

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, July 19, 2018
City Hall – Council Chambers
1300 9th Street
6:30 p.m.
Minutes

- I. Mayor Blackwell called the meeting to order at 6:50 p.m.
- II. Invocation given by Pastor Robert Longbottom from St. Luke and St. Peter’s Church
- 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
 - City Clerk, Linda P. Jaworski
 - Deputy City Clerk, Ivy De La Cruz

All members present with the exception of Council Member Shroyer who was absent.

- V. Presentations
 - Presentation of Employee of the Month for May

Ernie McDaniel, Solid Waste Operations Manager, presented Matt Hargrave with the Employee of the Month Award.

- Presentation of Employee of the Month for June

DiAnna Rawleigh presented Steve Jarvis 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.

Laura Ter Beek, thanked City Manager Sturgeon, Deputy Mayor Askew, Erin Ochs’s, Andre Anderson, and the St. Cloud Police Department for their guidance with the ‘Pennsylvania Market.’ She said they would like to continue this venture.

City Manager Sturgeon said we will continue to work with the Planning & Zoning Department alongside the Chamber of Commerce.

Emily Grant, 3961 Old Canoe Creek Road, requested to be included in the enclave to be annexed into the City. City Attorney Mantzaris stated this was an item on the agenda and would be discussed at that time.

Hughette Crumpler, 300 Michigan Ave, stated she believes in transparency and felt Mayor Blackwell is voting against his campaign. She also asked when the meetings will be aired again. City Manager Sturgeon stated they are awaiting the procurement process for the software for closed captioning.

Mayor Blackwell stated the properties that have been annexed were already approved by Osceola County and if they are not annexed the City has no say on the property.

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.

Hughette Crumpler, 300 Michigan Avenue, requested clarification for item F.

Council Member Matheny requested to pull item C for discussion.

Deputy Mayor Askew requested to pull item H for discussion.

A. Minutes: March 29, 2018 / Workshop

B. Resolution No. 2018-121R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Utilization of U.S. Communities Government Purchasing Alliance Contract RFP No. 00254, previously advertised for bid by Miami-Dade County, Florida, on behalf of U.S. Communities Government Purchasing Alliance, whose subject matter is Waste Carts, Recycling Carts, Cart Parts, Bins and Related Products and Services, providing for the award thereof to Rehrig Pacific Company, and providing an effective date.

COST: up to \$162,324.00

C. Resolution No. 2018-125R, a resolution of the City Council of the City of St. Cloud, Florida, establishing a Capital Assets Policy and Procedure for the City of St. Cloud, Florida repealing any resolutions, ordinances, or policies in conflict; herewith and providing an effective date.

COST: No cost associated with this item.

Council Member Matheny made a motion to increase the amount from \$1,000 to \$3,000, effective October 1, 2018 to streamline the process. Deputy Mayor Askew seconded the motion.

Mayor Blackwell asked if there was anyone else who wished to address this item.

Rick Kisner, Finance Director requested the effective date of October 1, 2018, Council agreed.

Mayor Blackwell called for roll call on Item C. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

D. Resolution No. 2018-127R, a resolution of the City Council of the City of St. Cloud, Florida, in support of the Osceola County HOME Consortium and Community Development Block Grant (CDBG) Annual Action Plan for federal fiscal year 2018-2019 and providing an effective date.

COST: No cost associated with this item.

E. Resolution No. 2018-131R, 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.

F. Resolution No. 2018-133R, a resolution of the City Council of the City of St. Cloud, Florida, revising the schedule of rates for Solid Waste Services to revise the transfer station usage charges, repealing any Resolution in conflict, and provide an effective date.

COST: No cost associated with this item.

Hughette Crumpler, 300 Michigan Avenue, asked why the rates were being revised.

DiAnna Rawleigh, Public Services Administrator, explained it was a pass through rate that Omni/JED will be increasing through the consumer price index and the City will have to pay this as well.

G. Resolution No. 2018-137R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the termination of that certain agreement dated January 25, 2018, between the City of St. Cloud and Disaster Strategies & Ideas Group, LLC whose subject matter is Public Assistance and Disaster Recovery Consulting and Management Services.

COST: No cost associated with this item.

H. Requesting City Council's approval of a Final Plat for 72 single family residential lots in Phase 2 of the Canopy Walk Subdivision.

Deputy Mayor Askew asked about parking.

Leroy Sanchez, DR Horton representative stated anything outside the ordinary concerning parking would go through Code Enforcement; the HOA would not have direct oversight.

Mr. Sanchez said they could have the HOA amended and gain direct oversight for parking issues and with violation notices to homes.

Deputy Mayor Askew asked if they could add additional parking and Mr. Sanchez said they would take any suggestions Council had, look at it and re-apply for approval. The City Attorney suggested bringing it back to the next meeting.

Deputy Mayor Askew thanked Mr. Sanchez for being open to look for additional parking spaces. Council Member Matheny believed they could parallel park along the north side of the property.

Council Member Cooper made a motion to continue until the August 9, 2018 meeting so the developers could address parking issues. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call on Item H. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

Deputy Mayor Askew made a motion to approve the consent agenda minus Items C and H. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

VIII. Public Hearings

1. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-38, 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, for approximately 0.092 acres, located south of Friars Cove Lane, west of 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. 2018-38

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-38 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-38.

Amanda Rushing, 3825 Friars Cove Road, felt there was no oversight for lighting and suggested OUC submit their lighting plans prior to being approved.

Council Member Matheny inquired if the City had a lighting code that states no lighting can escape property limits.

Mr. Mills believed the land development code states no glare.

Vernon Ford, OUC Lighting Manager said they adjusted the glare but apparently problems still exist. He suggested meeting with the police and residents at the location to isolate the problem.

Crystal McMillin, 3792 Glenda Court, is concerned about hours of operation and her quality of life.

Hughette Crumpler, 300 Michigan Avenue, said this issue seems to arise because the City does not have standards. City Manager Sturgeon agreed there was a need for parameters on lighting.

Council Member Matheny made a motion to adopt Ordinance No. 2018-38 with conditions to eliminate multi-story boat storage, and hours of operation from 7:00 a.m. to 11:00 p.m. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 2. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-40**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article III, “Zoning Regulations”, Division 20 “Supplemental District Regulations”, Section 3.20.3 “Accessory Structures”, Subsection A “Residential Districts”, and providing for severability, conflict, codification and effective date. (Above is full title) **ACTION ON ORDINANCE 2018-40**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-40 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-40, with no response from the audience.

Council Member Matheny made a motion to adopt Ordinance No. 2018-40. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 3 - 1) Council Member Cooper voted nay and Council Member Shroyer was absent.

- 3. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-18**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-18 into the record by title.

Christopher Mills, Planning & Zoning, said items 3 & 4, along with items 5 – 21 are related to the enclave annexations approved by this Council last month. These are being heard this evening as the owners are requesting something other than what was assigned. In cases of properties larger than 10 acres, they’re being heard before they’re transmitted to the State of Florida for review. Osceola County has indicated the annexation should go to the August 6, 2018 BOCC Meeting. They must vote to approve for these annexations to become valid. Final action will occur after Osceola County has approved the interlocal agreement.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-18.

Pat Brack, 500 Grape Avenue, referenced Ordinance No. 3 and No. 4 and does not understand why they were all put in one ordinance. They all refer to entirely different areas and may have different needs depending on the location. She does not feel agricultural zoning would be compatible with residential homes.

Lowell Knollinger, 633 Grape Avenue, agrees with Ms. Brack and references have been made by the owner to change this into a medical marijuana grow facility. It does not fit with our neighborhood.

Warren Wiggins, 634 Grape Avenue, concurs with Ms. Brack and Mr. Knollinger.

Mr. Stokler, 1801 Eastern Avenue, wanted to clarify there was an existing agricultural area comprising of at least 50 acres on Eastern Avenue. They were only asking for 8 ½ acres be changed from residential to agricultural to fit in with the existing agricultural use. It's important to retain this open agricultural space.

Yohanna Stokler, 1801 Eastern Avenue, stated she would challenge anyone complaining about noise on the lower part of Eastern Avenue.

Deputy Mayor Askew made a motion to go back to Ordinance No. 2018-18 and remove 300 East 9th Street. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion failed (Vote 2-2) Council Member Cooper and Mayor Blackwell voted nay. Council Member Shroyer was absent.

Mayor Blackwell made a motion to approve the first public hearing for Ordinance No. 2018-18. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 3-1) Council Member Cooper voted nay and Council Member Shroyer was absent.

- 4. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-19**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-19 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance. Osceola County has indicated the annexation should go to the August 6, 2018 BOCC Meeting. They must vote to approve for these annexations to become valid.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-19 with no response.

The City Attorney noted Osceola County has not acted on these as we anticipated and final action will occur after they approve the interlocal agreement. The City Attorney asked Council if they wished to have these items separately.

Mayor Blackwell made a motion to approve the first public hearing for Ordinance No. 2018-19. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 3 - 1) Council Member Cooper voted nay and Council Member Shroyer was absent.

- 5. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-20**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-20 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-20.

Douglas Mann, 2400 McKay Street, would like his address taken off and added back on for it to be zoned what it states in his application.

The City Attorney asked to clarify if he meant when the interlocal agreement was approved he asked to have it removed but now would like it back. The City Attorney stated it would have to be re-worked through the process, it cannot simply be added back on at this council meeting.

Christopher Mills suggested it may be easier to have Mr. Mann go through the voluntary annexation process.

Council directed the City Manager to work with Mr. Mann to be re-zone commercial and annex into the City.

Emily Grant, 3961 Old Canoe Creek Road, was already annexed into the City in the past but would like to be included in the enclave re-zoning as commercial.

The City Attorney cautioned Council about going back and opening the door to allow the re-zoning without paying the proper fees.

Council Member Cooper requested the City Attorney look into Ms. Grant's property to get the particulars on it.

Council Member Matheny did not believe the City can accommodate Ms. Grant's request.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-20. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 6. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-21**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-21 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-21 with no response from the audience.

Council Member Matheny made a motion to approve the first reading for Ordinance No. 2018-21. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 7. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-42**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-42 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-42 with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-42. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 8. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-43**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-43 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-43 with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-43. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 9. FIRST 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 “Professional” 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-44**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-44 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-44 with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-44. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

- 10. FIRST 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 “Professional” 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) (Final Public Hearing will be heard on August 9, 2018)
ACTION ON ORDINANCE NO. 2018-45

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-45 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-45 with no response from the audience.

Deputy Mayor Askew made a motion to approve the first public hearing for Ordinance No. 2018-45. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

11. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-46**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-46 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-46, with no response from the audience.

Deputy Mayor Askew made a motion to approve the first public hearing for Ordinance No. 2018-46. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

12. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-47**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-47 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-47 with no response from the audience.

Mayor Blackwell made a motion to approve the first public hearing for Ordinance No. 2018-47. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 – 0) Council Member Shroyer was absent.

13. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-48**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-48 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-48 with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-48. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

14. FIRST 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) (Final Public Hearing will be heard on August 9, 2018) **ACTION ON ORDINANCE NO. 2018-49**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-49 into the record by title.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-49, with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-49. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

15. FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-50, 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 10.60 acres, located at 2650 Missouri 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 September 13, 2018) **ACTION ON ORDINANCE NO. 2018-50**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-50 into the record by title.

Christopher Mills, Planning & Zoning, reviewed the proposed ordinance.

Mayor Blackwell announced the first reading and transmittal for Ordinance No. 2018-50, with no response from the audience.

Council Member Matheny made a motion to approve the first public hearing for Ordinance No. 2018-50. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

16. FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-51, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Commercial” to approximately 16.08 acres, located at 1970 W New Nolte 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 13, 2018) **ACTION ON ORDINANCE NO. 2018-51**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-51 into the record by title.

Christopher Mills, Planning & Zoning, reviewed the proposed Ordinance.

Mayor Blackwell announced the first reading and transmittal for Ordinance No. 2018-51, with no response from the audience.

Deputy Mayor Askew made a motion to approve Ordinance No. 2018-51. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

17. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2018-52, 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. 2018-51, for approximately 16.08 acres, located at 1970 W New Nolte 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) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE NO. 2018-52**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-52 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-52 with no response from the audience.

Deputy Mayor Askew made a motion to approve Ordinance No. 2018-52. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

18. FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-53, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of “Public/Institutional” to approximately 37.96 acres, located at 3840 Old Canoe Creek Road, and 3800 Old 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) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE NO. 2018-53**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-53 into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Ordinance.

Mayor Blackwell announced the first reading and transmittal for Ordinance No. 2018-53 with no response from the audience.

Council Member Matheny made a motion to approve Ordinance No. 2018-53. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

19. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2018-54, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning district of “P” Professional, compatible with a “Public/Institutional” Future Land Use designation change, adopted by Ordinance No. 2018-53, for approximately 23.17 acres, located at 3840 Old 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) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE NO. 2018-54**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-54 into the record by title.

Christopher Mills, Planning & Zoning, reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-54 with no response from the audience.

Mayor Blackwell made a motion to approve Ordinance No. 2018-54. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

20. FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-55, 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 23.08 acres, located at 2881 Old 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) (Final Public Hearing will be heard on September 13, 2018) **ACTION ON ORDINANCE NO. 2018-55**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-55 into the record by title.

Christopher Mills, Planning & Zoning, reviewed the proposed Ordinance.

Mayor Blackwell announced the first reading and transmittal for Ordinance No. 2018-55, with no response from the audience.

Council Member Matheny made a motion to approve Ordinance No. 2018-55. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

21. FIRST READING AND TRANSMITTAL PUBLIC HEARING FOR ORDINANCE NO. 2018-56, 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 13.49 acres, located at 3550 S Indiana 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 September 13, 2018) **ACTION ON ORDINANCE NO. 2018-56**

Ivy De La Cruz, Deputy City Clerk, read Ordinance No. 2018-56 into the record by title.

Christopher Mills, Planning & Zoning, reviewed the proposed Ordinance.

Mayor Blackwell announced the first reading and transmittal for Ordinance No. 2018-56, with no response from the audience.

Deputy Mayor Askew made a motion to approve Ordinance No. 2018-56. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

22. RESOLUTION NO. 2018-062R, a resolution of the City Council of the City of St. Cloud, Florida, granting a Conditional Use to operate a “Boat, major repair” and “Vehicles for hire (i.e., U-Haul, Ryder, etc.)” at 3701 Friars Cove Lane, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2018-062R**

Ivy De La Cruz, Deputy City Clerk read Resolution No. 2018-062R into the record by title.

Mayor Blackwell announced Resolution No. 2018-062R. ** Please see comments in Ordinance No. 2018-38.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-062R with the conditions of eliminating any multi-story boat storage, with hours of operation from 7:00 a.m. to 11:00 p.m. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

23. RESOLUTION NO. 2018-129R, a resolution of the City Council of the City of St. Cloud, Florida, granting a Conditional Use to operate an “Adult Congregate Living Facility” at 4501 Neptune Road, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2018-129R**

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2018-129R into the record by title.

Christopher Mills, Planning & Zoning reviewed the proposed Resolution.

Mayor Blackwell announced Resolution No. 2018-129R with no response from the audience.

Council Member Matheny made a motion to approve Resolution No. 2018-129R. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

24. RESOLUTION NO. 2018-132R, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution Number 2017-167R which adopted the Fiscal Year 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 budget for additional projects and programs in various funds not included in the original 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. 2018-132R**

Ivy De La Cruz, Deputy City Clerk read Resolution No. 2018-132R into the record by title.

Rick Kisner, Finance Director, reviewed the proposed Resolution.

Mayor Blackwell announced Resolution No. 2018-132R.

Hughette Crumpler, 300 Michigan Avenue, asked if we have a stop/loss program in place.

Mr. Kisner stated we cannot predict when employee/family members will have a major health issue which is why we have been reserving additional funds. He added that he does not know the details regarding the stop/loss insurance but its \$100,000/per incident but the stop/loss and gap insurance is covering some of the increased claims as well.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-132R. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4 - 0) Council Member Shroyer was absent.

25. **RESOLUTION NO. 2018-135R**, a resolution of the City Council of the City of St. Cloud, Florida , declaring certain real property located at 5701 Michigan Ave. and described as the Southside Wastewater Treatment Facility property as partial surplus property, authorizing and approving the lease of said property to Verizon Wireless Personal Communications LP D/B/A Verizon Wireless, a Delaware Limited Partnership, for an initial term of five (5) years with four successive five year renewal options, including annual rent escalation requirements and an initial annual rent of twenty-one thousand six hundred dollars (\$21,600.00) and authorizing the Mayor to execute all documents necessary to complete the lease. **ACTION ON RESOLUTION NO. 2018-135R**

Ivy De La Cruz, Deputy City Clerk read Resolution No. 2018-135R into the record by title.

DiAnna Rawleigh, Public Services Administrator, said Verizon approached the City proposing to lease a portion of Southside Wastewater Treatment Plant totaling 10,000/sq ft for the purpose of constructing a monopole, maintaining and using communication equipment. Verizon will be paying \$21,600 annually with rent escalation of 2.75% for the term of the agreement. This site was previously designed to have a monopole on it.

Mayor Blackwell announced Resolution No. 2018-135R.

Hughette Crumpler, 300 Michigan Avenue, asked if the City has the right to cancel the agreement if the City needs the property for another use.

Ms. Rawleigh explained anytime the tenant is not in conformance or we need the land we can dissolve the lease with some stipulations.

Council Member Matheny made a motion to deny and put it out for a competitive bid. Council Member Cooper seconded the motion.

Ms. Rawleigh noted per our procurement ordinance, they were exempt from going out to bid for a lease. Article II, Section V states it was not required to go out to bid.

Council Member Cooper felt as though it should go out to bid as well.

The City Manager asked if it was the pleasure of the Council to change our policy, because we were in compliance.

The City Attorney advised that leases are excluded like several other items from the purchasing policy; in many instances it requires more negotiations related to the property.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 4 - 0) Council Member Shroyer was absent.

The City Attorney clarified that direction of Council was not to approve this agreement based on the process but Council would like to go out for RFQ/Expressions of interest to see what options are out there and Council agreed.

IX. Council Action

1. Discussion and possible action regarding the request for a reduction of Lien for Code Enforcement Case #2010-846, property address for this case is 606 Pennsylvania Avenue, St. Cloud, Florida.

Council Member Matheny stated she has a conflict of interest on this item as she put a contract for purchase on the property. The lien was disclosed at approximately 10 days into the contract. She excused herself from discussions, conversations and voting. (Exhibit "A" conflict of interest form)

The City Attorney reviewed the Code Enforcement lien. He stated Council received a request from the property owner for a reduction of lien as he corrected the violation very early in the process and neglected to notify the City as he was working in Miami.

Albert Scarfo, owner states due to medical and other hardships he would like the lien reduced. The City Manager reviewed it and agreed to reduction and then it was presented to the Special Magistrate for Code Enforcement and he agreed to it and it was before Council this evening for final action.

Deputy Mayor Askew made a motion approve the reduction of the lien. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 3 - 0) Council Member Matheny abstained and Council Member Shroyer was absent.

IX. City Attorney

City Attorney Mantzaris stated had nothing at this time.

XI. City Manager

City Manager Sturgeon thanked Chris Mills on his leadership and presentation skills on tonight's zoning effort.

Mr. Sturgeon updated Council on the Power Plant issues stating OUC has offered technical assistance, hired a new consultant, working with Orange County DEP to apply for clean up money through the state. The City has not heard back from Mr. Pate for a removal plan since June 28, 2018 and felt it was time to set a 120 day time limit with 15 days to respond and directed DiAnna Rawleigh, Public Services Administrator to handle it.

He stated Rick Kisner, Finance Director has done a five year analysis of the sanitation fund and hoping to get the analysis and recommendations in place for a September workshop.

Mr. Sturgeon stated he had a letter of support for Council to sign from Council Member Shroyer for the Department of Children & Families in Orange, Osceola and Seminole Counties Council agreed.

XII. Mayor and Council Members

City Manager Sturgeon discussed the progress of the downtown revitalization project.

Mayor Blackwell has gotten compliments and complaints. He commended Cathcart contractor as he had contacted them and they have been wonderful. The mud run was an amazing, successful event and brought unity to our community.

Deputy Mayor Askew said St. Cloud is absolutely growing and referenced the warrant list and the most recent amount paid to the Osceola County School District. Growth comes with some heartache but helps cover schools a lot of schools.

Council Member Cooper expressed concern about the alleyways and parking during the construction.

Council Member Matheny felt like the City should proceed with the project and worry less about the smaller things to get the project done since the business owners wanted this as well.

XIII. Information Section and Report Section

Mayor Blackwell read the following:

- Saturday, July 21, 2018 – Grand Opening of Fire Station 33 – 9:30 a.m. @ 3755 Friars Cove Lane.
- Monday, July 30, 2018 – City Council Budget Workshop – 6:00 p.m. @ City Hall, Council Chambers
- Tuesday, July 31, 2018 – City Council Budget Workshop – 6:00 p.m. @ City Hall, Council Chambers (if necessary)
- Thursday, August 9, 2018 – City Council Meeting – 6:30 p.m. @ City Hall, Council Chambers

Reports: Warrant List #15

XIV. Adjournment 9:41 p.m.

Mayor Nathan Blackwell

ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: _____