

**ST. CLOUD CITY COUNCIL REGULAR MEETING**  
**Thursday, February 22, 2018**  
**City Hall – Council Chambers**  
**1300 9th Street**  
**6:30 p.m.**  
**Minutes**

- I. Mayor Blackwell called the meeting to order at 6:30 p.m.
- II. Invocation given by Pastor David Nigh from Christ Our Savior Fellowship
- III. Pledge of Allegiance
- IV. Roll Call

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|-------------------------------------|-----------------------------------|
| ◆ Mayor Nathan Blackwell            | William Sturgeon, City Manager    |
| ◆ Deputy Mayor Dave Askew           | Dan Mantzaris, City Attorney      |
| ◆ Council Member Linette R. Matheny | Deputy City Clerk, Ivy De La Cruz |
| ◆ Council Member Chuck Cooper       | Recording Secretary, Deb Clark    |
| ◆ Council Member Donald Shroyer     | Members of the Press              |

All members present.

V. Presentations

- Proclamation in recognition of National Colorectal Cancer Awareness Month

Mayor Blackwell presented Lisa Mitchell and Brent Burish with a proclamation in recognition of National Colorectal Cancer Awareness Month.

- Presentation of Employee of the Month

Stephanie Holtkamp and Dianna Rawleigh, presented Aida Levy and Michael Tennaro with the Employee of the Month Award.

- 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.

**Herman Al Massey**, 4555 Kissimmee Park Road, Son of the Confederate Veterans, asked the Council to support the use of the Banner for the Battle of Narcoossee Mill with the confederate flag.

Council Member Shroyer made a motion to add to the agenda the flying of the Battle of Narcoossee Mill banners. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

Deputy Mayor Askew made a motion to allow the banners. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

**Bonnie Dixon**, 3000 LaSalle Ave, stated she lives in Gramercy Farms and had flooding issues. She asked the City to vacuum all of the water after every storm.

**Alex Ochs**, 1323 7<sup>th</sup> Street, Boy Scout Troop 192, stated he was in attendance to earn his Citizenship in the Community Badge.

**Hughette Crumpler**, 300 Michigan Avenue, felt the excellent crime report that was presented last meeting was overlooked and she was grateful to live in such a safe city. She was still concerned with the lack of transparency by the Council and asked the Council to reconsider bringing back the second citizen forum.

- 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.

Council Member Cooper requested Item B be pulled for discussion.

Council Member Matheny requested Items C and D be pulled for discussion.

- A. Resolution No. 2018-044R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of US Communities Contract No. 4400001839, previously advertised for bid by County of Fairfax Virginia, Lead Public Agency on behalf of US Communities Government Purchasing Alliance, whose subject matter is Public Safety and Emergency Preparedness Equipment and Related Services, providing for the award thereof to Safeware, Inc., and providing an effective date.

**COST:** Funds will be allocated by purchase order from the approved and budgeted expenditure accounts on an as-needed basis.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-044R. Council Member Matheny seconded the motion.

Mayor Blackwell announced for public comment with no response from the audience.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

- B. Resolution No. 2018-047R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2018 Mack Model GU813 Dump Truck, with options, available through the Florida Sheriffs Association Contract No. FSA17-VEH15.0, Specification No. 15 and the purchase from Nextran Truck Center.  
**COST:** \$157,575.20

This item was pulled.

- C. Request City Council's approval of a Final Plat for 90 single family residential lots in the Eagle Meadow Subdivision (FKA Eagle Landing).  
**COST:** No cost associated with this item.

Council Member Matheny made a motion to approve Item C adding the maintenance of the sidewalks by the HOA. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

- D. Request City Council's approval of a Final Plat for 82 single family residential lots in Phase 1 of the Hickory Grove Subdivision (FKA Parkfield).  
**COST:** No cost associated with this item.

This item was pulled.

## VIII. Public Hearings

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-17**, an ordinance of the City Council of the City of St. Cloud, Florida, extending a temporary moratorium on the operation of medical marijuana treatment centers and licensed medical marijuana dispensaries within the City of St. Cloud for a period of six (6) months unless rescinded, or extended, or by a subsequent amendment to the City's land development regulations regarding the regulation of marijuana treatment centers and licensed medical marijuana dispensaries; providing for conflicts, severability and an immediate effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-17**

Deb Clark, Recording Secretary, read Ordinance No. 2018-17 into the record by title.

Andre Anderson, Planning & Zoning Manager, reviewed the proposed ordinance.

Mayor Blackwell announced the final hearing for Ordinance No. 2018-17.

Anthony Busby, 3141 Maidu Court, asked Council to lift the moratorium.

Larry Schneck, 1836 Ashton Park Place, requested Council lift or shorten the time frame of the moratorium.

Hughette Crumpler, 300 Michigan Avenue, stated she was in favor of lifting the moratorium.

Mr. Anderson stated the City code needed to comply with the State code; only requesting time to address and process the codes.

Council Member Cooper made a motion to adopt Ordinance No. 2018-17. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

- 2. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-23**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article I, “Definitions”, Section 2.1.1 “General” and Article III, “Zoning Regulation”, Division 20 “Supplemental District Regulations”, Section 3.20.3 “Accessory Structures”, Subsection A “Residential Districts” of the Land Development Code; adding a definition for Porte-cochère; amending the height and size limitations for accessory structures in residential areas; providing that accessory structure shall be compatible with the principal building; providing for special exceptions and providing for severability, conflict, codification and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-23**

Deb Clark, Recording Secretary read Ordinance No. 2018-23 into the record by title.

Andre Anderson, Planning & Zoning Manager, reviewed the proposed ordinance.

Council discussion followed regarding clarification of the size of the Porte-cochere.

Mayor Blackwell announced the final hearing for Ordinance No. 2018-17.

Ed Beauchamp, 3015 Diamond Lane, Custom Garages, discussed his concerns regarding the size of the structure.

Jeffrey Barnes, 1519 Lakeshore Boulevard, stated his concerns regarding the dimensions.

Doug Tillery, Building Director, stated the 400 square foot size would not necessitate an engineer drawing.

Discussion followed regarding Council’s ability to look at each accessory structure.

Anthony Busby, 4131 Maidu Court, shared concern on the height limitations and multiple structure approvals by Council.

Ed Beauchamp, requested the square footage be changed to 600 square feet.

Pam Presler, Minnesota Avenue, stated she had no objection to any type of structure.

Pete Meakins, 725 Grape Avenue, requested Council look at property size and structure size for balance.

Council Member Matheny made a motion to adopt Ordinance No. 2018-23 with clarification of 18ft to the peak and one (1) maximum 400 square foot structure. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 3-2) Mayor Blackwell and Council Member Cooper voted nay.

3. **RESOLUTION NO. 2018-040R**, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution Number 2017-167R which adopted the 2017/2018 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and or revenues available in the 2017/2018 budget for additional projects and programs in various funds not included in the original 2017/2018 budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title)  
**ACTION ON RESOLUTION NO. 2018-040R**

Deb Clark, Recording Secretary read Resolution No. 2018-040R into the record by title.

Richardo Kisner, Finance Director, reviewed the proposed resolution.

Mayor Blackwell announced the proposed resolution.

Hughette Crumpler, 300 Michigan, requested the amount budgeted in reserve.

Mr. Kisner stated the reserve was \$9,366,212.00 which was well above the 12.5% policy.

Council Member Cooper discussed the possibility of funding from other sources.

Council Member Shroyer stated that Homestead Exemption might increase this year and asked how that would affect the City.

Mr. Kisner, stated they were currently preparing projections for the 2018-2019 budget. He explained that on top of the possible homestead increase, was the salary survey and capital projects that would come out of the general fund.

William Sturgeon, City Manager recommended waiting until next year's budget to restructure the General Fund.

Harvey Bisson, Human Resource Director, reviewed the salary survey time frame.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-040R. Council Member Shroyer seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

## IX. Council Action

1. Resolution No. 2018-042R, a resolution of the City Council of the City of St. Cloud, Florida, requesting to amend the official manning table of the City of St. Cloud for the purpose of adding four positions one (1) Planner I, two (2) Planner II, and one (1) Fire Inspector.

Deb Clark, Recording Secretary read Resolution No. 2018-042R into the record by title.

Harvey Bisson, Human Resource Director reviewed the proposed resolution.

Mayor Blackwell announced the resolution with no response from the audience.

Council Member Matheny made a motion to approve Resolution No. 2018-042R. Deputy Mayor Askew second the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

2. Resolution No. 2018-043R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the Continuing Contract and Agreement for Professional Engineering Services with Jones Edmunds & Associates, Inc. dated October 4, 2017, and any amendments thereto, for Polisher Improvements City of St. Cloud – Water Treatment Plant No. 4, and providing an effective date.

Deb Clark, Recording Secretary, read Resolution No. 2018-043R into the record by title.

Dianna Rawleigh, Public Services Director, reviewed the proposed resolution.

Mayor Blackwell announced the resolution with no response from the audience.

Council Member Shroyer made a motion to approve Resolution No. 2018-043R. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

3. Resolution No. 2018-046R, a resolution of the City Council of the City of St. Cloud, Florida approving a Water & Wastewater Service Agreement from US 192 Holdings, LLC., a residential development named Sola Vista located in the unincorporated area of Osceola County on the south side of East Irlo Bronson Memorial Hwy, east of Live Oak Lake Rd. and west of Alligator Lake Shore; authorizing the City Manager to execute the agreement; and providing an effective date.

Deb Clark, Recording Secretary, read Resolution No. 2018-046R into the record by title.

Dianna Rawleigh, Public Services Director, reviewed the proposed resolution.

Mayor Blackwell announced the resolution.

Stan Pietkiewicz, Titan Properties, Inc., requested approval and stated they had met all requirements and codes required by Council.

Kathy Hadaway, Polulos & Bennett, LLC 2602 Livingston Street, reviewed the property and the benefits of residential homes versus commercialism along US 192.

Dianna Rawleigh, Public Services Director, assured Council that the developer had met all requirements and recommended approval. She stated the City was able to provide water/waste water to the development.

Council Member Matheny made a motion to approve Resolution No. 2018-046R with conditions (a) truncated zones (b) ROW to property line. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 3-2) Council Member Shroyer and Council Member Cooper voted nay.

**X. City Attorney**

City Attorney Mantzaris stated he had nothing at the time.

**XI. City Manager**

City Manager Sturgeon stated he had nothing at the time.

**XII. Mayor and Council Members**

**Council Member Shroyer** made a motion to add annexation discussion to the Agenda. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

After Council discussion regarding several citizens that wished to be annexed, City Attorney Mantzaris stated the fastest process would be to reach out to the county for permission for enclave annexation in two phases.

Council Member Shroyer made a motion to proceed with voluntary annexations and waive the fees. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz motion carried. (Vote 5-0)

**Council Member Matheny** asked about acquiring the ROW to extend 17<sup>th</sup> Street to Hickory Tree Road.

Council consensus was for staff to bring back a recommendation regarding the ROW.

**Council Member Cooper** requested an update on the power plant and the downtown. City Manager Sturgeon stated the plant floor had oil and needed to be cleaned. Dianna Rawleigh, Public Service Director stated they were waiting on bids.

He requested an update on the road next to the Neighborhood Walmart. Staff provided an update.

He asked when the playground screen would be replaced at the Lakefront. Staff provided an update.

**Deputy Mayor Askew** requested information on what the City receives from payment of impact fees to the school board. Mr. Kisner stated he would provide that information to Council.

**Mayor Blackwell** read a thank you letter from Community Coordinate for Children for the City's donation.

He requested an update on the Council Rules of Conduct. City Attorney Mantzaris stated he would provide Council a Draft copy. Council consensus was to bring this back at the next workshop.

### **XIII.** Information Section and Report Section

Reports: Warrant List #7

Mayor Blackwell read the following:

- Thursday, March 1, 2018 – Community Redevelopment Agency Meeting - 6:00 p.m. @ City Hall, Council Chambers
- Friday and Saturday, March 2nd and 3rd, 2018 – Institute for Elected Municipal Officials @ Orlando Location
- Thursday, March 8, 2018 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

### **XIV.** Adjournment 8:47 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: \_\_\_\_\_