

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, January 24, 2019  
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 the Church of Jesus Christ of Latter Day Saints.
  - III. Pledge of Allegiance
  - IV. Roll Call
    - ◆ Mayor Nathan Blackwell
    - ◆ Deputy Mayor Linette Matheny
    - ◆ Council Member Chuck Cooper
    - ◆ Council Member Dave Askew
    - ◆ Council Member Keith Trace
- City Manager, William Sturgeon  
City Attorney, Daniel Mantzaris  
Linda Jaworski, City Clerk  
Ivy De La Cruz, Deputy City Clerk  
Members of the Press

All members present.

V. Presentations

- Presentation of Employee of the Month

Rick Mauro presented Leslie Klein with the Employee of the Month Award.

- Presentation in recognition of Steven Jarvis's retirement

Rick Mauro presented Steve Jarvis with a watch in recognition of his years of service.

VI. Citizens 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.

**Hughette Crumpler**, 300 Michigan Avenue, expressed her concerns regarding the water plant and water issue. She requested a formal investigation on the consulting firm.

**Scott Banta**, 97 Hickory Tree Road, Longwood, respectfully requested an extension on the Galleria due diligence time to March 28, 2019.

City Attorney Mantzaris explained the contract period and the deposits. After discussion, Council took no action.

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.

- A. Minutes: September 20, 2018 / Workshop; September 27, 2018 / Regular Meeting; October 4, 2018 / Workshop; October 11, 2018 / Regular Meeting; October 25, 2018 / Regular Meeting and November 15, 2018 / Special Session
  
- B. Resolution No. 2019-020R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Sourcewell, formerly National Joint Powers Alliance (NJPA) Contract #041217-WQI whose subject matter is Solid Waste and Recycling Collection and Transport Equipment with Related Equipment, Supplies, and Accessories, providing for the award thereof to Wastequip, LLC, and providing an effective date.  
**COST:** up to \$60,685.55
  
- C. Resolution No. 2019-030R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a first addendum to and extension of the agreement dated January 10, 2018 between the City of St. Cloud and S & K Sod Company, LLC for Supply of Sod, and providing an effective date.  
**COST:** Funds will be allocated by purchase order from approved and budgeted expenditure accounts on an as-needed basis.
  
- D. Resolution No. 2019-031R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement with the FOP Collective Bargaining Unit for the Police Department Union.  
**COST:** \$420,058.00
  
- E. Resolution No. 2019-032R a resolution of the City Council of St. Cloud, Florida, amending the schedule of tap fees and irrigation meter fees pursuant to Article VII, Utilities, Division 1, Section 7.1.5 “Fees” of the Land Development Code, and establishing potable water tap, sewer tap and irrigation meter fees pursuant to Sections 44-93, 44-255, 44-312, and 44-313 of the City of St. Cloud’s City Code, repealing all resolutions in conflict and providing an effective date.  
**COST:** No cost associated with this item.

Mayor Blackwell announced the consent agenda with no response from the audience.

Deputy Mayor Matheny made a motion to approve the consent agenda as presented. 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)

### **VIII. Public Hearings**

- 1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-24**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road, and north of Live Oak Lake; in accordance with the voluntary annexation provisions of

Chapter 171.044, Florida Statutes (Above is full title) **ACTION ON ORDINANCE NO. 2018-24**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-24 into the record by title.

Leigh Anne Wachter, Principal Planner requested Public Hearings 1, 2 and 3 along with Council Action 3 and 4 be read for review and discussion. Ms. Wachter reviewed the proposed ordinance.

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

**Randy June**, June Engineering Consultant, 32 W. Plant Street, Applicant, stated he was available for questions.

**Kenneth Polczynski**, 2027 Live Oak Boulevard, shared his appreciation for the Council and City's participation.

Council discussion followed regarding parking, fencing, setbacks and the interconnectivity to the south.

**Jimmy Dunn**, June Engineering Consultant, 32 W. Plant Street stated they had calculated 4.5 parking spaces for each unit for a total of 87 spaces.

**Leonard Thompson**, 6815 Old Melbourne Highway, stated several offers of access had been offered to Mr. Laughrey, but offers were refused.

**Jeff Schepler**, 2209 Spring Lake Circle, shared several issues he had with the project.

Council Member Trace made a motion to adopt Ordinance No. 2018-24. 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)

2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-25**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use Designation of "Mixed Use" to approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road, and North of Live Oak Lake; providing for amending the official Future Land Use Map of the Comprehensive Plan, filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, copies on file and effective date (Above is full title) **ACTION ON ORDINANCE NO. 2018-25**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-25 into the record by title.

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

Discussion was held under Public Hearing #1.

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

Council Member Cooper made a motion to adopt Ordinance No. 2018-25. Deputy Mayor Matheny seconded the motion.

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

3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2018-26**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “MIX” Mixed Use, compatible with a “Mixed Use” Future Land Use designation change, adopted by Ordinance No. 2018-25, for approximately 44.56 acres identified as Thompson Grove, located east of Hickory Tree Road, south of E. Irlo Bronson Memorial Highway, west of Live Oak Lake Road and north of Live Oak Lake; providing for entering the designation on the official zoning map, filing of the planning commission recommendation and proof of publication, severability, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2018-26**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2018-26 into the record by title.

Leigh Anne Wachter, Principal Planner reviewed the proposed ordinance.

Discussion was held under Public Hearing #1.

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

Council Member Cooper made a motion to adopt Ordinance No. 2019-26. Deputy Mayor Matheny 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. 2019-01**, an ordinance of the City Council of St. Cloud, Florida, amending Article VI, “Construction and Design Standards for Pavement and Drainage Systems” of the Land Development Code, amending Article VII, “Utilities” of the Land Development Code, repealing Ordinance No.: 2014-26 in its entirety and re-adopting and codifying in the City Code standards previously adopted by Resolution of the City Council; providing for severability, conflict, codification, and an effective date. (Final Public Hearing will be heard on January 24, 2019) (Above is full title) **ACTION ON ORDINANCE NO. 2019-01**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2019-01 into the record by title.

City Attorney Mantzaris requested this item be pulled until the February 14, 2019 council meeting.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-01 with no response from the audience.

Deputy Mayor Matheny made a motion for continuance on Ordinance No. 2019-01 to February 14, 2019. 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)

5. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-02**, an ordinance of the City Council of St. Cloud, Florida, amending Article III, Zoning Regulations, of the Land Development Code of the City of St. Cloud, changing the assigned Floodplain Administrator; providing for severability, conflict, codification, and an effective date. (Final Public Hearing will be heard on January 24, 2019) (Above is full title) **ACTION ON ORDINANCE NO. 2019-02**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2019-02 into the record by title.

Dianna Rawleigh, Public Works Administrator, reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-02 with no response from the audience.

Deputy Mayor Matheny made a motion to adopt Ordinance No. 2019-02. Council Member Askew seconded the motion.

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

6. **RESOLUTION NO. 2019-012R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a Conditional Use to operate a “Gymnastic/Health Spa Facility” at 1104 B Quotation Court, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2019-012R**

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-012R into the record by title.

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

Mayor Blackwell announced Resolution No. 2019-012R for public comment.

**Becky Bond**, Safety First Aquatics, 1326 S Shore Drive reviewed the water safety course for children she teaches.

**Annemarie Atkinson**, 4801 Hunting Lodge Drive, spoke in support of the facility.

**Bryana Connors**, 1711 Charleston Lane, spoke in support of the facility.

**Bob Hansel**, spoke in support of the facility.

**Noemi Dye**, 1731 Juniper Circle, spoke in support of the facility.

**Samantha Hertell**, 14900 Honeycrisp Lane, Orlando, spoke in support of the facility.

**Christian Thomas**, 2960 Robins Nest Court, spoke in support of the facility.

**Sandra Schneider**, 4103 Bob White Court, spoke in favor of the facility.

**Theresa Maiden**, 5400 Silver Thistle Lane, spoke in favor of the facility.

Council discussion followed with an agreement that the program was greatly needed.

Mayor Blackwell made a motion to approve Resolution No. 2019-012R. 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)

7. **RESOLUTION NO. 2019-034R**, a resolution of the City Council of the City of St. Cloud, Florida, making a determination of parking spaces required for a “gymnastic/health spa facility” located at 1104B Quotation Court, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2019-034R**

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-034R into the record by title.

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

Mayor Blackwell announced Resolution No. 2019-034R with no response from the audience.

Council Member Askew made a motion to approve Resolution No. 2109-034R with staff recommendations. Deputy Mayor Matheny seconded the motion.

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

## **IX. Council Action**

1. Resolution No. 2019-014R, a resolution of the City Council of the City of St. Cloud, Florida, approving a Water & Wastewater Service Agreement from Church Alive, Inc., for the institutional development named Hickory Tree Charter School, located in the unincorporated area of Osceola County on the east side of Hickory Tree Rd., south of US Hwy. 192, north of Nolte Rd. and west of Live Oak Blvd.; authorizing the City Manager to execute the agreement; and providing an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-014R into the record by title.

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

Mayor Blackwell announced Resolution No. 2019-014R.

**John Moody**, Osceola Engineering, present representing the applicant.

Deputy Mayor Matheny made a motion to approve Resolution No. 2019-014R. Council Member Askew seconded the motion.

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

2. Resolution No. 2019-029R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Johnny Pitts Construction, Inc., per Request for Proposal (RFP) No. 2018-192 for Design and

Installation of All Inclusive Park Equipment and Amenities, and providing an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-029R into the record by title.

Stephanie Holtkamp, Parks & Recreation Director, reviewed the proposed resolution.

Mayor Blackwell announced the proposed resolution.

**Karen Cooper**, 924 Virginia Avenue, stated her concerns were with security and flooding.

**John Connelly**, 900 Maryland Avenue, stated his concerns with trees and fencing.

**Hughette Crumpler**, 300 Michigan Avenue, asked what an “all inclusive” park meant. Ms. Holtkamp stated “It’s a park where children of all abilities can play side by side.”

**Valene Anderson**, 714 Kentucky Avenue, stated the park would be a good addition for the area.

**Richard Klar**, Landscape Architect, Osceola Engineering, 1003 Florida Avenue, stated he was available for questions.

**Kathleen Kurtz**, 712 Minnesota Avenue, stated she was in favor of the park.

Council discussion followed regarding landscaping, safety, fencing and parking.

Police Chief Gauntlett stated the size of the park and lighting would benefit the safety of the area.

City Attorney Mantzaris stated before Council was a contract for playground equipment only at this time.

**John Moody**, Osceola engineering stated the park is designed to maximize the green space and accommodated for storm water runoff on the site.

Deputy Mayor Matheny made a motion to approve Resolution No. 2019-929R, contingent on the award of the CDBG grant. Council Member Askew seconded the motion.

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

3. Request City Council's approval of the Thompson Grove Preliminary Subdivision Plan.

Ivy De La Cruz, Deputy City Clerk, read Council Action #3.

Leigh Anne Wachter, Planner reviewed the action.

Discussion was held under Public Hearing #1.

Mayor Blackwell asked if anyone in the audience wished to speak about this item with no response from the audience.

Deputy Mayor Matheny made a motion to approve with 5 foot sidewalks, 25 foot setbacks, 4.5 parking spaces, and eastern access. 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. Request City Council's approval of a Conceptual Master Plan/Concept Plan for the Thompson Grove mixed use project.

Ivy De La Cruz, Deputy City Clerk, read Council Action #4.

Leigh Anne Wachter, Planner reviewed the action.

Discussion was held under Public Hearing #1.

Mayor Blackwell asked if anyone in the audience wished to speak about this item with no response from the audience.

Council Member Askew made a motion to approve with 5 foot sidewalks, 25 foot setbacks, and 4.5 parking spaces. 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)

#### **X. City Attorney**

City Attorney Mantzaris stated he had nothing at this time.

#### **XI. City Manager**

City Manager Sturgeon yielded his time to the police chief.

Police Chief Gauntlett stated the National Council of Home Safety and Security (NCHSS) does a community safety evaluation of all cities with population of 10,000 or more in the United States and out of 134 cities in Florida, St. Cloud ranked 9<sup>th</sup> in the state.

#### **XII. Mayor and Council Members**

**Deputy Mayor Matheny** stated she had nothing at this time.

**Council Member Cooper** requested City Manager Sturgeon's thoughts on Toho Water.

City Manager Sturgeon stated that at the last workshop there was discussion about conducting a feasibility study for merging with Toho, which had not been done yet and he felt caution should be taken.

**Council Member Askew** stated he had nothing at this time.

**Council Member Trace** thanked the police department for their service. He inquired when the agenda would be back on the website.

City Attorney Mantzaris stated they were working on the ADA requirement software. City Clerk, Linda Jaworski stated that citizens may call and ask for the agenda link or ask to be added to the distribution list.



**Mayor Blackwell** read thank you letters from the Community Coordinated Care for Children and the Education Foundation.

**XIII.** Information Section and Report Section

Mayor Blackwell read the following:

- Thursday, February 7, 2019 - Community Redevelopment Agency Meeting - 6:00 p.m. @ City Hall, Council Chambers
- Saturday, February 9, 2019 - City Council Workshop - 9:00 a.m. @ City Hall, Council Chambers
- Thursday, February 14, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers
- Thursday, February 21, 2019 - City Council Workshop - 6:00 p.m. @ City Hall, Council Chambers

Reports:

- Warrant List #5

**XIV.** Adjournment: 8:50 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

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