

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, June 14, 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 Pastor Leonard Thompson from Heart Cry Chapel
- 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
- William Sturgeon, City Manager
- Dan Mantzaris, City Attorney
- Deputy City Clerk, Ivy De La Cruz
- Executive Admin Asst, Claudia Klockars
- Members of the Press

All Council Members present.

- V. Presentations

There were no presentations at this time.

- 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.

Jay Polachek, 113 Montana Avenue, spoke about Medical Marijuana and explained about the State regulations for growing it and wanted to know if this would be discussed.

Mayor Blackwell stated that it was on the agenda for the June 21st workshop.

Valerie Anderson, 716 Kentucky Avenue, thanked Council and staff for working on the Chisholm Park rezoning.

- 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.

Toni Jones 1619 Florida Avenue, thanked Council for approving the work on the windows in the museum. She stated that Mr. Tillery and an environmental engineer inspected the Heritage Museum. After the inspection, the City was requesting to use the emergency procurement policy to secure a sole source provider to make the necessary repairs to the roof.

Mayor stated that staff would look into her concern and that the City Manager would work on her request.

- A. Minutes: February 1, 2018 / Workshop, February 15, 2018 / Workshop and February 22, 2018 / Regular Meeting.
- B. Resolution No. 2018-102R, 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.
- C. Resolution No. 2018-111R, 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. 2018-051, to Quality Lawn Services Unlimited, Inc. whose subject matter is Mowing, Trimming and Litter Pickup Services US 192, and providing an effective date.
COST: up to \$17,990.00
- D. Resolution No. 2018-112R, a resolution of the City Council of the City of St. Cloud, Florida, rejecting all bids received in response to Invitation to Bid No. 2018-043 – Biological Odor Control System Lift Station #84 – Nora Tyson Road, in accordance with the bid documents and the St. Cloud Purchasing Policy, and providing an effective date.
COST: No cost associated with this item.
- E. Resolution No. 2018-113R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the waiver of the formal bidding requirements and approving the negotiated procurement for repairs to historical windows at the Veterans Memorial Library and the Woman’s Club, and the award thereof to Austin Historical, Inc., and providing an effective date.
COST: up to \$99,734.94
- F. Resolution No. 2018-117R, a resolution of the City Council of the City of St. Cloud, Florida, adopting the City of St. Cloud, FL, 5 Year Strategic Plan October 2018-2023 as developed by the City Manager and department directors in consultation with Robert Morin Consulting Services, LLC.
COST: No cost associated with this item.

Council Member Shroyer made a motion to approve the Consent Agenda as presented. Council Member Matheny 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)

VIII. Public Hearings

- 1. 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**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-24 into the record by title.

Leigh Anne Watcher, Principal Planner, reviewed the proposed ordinance and requested companion item be read.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-24.

Randy June, Applicant, 32 W Plant Street, Winter Garden, stated they were agreeable to several construction requests.

Council Member Shroyer requested a guarantee that the average lot size for homes would be 62.5 feet.

Jeff Schepler, 2209 Spring Lake Circle, stated residents in the area were against this annexation.

Daniel Blackford, 2219 Spring Lake Circle, shared his concern regarding the construction management in respect to the dust and noise.

Jeremey Kibbler, KD Engineering, 2017 13th Street, stated as a representative of the property owners, he requested a public ROW be added to the Plan.

Ken Polczynski, 2027 Live Oak Boulevard, shared concerns regarding density and privacy.

Bo Lemmond, 2023 Live Oak Boulevard, shared some traffic concerns.

Council Member Matheny, asked for clarification on several development site plans.

Discussion by Council followed residential traffic and neighboring areas.

Council Member Shroyer made a motion to continue this item until the August 9, 2018 Council Meeting. 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)

2. **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**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-25 into the record by title.

Leigh Anne Watcher, Principal Planner, reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-25 with no response from the audience.

Discussion took place under Ordinance No. 2018-24.

Council Member Shroyer made a motion to continue this item until the August 9, 2018 Council Meeting. 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. **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**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-26 into the record by title.

Leigh Anne Watcher, Principal Planner, reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-26 with no response from the audience.

Discussion under Ordinance No. 2018-24.

Council Member Shroyer made a motion to continue this item until the August 9, 2018 Council Meeting. 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)

4. **FIRST PUBLIC HEARING FOR ORDINANCE NO. 2018-35**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Commercial” to approximately 0.422 acres, located south of 11th Street, between Mississippi and Eastern 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) (Final Public Hearing will be heard on June 28, 2018) **ACTION ON ORDINANCE NO. 2018-35**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-35 into the record by title.

Andre Anderson, Planning & Zoning Director, reviewed the proposed ordinance and requested companion item be read.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-35.

Ray Stangle, Jordan Companies, 189 S. Orange Avenue, stated this would be a good transition area between commercial and residential.

Council Member Shroyer made a motion to approve the first public hearing for Ordinance No. 2018-35. 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 4-1) Council Member Cooper voted nay.

5. **FIRST PUBLIC HEARING FOR ORDINANCE NO. 2018-36**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “P” Professional, compatible with a “Commercial” Future Land Use designation change, adopted by Ordinance No. 2018-35, for approximately 0.422 acres, located south of 11th Street, between Mississippi and Eastern 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) (Final Public Hearing will be heard on June 28, 2018) **ACTION ON ORDINANCE NO. 2018-36**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-36 into the record by title.

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

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-36 with no response from the audience.

Council Member Shroyer made a motion to approve the first public hearing for Ordinance No. 2018-36. 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 4-1) Council Member Cooper voted nay.

- 6. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2018-39**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the Land Development Code by amending Article III, "Zoning Regulations", Division 4, "Establishment And Duties of Commission and Boards", Section 3.4.2 – Board of adjustment, and providing for severability, conflicts, codification and an effective date. (Above is full title) (Final Public Hearing will be heard on June 28, 2018) **ACTION ON ORDINANCE 2018-39**

Claudia Klockars, Executive Administrative Assistant, read Ordinance No. 2018-39 into the record by title.

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

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-39 with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-39. 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)

- 7. RESOLUTION NO. 2018-023R**, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into "Annexation of Small Enclaves Interlocal Agreement" between Osceola County, Florida, a political subdivision of the state of Florida and the City of St. Cloud, Florida, a Florida Municipal Corporation for annexation of small enclaves of 110 acres or less known as "Enclave Annexation Central" in accordance with the enclave annexation provisions of section 171.046, Florida Statutes, and providing for an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2018-023R**

Claudia Klockars, Executive Administrative Assistant read Resolution No. 2018-023R into the record by title.

Andre Anderson, Planning & Zoning Director reviewed the proposed resolution.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-23.

George Arnold, 1110 Pennsylvania Avenue, asked for confirmation regarding if his property on 17th Street was included. Mayor Blackwell stated his property was included.

William Folsom, 705 S. Canoe Creek Road, stated he was against the annexation of his commercial property.

Heath White, 201 Eastern Avenue, stated he was on the Agriculture Board and discovered his property would be separated between City and County.

Greg Kaminsky, 631 Eastern Avenue, stated he had two adjacent properties and was opposed to annexation.

Council Member Shroyer made a motion to approve Resolution No. 2018-023R adding a two (2) year extension for the following addresses: Newman Property, Folsom Property, White Property, 631 Eastern Avenue, 703 Eastern Avenue, and 2400 Kingcade Street. Council Member Matheny seconded the motion. Mr. Anderson was to call Mr. Newman for property addresses.

Discussion by Council followed with advice from City Attorney Mantzaris.

Council Member Shroyer made an amendment to the motion to approve Resolution No. 2018-023R adding a two (2) year extension before being bought back to Council for the following addresses: Newman Property, Folsom Property, White Property, 631 Eastern Avenue, 703 Eastern Avenue, and 2400 Kingcade Street. Council Member Matheny seconded the motion. Mr. Anderson was to call Mr. Newman for property addresses.

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. 2018-109R, a resolution of the City Council of the City of St. Cloud, Florida, approving a Water & Wastewater Service Agreement from Henderson Estates, LLC., a residential development named Rambling Estates located in the unincorporated area of Osceola County on the south side of Rambling Rd., east of Narcoossee Rd., north of Jones Rd., and south of Jack Brack Rd.; authorizing the City Manager to execute the agreement; and providing an effective date.

Claudia Klockars, Executive Administrative Assistant read Resolution No. 2018-109R into the record by title.

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

Mayor Blackwell announced the proposed resolution for public comment.

Jo Thacker, 515 Bryant Street, Representative for the Developer, stated the designs had been changed to meet the conditions requested by Council.

Council discussion followed regarding square footage of the homes, lot sizes and handicap accessibility.

Council Member Matheny made a motion to approve Resolution No. 2018-109R with the addition of “truncated domes” in all directions. 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.

2. Resolution No. 2018-114R, a resolution of the City Council of the City of St. Cloud, Florida, repealing Resolution No. 2018-052R, and amending the schedule of fees and charges for the purpose of processing applications pursuant to the requirements of the City of St. Cloud's Land Development Code for sidewalk café permits.

Claudia Klockars, Executive Administrative Assistant, read Resolution No. 2018-114R into the record by title.

Andre Anderson, Planning & Zoning Director, reviewed the proposed resolution with permit fee corrections and the rescinding of Resolution No. 2018-052R.

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

Council Member Shroyer made a motion to approve Resolution No. 2018-114R. 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)

3. Request City Council's approval of a Conceptual Master Plan/Concept Plan for the Thompson Grove mixed use project.

Claudia Klockars, Executive Administrative Assistant read the Conceptual Master Plan/Concept Plan into the record.

Leigh Anne Watcher, Principal Planner, reviewed the plan.

Discussion took place under Ordinance No. 2018-24

Council Member Shroyer made a motion to continue this item until the August 9, 2018 Council Meeting. 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)

4. Request Council's approval to place a DAR marker to honor patriot ancestors in Veterans Memorial Park.

Claudia Klockars, Executive Administrative Assistant, read the proposed Council Action #4 into the record.

Stephanie Holtkamp, Parks & Recreation Director, stated there was a request from the Joshua Steven's Chapter from the Daughter's of American Revolution to place a DAR Marker at the park.

Tracy Suarez, represented the DAR, reviewed materials regarding the proposed granite marker.

City Attorney Mantzaris advised a "Hold Harmless" agreement between the City and the organization would benefit the City.

Deputy Mayor Askew made a motion to approve the DAR Marker. 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 Shroyer stated the 13th Street Marker needed to be repaired. Ms. Holtkamp stated they would look into it.

5. Discussion and possible action regarding an appointment to the Police and Firefighter Pension Board.

Claudia Klockars, Executive Administrative Assistant read Council Action #5 into the record.

Deputy Mayor Askew made a motion to nominate Don Miller to the Police and Firefighter Pension Board. Council Member Matheny 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. City Attorney

City Attorney Mantzaris discussed the cessation of all City broadcast meetings until closed captioned was available as required by the ADA. The software and hardware that was being researched by the AV staff would cost about \$60,000.00.

Council Member Shroyer asked that if we are going to go through the expense that we should include SAP.

City Attorney Mantzaris stated that ADA does not consider not speaking English a disability and was not included in the requirements.

Council consensus was to purchase the software from council contingency.

X. City Manager

City Manager Sturgeon informed the Council that he would be on vacation the following week and Assistant City Manager would be in charge. He also informed Council and DSD Board that the Agriculture exception had been accepted for Stevens Plantation.

XI. Mayor and Council Members

Deputy Mayor Askew provided pictures of the St. Cloud Band Booster trailer that was purchased with grant money. The Booster was requesting to put the City Logo on the trailer in recognition of the City's sponsorship.

Council consensus was for the City Manager to sign the approval for the logo to be placed on the trailer.

Council Member Shroyer thanked Council for working together towards the good of the City.

Council Member Cooper inquired about Mr. Pate's status regarding the power plant.

City Manager and Ms. Rawleigh stated that he had not submitted a detailed plan but had been in contact with him.

Council Member Cooper inquired as to why 9th Street was not included in the Downtown Revitalization plan. After discussion, Council consensus was add 9th Street to include the front of City Hall to the budget and on phase 2 of the Downtown Revitalization plan.

Council Member Cooper also inquired about the status on the Massachusetts windows in acquiring a grant.

City Manager Sturgeon stated that it was too late to apply for a grant, but awaiting monies from FEMA. He also stated that moving forward this historic building would be part of the emergency status.

Doug Tillery, Building Director said the City currently had the funds to replace the windows that would be at a cost of \$99,000.00 and that the tarp would be removed.

Council Member Shroyer asked for clarification regarding the ownership of the engine from the power plant that the City wished to display. He also stated he would like to find donated bricks for the 9th Street phase.

City Attorney assured Council that the engine did belong to the City.

City Manager Sturgeon stated that Mr. Noonan from OUC presented the City with a "Restoring Community" award for the restoration of power in an emergency situation for Hurricane Irma.

Council Member Matheny acknowledged the many projects around the city and thanked the staff for all their hard work.

Mayor Blackwell also acknowledged all the projects and the hard work by our staff.

XIII. Information Section and Report Section

Mayor Blackwell read the following:

- Thursday, June 21, 2018 – City Council Workshop – 6:00 p.m. @ City Hall, Council Chambers
- Monday, June 18, 2018 – Election Qualifying Begins @ noon
- Friday, June 22, 2018 – Election Qualifying Ends @ noon
- Thursday, June 28, 2018 – Stevens Plantation Dependent Special District – 6:00 p.m. @ City Hall, Council Chambers
- Thursday, June 28, 2018 – City Council Meeting – 6:30 p.m. (or immediately following the DSD Meeting) @ City Hall, Council Chambers

Reports:

- Warrant List #14
- Approved Recreation Advisory Committee Meeting Minutes February 21, 2018
- Approved Tree Advisory Committee Meeting Minutes March 7, 2018

Council Member Shroyer stated it would be advantageous for Mr. Sturgeon to attend the FMPA conference on July 17th, 18th, 19th, 2018.

Council Member Cooper requested to have all Stevens Plantation DSD information sent to the Council in advance and not the day before the meeting.

City Attorney Mantzaris stated that he could email them what he currently had electronically.

XIV. Adjournment 8:48pm

Mayor Nathan Blackwell

ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: _____