

**ST. CLOUD CITY COUNCIL REGULAR MEETING**  
**Thursday, September 27, 2018**  
**City Hall – Council Chambers**  
**1300 9th Street**  
**6:30 p.m.**  
**Minutes**

- I. Mayor Blackwell called the meeting to order at 6:30 p.m.
- II. Invocation given by Pastor Alden Wightman from Amazing Grace Baptist Church
- III. Pledge of Allegiance
- IV. Roll Call

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|-------------------------------------|-----------------------------------|
| ◆ Mayor Nathan Blackwell            | City Manager, William Sturgeon    |
| ◆ Deputy Mayor Dave Askew           | City Attorney, Daniel Mantzaris   |
| ◆ 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 with the exception of Council Member Shroyer who was absent.

V. Presentations

- Proclamation in recognition of Customer Service Week

Mayor Blackwell presented Cory Brinkman with a proclamation in recognition of Customer Service Week.

- Proclamation in recognition of Fire Prevention Week

Mayor Blackwell presented Richard Tonks with a proclamation in recognition of Fire prevention Week.

- Proclamation in recognition of Planning Month

Mayor Blackwell presented Nakeisha Lyon, Jacob Cummings and Abismael Abreu with a proclamation in recognition of National Community Planning Month.

- Presentation of Employee of the Month

Andre Anderson presented Abismael Abreu with the Employee of the Month Award.

- Presentation in recognition of William Johnston's Retirement

Chief Gauntlett presented William Johnston with a watch in recognition of his years of service with the City.

- 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.

**Clarence Thacker**, Osceola County School Board Member, thanked the Council for supporting the SRO Program to assist with the schools and the students.

Chief Gauntlett commended the School Board for the great work they had done with the partnership.

**George Hastings**, invited the Council to a First Responders concert on October 6, 2018, at the Hastings Ranch and Farm and requested the use of bleachers for the event. Council consensus was to allow use of the bleachers for the event.

City Manager Sturgeon recommended \$250.00 left from the community grant fund go to the First Responders event. Council Consensus agreed to use the funds for this event.

**Hughette Crumpler**, 300 Michigan Avenue, asked when the water workshop would be held and if public comment would be allowed. She also asked when the meetings would be televised again. She suggested requiring all properties to be equipped with fire sprinkler systems. Regarding the water she suggested the proposal was inadequate and the reduction was not sufficient. She felt residents should not be required to fill out paperwork just adjusted according to usage. She requested a second citizen forum.

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

City Attorney Mantzaris pulled Item D to explain minor changes to the agreement.

- A. Resolution No. 2018-060R, a resolution of the City Council of the City of St. Cloud, Florida, 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.

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

- B. Resolution No. 2018-160R, 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. 2018-071, to Prime Construction Group, Inc. whose subject matter is Polisher Unit Improvements Water Treatment Plant No. 4, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** up to \$1,627,450.00

C. Resolution No. 2018-169R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a fourth addendum to and extension of the agreement dated August 14, 2014, between the City of St. Cloud and Morton Salt, Inc. for bulk industrial crude solar salt, and providing an effective date.

**COST:** up to \$196,664.00

D. Resolution No. 2018-178R a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a Collective Bargaining Agreement with the Florida State Lodge Fraternal Order of Police Inc.

**COST:** Up to \$40,000.00 (year 1)

City Attorney Mantzaris reviewed a few minor changes to the Collective Bargaining Agreement.

Mayor Blackwell announced the proposed resolution.

Hughette Crumpler, 300 Michigan Avenue, asked for clarification regarding the agreement.

After clarification, Deputy Mayor Askew made a motion to approve Resolution No. 2018-178R the with changes as outlined. 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.

E. Resolution No. 2018-179R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of State of Florida Alternate Contract Source (ACS) No. 31160000-18-ACS, previously advertised for bid by the State of New York, whose subject matter is Industrial & Commercial Supplies and Equipment, providing for the award thereof to W.W. Grainger, Inc. and providing an effective date.

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

F. Resolution No. 2018-180R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing waiver of the formal bidding requirements and utilizing City of Hollywood, Florida, Project No. 16-7080, previously advertised for bid by City of Hollywood, Florida, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Gravity Sewer System Condition Assessment and Renewal and Replacement Inflow/Infiltration (I/I) Cured-In-Place Pipe (CIPP) Lining and New Sewer Manhole Installation, providing for the award thereof to American Infrastructure Technologies Corporation, and providing an effective date.

**COST:** up to \$330,750.00

G. Resolution No. 2018-181R, 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 items

H. Resolution No. 2018-182R, a resolution of the City Council of the City of St. Cloud, Florida, setting one City Council meeting date for November, and that meeting date being November 15, 2018 and setting one City Council meeting date for December, and that meeting date being December 13, 2018.

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

I. Resolution No. 2018-183R, a resolution of the City Council of the City of St. Cloud approving a release of easement of that certain utility easement dated April 13, 2012 between, Donald R. Bullerdick and assigned to Pulte Home Company, Orlando Utilities Commission and the City of St. Cloud authorizing the Mayor and City Manager to perform all acts necessary and appropriate to execute the amended easement and providing for an effective date.

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

J. Resolution No. 2018-184R, a resolution of the City Council of the City of St. Cloud approving a release of easement of that certain utility easement dated July 12, 2017 between Bainbridge at Nona Place, Orlando Utilities Commission and the City of St. Cloud authorizing the Mayor and City Manager to perform all acts necessary and appropriate to execute the amended easement and providing for an effective date.

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

Mayor Blackwell announced the Consent Agenda.

**Hughette Crumpler**, 300 Michigan Avenue requested clarification on several items on the consent agenda and the Mayor and City Manager were able to address them.

Council Member Matheny made a motion to approve the Consent Agenda minus Item D. 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.

## **VIII. Public Hearings**

1. **FINAL 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 final public hearing for Resolution No. 2018-152R.

**Hughette Crumpler**, 300 Michigan Avenue, stated she was disappointed that taxes had not been lowered.

The Mayor stated that the priority of this Council was to protect the future of the City. Part of which was to ensure employees were able to maintain their livelihoods within our City.

Deputy Mayor Askew made a motion to approve Resolution No. 2018-152R. 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.

- 2. FINAL 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 final public hearing for Resolution No. 2018-153R.

**Hughette Crumpler**, 300 Michigan Avenue, asked how much of the budget was for capital improvements.

Mr. Kisner stated it was \$5,676,707,000.00

Council Member Matheny made a motion to approve Resolution No. 2018-153R. 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.

- 3. 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**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Resolution No. 2018-174R into the record by title.

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

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

Council Member Matheny made a motion to approve Resolution No. 2018-174R. 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.

4. **FINAL PUBLIC HEARING 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 Tables 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) **ACTION ON ORDINANCE 2018-22**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-22 into the record by title.

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

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

**Hughette Crumpler**, 300 Michigan Avenue, requested a code clarification on this item and how it would affect a local nursery.

City Attorney Mantzaris stated the ordinance prohibits dispensaries from obtaining a conditional use.

**Jay Polachek**, S & L Nursery, 300 E. 9<sup>th</sup> Street, discussed the processing part of the ordinance that would affect his business.

Council discussion followed on several aspects of the ordinance with clarification from the City Attorney and Mr. Anderson.

Police Chief Gauntlett stated that the State had not had any issues with the cultivation aspects. He said they would continue to monitor for any red flags, but he said as long as security measures were in place at the facility, there should be no problem with the medical side.

City Manager Mantzaris presented changes that could be made to the land development code for conditional use.

Council Member Cooper made a motion to adopt Ordinance No. 2018-22 with the changes City Attorney Mantzaris presented. Council Member Matheny seconded the motion.

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

5. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2018-57**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the Land Development Code of the City of St. Cloud, Florida to amend Article III Division 24,

Historic Preservation Overlay (HPO) District; providing for severability; conflicts; codification; and an effective date. (Above is full title) (Final Public Hearing will be heard on October 11, 2018) **ACTION ON ORDINANCE NO. 2018-57**

Ivy De La Cruz, Deputy City Clerk, read the first reading of Ordinance No. 2018-57 into the record by title.

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

Mayor Blackwell announced the first public hearing for Ordinance No. 2018-57.

**Paula Stark**, Main Street, Director, 903 Pennsylvania Avenue, stated she felt there was a need for additional board meetings to keep members adequately informed.

City Attorney Mantzaris stated that four meetings were the minimum and more could be added as needed.

Council discussion followed with requested updates on a regular basis between Council and the Board.

Council Member Matheny made a motion to approve Ordinance No. 2018-57. 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.

## **IX. Council Action**

1. Resolution No. 2018-173R, a resolution of the City Council of the City of St. Cloud, Florida approving a Water & Wastewater Service Agreement from Equitas Management Group, for a commercial development named 7-Eleven, located in the unincorporated area of Osceola County on the south side of Nolte Rd., south of US Hwy. 192, north of Pine Tree, west of Hickory Tree Rd and east of Old Hickory Tree Rd.; authorizing the City Manager to execute the agreement; and providing an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2018-173R into the record by title.

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

**Lance Cooper** stated he represented the owner and management for 7-Eleven and was available for questions.

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

Council Member Matheny made a motion to approve Resolution No. 2018-173R. 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 absent.

2. Request authorization of a Community Agency Grant sponsorship of Community Vision's Holiday Fundraiser.

Ivy De La Cruz, Deputy City Clerk, read council action #2 into the record by title.

Charlene Kuhn, Grants Administrator, reviewed the proposed sponsorship.

Council Member Matheny made a motion to give \$1,018.00 to Community Vision. 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.

#### **IX. City Attorney**

City Attorney Mantzaris stated more time was needed prior to holding the October 4, 2018 Stevens Plantation DSD meeting. He also informed Council he would be reaching out to them regarding the self evaluations.

#### **X. City Manager**

City Manager Sturgeon said his self evaluation would be in Council's mailboxes.

#### **XI. Mayor and Council Members**

**Deputy Mayor Askew** stated he had nothing at the time.

**Council Member Cooper** broached the subject of the power plant time line.

**Council Member Matheny** suggested revisiting the City's project list and put together an economic package.

**Mayor Blackwell** stated he had received a call from Representative Darren Soto who said \$38 million had been appropriated from the Department of Defense to invest into BRIDGE in Neo City. This money would help to build a "Cyber Security Center" for Micro Electronics.

Mayor Blackwell thanked staff and volunteers for all their work on the budget.

City Manager Sturgeon informed Council that the final rescue relief team that went to North Carolina would return that evening.

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

Mayor Blackwell read the following:

- Thursday, October 4, 2018 – Stevens Plantation DSD Meeting with a Council Workshop immediately following – 6:00 p.m. @ Civic Center



- Friday, Saturday and Sunday, October 5th, 6th and 7th, 2018 – Institute for Elected Officials @ Tampa Location
- Thursday, October 11, 2018 – City Council Meeting – 6:30 p.m. @ City Hall, Council Chambers

Mayor Blackwell stated the DSD meeting was cancelled, but the Council Workshop would be at City Hall, Council Chambers.

Reports: Warrant List #18

**XIV.** Adjournment: 8:54 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

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