

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, September 13, 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 Bishop Sam Haught from Church of Jesus Christ Latter Day Saints

III. Pledge of Allegiance

Presentation of Colors by Boy Scout Troop 662

IV. Roll Call

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| ◆ Mayor Nathan Blackwell | City Manager, William Sturgeon |
| ◆ Deputy Mayor Dave Askew | City Attorney, Lyndsay Oyewale |
| ◆ Council Member Linette R. Matheny | Linda Jaworski, City Clerk |
| ◆ Council Member Chuck Cooper | Ivy De La Cruz, Deputy City Clerk |
| ◆ Council Member Donald Shroyer | Members of the Press |

All members present.

V. Presentations

- Proclamation in recognition of National Pollution Prevention Week

Mayor Blackwell presented Scott Adams with a proclamation in recognition of National Pollution Prevention Week.

- Proclamation in recognition of Storm Water Awareness Week

Mayor Blackwell presented Scott Adams with a proclamation in recognition of Storm Water Awareness Week.

- Tetrattech update regarding water/wastewater capacity and rate structure analysis

Andrew Woodcock, and Gary Revoir, 201 E. Pine Street, Orlando, said the purpose of their rate structure analysis was to find a means to offer a rate release that is a reduction in the monthly water/sewer bills to disadvantaged customers. We are able to provide a reduction in the monthly bill for those customers that qualify for the program and at the same time we were able to recover revenues in the higher consumption block which also has the ability to encourage conservation. The whole idea here is that we are keeping the revenues the same within the utility itself. There will be no changes in the utility bill for those customers who are not part of the program. It is only when they start using more than 7,000 gallons/monthly that their bill would change. They also looked at the water/sewer rates and instead of focusing on consumption we focused on a reduction on the base charge; a flat monthly fee that's paid regardless of how much

you use. We looked at a 10% and 20% reduction in these numbers. We are targeting the base charges for both water/sewer with a savings for scenario #3 of \$3.10 and scenario #4 with a savings of \$6.18.

Deputy Mayor Askew asked if the City was going to consider one of these scenarios for our next budget.

City Manager Sturgeon advised he could bring the item back to the next meeting with a Resolution; it's an enterprise fund so we can do it at any time.

Council Member Matheny asked if we would need additional staff to track this kind of data and would like it to be implemented in the most simplistic way. She prefers Scenario #3 or #4 as its clearer.

Council Member Matheny made a motion to add the water rate discussion to the agenda. Deputy Mayor Askew seconded the motion and all members voted aye. Passed (Vote 5-0)

Mayor Blackwell announced the discussion on water/ rates/capacity to the audience.

Hughette Crumpler, Michigan Avenue was pleased this issue was being discussed and believed Council should think about it more carefully in a workshop. She was in favor of simplicity.

Deputy Mayor Askew was not in favor of implementing a ratchet this year.

DiAnna Rawleigh, Public Services Administrator, advised the ratcheting is not for the water rates, it was for impact fees.

Council Member Cooper made a motion to accept scenario #4 with a reduction of \$6.18 per month. Council Member Shroyer seconded the motion and all members voted. Motion failed. (Vote 2-3)

Council consensus is to workshop this item with discussion on water/sewer only.

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.

Bruce Raynor, 200 13th Street, asked for a fee reduction in the variance fee.

City Manager Sturgeon said he would like to take it under advisement and bring back a recommendation to Council.

David Meisner suggested making adjustments to the public speaking during the meeting.

Juda Attkinson, Grace Landing, came before Council with information about the Fostering Program and the Children's Alliance.

Terrance Slyman, 5013 Whitewater Way, asked for an ARC Board to review design guidelines for future construction in our city.

Hughette Crumpler, 300 Michigan Avenue, supported Mr. Slyman's ideas and asked Council to follow through with campaign promises.

Russell Holmes, 11 Jersey Avenue, was glad to hear the City of St. Cloud qualified for the Safer Grant again but wanted to remind Council to put some money aside because the grant is only good for so long then the City has to fund those positions.

Bruce Raynor, 200 13th Street, Treasurer of the Rotary Club, requested that the City Manager entertain a reduction in rent for the facility. He believed they have been good stewards for the Women's Club and would like to retain any savings for the benefit of the community.

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 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 to pull items B, T, K, and S for discussion.

Council Member Matheny requested to pull item H for discussion.

- A. Minutes: April 12, 2018 / Regular Meeting; April 26, 2018 / Regular Meeting; May 10, 2018 / Regular Meeting; May 17, 2018 / Workshop; May 24, 2018 / Regular Meeting; June 14, 2018 / Regular Meeting and June 21, 2018 / Workshop
- B. Resolution No. 2018-145R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing waiver of the formal bidding requirements and utilizing City of Plant City, Florida, RFP 16-022UO-SS, previously advertised for bid by City of Plant City, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Laboratory Testing Services, providing for the award thereof to Flowers Chemical Laboratories Inc., and providing an effective date.
COST: up to \$289,260.00

Council Member Cooper noted if we put these out to bid ourselves we may find it to be less expensive.

- C. Resolution No. 2018-147R, 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. 2018-063, to Cafe Construction & Development, Inc. whose subject matter is Transfer Station Repairs, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.
COST: up to \$211,750.00
- D. Resolution No. 2018-154R, a resolution of the City of St. Cloud, Florida, authorizing and directing execution and delivery of amendments to agreements, policy, and the indenture

previously adopted by Resolution 2017-110R and to approve the appointment of Amy Ady and Kenny Blocker to the Board of Directors of the Florida Fixed Income Trust ("Florida Fit" or the "Trust"); and providing an effective date.

COST: No cost associated with this item.

- E. Resolution No. 2018-155R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the vision insurance policy for the City of St. Cloud with an effective date of October 1, 2018 through September 30, 2020 with Humana Insurance Company.

COST: No cost associated with this item.

- F. Resolution No. 2018-156R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the dental insurance policy for the City of St. Cloud with an effective date of October 1, 2018 through September 30, 2019 with Metropolitan Life Insurance Company.

COST: up to \$194,538.00

- G. Resolution No. 2018-157R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Statutory AD & D benefits for Police and Fire department employees' policy for the City of St. Cloud with an effective date of October 1, 2018 through October 1, 2020 with ACE American Insurance Company.

COST: up to \$8,832.00

- H. Resolution No. 2018-158R, a resolution of the City Council of the City of St. Cloud, Florida, renewing the Stop Loss coverage for our medical insurance policy for the City of St. Cloud with an effective date of October 1, 2018 through September 30, 2019 with Florida Blue.

COST: up to \$446,735.00

Hughette Crumpler, 300 Michigan Avenue, asked how much coverage we had on this stop loss plan.

Council Member Matheny said the City's exposure per employee is \$150,000.00, then the stop loss coverage would kick in; this item is recommending moving this amount to \$175,000.00 and Ms. Matheny felt like it was an unnecessary risk for the city.

- I. Resolution No. 2018-159R, 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 Tetra Tech, Inc. dated September 28, 2017, and any amendments thereto, for Southside Wastewater Treatment Facility Capacity Rerating Study and Permit application, and providing an effective date.

COST: up to \$79,163.00

- J. Resolution No. 2018-161R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the waiver of formal bidding requirements and utilizing Orange County Board of County Commissioners, Florida Invitation to Bid #Y18-1078, previously advertised for bid by Orange County Board of County Commissioners, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Purchase of Automated, Video Closed Caption System, providing for the award thereof to Link Electronics and providing an effective date.

COST: up to \$64,232.50

Hughette Crumpler, 300 Michigan Avenue would like to know when the automated video item would be installed, how long would it take to get caught up to comply with ADA requirements.

- K. Resolution No. 2018-162R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into line extension agreement with CW Sunbrooke, LLC. For Sunbrooke residential development and providing for an effective date.

COST: up to \$159,763.70 to be paid out of water and/or wastewater impact fees.

Council Member Cooper requested clarification.

DiAnna Rawleigh, Public Services Administrator, advised this was a line extension agreement to upsize our system. It was shown on our master plan as being necessary.

- L. Resolution No. 2018-163R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the Mayor to accept a public utility easement from Ashton Hwy. 15, LLC. and Rimrock Narcoossee, LLC. to have and to hold for all uses traditionally made of a public utility easement.

COST: No cost associated with this item.

- M. Resolution No. 2018-164R, a resolution of the City Council of the City of St. Cloud, Florida, authorization the Mayor to release Federal Equitable Funds to refurbish and equip a specialized operational vehicle for Public Safety.

COST: up to \$20,865.00

- N. Resolution No. 2018-165R, a resolution of the City Council of the City of St. Cloud, Florida, approving the acceptance of the Staffing for Adequate Fire and Emergency Response (SAFER) Grant award from the US Department of Homeland Security Federal Emergency Management Agency for the purpose of hiring six new firefighters and authorizing the City Manager or designee to execute the acceptance documents.

COST: up to \$611,566.00

- O. Resolution No. 2018-166R, a resolution of the City Council of the City of St. Cloud, Florida, pertaining to and amending the Rotary Club of St. Cloud, Inc. Facility User Agreement, approving the agreement and authorizing the City Manager to execute all documents necessary to complete the agreement.

COST: No cost associated with this item.

- P. Resolution No. 2018-167R a resolution of the City Council of the City of St. Cloud, Florida, request for approval to amend the official staffing table of the City of St. Cloud for the purpose of adding six (6) Firefighter positions: three (3) EMT/Firefighter and three (3) Paramedic/Firefighter. This request based upon the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Award from the US Department of Homeland Security Federal Emergency Management Agency for hiring of six (6) Fire Department operational personnel.

COST: Total 3 Year Required City Match: \$611,566.00; Grant Award \$983,828.00

FY 18-19 Year 1 required 25 % City Match \$132,949.00; Grant Award \$398,849.00

FY 19-20 Year 2 required 25 % City Match \$132,949.00; Grant Award \$398,849.00

FY 20-21 Year 3 required 65% City Match \$345,668.00; Grant Award \$186,130.00

*These award and match amounts are based on the entry level salary of a Firefighter/Paramedic at time of application, no cola's or step increases were allowed for future years; therefore, the *actual* cost to the City will be greater than the required match.

- Q. Resolution No. 2018-172R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the Mayor to accept a public utility easement from Richmond American Homes of Florida, LP., to have and to hold for all uses traditionally made of a public utility easement.

COST: No cost associated with this item.

- R. Resolution No. 2018-175R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to amend the health services agreement approved by the Resolution number 2017-077R for Second Addendum with Marathon Health LLC for the purpose of setting the current annual service fees without increase for the duration of the contract year 6 (6/21/18-6/20/19).

COST: up to \$373,656.00

- S. Resolution No. 2018-176R, a resolution of the City Council of the City of St. Cloud, approving the agreement for the purchase of one (1) +/- acre of certain real property located at 901 Virginia Avenue from the School Board of Osceola County school for the purchase price of \$200,000, and authorizing the Mayor and City Manager to perform all acts necessary and appropriate to close on the property as provided herein.

COST: up to \$200,000.00

Council Member Cooper disagrees with this. Council Member Shroyer noted that voting it down would not help the City.

- T. Resolution No. 2018-177R, a resolution of the City Council of the City of St. Cloud approving a third amendment to the agreement between the City of St. Cloud and 20/20 Media related to the installation and maintenance of bus shelters; providing that the City shall pay to 20/20 Media \$15,000 in exchange for 20/20 Media's release of its right to install a shelter on 17th Street in St. Cloud, Florida authorizing the Mayor and or City Manager to execute all documents necessary to complete the agreement.

COST: up to \$15,000.00

Council Member Cooper asked for clarification on this item.

Hughette Crumpler, Michigan Avenue, asked for clarification on this item.

City Manager Sturgeon advised that OUC and Lynx asked for a permit to put a bus shelter in and according to Mr. Davis' contract he has exclusive rights to put in bus shelters in the City of St. Cloud. So he went to OUC and Lynx and said they were going to have to remove it and OUC said the City permitted it. If we tear it out, it will cost \$20,000.00. The City Manager asked the

City Attorney to inquire if Mr. Davis would accept a \$15,000.00 settlement because of violation of contract.

Hughette Crumpler, Michigan Avenue, felt as though Mr. Davis should waive the \$15,000.00.

Council Member Matheny made a motion to approve the consent agenda minus item H. Motion failed due to a lack of a second.

Council Member Shroyer made a motion to approve the consent agenda. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried (Vote 4-1). Council Member Cooper voted nay.

VIII. Public Hearings

1. **PUBLIC HEARING FOR RESOLUTION NO. 2018-152R**, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final Ad Valorem tax millage for the City of St. Cloud for the fiscal year 2018/2019, the same being adopted prior to the adoption of a final budget for said period. (FINAL MILLAGE) (Above is full title) **ACTION ON RESOLUTION NO. 2018-152R**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Resolution No. 2018-152R into the record by title.

Rick Kisner, Finance Director reviewed the proposed Resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2018-152R.

David Meisner, Stevens Plantation, believes the City should increase the millage rate so the city could provide safety with street lights.

Hughette Crumpler, 300 Michigan Avenue, asked if Council would lower the millage rate.

Council Member Cooper wanted to see the millage rate lowered.

Council Member Shroyer made a motion to approve Resolution No. 2018-152R. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 4-1) Council Member Cooper voted nay.

2. **PUBLIC HEARING FOR RESOLUTION NO. 2018-153R**, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final budget for the City of St. Cloud for the fiscal year 2018/2019; the same being adopted following the adoption of a final millage rate for said period.(FINAL BUDGET) (Above is full title) **ACTION ON RESOLUTION NO. 2018-153R**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Resolution No. 2018-153R into the record by title.

Rick Kisner, Finance Director, reviewed the proposed Resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2018-153R with no comment from the audience.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-153R. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (4-1) Council Member Cooper voted nay.

3. **RESOLUTION NO. 2018-168R**, 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 current 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. 2018-168R**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Resolution No. 2018-168R into the record by title.

Rick Kisner, Finance Director, reviewed the proposed Resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2018-168R with no response from the audience.

Council Member Shroyer made a motion to approve Resolution No. 2018-168R. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski motion carried. (Vote 5 - 0)

4. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE 2018-01**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-01 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-01 with no response from the audience.

Deputy Mayor Askew made a motion to adopt Ordinance No. 2018-01 contingent on quarterly testing on the water until final build out of the project and if there are any water issues, they have to be addressed. Council Member Shroyer seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 3-2) Council Member Cooper and Council Member Matheny voted nay.

5. **FINAL 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) **ACTION ON ORDINANCE 2018-02**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-02 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-02 with no response from the audience.

Deputy Mayor Askew made a motion to adopt Ordinance No. 2018-02. Council Member Shroyer seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 3-2) Council Member Cooper and Council Member Matheny voted nay.

6. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE 2018-03**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-03 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-03.

Tony Areo, Vice President of Development with Hannaford Land Company, 605 commonwealth Avenue, Orlando, was present to answer questions.

Council Member Matheny advised she voted nay on this project the first time around because she felt like it was a stretch to state it was contiguous with the City of St. Cloud. This development has a settlement with Osceola County that requires payment over X amount of years. There was a lot of public involvement and complaints from the surrounding areas and believes it may be best to wait on it until its more developed and defined and felt we do not have the staff time to address all the complaints.

Council Member Shroyer said they already have the water and sewer agreement and can pull permits regardless. If you want to see the city in a better position, you would want to see the ad valorem on the books.

Mr. Areo felt their company was going above and beyond with the water quality and the dredging operation was monitored on a daily basis and were no issues.

Deputy Mayor Askew made a motion to adopt Ordinance No. 2018-03 contingent on quarterly testing on the water until final build out of the project. Council Member Shroyer seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski motion carried. (Vote 3-2) Council Member Cooper and Council Member Matheny voted nay.

7. **FINAL 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)
ACTION ON ORDINANCE NO. 2018-50

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-50 with no response from the audience.

Council Member Matheny made a motion to adopt 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 5-0)

8. **FINAL 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) **ACTION ON ORDINANCE NO. 2018-51**

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-51 with no response from the audience.

Council Member Cooper made a motion to adopt 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 5-0)

9. **FINAL 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) **ACTION ON ORDINANCE NO. 2018-52**

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

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

Council Member Cooper made a motion to adopt 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 5-0)

10. **FINAL 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) **ACTION ON ORDINANCE NO. 2018-53**

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-53 with no response from the audience.

Council Member Cooper made a motion to adopt Ordinance No. 2018-53. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 5-0)

- 11. FINAL 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) **ACTION ON ORDINANCE NO. 2018-54**

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

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

Council Member Cooper made a motion to adopt 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 5-0)

- 12. FINAL 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) **ACTION ON ORDINANCE NO. 2018-55**

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.
Mayor Blackwell announced the final public hearing for Ordinance No. 2018-55 with no response from the audience.

Council Member Cooper made a motion to adopt Ordinance No. 2018-55. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 5-0)

13. FINAL 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)
ACTION ON ORDINANCE NO. 2018-56

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

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2018-56 with no response from the audience.

Deputy Mayor Askew made a motion to adopt 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 5-0)

14. FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-22, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article III, “Zoning Regulations”, Division 6, “A-Agriculture District” and Division 17, “Industrial Districts 1, 2, and 3” and amending Table III-5 and III-7 of the Land Development Code, prohibiting medical processing uses and deleting medical marijuana dispensaries as an allowable conditional use and providing for severability, conflicts, codification and an effective date. (Above is full title) (Final Public Hearing will be heard on September 27, 2018) **ACTION ON ORDINANCE 2018-22**

Ivy De La Cruz, Deputy City Clerk, read the first reading and introduction for Ordinance No. 2018-22 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-22.

David Meisner, Stevens Plantation, objected to the conditional use of marijuana cultivation and said it was against the law.

Hughette Crumpler, 300 Michigan Avenue, asked if she was correct; you can cultivate marijuana but you cannot have dispensaries. Mayor Blackwell reiterated that the cultivation would require a conditional use. Ms. Crumpler felt the City was creating a monopoly for the one dispensary in Osceola County which may or may not be annexed into the City down the road.

Lyndsay Oyewale, City Attorney, clarified the legislative aspect of medical marijuana.

Deputy Mayor Askew made a motion to approve the first public hearing for Ordinance No. 2018-22. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 5-0)

15. FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-41, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article III, “Zoning Regulations”, Division 20 “Supplemental District Regulations”, Section 3.20.16 “Temporary Storage, Office Trailers, and Construction Trailers”, Subsection A.2 “Construction/Contractor Office” of the Land Development Code; providing that construction/contractor offices shall be removed prior to the issuance of a certificate of occupancy of the final lot within a development or phase of development; providing for severability, conflict, codification and effective date (Above is full title) (Final Public Hearing will be heard on October 11, 2018) **ACTION ON ORDINANCE NO. 2018-41**

Ivy De La Cruz, Deputy City Clerk, read the first reading and introduction for Ordinance No. 2018-41 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed Ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-41 with no response from the audience.

Deputy Mayor Askew made a motion to approve the first public hearing for Ordinance No. 2018-41. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 5-0)

16. RESOLUTION NO. 2018-174R, a resolution of the City Council of St. Cloud, Florida, relating to community redevelopment; approving the amended restated and readopted Community Redevelopment Plan for the City of St. Cloud community redevelopment area; authorizing and directing the Community Redevelopment Agency to implement the community redevelopment plan; and, providing an effective date. (Above is full title) **ACTION ON RESOLUTION NO. 2018-174R**

Staff requested this item be continued to the September 27, 2018 Council Meeting.

Council Member Matheny made a motion to continue this item to the September 27, 2018 Council Meeting. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski motion carried. (Vote 5-0)

IX. Council Action

1. Discussion and possible action regarding the ratification of a re-appointed member of the Police and Fire Pension Board

Council Member Cooper made a motion to re-appoint Claude Campbell to the Police and Fire Pension Board. Council Member Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion carried. (Vote 5-0)

2. Discussion and possible action regarding appointment to the Zoning Board of Adjustment.

Council Member Cooper made a motion to appoint Megan Marshall to the Zoning Board of Adjustment. Deputy Mayor Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski motion carried. (Vote 5-0)

X. City Attorney

City Attorney Lyndsay Oyewale stated she had nothing at this time.

XI. City Manager

City Manager Sturgeon requested Council to sponsor ‘Viva Osceola’ and increase the amount to \$4,250.00 which will allow us to have mobile advertising and give-a-ways.

Council consensus was to sponsor the event and include the increase.

XII. Mayor and Council Members

Mayor Blackwell shared a thank you letter from the Osceola County School District to the St. Cloud Citizens Foundation for school supplies collected for families in transition. He thanked all of those who are part of the St. Cloud Citizens Foundation who spent an entire day with kids in the community.

Mayor Blackwell noted he would get with Metro Plan to see if any sidewalk money available and please remember in prayer those in the path of Hurricane Florence.

Deputy Mayor Askew stated he had nothing at this time.

Council Member Cooper asked if staff could help the parking situation at the lakefront by utilizing the city owned land. The City Manager has spoken to staff about it and one of the ideas we had was to put a pervious surface on the lot. If it is something Council would consider, we could add it to the capital plan and look at funding it.

Council Member Cooper asked for an update on the Power Plant and the City Manager advised the City gave Mr. Pate until the end of November and sent two e-mails but never heard back from. We may have to move on and look for a contingency plan. Council consensus was to look for a new plan.

Council Member Matheny noted the land the City owns at the lakefront is used for a lot of activities outside of parking typically with tents, tables, chairs, food and shade. She thought there was Council consensus that presentations were to be provided to Council at the time the agenda is received. We had a presentation today but I requested we get them prior to the meeting with the agenda package.

The City Manager agreed and noted Council will get every presentation when possible in advance.

Deputy Mayor Matheny would like time lines on the lighting ordinance and would like to know what the time line would be to create the appropriate zoning for Parks. She said its election season and gave a friendly reminder to everyone to follow the rules regarding campaign signs. The rules are clearly written and Code Enforcement should not have to police you.

Council Member Shroyer asked for an update on the Black Sky Ordinance and the City Manager said he asked the Planning Director to have it prepared for the first quarter of 2019.

Council Member Shroyer asked if there was an accident in front of Toho Marine.

Police Chief Gauntlett had three members of Traffic Unit investigate and in his opinion there was no traffic hazard as a result of the lighting. He said if the owner removes any additional lighting from this location then it becomes a safety and security concern. Essentially, they have done everything they have been asked to do.

Council Member Shroyer asked about the safety at the High School pertaining to the culverts, sidewalks and parking issues.

The City Manager advised that Ms. Best was on the news last night explaining the petition drive that was started for these same safety issues.

City Manager Sturgeon said he was going to propose to go after state funding at the legislative session next week. Council Member Shroyer agreed and said we could work on that.

Chief Gauntlett said he met with Ray Bass and his daughter and they were in complete support of the sidewalk. The issue of students parking in nearby neighborhoods is a continuing problem because of the size and the volume of the school.

Deputy Mayor Matheny would like the School District to come up with solutions regarding parking issues and mentioned 'Safe Routes to School' funding for sidewalks.

XIII. Information Section and Report Section

Mayor Blackwell read the following:

- Thursday, September 20, 2018 – City Council Workshop – 6:00 p.m. @ City Hall, Council Chambers
- Thursday, September 27, 2018 – City Council Meeting – 6:30 p.m. @ City Hall, Council Chambers

Reports: Warrant list #17

XIV. Adjournment 9:20 p.m.

Mayor Nathan Blackwell

ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: _____