

MINUTES OF A REGULAR MEETING  
CITY COUNCIL, VENICE, FLORIDA

FEBRUARY 9, 2010

A Regular Meeting of the City Council was held this date in Council Chambers at City Hall. Mayor Martin called the meeting to order at 1:32 p.m.

**ELECTED OFFICIALS AND OTHERS PRESENT**

Roll was called with the following elected officials present: Mayor Ed Martin, Vice Mayor Ernie Zavodnyik, and Council Members Jim Bennett, Emilio Carlesimo, Sue Lang, and Kit McKeon. John K. Moore was absent.

Also present: City Attorney Bob Anderson, City Clerk Lori Stelzer, City Manager Isaac Turner, Finance Director Jeff Snyder, Recording Secretary Judy Gamel, and for certain items on the agenda: City Engineer Kathleen Weeden and Police Chief Julie Williams.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The City Clerk offered the Invocation followed by the Pledge of Allegiance led by Mayor Martin.

**I. RECOGNITION**

Mayor Martin presented Justin Cammarata, EMT, Venice Fire Department, with the 2009 EMT of the Year Award.

Mayor Martin presented Steve Worobel, Firemedic, Venice Fire Department, with the 2009 Firefighter of the Year Award.

**II. APPROVAL OF MINUTES**

Mr. Zavodnyik **moved** to approve Minutes of the Regular Meeting held January 12, 2010. **Seconded** by Mr. McKeon. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

**III. AUDIENCE PARTICIPATION**

(1:41) Mike Gippert, 740 Sawgrass Bridge Road, spoke in support of the proposed Legacy Trail pedestrian bridge over U.S. ByPass 41.

Scott Pinkerton, 570 River Road, supported the referendum to continue the school district's ad valorem millage increase of one mill.

Albert Veltri, 1207 Mango Avenue, expressed concern that backflow funding was utilized for

other purposes.

Mayor Martin advised that this issue would be discussed at future workshops and suggested that Mr. Veltri discuss concerns with Utilities Department staff.

Angela Balsinger Snyder, 936 Laurel Avenue, representing the Venice Area Young Professionals, expressed support for continuing the school district's ad valorem millage increase.

Susan Hines, 420 North River Road, supported the school district's ad valorem millage increase referendum.

Don Hay, 106 Woodingham Drive, supports continuing the school district's ad valorem millage increase.

(2:06) Jeff Boone, attorney representing Venice Regional Medical Center and Gulf Coast Strategic Investments, reported on the February 8, 2010 meeting with the Department of Community Affairs, discussed affordable housing, displayed Page 4, Technical Memo, Objection 20, and suggested adding "and workforce" after "affordable" in Policy 3.5.

Responding to Mr. Bennett, Mr. Boone confirmed that the additional verbiage would allow continuation of the workforce housing study without an amendment to the Comprehensive Plan.

Neal Van de Ree, 710 Laguna Drive, spoke in support of continuing the school district's ad valorem millage increase.

Gene Calcagno, 1334 Capri Isles Boulevard, commented on homeowner freedom of choice.

Marty Kretchman, 400 Airport Avenue East, representing Tri State Aviation Group, discussed concerns regarding misinformation and decisions affecting the airport.

John Ryan, Venice Area Chamber of Commerce President, thanked council members for participating in Chamber events, spoke in support of the Legacy Trail pedestrian bridge over U.S. ByPass 41, the upcoming school district referendum, and including workforce housing in the Comprehensive Plan.

Rosemary Vauzanges, 536 Riviera Street, stated her concerns regarding council voting on Resolution No. 2010-02 which supports the referendum to continue the school district's ad valorem millage increase of one mill.

**IV. COMMUNITY AFFAIRS PROGRAM MANAGER TERRI BEHLING, AND MARK HAMMOND, DIRECTOR, RESOURCE PROJECTS DIVISION, SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD): FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAP UPDATE**

(2:35) Mr. Hammond briefed council members on the District Watershed Management Program and

Federal Emergency Management Agency (FEMA) map modernization efforts. Mr. Hammond displayed Sarasota County Active Watershed Management Plans, Venice Watersheds, and Public Meeting maps and outlined plans to provide better information with regard to flood-risk areas. He explained the 50 percent rule which local governments employ to regulate improvements to properties in areas below the floodplain.

Ms. Weeden reviewed local ordinances relating to the 50 percent rule and explained that homes included in flood-risk areas were prohibited from making improvements over 50 percent of the home's appraised value.

Discussion ensued regarding revising building ordinances subsequent to adoption of new flood zone maps, residents understanding of the revised mapping system, elevating homes in flood-risk areas, making energy efficient improvements, repairing homes in flood-risk areas, repair costs being cumulative from the time homes are placed into the flood zone, the building official making flood zone determinations, homes requiring flood insurance, and verifying flood-risk areas.

Recess was taken from 3:07 p.m. until 3:17 p.m.

#### **V. POLICE CHIEF JULIE WILLIAMS: DOWNTOWN PARKING ENFORCEMENT ACTIVITIES**

Chief Williams clarified facts concerning the issuing of parking tickets and warnings, marking vehicle tires, vehicles being moved to another parking space in the same lot, and parking time limits. Chief Williams proposed that, beginning immediately, a citation be issued for the fourth and any subsequent parking violations by the same vehicle for the same violation during the same calendar season, and that posted Miami Avenue parking lot enforcement times be in effect from 9:00 a.m. until 6:00 p.m. to correspond with enforcement times at the Centennial parking lot.

Mr. Turner stated that overall parking issues in the downtown, Centennial Park, and Miami Avenue areas should be reviewed before taking any action and proposed that providing additional parking, not enforcing existing regulations, was the key to alleviating current parking problems.

Discussion followed regarding repeat offenders, parking time limits, coordinating efforts with Venice MainStreet, and adequate signage.

(3:30) Greg Silvia, 220 Miami Street, expressed concerns regarding not issuing tickets, owners moving vehicles to another parking space, local business employees utilizing parking spaces, and the lack of parking spaces for business customers.

Discussion ensued regarding moving vehicles to another parking space to avoid being ticketed, proving that vehicles were moved, parking alternatives, repeat offenders, and accommodating business customers.

Mr. Turner indicated that additional review of the overall parking situation was needed prior to revising existing parking regulations.

**VI. RESOLUTION NO. 2010-02, EXPRESSING SUPPORT FOR PASSAGE OF THE MARCH 16, 2010 REFERENDUM TO CONTINUE THE SCHOOL DISTRICT'S AD VALOREM MILLAGE INCREASE OF ONE MILL FOR THE FISCAL YEARS BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2014 - TABLED**

Ms. Stelzer read the resolution by title only.

John Lewis, 304 Pensacola Road, expressed concerns regarding city council supporting continuation of the one mill increase.

Mike Gelormino, 801 Auburn Lakes Circle, opposed the referendum and commented on Sarasota County School Board spending practices.

Herb Levine, 802 Harbor Drive South, opposed the referendum.

(4:01) Candace Millington, Venice High School principal, supported continuation of the one mill increase and commented on increased graduation rates and teacher work loads.

Gary Budway, 1953 Settlement Road, cautioned council members regarding approving the resolution and stated his opposition to the referendum.

Council members discussed the pros and cons of stating their support of continuing the school district's ad valorem millage increase of one mill.

(4:28) Mr. Zavodnyik **moved** that Resolution No. 2010-02 be approved and adopted. **Seconded** by Mayor Martin.

Council members discussed tabling the motion.

Mr. Anderson stated the resolution could be lawfully adopted.

Discussion continued regarding council's support of education and each resident making his or her own decision as to whether or not they support the referendum.

Mr. Carlesimo **moved** to table the motion. **Seconded** by Mr. Bennett.

ROLL CALL: MS. LANG, YES; MR. MCKEON, YES; MR. CARLESIMO, YES; MR. ZAVODNYIK, NO; MR. BENNETT, YES; MAYOR MARTIN, NO. MOTION CARRIED. Mr. McKeon **moved** that the Venice City Council state strong support of education and encourage all citizens to vote on March 16, 2010 on the referendum to continue the school district's ad valorem millage increase of one mill for the fiscal years beginning July 1, 2010 and ending June 30, 2014.

**Seconded** by Mr. Carlesimo. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

**VII. RESOLUTION NO. 2010-06, AUTHORIZING THE MAYOR TO EXECUTE A MODIFICATION OF THE LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT FOR FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS AT THE WEST VENICE AVENUE AND HARBOR DRIVE INTERSECTION – APPROVED AND ADOPTED**

Ms. Stelzer read the resolution by title only.

Mayor Martin explained that the modification reduced project costs due to the submission of lower bids.

Ms. Lang **moved** that Resolution No. 2010-06 be approved and adopted. **Seconded** by Mr. McKeon.

ROLL CALL: MR. BENNETT, YES; MS. LANG, YES; MR. ZAVODNYIK, YES; MR. MCKEON, YES; MR. CARLESIMO, YES; MAYOR MARTIN, YES. MOTION CARRIED.

**VIII. CITY ATTORNEY’S REPORT**

Mr. Anderson reported that Tri State Aviation Group filed a motion to join with Venice Jet Center in the Part 16 Complaint, and that the city would oppose the motion and proceed with a motion to dismiss the complaint.

Mr. Anderson briefed council on efforts to connect previously annexed properties to city sewer and water service, noting that a complaint would be filed on four properties that had not responded to the request.

Mr. Anderson reviewed an inventory of city attorney assignments.

Discussion ensued regarding prioritizing and timeframe for completion of assignments, and attorneys who are assisting with the assignments.

**IX. FINANCE DIRECTOR’S REPORT**

Mr. Snyder had no report.

**X. CITY CLERK’S REPORT**

Ms. Stelzer had no report.

**XI. CITY MANAGER’S REPORT**

- ITEM 1 – Approval of a Contract between the City of Venice and Kuxhausen Construction, Inc. for Venice Avenue Drainage Improvements in the amount of \$800,007.39
- ITEM 2 – Accept \$35,000 in Grant Funds from the Sarasota County Navigation Improvement

- Fund to Operate and Maintain Law Enforcement Vessels
- ITEM 3 – Authorize the Extension of the Agent Services Agreement between the City of Venice and Risk Management Associates, Inc. d/b/a Public Risk Insurance Agency for October 1, 2010 to September 30, 2011
- ITEM 4 – Authorize the Renewal Agreement for Consulting Services between the City of Venice and DY Consultants; Authorize Reimbursement to DY Consultants for Additional Meetings in 2009-2010; and a Change in Scope of Work, Item 5.0 for Future 2010 Meetings

Mr. McKeon **moved** to approve Items 1 through 4 of the City Manager's Report. **Seconded** by Mr. Zavodnyik. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Turner explained that several items were not covered in the existing DY contract and would request that, in the future, DY notify city council when they were agreeing to perform a service that was not part of the contract and would create additional costs.

Discussion followed regarding reviewing this matter at a future workshop and current payments made to DY totaling \$207,000.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Turner noted the federal appropriations request approved by city council on November 24, 2009 was submitted to Marlowe & Company and would be submitted to government officials on February 10, 2010, and clarified that funds were received last year for emergency generators for the Venice Community Center and the West Venice Avenue and Harbor Drive intersection improvements. Mr. Turner explained that Mr. Gaboton recommended focusing on projects likely to receive funding.

Mr. Turner reported that the meeting with the Department of Community Affairs (DCA) concerning the city's response to the Objections, Recommendations, and Comments report went well, and noted questions regarding affordable housing criteria. Mr. Turner indicated that actions will begin in March and should be concluded and returned to the DCA in April.

(5:07) Mayor Martin commended city staff and consultants working on the response and stated his intent to send a letter of thanks to county officials and staff.

## **XII. REPORT BY MR. CARLESIMO**

Mr. Carlesimo conveyed thanks from the Parks and Recreation Advisory Board to Kit McKeon for service as the council ex-officio member of the board.

## **XIII. REPORT BY MR. MCKEON**

Mr. McKeon reported that Naomi Voit was contacted concerning her sculpture donation and advised that the city would take action once the Public Art Task Force completed their policies and procedures.

Mr. McKeon brought council members up to date on the Beauty and the Bench Program and noted that benches would be placed at bus stops outside of the Historic District after council approval of bench designs.

#### **XIV. REPORT BY MS. LANG**

Ms. Lang reported on her meeting with Marty Kretchman concerning noise abatement policies and procedures.

Ms. Lang also met with staff regarding changes to the city web site.

#### **XV. REPORT BY MR. ZAVODNYIK**

Mr. Zavodnyik discussed the February 11, 2010 Environmental Task Force special meeting concerning proposed revisions to the Marine Turtle Lighting Ordinance.

Mr. Zavodnyik reported on the Southwest Florida Regional Planning Council January 28, 2010 meeting and State Representative Gary Aubuchon's comments concerning oil drilling in Florida waters.

Mr. Zavodnyik commended the Venice Area Orchid Society's orchid show held last week at the Venice Community Center.

#### **XVI. REPORT BY MR. BENNETT**

Mr. Bennett reported on the February 4, 2010 Municipal Code Enforcement Board meeting and noted he planned to meet with city attorneys Bob Anderson and Wayne Hall to review procedural matters.

Mr. Bennett commented that he did not support demolishing the Circus Arena.

Mayor Martin urged Mr. Bennett to discuss prior engineering analyses of the Circus Arena with Assistant City Manager Nancy Woodley.

#### **XVII. REPORT BY MAYOR MARTIN**

Mayor Martin opened discussion regarding a citizen's suggestion that the city purchase the vacant gas station located at the northeast corner of East Venice Avenue and U.S. Business 41.

Discussion followed regarding environmental clean up of the area, possible uses of the property, and not pursuing the purchase of this property due to the cost of cleaning up the site.

Mayor Martin commented on the Venice Municipal Golf Course being an asset to the community and an important revenue generator.

### **XVIII. AUDIENCE PARTICIPATION**

Bob Byler, 341 East Seminole Drive, briefed council members on his proposal to donate his jazz music collection to create a jazz music archive in Venice.

Discussion followed regarding providing an adequate location for the archive, working with the Sarasota Jazz Society, and funding.

Mr. Turner stated that Archives Director James Hagler could research the project and present additional information to council.

Marty Dover, 740 White Pine Tree Road, spoke in support of creating a jazz museum.

### **XIX. ADJOURNMENT**

There being no further business to come before council, the meeting was adjourned at 5:40 p.m.

ATTEST:

Mayor – City of Venice

City Clerk