

**MINUTES OF THE REGULAR SARASOTA CITY COMMISSION MEETING OF FEBRUARY 18, 2020**

**PRESENT:** Mayor Jen Ahearn-Koch, Vice Mayor Shelli Freeland Eddie, Commissioners Liz Alpert (via telephone) Hagen Brody, and Willie Charles Shaw, City Manager Thomas Barwin, City Attorney Robert Fournier, and City Auditor and Clerk Shayla Griggs

**ABSENT:** None

1:31:17 P.M.

The meeting was called to order by Mayor Ahearn-Koch at 1:31 P.M.

1:32:40 P.M.

**INVOCATION:** City Auditor and Clerk Griggs

1:32:53 P.M.

**PLEDGE OF ALLEGIANCE:** Vice Mayor Freeland Eddie

1:33:16 P.M.

Mayor Ahearn-Koch congratulated Commissioner Shaw on the new addition to his family and becoming a grandfather once again.

1:34:26 P.M.

1. **CHANGE TO THE ORDER FOR THE DAY:**

- A. Please remove under Consent Agenda No. 1., Agenda Item No. IV. A.3., Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Second Amendment to the Project Partnership Agreement between the City of Sarasota and the US Department of the Army for the Lido Key Beach Project, per the request of City Engineer DavisShaw.

1:34:49 P.M.

Mayor Ahearn-Koch noted Commission consensus to accept the Change to the Order of the Day.

1:34:50 P.M.

2. **CITIZENS' INPUT CONCERNING CITY TOPICS (AGENDA ITEM I)**

1:35:17 P.M.

Mayor Ahearn-Koch reminded those wishing to speak about the Pledge of Public Conduct and read the Pledge of Public Conduct into the record.

1:36:03 P.M.

Citizens' Input received.

1:38:29 P.M.

James Murphy, City resident, displayed photographs on the Chamber monitors related to Bobby Jones Golf Course (BJGC), indicating the current parking arrangements are mostly unpaved greenspace, the

management and treatment of runoff has become a major impact point, and the addition of a restaurant will extend automobile sounds into the late night hours as the result of engine noises and door lock beeps which will echo loudly.

1:39:30 P.M.

In response to a question from Mayor Ahearn-Koch to Mr. Murphy asking if he is speaking about Bobby Jones Golf Course, Mr. Murphy stated yes, and Mayor Ahearn-Koch requested he sign up again to speak under Unfinish Business, Agenda Item VI, Item No. 1, Continued Discussion Re: Conceptual Designs for Bobby Jones Golf Club property including Golf and Park/Environmental Open Space.

1:40:01 P.M.

Kim Giaccardo, City resident, displayed a plaque on the Chamber monitors, indicating she has come before the Commission with fact-finding information since 1984 when she discovered her home is adjacent to an ill-protected toxic waste dump.

1:41:53 P.M.

Citizens' Input continued.

1:47:41 P.M.

Allison Ficken, City resident displayed a photograph on the Chamber monitors, indicating the intent is great related to painted crosswalks on Main Street which were painted by the City's Public Works staff, however, she would like for the program to be successful from design-to-paint adherence, and this particular concept or any other could be more if it was designed by the right artist and reviewed constructively.

1:49:58 P.M.

3. **APPROVAL OF THE MINUTES (AGENDA ITEM II-1 and -2)**

1:50:27 P.M.

A motion was made by Commissioner Shaw, seconded by Vice Mayor Freeland Eddie to approve the minutes of the January 17, 2020, Special Joint Meeting of the Convocation of Governments of the Sarasota Board of County Commissioners, the School Board of Sarasota County, the City Commissions of the cities of North Port and Sarasota, the Town Commission of The Town of Longboat Key, and the City Council of the City of Venice, as presented, which carried by a 5-0 vote.

1:51:38 P.M.

A motion was made by Commissioner Brody, seconded by Commissioner Shaw to approve the minutes of the January 21, 2020, Regular Sarasota City Commission Meeting, with non-substantive corrections, which carried by a 5-0 vote.

The City Commission recessed at 1:51 P.M. and convened into a Special Meeting of the Community Redevelopment Agency (CRA) and reconvened at 1:58 P.M.

1:58:31 P.M.

4. **CONSENT AGENDA NO. 1 (AGENDA ITEM IV-A)**

- 1) **Approval Re: Authorize the Mayor and the City Auditor and Clerk to execute Amendment 2 to the Agreement between the City of Sarasota and Mitchell Humphrey & Co. (RFP# 13-65DB) for Software Products License and Maintenance Support for**

the Land Use Module to the FastTrackGov Software in the amount of \$93,000.00 installation/implementation costs and \$11,990.00 annual service charges (Agenda Item IV-A-1)

- 2) **Approval Re: Authorize the Mayor and City Auditor and Clerk to execute the Agreement between the City of Sarasota and Sarasota County for the Internet and Peer Networking Services in the annual amount of \$44,028.00 (Agenda Item IV-A-2)**

1:59:00 P.M.

A motion was made by Commissioner Brody, seconded by Commissioner Shaw to approve Item Nos. 1 and 2, which carried by a 5-0 vote.

Commissioner Alpert's telephone call disconnected, City Auditor and Clerk Griggs left and returned to the Dias, and Commissioner Alpert's telephone call was reconnected at 1:59 P.M.

2:00:12 P.M.

5. **CONSENT AGENDA NO. 2 (AGENDA ITEM IV-B)**

2:00:30 P.M.

City Auditor and Clerk Griggs read proposed Resolution Nos. 20R-2880, 20R-2881, 20R-2882 and Ordinance Nos. 20-5317 and 20-5318 by titles only.

- 1) **Adoption Re: Proposed Resolution No. 20R-2880, creating the Rosemary Residential Overlay District (RROD) Open Space Fund within the 2019-2020 Annual Budget and future Annual Budgets; specifying the purpose of the RROD Open Space Fund; specifying voluntary payments in to the RROD Open Space Fund; specifying use of RROD Open Space Funds, etc. (Title Only) (Agenda Item IV-B-1)**
- 2) **Adoption Re: Proposed Resolution No. 20R-2881, creating the Rosemary Residential Overlay District (RROD) Public Parking Fund within the 2019-2020 Annual Budget and future Annual Budgets; specifying the purpose of the RROD Public Parking Fund; specifying voluntary payments into the RROD Public Parking Fund; specifying use of RROD Public Parking Funds, etc. (Title Only) (Title Only) (Agenda Item IV-B-2)**
- 3) **Adoption Re: Proposed Resolution No. 20R-2882, specifying use of Rosemary Residential Overlay District (RROD) Enhanced Public Art Contribution Funds, etc. (Title Only) (Agenda Item IV-B-3)**
- 4) **Adoption Re: Proposed Ordinance No. 20-5317, amending Chapter 22 of the Sarasota City Code, Parks and Recreation, Section 22-4, Regarding closing of parks during designated hours; to provide that Lido Key Beaches shall be closed from 11:00 P.M. to Sunrise during any dates during marine turtle nesting season when an event is occurring that could draw attendees to Lido Key Beach, such as during the Annual Sarasota Powerboat Grand Prix; providing for repeal of Ordinances in conflict, etc. (Title Only) (Agenda Item IV-B-4)**
- 5) **Adoption Re: Proposed Ordinance No. 20-5318, providing for the designation of the structure located at 3535 Jacinto Court historically known as the Walter C. and Helen S. Jungmeyer House as a structure of historic significance pursuant to the Historic Designation Regulations of the City found in Article IV, Division 8 of the Zoning Code (2002 Edition) all as more particularly described herein, etc. (Title Only) (Agenda Item IV-B-5)**

2:03:18 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to approve Item Nos. 1 through 5, which carried by a 5-0 vote.

2:03:34 P.M.

6. **BOARD APPOINTMENTS (AGENDA ITEM V)**

1) **APPOINTMENT RE: CITIZENS WITH DISABILITIES ADVISORY BOARD (AGENDA ITEM V-1)**

City Auditor and Clerk Griggs stated that a vacancy exists due to the resignation of Faith Babis; that Zane Rich has expressed an interest by submitting an application to the Office of the City Auditor and Clerk, which is included in the Agenda backup material for Commission consideration and review.

Mayor Ahearn-Koch noted Commission consensus to appoint Zane Rich to the Citizens with Disabilities Advisory Board and on the behalf of the Commission congratulated Mr. Rich on his appointment.

2) **APPOINTMENT RE: HUMAN RELATIONS BOARD (AGENDA ITEM V-2)**

City Auditor and Clerk Griggs stated that two vacancies exist on the Human Relations Board due to the terms of Brett Temple and Thomas Greaney expiring in December 2018; that neither applied for reappointment; that Jeffrey Heath has expressed an interest by submitting an application to the Office of the City Auditor and Clerk which is included in the Agenda backup material for Commission consideration and review.

Mayor Ahearn-Koch noted Commission consensus to appoint Jeffrey Heath to the Citizens with Disabilities Advisory Board and on the behalf of the Commission congratulated Mr. Heath on his appointment.

2:05:43 P.M.

7. **UNFINISHED BUSINESS (AGENDA ITEM VI)**

1) **CONTINUED DISCUSSION RE: CONCEPTUAL DESIGNS FOR BOBBY JONES GOLF CLUB (BJGC) PROPERTY INCLUDING GOLF AND PARK/ENVIRONMENTAL OPEN SPACE (AGENDA ITEM VI-1)**

Parks and Recreation Director Jerry Fogle, Parks and Recreation, Chris Cianfaglione, Landscape Production Designer, James Pankonin, Landscape Architect/Urban Designer, Kimley-Horn and Associates, Inc., Richard Mandell, Proprietor, Richard Mandell Golf Architecture, Inc., and Christine Johnson, President, Conservation Foundation (Conservation Foundation) of the Gulf Coast, Inc., came before the Commission.

2:06:34 P.M.

City Manager Barwin provided a brief introduction and historical overview of the item being presented, and summary of the timeline and process for the renovation of Bobby Jones Golf Course (BJGC) with the inclusion of the golf and park/environmental open space.

2:19:16 P.M.

In response to a question from Mayor Ahearn-Koch asking if two motions would be required, City Attorney Fournier stated that as long as the Commission is clear on the two items being presented, then it would be whatever the Commission desires.

2:23:02 P.M.

Mr. Cianfaglione referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Design of Bobby Jones Golf Club Nature Park," provided a brief overview of community feedback received from Community Workshops, the proposed plans, and associated costs to improve BJGC.

City Auditor and Clerk Griggs left and returned to the Dias at 2:38 P.M.

2:39:06 P.M.

Mr. Mandell referred to the PowerPoint presentation displayed on the Chamber monitors entitled "Bobby Jones Golf Course February 18<sup>th</sup> Richard Mandell Golf Architecture 2020 Presentation" and provided a brief overview of the project timeline, operating costs based upon the National Golf Foundation (NGF) Report, and possible grant monies available for renovations.

2:49:24 P.M.

Ms. Johnson referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Design of Bobby Jones Golf Club Nature Park" and provided a brief overview of the reasons for creating a visionary destination park with a Conservation Easement.

2:53:55 P.M.

Mayor Ahearn-Koch sought and received Commission consensus to receive public input prior to Commission questions.

2:54:10 P.M.

Ms. Johnson and Messrs. Fogle, Cianfaglione, Mandell, and Pankonin left the Dias.

2:55:31 P.M.

Citizens' Input received.

3:08:58 P.M.

Nancy Milholland, City resident, provided to Staff printed material for distribution to the Commission and for the record, indicating the placement of the driving range on Circus Boulevard as outlined in Alternate II is not favored.

3:12:22 P.M.

Citizens' Input continued.

3:49:51 P.M.

Ted Wilson, City resident and Board member on the City's Parks Recreation and Environmental Protection (PREP) Advisory Board, displayed on the Chamber monitors proposed aerial renderings of Conceptual Plans for Alternates II and III, indicating what has been proposed is not favored, however a median ground between Alternates II and III, would make a lot of sense.

3:53:40 P.M.

Citizens' Input continued.

3:59:33 P.M.

Shawn Pierson, President, Friends of Bobby Jones Golf Club (BJGC), Inc., displayed printed material outlining a table on the Chamber monitors, indicating the City has overlooked BJGC for more than a decade and reinvestment is necessary.

4:02:49 P.M.

Citizens' Input continued.

The Commission recessed at 4:05 P.M. and reconvened at 4:19 P.M.

4:20:33 P.M.

A motion was made by Commissioner Brody, seconded by Commissioner Shaw to extend the meeting beyond 4:30 P.M. to 5:00 P.M., which carried by a 5-0 vote.

4:20:52 P.M.

Mayor Ahearn-Koch noted Commission consensus to move Agenda Item VII, Remarks of Commissioners, Announcements and Items for Next Agenda, and Agenda Item VIII, Other Matters/Administrative Officers to the evening portion of the meeting.

4:21:20 P.M.

Ms. Johnson and Messrs. Fogle, Cianfaglione, Mandell, and Pankonin returned to the Dias.

4:26:33 P.M.

In response to a question from Commissioner Shaw asking if Alternate II, which has more holes, would be feasible for the Conservation Easement, Ms. Johnson stated that the Conservation Foundation favors Alternate III; however, the Conservation Easement will be placed on the property as it currently stands, and City Manager Barwin stated for clarity that the more area the City opens for environmental improvements in park amenities, the more grant money will be accessible.

4:31:15 P.M.

In response to a comment and question from Vice Mayor Freeland Eddie that significant community hesitancy was heard during Citizens' Input with regard to Alternate II, the driving course and netting abutting their neighborhood, and asked is there any way to construct Alternate II to not have the driving course or netting abutting that residence, Mr. Mandell stated yes; that would be Alternate I.

4:33:53 P.M.

In response to a question from Vice Mayor Freeland Eddie to Mr. Mandell asking if he agrees with questions and/or comments made by golfers and non-golfers that whichever option chosen by the Commission will never be financially sustainable, Mr. Mandell stated he does not necessarily agree since the NGF show the reason BJGC will be in the red is due to the loan and bond money; however, revenue is still being made.

4:39:02 P.M.

Mayor Ahearn-Koch provided to the presenters at the Dias as well as distributed to the Commission and for the record printed material and detailed the capital costs differences of Alternates II and III and requested Messrs. Cianfaglione or Mandell to provide feedback.

4:46:57 P.M.

In response to a question from Mayor Ahearn-Koch asking is the Parks and Recreation Master Plan funded, Mr. Fogel stated currently no.

4:48:01 P.M.

Commissioner Brody stated for clarity that the cost of Capital Improvements cannot be examined without separating golf from the park space and wetlands since they all can trigger and have different funding mechanisms.

4:59:20 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to extend the meeting beyond 5:00 P.M to 5:30 P.M., which carried by a 5-0 vote.

Mr. Pankonin left the Dias at 4:59 P.M. and returned back to the Dias at 5:07 P.M.

5:07:55 P.M.

In response to a question for clarification from Commissioner Alpert asking if Alternate III is chosen could the Commission decide to increase the number of holes to 45 in the future, Ms. Johnson stated that is correct; that the recommendation is for placement of the Conservation Easement with the possibility of 45-holes.

5:11:50 P.M.

Mr. Fogle stated that the item will come back before the Commission; that implementation of the Parks and Recreation Master Plan will commence in fiscal year (FY) 2021; however, over the next ten years, or perhaps five years, the desire is to really address some of the deferred maintenance, which will come before the Commission through the Capital Improvement Plan (CIP) process.

5:13:56 P.M.

In response to a question from Commissioner Shaw asking where the money will be garnered to keep the Parks and Recreation District functioning, City Manager Barwin stated that is a great point; that the City created a Parks and Recreation District, therefore a millage could be levied to fund the Parks and Recreation District.

5:19:12 P.M.

Ms. Johnson and Messrs. Fogle, Cianfaglione, Mandell, and Pankonin left the Dias.

5:19:27 P.M.

A motion was made by Commissioner Brody, and seconded by Vice Mayor Freeland Eddie to approve Alternate III, which provides for 27-holes of golf (18 regulation and 9-short holes), a Driving Range, Warm Up/Practice Area, and new Clubhouse.

5:20:01 P.M.

Commissioner Brody spoke in favor of the motion.

5:24:17 P.M.

Vice Mayor Freeland Eddie spoke in favor of the motion.

5:27:17 P.M.

Commissioner Shaw spoke to the motion.

5:27:33 P.M.

Commissioner Alpert spoke in favor of the motion.

5:28:36 P.M.

Mayor Ahearn-Koch spoke against the motion.

5:29:47 P.M.

Mayor Ahearn-Koch called for a vote on the motion to approve Alternate III, which provides for 27-holes of golf (18 regulation and 9-short holes), a Driving Range, Warm Up/Practice Area, and new Clubhouse, which carried by a 3-2 vote, with Mayor Ahearn-Koch and Commissioner Shaw voting no.

5:31:02 P.M.

Ms. Johnson returned to the Dias and requested the Commission to direct Staff to commence discussion on the Conservation Easement with the Conservation Foundation.

5:31:16 P.M.

In response to a question from Vice Mayor Freeland Eddie about the necessity of the request being made, Ms. Johnson stated that the request is to commence negotiating since Staff must return back before the Commission with the item and an agreement may not be met.

5:31:54 P.M.

A motion was made by Commissioner Shaw, seconded by Mayor Ahearn-Koch to extend the meeting beyond 5:30 P.M to 5:37 P.M., which carried by a 5-0 vote.

5:32:34 P.M.

A motion was made by Commissioner Brody, and seconded by Commissioner Shaw to direct Staff to work with the Conservation Foundation (Conservation Foundation) of the Gulf Coast, Inc. to draft a perpetual Conservation Easement for approval by the Commission for the entire 293-acre of the Bobby Jones Golf Club (BJGC) property.

5:32:45 P.M.

In response to a question from Vice Mayor Freeland Eddie asking if there is no commitment, Mayor Ahearn-Koch stated that there is no commitment, just discussion.

5:32:49 P.M.

Mayor Ahearn-Koch called for a vote on the motion to direct Staff to work with the Conservation Foundation (Conservation Foundation) of the Gulf Coast, Inc. to draft a perpetual Conservation



Easement for approval by the Commission for the entire 293-acre of the Bobby Jones Golf Club (BJGC) property, which carried by a 5-0 vote.

The Commission recessed at 5:33 P.M. and reconvened at 6:01 P.M.

5:56 P.M.

Mark Barnebey, Attorney, Agent/Applicant, Blalock Walters Law Firm provided documents to Staff during the recess related to items under Legislative Public Hearings, Agenda XII-A, Item Nos. 1 and 2.

6:02:08 P.M.

Mayor Ahearn-Koch requested the Commissioners to refrain from coughing into the microphones since it makes it very difficult for the captioner who is wearing headphones to caption the meeting.

8. **CITIZENS' INPUT (AGENDA ITEM XI)**

6:03:02 P.M.

Mayor Ahearn-Koch reminded those wishing to speak about the Pledge of Public Conduct and read the Pledge of Public Conduct into the record.

6:03:42 PM.

Dave Baber, City resident and representing the Sarasota Alliance for Historic Preservation, Inc., provided to the City Attorney for distribution to the Commission and for the record a folder containing printed materials, indicating gratitude for the Commission adoption of the Zoning Code supporting Historic Preservation (HP) and suggested the Commission read the report provided which outlines detailed data and information regarding the importance of HP and why it is good in the community.

6:06:01 P.M.

Citizens' Input received.

City Manager Barwin returned to the Chambers at 6:04 P.M.

6:07:35 P.M.

9. **LEGISLATIVE PUBLIC HEARINGS (AGENDA ITEM XII-A)**

- 1) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 19-5276, AMENDING THE FUTURE LAND USE CHAPTER OF THE COMPREHENSIVE PLAN OF THE CITY OF SARASOTA [AKA THE SARASOTA CITY PLAN (2030)] TO CHANGE THE FUTURE LAND USE MAP CLASSIFICATION OF AN APPROXIMATELY 0.75+/- ACRE PARCEL OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF FRUITVILLE ROAD AND ON THE EAST SIDE OF RHODES AVENUE WITH STREET ADDRESSES OF 2959 FRUITVILLE ROAD AND 2959 RHODES AVENUE FROM THE COMMUNITY OFFICE/INSTITUTIONAL FUTURE LAND USE MAP CLASSIFICATION TO THE COMMUNITY COMMERCIAL FUTURE LAND USE MAP CLASSIFICATION, IN ACCORDANCE WITH COMPREHENSIVE PLAN AMENDMENT APPLICATION NO. 17-PA-03; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF, ETC. (TITLE ONLY)(APPLICATION NO. 17-PA-03, APPLICANT MARK BARNEBEY, ESQ. OF BLALOCK, WALTERS AS AGENT REPRESENTING DS PROPERTIES OF SARASOTA, LLC, FEE SIMPLE OWNER) (AGENDA ITEM XII-A-1)**

AND

- 2) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 20-5319, AMENDING THE ZONING CODE (2002 EDITION) OF THE CITY OF SARASOTA BY AMENDING ARTICLE II, DEFINITIONS AND RULES OF CONSTRUCTION, DIVISION 2, DEFINITIONS, SECTION II-201, DEFINITIONS, BY AMENDING THE DEFINITION OF VETERINARY CLINIC SO AS TO ALLOW INDOOR BOARDING OF ANIMALS SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF, ETC. (TITLE ONLY)(APPLICATION NO. 20-ZTA-01, APPLICANT MARK BARNEBEY, ESQ. OF BLALOCK, WALTERS AS AGENT REPRESENTING DS PROPERTIES OF SARASOTA, LLC, FEE SIMPLE OWNER) (AGENDA ITEM XII-A-2)**

6:07:39 P.M.

Mayor Ahearn-Koch opened the Public Hearings.

6:07:58 P.M.

City Auditor and Clerk Griggs read the Pledge of Public Conduct into the record and administered the oath to persons wishing to speak during the Public Hearings.

6:08:42 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 19-5276 by title only.

6:09:55 P.M.

Senior Planner Jim Koenig, Planning Department came before the Commission.

6:10:02 P.M.

City Attorney Fournier asked if the Commission's desire would be to consolidate the two Legislative Public Hearings since the next Agenda Item is a Zoning Text Amendment (ZTA); however, two separate votes must be taken.

6:10:25 P.M.

Mayor Ahearn-Koch sought and received Commission consensus to consolidate Legislative Public Hearing, Agenda Item XII-A, Item No. 1, Public Hearing Re: Proposed Ordinance No. 19-5276, Amending the Future Land Use Chapter of the Comprehensive Plan of the City of Sarasota [AKA The Sarasota City Plan (2030)] to change the Future Land Use Map Classification of an Approximately 0.75+/- acre parcel of real property located on the north side of Fruitville Road and on the east side of Rhodes Avenue with street addresses of 2959 Fruitville Road and 2959 Rhodes Avenue from the Community Office/Institutional Future Land Use Map Classification to the Community Commercial Future Land Use Map Classification, in accordance with Comprehensive Plan Amendment Application No. 17-PA-03; repealing Ordinances in conflict, with Agenda Item XII-A, Item No. 2, Public Hearing Re: Proposed Ordinance No. 20-5319, Amending the Zoning Code (2002 Edition) of the City of Sarasota by amending Article II, Definitions and Rules of Construction, Division 2, Definitions, Section II-201, Definitions, by amending the definition of Veterinary Clinic so as to allow indoor boarding of animals subject to certain restrictions.

6:10:49 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 20-5319 by title only.

6:11:25 P.M.

Mr. Koenig referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Comprehensive Plan Amendment Petition No. 17-PA-03 Amendment to the Future Land Use Map of the Sarasota City Plan (2030)," provided a brief overview of the proposed Amendment, and stated that the Applicant wishes to expand Dr. Nina's Animal Hospital (Veterinary Clinic), which cannot be done as the result of currently being a non-conforming use, therefore the request is to change the Future Land Use (FLU) Classification from Community Office/Institutional to Community Commercial, which would allow the Veterinary Clinic to operate as a permitted use and expand in order to provide enhanced services; that the Planning Board/Local Planning (PBLP) Agency recommended approval of Petition No. 17-PA-03 by a vote of 5-0, and Staff also recommends approval.

6:20:53 P.M

In response to a question from Commissioner Shaw asking how the same street address of 2959, north and south, Rhodes Avenue, and east and west, Fruitville Road was achieved since the address should commence at either 200, 400, or much lower numbers, Mr. Koenig stated that a valid answer is not known; however, the Sarasota County Property Appraiser (SCPA) Office shows the address as 2959 Rhodes Avenue.

6:24:31 P.M.

In response to a question from Vice Mayor Freeland Eddie about the statement there were no additional commercial uses proposed, although, animal boarding would be an additional commercial use, Mr. Koenig stated that animal boarding would be an additional commercial use; however, animal boarding would be an accessory use to the Veterinary Clinic.

6:26:25 P.M.

In response to a question from Mayor Ahearn-Koch regarding the slide entitled "Proposed FLUM" showing the Future Land Use Map (FLUM) color change from orange to red, and asked is this precedent setting, Mr. Koenig stated that the belief is no.

6:29:27 P.M.

Mr. Koenig referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Zoning Text Amendment Petition 20-ZTA-01 Amendment to the definition of "Veterinary Clinic as provided within the Zoning Code," provided a brief overview and stated that the Applicant provides commercial animal boarding which is not a permitted use on the property, therefore the proposed ZTA is requesting to change the definition for "Veterinary Clinic" to identify animal boarding as an accessory use; that the PBLP recommended approval of the proposed ZTA with a modified definition of Veterinary Clinic by a 4-1 vote, which is supported by Staff; however, Staff also recommends the Commission pass proposed Ordinance No. 20-5319.

6:35:26 P.M.

In response to a comment and question from Commissioner Brody that the change from the number of animals allowed to be kept within the facility to a percentage of the gross floor area of the facility is favorable, and asked if providing a space of 10-feet by 10-feet per animal would amount to less animal boarding if applied, Mr. Koenig stated that 10-feet by 10-feet would be 100 square feet, and 20-square feet is suggested per animal, which is four-feet by five-feet.

6:36:11 P.M.

In response to a comment from Vice Mayor Freeland Eddie that the definition does not place the onus on the Veterinary Clinic, as related to the expense of building a wall on the property line abutting residentially zoned property or property used for residential dwelling; that the assumption is the expense to erect the fence should be covered by the Veterinary Clinic, Mr. Koenig stated yes, that the expense was meant to be with the Veterinary Clinic.

Commissioner Brody left and returned to the Dias at 6:37 P.M.

6:41:47 P.M.

In response to a question from Mayor Ahearn-Koch asking why the Rezone (RE) is not before the Commission, City Attorney Fournier stated the RE is Quasi-Judicial, which comes after the Legislative matters.

6:42:37 P.M.

Mark Barnebey, Attorney and Applicant/Representing Agent, Blalock Walters Law Firm, and Mike Krajewski, DS Properties of Sarasota, LLC., came before the Commission.

6:42:53 P.M.

Attorney Barnebey referred to aerial maps and photographs displayed on the Chamber monitors; provided a brief overview of proposed Ordinance Nos. 19-5276 and 20-5319, along with the conceptual RE Plan, and stated that the request is for approval of the proposed Comprehensive Plan Amendment, the proposed ZTA and scheduling a Public Hearing on the RE Amendment at the April 06, 2020, Regular Sarasota City Commission Meeting.

Commissioner Alpert's telephone call disconnected at 6:52 P.M.

6:52:36 P.M.

No one signed up to speak and Mayor Ahearn-Koch closed the Public Hearings.

Mayor Alpert's telephone call was reconnected at 6:53 P.M.

City Manager Barwin left the Chambers at 6:53 P.M.

6:54:08 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to pass proposed Ordinance No. 19-5276 on first reading, which carried by a 5-0 vote.

6:54:59 P.M.

A motion was made by Vice Mayor Freeland Eddie, seconded by Commissioner Shaw to pass proposed Ordinance No. 20-5319 on first reading, with the inclusion of language as discussed related to Dr. Nina's Animal Hospital (Veterinary Clinic) bearing the expense for erecting a fence, which carried by a 5-0 vote.

6:55:29 P.M.

- 3) PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 20-5311, RESCINDING ORDINANCE NO. 88-3256 THEREBY DISSOLVING THE GILLESPIE PARK NEIGHBORHOOD IMPROVEMENT DISTRICT; RESCINDING ORDINANCE NO. 88-3257 THEREBY DISSOLVING THE NEWTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT; RESCINDING ORDINANCE NO. 88-3258 THEREBY DISSOLVING THE

**DOWNTOWN NORTH NEIGHBORHOOD IMPROVEMENT DISTRICT; AMENDING THE SARASOTA CITY CODE, CHAPTER 2, ADMINISTRATION, ARTICLE I, IN GENERAL, BY DELETING THEREFROM SECTION 2-3, ESTABLISHMENT OF IMPROVEMENT DISTRICTS; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF, ETC. (TITLE ONLY) (AGENDA ITEM XII-A-3)**

6:55:34 P.M.

Mayor Ahearn-Koch opened the Public Hearing.

6:55:45 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 20-5311 by title only.

6:56:37 P.M.

City Attorney Fournier provided a brief overview of proposed Ordinance No. 20-5311, and stated that the word "Rescind" was used rather than "Repeal" in the drafted language, as the result of language in the Safe Neighborhood Districts Act indicating a District can be dissolved by an Ordinance rescinding.

City Manager Barwin returned to the Chambers at 6:57 P.M.

6:57:37 P.M.

No one signed up to speak and Mayor Ahearn-Koch closed the Public Hearing.

6:58:02 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to pass proposed Ordinance No. 20-5311 on first reading, which carried by a 5-0 vote.

6:58:44 P.M.

10. **QUASI-JUDICIAL PUBLIC HEARING (AGENDA ITEM XII-B)**

- 1) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 20-5320, PROVIDING FOR THE DESIGNATION OF THE STRUCTURE LOCATED AT 1080 WESTWAY DRIVE HISTORICALLY KNOWN AS THE JOSEPH AND ELIZABETH "BESSIE" GOULD RESIDENCE AS A STRUCTURE OF HISTORIC SIGNIFICANCE PURSUANT TO THE HISTORIC DESIGNATION REGULATIONS OF THE CITY FOUND IN ARTICLE IV, DIVISION 8 OF THE ZONING CODE (2002 EDITION) ALL AS MORE PARTICULARLY DESCRIBED HEREIN, ETC. (TITLE ONLY)(APPLICATION NO. 20-HD-02, APPLICANT LORRIE MULDOWNY, AICP, ASSOCIATES AS AGENT REPRESENTING 110 MORNINGSIDE, LLC, FEE SIMPLE OWNER) (AGENDA ITEM XII-B-1)**

6:58:49 P.M.

Mayor Ahearn-Koch opened the Public Hearing.

6:59:00 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 20-5320 by title only.

6:59:04 P.M.

Lorrie Muldowney, AICP, Preservation Consultant, Creative Preservation, LLC., and Dave Baber, representing the Sarasota Alliance for Historic Preservation, Inc., came before the Commission.

6:59:38 P.M.

Mayor Ahearn-Koch requested the City Attorney to explain the Quasi-Judicial Public Hearing process and time limitations.

6:59:44 P.M.

City Attorney Fournier stated that no one has signed up to speak, there are no Affected Persons, and therefore, there are no time limits for the general public; that historic designations are Quasi-Judicial in nature due to the criteria for approval; that proposed Ordinance No. 20-5320 is to designate the structure located at 1080 Westway Drive, historically known as the Joseph and Elizabeth "Bessie" Gould residence as a structure of historic significance pursuant to the Historic Designation Regulations of the City found in Article IV, Division 8 of the Zoning Code (2002 Edition); that substantial, competent evidence must be placed in the record as to the satisfaction of the applicable criteria detailed in the City Code (Code) to approve; that 10 minutes is recommended for the Agent/Applicant and Staff; that the Commission is reminded to disclose any ex parte communication on the record.

7:00:35 P.M.

Mayor Ahearn-Koch called for ex parte communications for the record and no ex parte communication was noted on the record.

7:00:51 P.M.

Ms. Muldowney referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Joseph and Elizabeth Gould Residence Historic Designation February 18, 2020" and provided a brief overview of the Gould family, the local builder, Clarence Gay, and other historically significant facts related to the residence.

7:03:34 P.M.

Mr. Baber referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Joseph and Elizabeth Gould Residence" and provided a brief overview of the architecture.

7:05:36 P.M.

Ms. Muldowney concluded that the belief is the proposed historical designation is in accordance with Section IV-806D of the City of Sarasota Code; that the Gould House possesses integrity of location, design, setting, materials, workmanship, association and feeling and embodies the distinctive visible characteristics of the Sarasota School of Architecture (SSA).

7:06:19 P.M.

In response to a question from Commissioner Brody asking who is Patrick Ryskamp, Ms. Muldowney stated that the belief is Mr. Ryskamp is the family's attorney.

7:09:12 P.M.

Ms. Muldowney and Mr. Baber left the Dias.

7:09:19 P.M.

Senior Planner Clifford "Cliff" Smith, Jr., Planning Department, came before the Commission, and stated that the Application has been reviewed and the property was visited.

7:10:28 P.M.

No one signed up to speak, Mayor Ahearn-Koch closed the Public Hearing, and Mr. Smith left the Dias.

7:10:48 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to pass proposed Ordinance No. 20-5320 on first reading, which carried by a 5-0 vote.

7:11:02 P.M.

- 2) **PUBLIC HEARING RE: PROPOSED ORDINANCE NO. 20-5321, PROVIDING FOR THE DESIGNATION OF THE STRUCTURE LOCATED AT 113 MORNINGSIDE DRIVE HISTORICALLY KNOWN AS THE MARTIN R. AND LILLIAN P. HARKAVAY HOUSE AS A STRUCTURE OF HISTORIC SIGNIFICANCE PURSUANT TO THE HISTORIC DESIGNATION REGULATIONS OF THE CITY FOUND IN ARTICLE IV, DIVISION 8 OF THE ZONING CODE (2002 EDITION) ALL AS MORE PARTICULARLY DESCRIBED HEREIN, ETC. (TITLE ONLY) (APPLICATION NO. 20-HD-03, APPLICANT LORRIE MULDOWNNEY, AICP, ASSOCIATES AS AGENT REPRESENTING ROBERT A. ESSNER AND ANNE M. ESSNER, HUSBAND AND WIFE, FEE SIMPLE OWNER) (AGENDA ITEM XII-B-2)**

7:11:02 P.M.

Lorrie Muldowney, AICP, Preservation Consultant, Creative Preservation, LLC and Dave Baber, representing the Sarasota Alliance for Historic Preservation, Inc., came before the Commission.

Mayor Ahearn-Koch opened the Public Hearing.

7:11:23 P.M.

City Auditor and Clerk Griggs read proposed Ordinance No. 20-5321 by title only.

7:12:04 P.M.

City Attorney Fournier stated that the recommended time limits will be 10 minutes for the Agent/Applicant and Staff; that the Commission is reminded to disclose any ex parte communication on the record.

7:12:09 P.M.

Mayor Ahearn-Koch called for ex parte communications for the record and no ex parte communication was noted on the record.

7:12:26 P.M.

Ms. Muldowney referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Martin R. & Lillian P. Harkavy House Historic Designation February 18, 2020," and provided a brief historical overview of the architect and previous owners.

7:16:26 P.M.

Mr. Baber referred to a PowerPoint presentation displayed on the Chamber monitors entitled "Martin R. & Lillian P. Harkavy House Historic Designation February 18, 2020," and provided a brief overview of the architecture.

City Manager Barwin left the chambers at 7:19 P.M.

7:19:39 P.M.

Ms. Muldowney concluded that the belief is the proposed historical designation is in accordance with Section IV-806D of the City of Sarasota Code; that the Martin R. & Lillian P. Harkavy House possesses integrity of location, design, setting, materials, workmanship, association and feeling and embodies the distinctive visible characteristics of the Sarasota School of Architecture (SSA), as well as represents the work of master architect Paul Rudolph.

7:20:26 P.M.

In response to concerns voiced and a question from Commissioner Brody that he is uncomfortable with the representation aspect about the property owner, and asked if the property owners have been fully informed of the repercussions, limitations, negatives and positives of this decision, Ms. Muldowney stated that the hope was for the owners to be in attendance since they were encouraged to attend; however they are well aware of the Quasi-Judicial Public Hearing, very knowledgeable about modern architecture, and serve on the Sarasota Architectural Foundation (SAF) Board.

7:22:14 P.M.

Senior Planner Clifford "Cliff" Smith, Jr., Planning Department, came before the Commission, and stated that an on-site review of the property was completed as part of the Staff's review; that Staff also speaks with the property owner(s) or the owner's representatives and the belief is the owner's representatives were present and Staff spoke with them in depth regarding the proposed historical designation.

City Manager Barwin returned to the Chambers at 7:24 P.M.

7:24:48 P.M.

In response to a question from Vice Mayor Freeland Eddie asking if the "Building Description – Addition," included in the Agenda backup materials was provided by the Applicant or by Staff, Mr. Baber stated that he wrote the "Building Description – Addition."

Commissioner Brody left and returned to the Dias at 7:26 P.M.

7:27:24 P.M.

Mr. Smith provided a brief overview about the Martin R. & Lillian P. Harkavy House and stated that the property had an onsite review of the interior/exterior along with the application; and Staff highly recommends the property for historical designation.

7:27:37 P.M.

Mr. Baber and Ms. Muldowney left the Dias.

7:29:12 P.M.



Mr. Smith left the Dias.

7:29:13 P.M.

No one signed up to speak and Mayor Ahearn-Koch closed the Public Hearing.

7:29:21 P.M.

A motion was made by Commissioner Shaw, seconded by Commissioner Brody to pass proposed Ordinance No. 20-5321 on first reading, which carried by a 5-0 vote.

7:29:42 P.M.

11. **NEW BUSINESS (AGENDA ITEM XIV)**

- 1) **APPROVAL RE: REQUEST BY TABLESEIDE CARES, INC. TO DEFER PAYMENTS AND INTEREST UNTIL SEPTEMBER 1, 2021 ON A \$150,000.00 LOAN AGREEMENT WITH THE CITY OF SARASOTA, DATED OCTOBER 19, 2018 (AGENDA ITEM XIV-1)**

7:29:59 P.M.

General Manager Economic Development Steven Stancel, Office of Economic Development (OED), and Patrick Seidensticker, Attorney, Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., and Lisa Seidensticker, Tableseide Cares (Tableseide Cares), Inc., came before the Commission.

7:30:16 P.M.

Mr. Stancel provided a brief historical overview of Miss Susie's restaurant and training program, and the City's \$150,000.00 Loan Agreement with Tableseide Cares.

7:34:46 P.M.

Mr. Seidensticker provided a brief overview of Steve Seidensticker, his late father and philanthropist, outlined the continued efforts made to secure funding and proposed changes to expand upon the original concept in order to move the proposed project forward, and stated that Tableseide Cares is prepared to make the necessary Loan Agreement payments should the Commission deny the deferral; however, the belief is a deferral will provide the best chance of making the project successful.

7:37:40 P.M.

In response to a question from Commissioner Shaw asking the timelines, Mr. Seidensticker stated that to say there is a definite timeline right now would be a bit of a stretch; however, an 18-month timeline was presented out by Staff.

7:39:13 P.M.

In response to questions from Vice Mayor Freeland Eddie asking the plan to complete the building and to commence the training program, Ms. Seidensticker provided a brief explanation of a plan to expand the training program, and Mr. Seidensticker provided a brief explanation of partnerships developed to implement the training program and reduce the costs of construction.

7:45:42 P.M.

In response to a comment and question from Commissioner Brody that continuing the mission is appreciated but the City acting as a bank to provide loans or grants with tax dollars is of concern,

and asked if the loan is secured by the restaurant equipment, Mr. Stancel stated yes along with furnishing.

7:50:56 P.M.

In response to a question from Commissioner Brody asking how the cost to complete the project increase so significantly, Mr. Seidensticker stated that based on information received, the belief is the balance to complete the project is not representative of the costs when working with Gulf Coast Builders Exchange and private contractors, and continued by providing a brief overview of reasons for increased construction costs.

7:54:11 P.M.

Ms. Seidensticker and Messrs. Stancel and Seidensticker left the Dias.

7:54:24 P.M.

Citizens' received.

7:57:23 P.M.

A motion was made by Commissioner Brody, and seconded by Commissioner Shaw to approve Tableseide Cares (Tableseide Cares), Inc., request to defer further interest and payments on the October 19, 2018, \$150,000.00 Loan Agreement with the City until September 10, 2021, and for Tableseide Cares to provide quarterly updates to the Commission on construction progress and plans to open.

7:57:35 P.M.

Commissioner Brody spoke in favor of the motion.

7:58:05 P.M.

Commissioner Shaw spoke in favor of the motion.

7:59:09 P.M.

Vice Mayor Freeland Eddie spoke in favor of the motion and requested to build timeframes and deadlines.

8:00:16 P.M.

Commissioner Alpert spoke in favor of the motion.

8:00:33 P.M.

Mayor Ahearn-Koch spoke in favor of the motion.

8:01:40 P.M.

Mayor Ahearn-Koch called for a vote on the motion to approve Tableseide Cares (Tableseide Cares), Inc., request to defer further interest and payments on the October 19, 2018, \$150,000.00 Loan Agreement with the City until September 10, 2021, and for Tableseide Cares to provide quarterly updates to the Commission on construction progress and plans to open, which carried by a 5-0 vote.

8:02:00 P.M.

12. **REMARKS OF COMMISSIONERS, ANNOUNCEMENTS AND ITEMS FOR NEXT AGENDA (AGENDA ITEM VII)**

8:02:08 P.M.

**COMMISSIONER SHAW:**

Remarks received.

8:04:58 P.M.

**MAYOR AHEARN-KOCH:**

Remarks received.

8:07:36 P.M.

**VICE MAYOR FREELAND EDDIE:**

Remarks received and stated that an email was received indicating there was delay in the Myrtle Street construction as the result of high levels of arsenic found in the soil, therefore the request is for Staff to work with Sarasota County Staff to ensure it is not dangerous to residents.

8:10:37 P.M.

13. **OTHER MATTERS/ ADMINISTRATIVE OFFICERS (AGENDA ITEM VIII)**

8:10:40 P.M.

**CITY ATTORNEY FOURNIER:**

A stated that the Commission is being made aware that the City has received a proposal for settlement from Westra Construction, Inc., regarding Lift Station (LS) No. 87 lawsuit with regard to the disputes over the attorney fee claims now pending which merits serious Commission consideration; that Commission consensus is sought to schedule an Out-of-the-Sunshine Meeting immediately following the February 24, 2020, Sarasota City Commission Workshop Meeting, to commence at 7:00 P.M.

8:12:51 P.M.

Mayor Ahearn-Koch noted Commission consensus for Staff to schedule an Out-of-the-Sunshine Meeting immediately following the February 24, 2020, Sarasota City Commission Workshop Meeting, to commence at 7:00 P.M.

Commissioner Brody left the Dias at 8:13 P.M.

8:13:12 P.M.

14. **ADJOURN (AGENDA ITEM XV)**

The Commission adjourned at 8:13 P.M.



ATTEST:

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JEN AHEARN-KOCH, MAYOR

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SHAYLA GRIGGS  
CITY AUDITOR AND CLERK