



City of Venice

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

Meeting Minutes Charter Review Committee

Monday, August 30, 2021

9:00 AM

Council Chambers

[21-5193](#)

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

I. Call to Order

Chair Jeff Boone called the meeting to order at 9:00 a.m.

II. Roll Call

Present 6 - Mr. John Holic, Mr. Richard Clapp, Mr. Kit McKeon, Mr. Jeffery Boone, Mr. Jon Preiksats and Mr. Joseph Ferretti

Absent 1 - Mr. Ernest Booker

Also Present

City Manager Ed Lavalley, City Attorney Kelly Fernandez, City Clerk Lori Stelzer, Information Technology Services Director Christophe St. Luce, and Administrative Coordinator Toni Cone.

III. Approval of Minutes

[21-5194](#)

Minutes of the August 16, 2021 Meeting

A motion was made by Mr. Preiksats, seconded by Mr. Holic that the Minutes of the August 16, 2021 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Audience Participation

There was none.

V. Unfinished Business

[21-5161](#)

Article III. Legislative

Discussion took place regarding the language amendment for Section 3.02 that clarifies that city council is the delegator to choose a designee for signing and executing documents and checks.

There was no objection to this language clarification.

Discussion took place on the mayor presiding at city council meetings when attending remotely, alternatives to having the mayor preside when not in-person, remote meeting attendance, reasons for attending council meetings remotely, and whether this should be addressed in the charter.

Mr. McKeon noted the success of the planning commission chair when presiding remotely.

Discussion ensued with city attorney regarding workshops and other non-voting meetings.

Ms. Fernandez recommended this information would be more appropriate in section 3.08 Meetings.

Discussion continued regarding reasons an elected official may take part in a meeting virtually, which is outlined in Resolution No. 2020-43.

Ms. Fernandez offered thoughts on the resolution and use of Zoom for remote meetings.

Chair Boone discussed the charter, currently it does not address physical presence, and that charter should not limit circumstances going forward.

Discussion took place regarding the chair should be physically present and if the chair or vice chair was not physically present, council should vote on another member to preside over the meeting.

Discussion ensued regarding duties of elected officials, the charter, the rules, adoption of rules or policy, and the charter being a guideline and framework for future councils.

Recess was taken from 10:25 a.m. to 10:35 a.m.

Discussion took place regarding Section 3.04 and the establishment of districts, districting seats, at-large voting, representation, the number of districts, some at-large members of council, districts limiting people running, consider three districts with two each, city-wide voting, voter turn out, council and charter approval, and redistricting.

Discussion occurred regarding council compensation, number of hours worked based on council feedback, the formula utilized based on the state formula for county commissioners, a percentage of the county commission rate, simpler way of calculating vs. the formula, mayor's salary, consider a set number (20% of current county commissioner salary) with annual increase no higher than city staff increases, different ways of calculating a

potential salary, and reimbursement of expenses.

Discussion took place on Section 3.07, Procedure of Forfeiture and the need for clarification regarding paid legal defense for a council member, discussed current code, and will revisit at the next meeting with all committee members present.

Discussion took place regarding Section 3.08, Calling Special Meetings, and the option of council members not attending a special meeting if city council feels that the emergency or special meeting is called for an erroneous reason.

Ms. Fernandez answered committee question regarding special meetings and noted there is no penalty for missing a special meeting.

A motion was made by Mr. Holic, seconded by Mr. McKeon recommending that city council accept the draft amendment dated 8/19/21 language presented by the city attorney to Article III, Section 3.01 that states that city council shall make all appointments of operating and advisory boards. The motion carried by voice vote unanimously.

A motion was made by Mr. McKeon, seconded by Mr. Preiksats to request the city attorney draft language to require city council presiding officer to be in-person if there is a physical presence in chambers for committee review at the next meeting. The motion carried by voice vote 5-1, with Mr. Clapp opposed.

A motion was made by Mr. Holic, seconded by Mr. Preiksats to have city attorney draft charter language to require physical attendance unless good cause is shown. The motion carried by voice vote unanimously.

A motion was made by Mr. Preiksats, seconded by Mr. McKeon to keep charter language as it currently is in regards to districts. The motion carried 4-2, with Mr. Clapp and Mr. Boone opposed.

A motion was made by Mr. Holic, seconded by Mr. McKeon to request city attorney to draft language to increase council members' salary to 20% of current (\$18,364) Sarasota County commissioners and the mayor's salary to have the same increase plus \$100/month. The motion carried by voice vote unanimously.

VI. New Business

[21-5195](#)

Article IV. City Manager

Discussion took place regarding a question in Section 4.02 regarding approval of the negotiated city manager salary and it was noted that the mayor negotiates the salary and it is subject to council approval.

Discussion occurred regarding language proposed by city council for Section 4.04 relative to appointment and removal of the fire chief, police chief, and finance director.

Discussion ensued regarding the reason this issue was brought up by city council, changing of titles, combining of positions, and city manager having authority to hire and fire.

Recess was taken from 12:12 p.m. until 1:20 p.m.

A motion was made by Mr. Clapp, seconded by Mr. Ferretti to not accept the recommendation of city council to strike consent for hiring police chief, fire chief and finance director and to leave language as is. The motion failed by voice vote, 3-3, with Mr. McKeon, Mr. Boone, and Mr. Holic opposed.

21-5196

Article V. Financial Procedures

Discussion followed regarding Section 5.02 and the recommended language from city council relative to the budget, the current process, language to clarify, and basing it on CPI without the 3%.

The committee discussed Section 5.06 and the city clerk's proposed language relative to budget notice to stay consistent with state law.

Discussion took place regarding Section 5.09, surety bonding and will continue discussing at the next meeting.

A motion was made by Mr. Holic, seconded by Mr. McKeon to add "initial proposed" budget for the prior year to line four in section 5.02. The motion carried by voice vote unanimously.

A motion was made by Mr. Holic, seconded by Mr. McKeon to accept new language as proposed by city clerk and recommended by city council in Section 5.06. The motion carried by voice vote unanimously.

21-5197

Article VI. General Obligation and Revenue Bonds

Discussion took place regarding Section 6.01 and a possible error with wording of/or and will seek an answer for the next meeting from the finance director or bond counsel.

21-5198

Article VII. Nominations and Elections

Discussion took place regarding Section 7.03 and the requirement of Florida Law for vacancy of candidacy provision.

Ms. Stelzer will include a memorandum for the next meeting.

Discussion took place regarding Section 7.04 and Form of Ballots and city council not handling the form of the ballot any longer.

Discussion continued regarding Section 7.05(b) Elections, Multiple Candidates and whether the winner should have more than 50% of the vote, runoff election, the election schedule, possible qualifying timelines,

and no change was recommended.

Mr. Lavallee left the dais at 1:53 p.m., returning at 1:55 p.m.

Discussion took place regarding vacancy in candidacy and Florida Statute and the requirement to have a procedure in the charter or code.

Ms. Fernandez and Ms. Stelzer will bring research on this issue to the next meeting.

A motion was made by Mr. Holic, seconded by Mr. McKeon to accept the proposed change in Section 7.04, Form of Ballots of removing the first sentence. The motion carried by voice vote unanimously.

VII. Reference Documents

[21-5163](#) Reference Documents Requested by Committee and Council Members

[21-5162](#) Meeting Schedule through December 31, 2021

VIII. Future Agenda Items

Discussion took place that the committee will review Articles VIII, IX, X, XI, and XII at the next meeting, with Ms. Fernandez noting that Article X is state law and Article XI only has one item that can be modified.

IX. Adjournment

There being no further business to come before this Committee, the meeting was adjourned at 2:10 p.m.



Chair

Administrative Coordinator