

# ST. CLOUD CITY COUNCIL REGULAR MEETING

August 9, 2018

City Hall Council Chambers

1300 Ninth Street

6:30 PM

## Agenda

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker shall be allotted 3 minutes to address the Council, unless such time is extended by the Mayor or by questions from Council. Groups shall designate a spokesperson to avoid repetition of comments. Every effort will be made to avoid interrupting speakers. Thank you for participating in your City Government.

**I.** Call to Order

**II.** Invocation

**III.** Pledge of Allegiance

**IV.** Roll Call

- Mayor Nathan Blackwell
- Deputy Mayor Dave Askew
- Council Member Linette R. Matheny
- Council Member Chuck Cooper
- Council Member Donald Shroyer

**V.** Presentations

- Presentation of Employee of the Month

**VI.** Citizen's Forum: Any person who desires to comment on any item not on this agenda is provided this opportunity to address the City Council. Each person is requested to complete a sign-in form to be provided to the presiding officer prior to, or as soon as is practical thereafter, the person addresses the Council.

**VII.** Consent Agenda: The next portion of tonight's meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

A. Resolution No. 2018-138R, a resolution of the City Council of the City of St. Cloud, Florida, establishing a Reporting and Investigating Discrimination & Harassment Policy to provide employees of the City of St. Cloud with guidelines for the reporting and investigation of allegations of discrimination, harassment or retaliation. This policy rescinds all previous versions and is to be distributed and disseminated to all personnel as Standard Operating Guide.

**COST:** No cost associated with this item.

B. Resolution No. 2018-139R, a resolution of the City Council of the City of St. Cloud,

Florida, determining the lowest responsive, responsible bidder, whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2018-050, to Grove Construction Corporation whose subject matter is Pool Gatehouse Building, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** Budgeted \$411,425.00 / Actual Cost up to \$384,285.00 Project

- C. Resolution No. 2018-140R, a resolution of the City Council of the City of St. Cloud, Florida, determining the lowest responsive, responsible bidder, whose bid is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof in regards to Invitation to Bid (ITB) No. 2018-091, to Game Officials, Inc. whose subject matter is Referee Services, and providing an effective date.

**COST:** Budgeted FY 17/18 \$9,000.00 / Actual Cost up to \$9,000.00,

- D. Resolution No. 2018-141R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to declare items as obsolete, damaged, and/or surplus property and otherwise in the best interest of the City of St. Cloud.

**COST:** No cost associated with this item.

- E. Resolution No. 2018-142R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utility easement from BCM Property Investments, LLC. to have and to hold for all uses traditionally made of a public utility easement.

**COST:** No cost associated with this item.

- F. Resolution No. 2018-143R, a resolution of the City Council of the City of St. Cloud, Florida approving an Amended and Restated Line Extension Agreement from Westerly Land Investments, LLC., relating to the upsizing of the potable water, reuse water, sanitary sewer and AMI tower for the residential development named Estates at Westerly; authorizing the Mayor to execute the agreement; and providing an effective date.

**COST:** up to \$319,126.06 (of which \$261,687.00 was approved in May 2017 agreement, leaving \$97,695.00) to be reimbursed through water and sewer impact fee credits.

- G. Resolution No. 2018-144R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into the Service Agreement for Lighting Service Streetscape Project – Phase 1 between the City of St. Cloud and the Orlando Utility Commission relating to the Downtown Revitalization Project – Phase 1 and providing an effective date.

**COST:** \$124,081.30

- H. Resolution No. 2018-146R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of the extension of Bridge Agreement No. MPA-0106, between the City of St. Cloud, Florida Municipal Power Agency (FMPA) (formerly Colectric Partners, Inc.) and Ferguson Waterworks for pipe, valves and fittings (water / waste water), and providing an effective date.

**COST:** This contract will be utilized by various City departments for the purchase of products and services, on an as-needed basis from various approved and budgeted

projects and expenditure accounts throughout the fiscal year.

- I. Resolution No. 2018-148R, a resolution of the City Council of the City of St. Cloud, Florida, rejecting all submittals received in response to Request for Qualifications No. 2018-074 Continuing Roofing Services, in accordance with the bid documents and the St. Cloud Purchasing Policy, and providing an effective date.  
**COST:** No cost associated with this item.
  
- J. Resolution No. 2018-149R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing waiver of the formal bidding requirements and utilizing City of Punta Gorda Invitation to Bid #F2015118, previously advertised for bid by City of Punta Gorda, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Uni-Publicsafety/1516 Public Safety Uniforms, providing for the award thereof to Designlab, Inc. and providing an effective date.  
**COST:** Budgeted FY 17/18 \$61,947.00, Account No. 001-6010-521.52-16  
Proposed Budget FY 18/19 \$52,702.00, Account No. 001-6010-521.52-16
  
- K. Resolution No. 2018-150R, a resolution of the City Council of St. Cloud, Florida, authorizing and directing the Mayor to execute the Joint Funding Agreement between the City of St. Cloud and the U.S. Department of the Interior Geological Survey (USGS) regarding monitoring, authorizing the City Manager to approve change orders and providing for an effective date.  
**COST:** up to \$17,100 (St. Cloud's responsibility \$1,846.80)
  
- L. Resolution No. 2018-151R, a resolution of the City Council of the City of St. Cloud, Florida, approving an extension/looping of potable water, sanitary sewer and reclaimed utility lines agreement with Joyce Development to construct utility lines benefitting the City's water and sewer utility system and on property owned by the Stevens Plantation Improvement Project Dependent Special District, authorizing the Mayor to execute the agreement and authorizing the City Manager to perform all acts necessary and appropriate to implement the agreement and providing for an effective date.  
**COST:** Up to \$482,300.00 to be paid in water and sewer impact fee credits. Should the improvements set forth in Exhibit B exceed the water and sewer impact fees for the lots, then the Developer would be reimbursed in cash out of impact fees for the difference between the improvements and the water and sewer impact fee amount.
  
- M. The applicant requests City Council's approval of a Final Plat for 72 single family lots in Phase 2 of the Canopy Walk Subdivision.

### **VIII. Public Hearings**

- 1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-18**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of "Agriculture" to approximately 8.35 acres, located at 1795 Eastern Avenue, 1790 Eastern Avenue, 1801 Eastern Avenue, and 300 E 9th Street; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-18**

2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-19**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “A” Agriculture, compatible with a “Agriculture” Future Land Use designation change, adopted by Ordinance No. 2018-18, for approximately 8.35 acres, located at 1795 Eastern Avenue, 1790 Eastern Avenue, 1801 Eastern Avenue, and 300 E 9th Street; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-19**
  
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-20**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Commercial” to approximately 17.44 acres, located at 2674 Canoe Creek Road, 2710 Canoe Creek Road, 2700 Canoe Creek Road, 2300 Kincaid Street, 4205 Windy Lane, and northeast corner of Orange Avenue and 13th Street; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-20**
  
4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-21**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “HB” Highway Business, compatible with a “Commercial” Future Land Use designation change, adopted by Ordinance No. 2018-20, for approximately 17.44 acres, located at 2674 Canoe Creek Road, 2710 Canoe Creek Road, 2700 Canoe Creek Road, 2300 Kincaid Street, 4205 Windy Lane, and northeast corner of Orange Avenue and 13th Street; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-21**
  
5. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-24**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road, and north of Live Oak Lake; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes (Above is full title) **ACTION ON ORDINANCE NO. 2018-24**
  
6. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-25**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use Designation of “Mixed Use” to approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road, and North of Live Oak Lake; providing for amending the official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2018-25**
  
7. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-26**, an ordinance

of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “MIX” Mixed Use, compatible with a “Mixed Use” Future Land Use designation change, adopted by Ordinance No. 2018-25, for approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road and north of Live Oak Lake; providing for entering the designation on the official zoning map, filing of the planning commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-26**

8. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-42**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Commercial” to approximately 0.46 acres, located south of E 19th Street, 600 feet west of its intersection with Old Hickory Road; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-42**
9. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-43**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “NB” Neighborhood Business, compatible with a “Commercial” Future Land Use designation change, adopted by Ordinance No. 2018-42, for approximately 0.46 acres, located south of E 19th Street, 600 feet west of its intersection with Old Hickory Road; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-43**
10. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-44**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Private/Institutional” to approximately 9.42 acres, located at 2675 Canoe Creek Road; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-44**
11. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-45**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “P” Professional, compatible with a “Private/Institutional” Future Land Use designation change, adopted by Ordinance No. 2018-44, for approximately 9.42 acres, located at 2675 Canoe Creek Road; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-45**
12. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-46**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Low Density Residential” to approximately 2.09 acres, located west of Eastern Avenue, 340 feet south of its intersection with 17th Street; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning

Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2018-46**

13. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-47**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “R-1B” Single Family Dwelling, compatible with a “Low Density Residential” Future Land Use designation change, adopted by Ordinance No. 2018-46, for approximately 2.09 acres, located west of Eastern Avenue, 340 feet south of its intersection with 17th Street; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-47**
  
14. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-48**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Medium Density Residential” to approximately 7.77 acres, located at 2401 Missouri Avenue, and south of E 17th Street, 450 feet west of its intersection with Crawford Avenue; providing for amending the official Future Land Use map of the comprehensive plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-48**
  
15. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-49**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “R-3” multi-family dwelling, compatible with a “Medium Density Residential” Future Land Use designation change, adopted by Ordinance No. 2018-48, for approximately 7.77 acres, located at 2401 Missouri Avenue, and south of E 17th Street, 450 feet west of its intersection with Crawford Avenue; providing for entering the designation on the official Zoning map, filing of the Planning Commission recommendation and proof of publication, severability and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-49**
  
16. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-01**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 177.97 acres identified as Vista Lakes, located east of Hickory Tree Road, south of Alligator Lake Road, and West of Alligator Lake; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE 2018-01**
  
17. **FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-02**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a future land use designation of “Low Density Residential” to approximately 177.97 acres identified as Vista Lakes, located east of Hickory Tree Road, south of Alligator Lake Road, and west of Alligator Lake; providing for amending the official future land use map of the comprehensive plan, filing of the planning commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE 2018-02**

18. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-03**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “PUD” Planned Unit Development, compatible with a “Low Density Residential” future land use designation change, adopted by Ordinance No. 2018-02, for approximately 177.97 acres identified as Vista Lakes, located east of Hickory Tree Road, south of Alligator Lake Road, and west of Alligator Lake; providing for entering the designation on the official zoning map, providing for approval of the preliminary and final master plan, filing of the planning commission recommendation and proof of publication, severability, conflicts and effective date. (Above is full title) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE 2018-03**
  
19. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-04**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, south of Alligator Lake Road, and north of Mabel Simmons Road; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE 2018-04**
  
20. **FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-05**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a future land use designation of “Low Density Residential” to approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, south of Alligator Lake Road, and north of Mabel Simmons Road; providing for amending the official Future Land Use Map of the Comprehensive Plan, filing of the planning commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date. (Above is full title) (Final Public Hearing will be heard on September 27, 2018) **ACTION ON ORDINANCE 2018-05**
  
21. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-06**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “R-1” Single-Family Dwelling district, compatible with a “Low Density Residential” future land use designation change, adopted by Ordinance No. 2018-05, for approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, south of Alligator Lake Road, and north of Mabel Simmons Road; providing for entering the designation on the official zoning map, providing for approval of the preliminary and final master plan, filing of the planning commission recommendation and proof of publication, severability, conflicts and effective date. (Above is full title) (Final Public Hearing will be heard on September 27, 2018) **ACTION ON ORDINANCE 2018-06**

## **IX. Council Action**

1. Resolution No. 2018-134R, a resolution of the City Council of the City of St. Cloud,

Florida, approving a Water & Wastewater Service Agreement from Lots Partners, LLC., a residential development named Preserve at Lakeside located in the unincorporated area of Osceola County on the north side of east 10<sup>th</sup> St., east of Orange Ave. and west of Dean St., authorizing the City Manager to execute the agreement; and providing an effective date.

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2. Request City Council's approval of a Conceptual Master Plan/Concept Plan for the Thompson Grove mixed use project.
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3. Discussion and possible action regarding agreement with Osceola Legislative Effort (OLE).
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**X.** City Attorney

**XI.** City Manager

**XII.** Mayor and Council Members

**XIII.** Information and Report Section

Warrant List #16 FY18

- Tuesday, August 14, 2018 – City Offices Closed from 11:30 a.m. to 2:00 p.m. for Employee Appreciation and Training
- Saturday, August 18, 2018 – Downtown Historical Experience & Movie – A Wrinkle in Time
- Tuesday, August 28, 2018 – Primary Election Day – Polls open from 7:00 a.m. to 7:00 p.m.
- Monday, September 3, 2018 – City Offices Closed in Observance of the Labor Day Holiday
- Thursday, September 6, 2018 – Community Redevelopment Agency Meeting – 6:00 p.m. @ City Hall, Council Chambers
- Thursday, September 13, 2018 – City Council Meeting – 6:30 p.m. @ City Hall, Council Chambers

**XIV.** Adjournment

If a person decides to appeal any decision made by the Committee/Board, with respect to any matter considered at such hearing/meeting, such person will need a record of the proceedings and that, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, and which record is not provided by the City of St. Cloud. (FS 286.0105) In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Secretary/Clerk of the committee/Board (listed below), prior to the meeting. (FS 286.26) Linda P. Jaworski, 1300 9th Street, St. Cloud, FL 407-957-7300