



City of Venice

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

Meeting Minutes City Council

Tuesday, March 9, 2021

9:00 AM

Council Chambers and Virtual

Instructions on How to Watch and/or Participate in the Meeting

[21-4931](#)

Instructions on How to Watch and/or Participate in the Meeting

CALL TO ORDER

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

Ms. Stelzer provided instructions for audience participation in council chambers.

ROLL CALL

Ms. Stelzer advised Mr. Pachota requested an excused absence.

Present: 6 - Mayor Ron Feinsod, Vice Mayor Richard Cautero, Council Member Helen Moore, Dr. Joseph Neunder, Council Member Brian Kelly and Dr. Margaret Fiedler

Excused: 1 - Council Member Nick Pachota

ALSO PRESENT

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, City Manager Ed Lavallee, Administrative Coordinator Mercedes Barcia, and for certain items on the agenda: Finance Director Linda Senne, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Senior Planner Amy Nelson, Planner Nicole Tremblay, Controller Joe Welch, Director of Public Works and Asset Management James Clinch, Assistant Director of Public Works and Asset Management Rick Simpson, Historical Resources Manager Harry Klinkhamer, and Information Technology Director Christophe St. Luce.

In person: Mr. Cautero, Dr. Neunder, Ms. Moore and Mr. Kelly

Via video conference: Mayor Feinsod and Dr. Fiedler

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Dr. Fiedler.

A motion was made by Dr. Fiedler, seconded by Vice Mayor Cautero, to excuse Mr. Pachota's absence. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

I. RECOGNITION

21-4932

Proclaim the Week of March 15-19, 2021 as Government Finance Professionals Week, Presented to Linda Senne, Finance Director

Mayor Feinsod read the proclamation.

II. AUDIENCE PARTICIPATION will be limited to one hour.

Dick Longo, 295 Marsh Creek Road, congratulated the city and staff for participating in the COVID-19 vaccine homebound program, and advised of an error on the affected party status in Item No. 21-4935 relating to the written decision for Murphy Oaks.

Ms. Fernandez noted scrivener's error will be fixed if item is approved on the consent agenda.

III. CONSENT SECTION:

A motion was made by Dr. Neunder, seconded by Vice Mayor Cautero, to approve items in the Consent Agenda. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

A. MAYOR

21-4933

Reappoint Student Member Serenaty Lumpkin to the Environmental Advisory Board to Serve a Term from April 1, 2021 Until March 31, 2022

This Reappointment was approved on the Consent Agenda.

B. CITY CLERK

21-4934

Minutes of the February 9, 2021 Regular Meeting, February 10, 2021 Continuation of February 9, 2021 Meeting, and February 23, 2021 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY ATTORNEY

21-4935

Approve Written Decision Regarding Rejection of Written Recommendation of Special Magistrate Related to Zoning Map Amendment Petition No. 17-16RZ (Murphy Oaks)

This Item was approved on the Consent Agenda.

D. CITY MANAGER

Police

CON. NO.
154-2021

Approve Memorandum of Understanding By and Between the Sarasota County Sheriff's Office and the City of Venice, Florida on Behalf of the Venice Police Department for the Appointment of Deputy Sheriffs

This Item was approved on the Consent Agenda.

IV. ITEMS REMOVED FROM CONSENT

There were none.

V. PUBLIC HEARINGS

CC 20-29PP

Consider and Act Upon Preliminary Plat Petition No. 20-29PP for Cassata Lakes to Allow for 151 Residential Single-Family Lots (Quasi-Judicial)

Mayor Feinsod announced this is a quasi-judicial hearing, the preliminary plat and conditional use petition will be combined into one presentation with two separate motions, and opened both public hearings.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest for the preliminary plat petition. There were none.

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

Ms. Nelson, being duly sworn, provided a presentation and spoke to project information, property location, surrounding area land uses, proposed preliminary plat, future land use map (FLUM), zoning, conditional use request for a gated community, conclusions/findings of fact, and planning commission's review and action.

Ms. Fernandez questioned council members on ex-parte communications and conflicts of interest for the conditional use petition. There were none.

Ms. Nelson noted planning commission's review and action on the conditional use petition, and responded to council questions regarding wildlife corridor.

Mr. Shrum, being duly sworn, advised there are currently no requirements for wildlife corridors, and issue will be addressed through the Land Development Regulations (LDR) update.

Ms. Nelson responded to council questions regarding proposed green space and lots with direct access to Kings Way Drive.

Mr. Shrum responded to council questions regarding open space requirement for the parcel and reason project is not a planned unit development (PUD).

Discussion followed regarding Kings Way Drive access points, and resident concerns on road condition and traffic.

Jackson Boone, Boone Law Firm, being duly sworn, spoke on the property zoning designation, preliminary plat, proposed density, staff's review of proposal, conditional use request, and secondary access.

Jeffery Boone, Boone Law Firm, being duly sworn, explained reason project is not a PUD.

Mike Miller, MPS Development, being duly sworn, commented on mitigating wetlands, relocating gopher tortoises, completing all environmental work, proposed driveways across Kings Way Drive, PUDs, lot sizes and setbacks, purpose of fence, compatibility with the surrounding neighborhood, and responded to council questions regarding the county's plan to address traffic concerns.

Jeffery Boone noted the right-of-way is in the county's jurisdiction and proposed driveways comply with the county's access management standards.

Mr. Miller responded to council questions regarding reclaimed water on site for irrigation and green space.

Recess was taken at 9:50 a.m. until 9:53 a.m.

Jeffery Boone responded to council questions regarding purpose of additional lots on Kings Way Drive.

Judith Coho, President of the King's Gate Association Board of Directors, being duly sworn, noted King's Gate's water and utility resources, and overflow parking, are located in a parcel within Cassata Lakes, and spoke to working towards a mutual resolution with the developer, reviewing whether parcel needs to be de-annexed from the city, and recommended approval of the preliminary plat.

Richard Sorace, 1205 Kings Way Drive, being duly sworn, commented on speeding, traffic, and littering on Kings Way Drive, continuing existing

sidewalk to Laurel Road, project density, location of main entrance, and fence.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Dr. Neunder, to approve Development Order No. 20-29PP for Cassata Lakes.

Vice Mayor Cautero called for a point of order and noted Dr. Neunder seconded the motion and should speak first.

Discussion followed regarding no legal basis to deny the petition.

The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

CC 20-39CU Consider and Act Upon Conditional Use Petition No. 20-39CU for the 59.53 -Acre Cassata Lakes to Allow for a Gated Community (Quasi-Judicial)

A motion was made by Council Member Moore, seconded by Dr. Neunder, to approve Development Order No. 20-39CU. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

A. ORDINANCES - FIRST READING

ORD. NO.
2021-09 An Ordinance of the City of Venice, Florida, Annexing Certain Lands Lying Contiguous to the City Limits, Pursuant to Petition No. 20-45AN by Raphael Piana and Mindy Piana, Co-Trustees of the Piana Revocable Trust, 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 Feinsod opened the public hearing.

Ms. Stelzer advised written communication was received and also included in the agenda packet.

Council waived staff's presentation.

Jeffery Boone, Boone Law Firm, commented on approved pre-annexation agreement, addressing open burning, the city controlling the property's

development, revenue flow to the city, voluntary annexation, and developer requirements.

Steve Carr, President of the Windwood Neighborhood Association, spoke to concern on the additional 10 acre parcel that is planned to be added to the development.

Mr. Boone advised subject can be addressed during the rezone.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Moore, that Ordinance No. 2021-09 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

ORD. NO.
2021-10

An Ordinance of the City of Venice, Florida, Amending the 2017-2027 City of Venice Comprehensive Plan Future Land Use Map Pursuant to Petition No. 20-46CP to Change the Future Land Use Designation of Specific Real Property Generally Located West of Interstate 75, East of Pinebrook Road and South of Laurel Road East, Commonly Known as 500 R&F Ranch Road (19.35± Acres), from Sarasota County Moderate Density Residential (MODR) to City of Venice Medium Density Residential (MEDR); 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 received and will be included as part of the record.

Council waived staff's presentation.

Jeffery Boone, Boone Law Firm, noted application is consistent with the joint planning agreement (JPA) and the city's comprehensive plan.

No one signed up to speak.

Mayor Feinsod closed the public hearing.

A motion was made by Council Member Moore, seconded by Dr. Neunder, to approve Ordinance No. 2021-10 on first reading and transmit to the Department of Economic Opportunity for review. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

ORD. NO.
2021-11

An Ordinance Amending the Official Zoning Atlas of the City of Venice, Florida, Pursuant to Zoning Map Amendment Petition No. 20-47RZ, to Change the Zoning Designation for the Property Generally Located West of Interstate 75, East of Pinebrook Road and South of Laurel Road East, Commonly Known as 500 R&F Ranch Road (19.35± Acres), from Sarasota County Open Use Estate (OUE) to City of Venice Residential, Multi-Family 3 (RMF-3); 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.

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

Ms. Stelzer advised written communication was received and will be included as part of the record.

Council waived staff's presentation.

Recess was taken at 10:30 a.m. until 10:32 a.m.

Jesse Houghtalen, Thompson Thrift Development, Inc., being duly sworn, provided a presentation and spoke on company, development map, portfolio statistics, rental information, Venice's market demand, development concepts, original and revised conceptual site plans, one and two story homes, and interior features.

Mr. Boone spoke regarding Residential Multi-Family 3 (RMF-3) zoning request, consistency with JPA amendment, participation in the neighborhood meetings, relationship with the Windwood community, meeting with residents to discuss site and development plan application, Mr. Carr's concern on additional 10 acres, and project density.

Discussion followed regarding market research, obtaining public input, and total number of units.

In response to council, Mr. Boone confirmed applicant is willing to stipulate to 200 units on the 19.3 acres, and read proposed open burning stipulation "There shall be no burning of trees, vegetation or other debris from land

clearing on the subject property".

Discussion continued on stipulation language.

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, that based on the evidence in the record, Ordinance No. 2021-11 be approved on first reading and scheduled for final reading with the addition of the following stipulations: 1) the total number of dwelling units shall not exceed 200 and 2) no open burning language as read into the record by Jeffery Boone. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

Recess was taken at 11:08 a.m. until 11:16 a.m.

B. ORDINANCES – FINAL READING

ORD. NO. 2021-05

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances, Chapter 90, Buildings and Building Regulations, Article IV, Technical Codes, Section 90-204, Permits and Fees; 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.

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

Mayor Feinsod closed the public hearing.

A motion was made by Dr. Neunder, seconded by Council Member Moore, that Ordinance No. 2021-05 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

VI. NEW BUSINESS

A. RESOLUTIONS

RES. NO. 2021-05

A Resolution of the City of Venice, Florida, Imposing A Temporary Reduction on Valuation Based Building Permit Fees of Twenty Percent; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Moore, seconded by Vice Mayor Cautero, that Resolution No. 2021-05 be approved and adopted.

In response to council, Mr. Shrum confirmed intent is to comply with state law.

The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

RES. NO.
2021-06

A Resolution of the City of Venice, Florida, Amending the Stormwater Management Utility Service Charge Based Upon Land Use Classification, Establishing an Administrative Charge and Public Facilities Charge, Providing for Special Charges; Superseding Resolution No. 2020-32; and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Moore, seconded by Vice Mayor Cautero, that Resolution No. 2021-06 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

RES. NO.
2021-07

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Laurel Road Development, LLC and Accepting a One Year Developers Cash Maintenance Bond and Bill of Sale, and Providing an Effective Date (Mirasol Towncenter)

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Kelly, seconded by Dr. Neunder, that Resolution No. 2021-07 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

RES. NO.
2021-08

A Resolution of the City of Venice, Florida, Accepting Utilities and Improvements Installed by Venice Health Partners, LLC and Accepting a One Year Developers Maintenance Bond and Bill of Sale, and Providing an Effective Date (Atlas Venice)

Ms. Stelzer read the resolution by title only.

A motion was made by Council Member Kelly, seconded by Vice Mayor Cautero, that Resolution No. 2021-08 be approved and adopted. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

B. PRESENTATIONS

21-4936

Controller Joe Welch and Jeff Wolf, Manager, MSL, Inc: Presentation of 2020 Comprehensive Annual Financial Report (CAFR) and External Annual Audit (30 min.)

Jeff Wolf, Manager, MSL, Inc, provided a presentation and spoke on purposes of the annual audit, the audit opinion, internal control and compliance, federal and state grants, other reports reviewed to include accountant's report and management letter, and required communications to governing board.

Mr. Welch reviewed financial highlights for major funds, pensions and grants, and advised of other information in the report to include management discussion and analysis, notes to financial statements and statistical section.

Discussion followed regarding the unassigned fund balance, internal control and segregation of duties assessments, and fire pension fund.

21-4937

Dave Bullock, CEO, EDC of Sarasota County: Importance of Light Industrial/Warehouse Lands in Providing Future Employment Areas in Venice (15 min.)

Dave Bullock, CEO, Economic Development Corporation (EDC) of Sarasota County, provided a presentation and spoke to importance of providing future employment areas in Venice, mission, real estate constraints, appearance of modern business parks, market realities, possible tools, recommendations, and responded to council questions on resources available to the public.

21-4938

Historical Resources Manager Harry Klinkhamer: Update on Division of Historical Resources (10 min.)

Mr. Klinkhamer provided a presentation and spoke regarding the historical resources division, the Triangle Inn, recent activity in the museum, Dale Laning and Julia Cousins Laning Archives and Research Center, collecting COVID-19 project, overseeing all the artwork at city hall, events and tours, individual properties listed in the local register of historic places, Old Betsy, Lord-Higel House, public art in the city, projects in progress, working with the community on historical resources, and responded to council questions on funding to house Old Betsy.

Discussion followed regarding educating the public on historical resources and conducting public outreach.

Mr. Lavallee commented on the historical resources division's scope of work.

Mr. Klinkhamer spoke to marketing and branding the city's historical resources, and responded to council questions on publishing information in the Gondolier.

Recess was taken at 12:42 p.m. until 12:52 p.m.

21-4939

James R. Clinch, PE, Director of Public Works and Asset Management and Rick Simpson, Assistant Director of Public Works And Asset Management: Approval of Parks Interlocal Agreement Proposal Between The City of Venice and Sarasota County and Direct Staff to Submit to Sarasota County (15 min.)

Mr. Clinch provided a presentation and spoke on the history and purpose of the parks interlocal agreement.

Ms. Moore returned to the meeting at 12:57 p.m.

Mr. Clinch spoke on the new interlocal proposal to include approach, goals and key details, Wellfield Park, regional sports complex, Chuck Reiter Park, Venice Community Center (VCC), estimated fiscal year (FY) 2022 city budget impact, staff recommendation and requested council action.

Discussion following regarding Wellfield Park, staff's communication with the county on proposal, Pinebrook Park, VCC, dual responsibilities, the city's resources, FY22 budget impact, property tax revenue from new construction, the city's relationship with the county, and feasibility study for the VCC.

A motion was made by Dr. Fiedler, seconded by Dr. Neunder, to approve proposal for a new interlocal agreement between the City of Venice and Sarasota County and direct staff to transmit proposal to Sarasota County. The motion carried by the following vote:

Yes: 6 - Mayor Feinsod, Mr. Cautero, Ms. Moore, Dr. Neunder, Mr. Kelly and Dr. Fiedler

Excused: 1 - Mr. Pachota

VII. CHARTER OFFICER REPORTS

City Attorney

Ms. Fernandez advised the resolution for the charter review committee will be on the next agenda, and she will be providing council with a memorandum regarding open burning.

City Clerk

Ms. Stelzer had no report.

City Manager

Mr. Lavallee recognized staff for their work.

VIII. COUNCIL REPORTS

Council Member Cautero

Vice Mayor Cautero commented on Governor Ron DeSantis lowering the age for COVID-19 vaccine eligibility.

Council Member Moore

Ms. Moore recognized staff and advisory board members for their work.

Council Member Fiedler

Dr. Fiedler had no report.

Council Member Pachota

Mr. Pachota was absent.

Council Member Neunder

Dr. Neunder had no report.

Council Member Kelly

Mr. Kelly reported on the Environmental Advisory Board (EAB) meeting.

Mayor Feinsod

Mayor Feinsod spoke to comments received on changes to the parks ordinance regarding dogs in parks.

IX. AUDIENCE PARTICIPATION

There was none.

X. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 1:49 p.m.

ATTEST:



Mayor - City of Venice



City Clerk