ms. Stelzer noted written communications were included in the agenda packet.

Council waived staff's presentation.

Bill Conerly, Kimley-Horn and Associates, being duly sworn, spoke on revisions to the landscape plan to include areas identified where existing trees can be protected and preserved, and trees moved to the exterior along the buffer.

Discussion followed regarding irrigation.

Mark Rom, 1026 North Jackson Road, Venice, being duly sworn, noted living on Jackson Road directly across from Venice Woodlands, and expressed concerns with the standing water in front of his property.

Mr. Lavalley said he would present Mr. Rom's concerns to the engineering department, and noted he visited the property a few months ago and other residents observed issues with water and the effectiveness of the swale.

Mr. Shrum, being duly sworn, clarified that this is strictly a landscape modification and there should be no modifications to drainage.

Mr. Conerly stated that this project was approved through the water management district and is in accordance with the stormwater management plan and described how water is captured and metered out from the site.

Mr. Newsom disclosed that he visited the site in November and there was water in the ditch even though it had not rained in a long time.

Discussion continued on water drainage from the ditch, city staff visiting the site and reporting back to council, effectiveness of swale, concern with

mosquitoes, and operation of the drainage system.

Mr. Conerly noted record drawings for the project have not been received.

Discussion ensued regarding staff engaging with residents on Jackson Road and assessing the water situation.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Cautero, to approve Development Order No. 19-33PP for the Venice Woodlands Preliminary Plat Amendment Petition. The motion carried unanimously by voice vote.

Recess was taken at 10:26 a.m. until 10:36 a.m.

CC 19-16PP Consider and Act Upon Preliminary Plat Amendment Petition No. 19-16PP for Venetian Golf & River Club (VGRC) Phase 5, Palermo to Allow for Modification of the Landscape Plan (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial proceeding and opened the public hearings for CC 19-16PP and CC 19-19PP.

Ms. Fernandez questioned council members on conflicts of interest and ex-parte communications. Ms. Fiedler and Mr. Cautero disclosed living at the Venetian Golf & River Club (VGRC) and both confirmed to remain fair and unbiased and make their decision based on the record presented today.

Ms. Stelzer noted written communications were included in the agenda packet and an e-mail was received on the Palermo neighborhood.

Mr. Clark, being duly sworn, requested approval to cover petitions 19-16PP and 19-19PP in one presentation. There was no objection by council.

Mr. Clark provided a presentation and spoke on background, aerial photographs, compliance with the landscape plans, preliminary plat amendment to include resident options and concerns, and installation of required trees, 2019 proposed landscape plans, street view photographs, future land use and zoning maps, comprehensive plan, VGRC planned unit development and land development code (LDC) consistency, concurrency/mobility, staff's findings, and planning commission's action.

Ed Dean, Kimley-Horn and Associates, being duly sworn, noted speaking with homeowners and reflecting their input in proposed landscape plans.

No one signed up to speak.

Mayor Feinsod closed the public hearing for both petitions.

A motion was made by Vice Mayor Newsom, seconded by Council Member Fiedler, to approve Development Order No. 19-16PP for the VGRC Phase 5, Palermo Preliminary Plat Amendment Petition. The motion carried unanimously by voice vote.

CC 19-19PP Consider and Act Upon Preliminary Plat Amendment Petition No. 19-19PP for Venetian Golf & River Club (VGRC) Phase 3F, Palazzo to Allow for Modification of the Landscape Plan (Quasi-Judicial)

This item was discussed under Preliminary Plat Amendment Petition No. 19-16PP.

A motion was made by Council Member Fiedler, seconded by Council Member Pachota, to approve Development Order No. 19-19PP for the VGRC Phase 3F, Palazzo Preliminary Plat Amendment Petition. The motion carried unanimously by voice vote.

CC 18-02WW Consider and Act Upon Venetian Urban Design (VUD) Waiver Petition No. 18-02WW for 925 S. Tamiami Trail to Allow for Construction of a Parking Lot (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial proceeding and opened the public hearing.

Ms. Fernandez questioned council members on conflicts of interest and ex-parte communications. Mr. Newsom disclosed attending the planning commission meeting and site visit.

No written communication was received.

Mr. Clark, being duly sworn, provided a presentation and spoke on property's background, aerial and site photographs, surrounding property information, future land use map (FLUM), existing and proposed zoning maps, Code Section 86-122(f)(2) opportunity for a waiver from the Venetian Urban Design (VUD) standards, applicant requesting a waiver of standards for construction of a commercial parking lot, proposed site and landscape plans, VUD waiver findings, and city council's determination.

Jeffery Boone, representing the applicant, being duly sworn, spoke on the VUD and provisions that allow for a waiver.

Tim Roane, DMK Associates, Inc., being duly sworn, advised they need to have Americans with Disabilities Act (ADA) accessible parking for this property.

Mr. Boone noted the parking lot is not public and it is being utilized by Village on the Isle (VOTI).

Discussion ensued on how this parking lot would be greatly improved from its existing condition with lighting, landscaping, and other features.

In response to the question about the three parking spaces that face the road and the 37 parking spaces in total being proposed, Mr. Roane said there are currently two residential tenants and two commercial tenants on the property which may need the additional proposed parking.

Discussion ensued on resident outreach and proposed location of parking lot.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Pachota, to approve Development Order No. 18-02WV for the 925 S. Tamiami Trail VUD Waiver Petition. The motion carried unanimously by voice vote.

A. ORDINANCES - FIRST READING

ORD. NO.
2020-01

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, for the Property Located at 925 S. Tamiami Trail and Owned by Dunn Haven Holdings, LLC, Pursuant to Zoning Map Amendment Petition No. 19-06RZ, from Sarasota County Commercial, Intensive (CI) and Residential, Single-Family 3 (RSF-3) Districts, and Venetian Urban Design (VUD) Overlay District to City of Venice Commercial, Intensive (CI) District and Venetian Urban Design (VUD) Overlay District; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial proceeding.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Fernandez questioned council members on conflicts of interest or ex-parte communications. Mayor Feinsod disclosed site visit and Mr. Newsom disclosed site visit and attending the planning commission meeting.

No written communication was received.

Council waived staff's presentation.

Jeffery Boone, representing the applicant, being duly sworn, noted the rezoning request is consistent with the comprehensive plan and land development regulations (LDRs), and requested council approve the ordinance.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Fiedler, that based on the evidence in the record, Ordinance No. 2020-01 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

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

B. ORDINANCES – FINAL READING

ORD. NO.
2019-36

An Ordinance of the City of Venice, Florida, Granting Zoning PUD Amendment Petition No. 19-04RZ, Amending the Ramsey Road Multi-Family (Formerly Village at Venice) Planned Unit Development (PUD) for the Property Located at Ramsey Road, to Allow for a 116 Unit Multi-Family Residential Project; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial procedure.

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

In response to Ms. Fernandez's inquiry, Mr. Cautero, Mr. Neunder, Mr. Pachota, and Mayor Feinsod confirmed they reviewed the November 12, 2019 public hearing.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest. Mayor Feinsod disclosed a constituent called him on the topic and advised he could not discuss the matter.

Ms. Stelzer advised that written communications have been included in the agenda packet and one e-mail was received since the agenda was posted.

There was no update by staff.

Jeffery Boone, representing the applicant, being duly sworn, requested a

stipulation be added to the ordinance to have the ability for an optional emergency access to Hatchett Creek Boulevard and to remove access through Aston Gardens, and noted approval would be subject through the site and development plan review process.

Ms. Fernandez clarified the stipulation language.

Discussion followed regarding traffic and safety concerns in the vicinity.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Council Member Neunder, that based on the evidence in the record, Ordinance No. 2019-36 be approved and adopted with the following stipulation: The emergency access may be relocated to remove access through Aston Gardens subject to approval through the site and development plan review process. The motion carried by the following vote:

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

ORD. NO.
2019-38

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 50, Personnel, Article III, Pensions and Retirement, Division 3, Municipal Police Officers' Pension Trust Fund, Section 50-131, Definitions; Section 50-138, Disability; Section 50-145, Maximum Pension; Section 50-147, Miscellaneous Provisions; Section 50-158, Deferred Retirement Option Plan; and Section 50-160, Reemployment after Retirement; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

No written communication was received and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Cautero, that Ordinance No. 2019-38 be approved and adopted. The motion carried by the following vote:

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

Recess was taken at 11:50 a.m. until 1:00 p.m.

V. NEW BUSINESS***C. PRESENTATIONS AND AUDIENCE PARTICIPATION WILL BE HEARD AT 1:00 P.M. - AGENDA ITEMS MAY BE DELAYED OR MOVED FORWARD TO ACCOMMODATE PRESENTATIONS***19-4303

Lorrie Rossiter, Area Sales Manager, Synagro and Chloe Crouch, Head Operator, Utilities: Safeguarding the Environment Through Compost Manufacturing and Wastewater Treatment Process at the City of Venice (15 min.)

Mr. Vargas commented on treatment of biosolids at the wastewater plant.

Ms. Crouch provided a presentation and spoke on the Eastside water reclamation facility, flow schematic, preliminary treatment, fermentation, anoxic, aeration, second anoxic and reaeration basins, clarifiers, reclaimed water, waste activated sludge, making reclaimed water, belt filter press, and biosolids.

Ms. Crouch responded to council questions regarding the nitrate level in the city's reclaimed water and awards won by the city's utility department.

Discussion followed regarding the wastewater treatment facility, current use of technology, and capacity.

Lorrie Rossiter, Synagro, provided a presentation and spoke to Synagro Florida services, Charlotte County Bio-Recycling Center (CCBRC) to include facility protection of ground and surface water quality, manufacturing Class AA compost at CCBRC, classes and treatment of biosolids for use in Florida, and responded to council questions on different uses of biosolids in Florida.

19-4304

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

Ms. Senne spoke on general fund revenues, expenses, fund balance, and projected fiscal year budget for 2020.

Discussion followed regarding general fund reserves, budget process, increasing the target reserve, Emergency Medical Services (EMS) and extraordinary mitigation fee (EMF) expenses, ways to increase reserves, and cutting expenses.

Mr. Welch commented on the fund balance and EMS startup costs.

Mr. Lavalley explained increasing the target reserve may impact the level of service provided by the city.

19-4305

Shawn Carvey, Fire Chief, and James Clinch, Public Works Director: Fire Station 1 and City Hall Expansion Project Update

Chief Carvey commented on fire station no. 1 and city hall expansion projects.

Mr. Clinch reviewed project parts and reasons projects were combined.

Chief Carvey spoke on project needs.

Mr. Clinch spoke on city hall expansion and renovation.

Karl Bernhard, Sweet Sparkman Architects, spoke on proposed site plan, city hall proposed plan, expansion and fire station proposed plan, security enhancements, proposed exterior design, existing conditions, inspiration and precedents, and provided an animation of proposed building design.

Mr. Bernhard spoke on sustainable design strategies.

Mr. Clinch spoke on the stormwater pond design, tree protection, and city hall's budget breakdown.

Robbie Gronbach, Construction Manager, spoke on the construction management processes, city hall's budget breakdown, current construction market, and subcontractors and suppliers.

Discussion followed regarding electric vehicle charging stations.

Mr. Neunder left the dais at 2:20 p.m.

Discussion ensued regarding solar power for city hall.

Mr. Neunder returned to the dais at 2:22 p.m.

Mr. Bernhard spoke on the design and construction schedule.

Mr. Gronbach spoke to the construction and phasing schedule.

Chief Carvey spoke on the temporary fire station.

Discussion followed regarding the sale proceeds from the Hamilton Building contributing to this project, fire station and city hall's project budgets, renovation challenges, project components, advantage of doing projects simultaneously, and fire station fitness facility.

Mr. Lavalley commented on increasing the building department's space,

the building fund, conference room space, emergency generator, shared resources, and benefits of doing projects together.

Mr. Clinch spoke to the fire station having its own power source supply.

Recess was taken at 2:38 p.m. until 2:50 p.m.

ORDINANCES – FINAL READING (CONTINUED)

ORD. NO.
2019-39

An Ordinance of the City of Venice, Florida, Making Humphris Park Closed to Vehicles Consistent with Other Parks by Amending the Code of Ordinances, Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-66(b), Certain Parks Closed to Vehicles During Nighttime Hours; Providing for Repeal of All Ordinances in Conflict Herewith; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Feinsod opened the public hearing.

Ms. Stelzer noted written communications were included in the agenda packet and no one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Pachota, seconded by Council Member Fiedler, that Ordinance No. 2019-39 be approved and adopted.

Discussion took place regarding the time the gate will open in the morning.

Mr. Lavallee advised the code change is minimal and does not prohibit fishing but rather prohibits vehicles in the park after midnight, the police department will close the gate at night and public works will open the gate in the morning, and signage will be placed at the park regarding parking hours.

The motion carried by the following vote:

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

ORD. NO.
2019-29

An Ordinance of the City of Venice, Florida, Establishing Tree Regulations within the City by Amending the Code of Ordinances, Subpart B, Land Development Regulations, Chapter 118, Vegetation, by Replacing in its Entirety with Chapter 118, Tree Preservation, Protection, and Replacement; 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 Feinsod opened the public hearing.

Ms. Stelzer noted written communication was included in the agenda packet and no one signed up to speak.

Mr. Shrum explained he listed the proposed changes for council's review in his memorandum which was included in the agenda packet to include clarification of Heritage trees, Venetian trees and canopy road trees for tree permits.

Mr. Yelverton explained what happens when a tree is pruned improperly, how decaying trees can destroy homes and infrastructure, and most ordinances have references to pruning requirements for tree protection.

Discussion ensued on costs to hire certified arborists versus non-arborists.

Jeffrey Boone, city resident, expressed concerns about the requirement that if a property owner wants to prune a limb of a Venetian tree or Heritage tree on their property they would have to hire a certified arborist and the requirement to have a plan or survey of the property for tree permitting purposes.

Discussion ensued on safety concerns and the cost of having tree work done.

Mayor Feinsod closed the public hearing.

A motion was made by Vice Mayor Newsom, seconded by Council Member Moore, that Ordinance No. 2019-29 be approved and adopted with the proposed changes presented by staff. The motion carried by the following vote:

Yes: 7 - Mayor Feinsod, Mr. Caution, Vice Mayor Newsom, Ms. Fiedler, Ms. Moore, Mr. Pachota and Mr. Neunder

V. NEW BUSINESS - CONTINUED

A. RESOLUTIONS

RES. NO.
2019-28

A Resolution of the City of Venice, Florida Establishing a Schedule of Fees and Charges for the Implementation of City of Venice Code of Ordinances Chapter 118, Tree Preservation, Protection, and Replacement; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Fiedler, seconded by Vice Mayor Newsom, that Resolution No. 2019-28 be approved and adopted. The motion carried by the following vote:

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

RES. NO. A Resolution of the City of Venice, Florida, Creating a Stormwater Utility
2019-29 Rate and Water Quality Improvement Stakeholder's Work Group and
Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Pachota, seconded by Council Member Moore, that Resolution No. 2019-29 be approved and adopted. The motion carried by the following vote:

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

B. COUNCIL ACTION/DISCUSSION

19-4302 Approve Pre-Annexation Agreement Between City of Venice and SSD Land Holdings, LLC, W. Russell Snyder, Iralyn Snyder, Jason Milton Kramer, and Jonathan Sol Kramer for Property Located in the Southwest Quadrant of the Intersection of Border Road and Jacaranda Boulevard (Palencia)

Mr. Shrum explained that through a joint planning agreement (JPA) with Sarasota County specific properties have been identified that are eligible for annexation, displayed a map of the subject property for reference, provided a brief overview of the staff report and the JPA process, and advised the applicant's attorney prepared a legal opinion in response to the county's concerns with proposed annexation.

Discussion ensued on the table for financial feasibility, the revenue from trash, water, and sewer services, connection fees that would be paid for by the property owner, and other impact fees.

Mr. Shrum responded to council questions regarding the enclave.

Ms. Fernandez clarified that the lack of response from the county in regards to this matter may suggest that they do not take issue and do not deem this an enclave.

Jeffery Boone, representing the applicant, explained approval of the pre-annexation agreement does not mean council approves the annexation, approval of the pre-annexation agreement is binding for the city and for the property owners, the applicant is required to apply for an annexation, a comprehensive plan amendment and a rezone under this pre-annexation agreement, the pre-annexation agreement makes it clear that the developer is responsible for costs associated with this annexation, and if the annexation is not approved by council the pre-annexation

agreement would become null and void.

Discussion followed regarding whether the property owner would consider affordable housing, the county acknowledging there are no issues with annexing the subject property, how the property will be developed in the county if it is not annexed into the city, the city's versus the county's development standards, tax revenue benefits, and concerns with compatibility.

A motion was made by Council Member Moore, seconded by Vice Mayor Newsom, to approve Item No. 19-4302.

The motion carried by the following vote:

Yes: 4 - Vice Mayor Newsom, Ms. Moore, Mr. Pachota and Mr. Neunder

No: 3 - Mayor Feinsod, Mr. Cautero and Ms. Fiedler

There was consensus to continue the meeting until all agenda items have been concluded.

Recess was taken at 4:01 p.m. until 4:12 p.m.

19-4299

Discuss and Approve Federal Legislative Priorities

A motion was made by Council Member Fiedler, seconded by Vice Mayor Newsom, to approve Item No. 19-4299.

Mr. Newsom advised he was going to distribute a copy of Economic Development Corporation (EDC)'s legislative priorities.

Discussion followed regarding home rule and adding roadways to priority number six, Transportation and Quality of Life : Ribbons of Venice.

There was consensus to add roadways to priority number six, Transportation and Quality of Life: Ribbons of Venice.

The motion carried unanimously by voice vote.

19-4300

Direct Staff to Draft a Resolution Supporting Ratification of the Equal Rights Amendment in the Florida Legislature (Feinsod, Fiedler and Newsom)

A motion was made by Council Member Fiedler, seconded by Council Member Pachota, to approve Item No. 19-4300.

Ms. Fiedler explained purpose of the request.

Discussion followed on the impact of drafting this resolution and potential lobbyist involvement.

Mr. Lavallee stated that the hope is to gain county-wide support and for the legislature to bring this to the federal government.

Linda Layer, 911 West Xanadu Avenue, noted the resolution will encourage the state legislature and provide Florida the opportunity to ratify its constitution.

The motion carried unanimously by voice vote.

19-4301

Mayor and Council Liaison Appointments

A motion was made by Council Member Fiedler, seconded by Council Member Neunder, to approve Item No. 19-4301.

Mr. Newsom spoke to the time he invested in planning commission meetings and workshops.

Discussion followed regarding city board liaison appointments, council liaison input during meetings, revisiting council participation on outside boards, and discussing item during strategic planning.

Ms. Stelzer advised the Community Action Agency needs to follow-up with her regarding the need for someone on the board, and no council members have volunteered for the Coastal Advisory Committee.

Mr. Pachota volunteered for the Coastal Advisory Committee.

The motion carried unanimously by voice vote.

VI. UNFINISHED BUSINESS

19-4246

Consider the City Sign the Amicus Curiae Brief in Support of Human Rights Ordinance (HROs) to Fight Discrimination (Holic)

Ms. Fernandez referenced the memorandum provided in the agenda packet and stated the current case in Orlando does not have a binding impact on the jurisdiction of Venice's ordinance.

Discussion followed regarding the ordinance's similarity to the city's current ordinance.

Ms. Fernandez said she will monitor this case and report back in the future.

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez said she will resume monthly updates on litigation.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee advised there will be a strategic planning session this coming year.

There was discussion on interlocal agreements.

Mr. Lavallee spoke on the interlocal agreement with Sarasota County for park services.

VIII. COUNCIL REPORTS***Council Member Pachota***

Mr. Pachota noted he was invited to participate in public event on student art projects.

Council Member Fiedler

Ms. Fiedler reported attending Neal Community's "My Favorite Home" event and disclosed she spoke with Pat Neal about the expansion of Laurel Road.

Mr. Lavallee noted Laurel Road is not at the top of the county's project list and the county needs to have a discussion with Mr. Neal about how to proceed with Laurel Road improvements and funding.

Council Member Moore

Ms. Moore had no report.

Council Member Newsom

Mr. Newsom thanked Mayor Feinsod for bringing back the tradition of the invocation and asked Mr. Lavallee for an update on the land behind the post office to include if it could be listed for sale.

Mr. Lavallee advised that the city is waiting on input from a real estate attorney about this property.

Ms. Fernandez said she spoke with the attorney yesterday and received an initial opinion from him verbally. She expects to have this on an agenda early next year.

Mr. Newsom reported on the EDC meeting, distributed a copy of their legislative priorities, commended the new flagpole that was recently installed at the Venice fishing pier, and suggested there be a POW MIA flag placed below the American flag.

There was consensus to direct staff to install a POW MIA flag at the Venice fishing pier, paid for by the City.

Council Member Cautero

Mr. Cautero reported attending the holiday parade and suggested there be a focus on issues, concepts and strategies instead of constructing lists when the strategic planning session takes place.

Council Member Neunder

Mr. Neunder reported attending the holiday parade.

Mayor Feinsod

Mayor Feinsod discussed the invocation and expressed his strong beliefs about the separation of church and state.

IX. AUDIENCE PARTICIPATION

There was none.

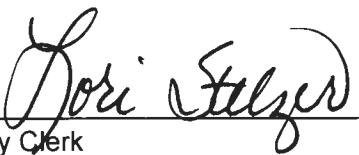
X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 5:12 p.m.

ATTEST:



Mayor - City of Venice



City Clerk