

**ST. CLOUD CITY COUNCIL REGULAR MEETING**  
**Thursday, April 11, 2019**  
**City Hall - Council Chambers**  
**1300 9th Street**  
**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 of Latter Day Saints
- III.** Pledge of Allegiance
- IV.** Roll Call
  - ◆ Mayor Nathan Blackwell
  - ◆ Deputy Mayor Linette R. Matheny
  - ◆ Council Member Dave Askew
  - ◆ Council Member Chuck Cooper
  - ◆ 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 with the exception of Deputy Mayor Matheny who was absent.

**V.** Presentations

- Proclamation in recognition of National Alcohol Awareness Month

Mayor Blackwell presented Tom Griffin with a proclamation in recognition of National Alcohol Awareness Month.

- Proclamation in recognition of Water Conservation Month and award presentation of Drop Savers winners

Mayor Blackwell presented Lisa Marion and Bill Graph with a proclamation in recognition of Water Conservation Month and award presentation of Drop Savers winners.

- Presentation of Employee of the Month

DiAnna Rawleigh, Public Services Administrator, presented Jeffrey Hewett, Mike Masiel and Scott Allmon with the Employee of the Month 'Team' Award.

**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.

City Attorney Mantzaris advised that if anyone present in the audience was at the meeting for the three matters relating to Center Lake Ranch, it is scheduled to go before Council on April 25<sup>th</sup>, 2019, Council Meeting.

**Hughette Crumpler**, 300 Michigan Avenue, stated she grew up in the City and believes growth should pay for itself, solid waste drivers should shut the lids after it picks up garbage, and requested a trip report from Tallahassee.

**Florence Pertel**, 1112 Ohio Avenue, asked if a pedestrian crossing could be added on Lakeshore Boulevard and the City Manager said he would look into it.

**John Connolly**, 900 Maryland Avenue, would like to protect the boundary tree and asked if a supervisor could be present when the crews clear the property for the proposed park.

The City Attorney stated to the extent that any work is done on any property that the City of St. Cloud owns it would only be on city property. There is a footprint for the project and we cannot go outside of that footprint as it relates to the boundary tree.

**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 requested to pull item P from the consent agenda.

City Manager Sturgeon requested to pull item O from the consent agenda to have it read with Public Hearings, item #4.

Council Member Cooper requested to pull items G and N for discussion.

Council Member Trace requested to pull item L for discussion.

- A. Minutes: June 28, 2018 / Regular Meeting; September 13, 2018 / Regular Meeting; October 18, 2018 / Special Session; October 18, 2018 / Workshop; November 15, 2018 / Regular Meeting and November 29, 2018 / Special Session.
- B. Resolution 2019-068R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to sign the Certified Local Government agreement to participate in the Certified Local Government program jointly administered by the National Park Service and the Florida Department of State Bureau of Historic Preservation.  
**COST:** No cost associated with this item.
- C. Resolution No. 2019-069R, 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:** There is no cost associated with this item.
- D. Resolution No. 2019-070R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the grant application by the St. Cloud Parks & Recreation Department under the Florida Department of State Division of Cultural Affairs Cultural Facilities Grant Program for the purpose of renovations to the Veteran's Memorial Library and authorizing the City Manager or designee to submit the grant application.  
**COST:** up to \$166,667.00
- E. Resolution No. 2019-073R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the Mayor to accept a public utility easement from M/I Homes of

Orlando, LLC. to have and to hold for all uses traditionally made of a public utility easement.

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

- F. Resolution No. 2019-075R, 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. 2019-007, to Young's Communications Co., Inc., whose subject matter is Hickory Tree Road Reclaimed Water Main Extension, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** up to \$246,672.80

**Hughette Crumpler**, 300 Michigan Avenue, asked if developer is getting a credit for work city employees would regularly perform.

DiAnna Rawleigh, Public Services Administrator, said that was incorrect we have a required service that developers have to provide to the development. If our master plan is indicating that as we develop out and we want something to meet a future demand we would credit them with impact fee credits.

- G. Resolution No. 2019-076R, 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. 2019-006, to Premier Landscapes Organization, LLC dba Greener Gardens of Central Florida, whose subject matter is US 192/SR 500 Irrigation Project East - Rebid, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** up to \$309,632.40

Council Member Cooper said this did not work in the past.

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

Council Member Cooper made a motion to deny item G. Motion failed due to lack of a second.

Council Member Trace made a motion to approve item G on the consent agenda. Council Member 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 Deputy Mayor Matheny was absent.

- H. Resolution No. 2019-077R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to enter into an agreement with Evok Advertising and Design, Inc. per Request for Proposal (RFP) No. 2019-008 As-Needed Graphic Design and Creative Services, and providing an effective date.

**COST:** This contract will be utilized by various City departments for the purchase of graphic design services on an as-needed basis from various approved and budgeted expenditure accounts.

- I. Resolution No. 2019-078R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to enter into an agreement with Jr. Moon Design & Consulting, LLC per Request for Proposal (RFP) No. 2019-008 As-Needed Graphic Design and Creative Services, and providing an effective date.

**COST:** This contract will be utilized by various City departments for the purchase of graphic design services on an as-needed basis from various approved and budgeted expenditure accounts.

- J. Resolution No. 2019-079R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the City Manager to enter into an agreement with 78 Madison, Inc. per Request for Proposal (RFP) No. 2019-008 As-Needed Graphic Design and Creative Services, and providing an effective date.

**COST:** This contract will be utilized by various City departments for the purchase of fencing supplies and services on an as-needed basis from various approved and budgeted expenditure accounts.

The City Attorney noted that ‘fencing supplies’ are not part of this item it only pertains to graphic design and creative services.

Hughette Crumpler, 300 Michigan Avenue, asked if we are replacing vendors because they did not measure up or getting new vendors for items H, I and J.

City Manager Sturgeon said it was the first time we have hired graphic artists externally and we are looking for specialized services.

- K. Resolution No. 2019-082R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of FARO Focus Laser Scanner Equipment, available through the GSA Contract No. GS-07F-197GA, and the award thereof to Faro Technologies, Inc., and providing an effective date.

**COST:** up to \$74,257.70

Hughette Crumpler, 300 Michigan Avenue, asked why a scanner would cost so much.

City Manager Sturgeon said it was a specialized laser scanner used for traffic homicide investigations.

- L. Resolution No. 2019-083R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the waiver of formal bidding requirements and utilizing City of Vero Beach, Florida Invitation to Bid No. 330-JO, previously advertised for bid by City Vero Beach, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Pavement Management System, providing for the award thereof to Pavement Management Group LLC, and providing an effective date.

**COST:** up to \$40,000.00 for FY18/19 (up to \$40,000.00 for proposed FY 19/20)

Council Member Trace said this is a great system to keep up with the maintenance of our infrastructure.

As part of a bond turnover process we could consider a fee when new development happens and then complete a pavement scan once they turn over the infrastructure. The end result is would show images and laser scans of the road for our database.

Diana Rawleigh, Public Services Administrator, said it was not set up to do this so we would have to go out to bid.

M. Resolution No. 2019-085R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utility easement from Maschmeyer Properties St. Cloud, LLC. to have and to hold for all uses traditionally made of a public utility easement.

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

N. Resolution No. 2019-086R, 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. 2019-027, to Wright's Excavating, Inc., whose subject matter is All Inclusive Park, establishing a contingency, authorizing the City Manager to approve change orders without increasing the approved budget, and providing an effective date.

**COST:** up to \$316,813.92

Council Member Cooper would like it in writing and City Manager Sturgeon said he had already received direction from Council not to proceed unless we get the CDBG Grant.

Hughette Crumpler, 300 Michigan Avenue, asked if we took the boundary tree into consideration and asked Council to reconsider and make this a park a place to gather.

Council Member Askew made a motion to approve Resolution No. 2019-086R. Council Member Trace 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. Deputy Mayor Matheny was absent.

O. Resolution No. 2019-087R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept a public utility easement from St. Cloud Kids City, LLC. to have and to hold for all uses traditionally made of a public utility easement.

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

P. Request Council's authorization to pursue a Nuisance Abatement Action on property located at 1121 Wyoming Avenue, St. Cloud, Florida.

**COST:** up to \$5,000 - \$7,000 (Attorney Fees)

Q. Request Council's authorization to pursue a lien foreclosure on mowing liens filed against property at 1513 Florida Avenue, St. Cloud, Florida.

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

Hughette Crumpler, 300 Michigan Avenue, said she hoped we're actively collecting unpaid liens.

R. Request Council's approval of a Final Plat for 148 single family residential lots for Hickory Grove Phase II.

Council Member Askew made a motion to approve the consent agenda minus items G, N, O and P. 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) Deputy Mayor Matheny was absent.

### **VIII. Public Hearings**

1. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2019-10**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Ordinance No. 2005-62, an ordinance which assigned a zoning district of PUD, Planned Unit Development to the Commerce Center Business Park located west of Commerce Center Drive, west of its intersection with Old Canoe Creek Rd, and described further herein; providing for approval of the amendment to the preliminary/final master plan; providing for filing of the Planning Commission recommendation and proof of publication, severability, conflicts and effective date (Above is full title)(Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-10**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-10 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed ordinance.

Mayor Blackwell announced the first reading for Ordinance No. 2019-10 with no response from the audience.

Council Member Askew made a motion to approve the first reading for Ordinance 2019-10. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, Motion carried. (Vote 4 - 0) Deputy Mayor Matheny was absent.

2. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2019-18**, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System; amending Section 3, Board of Trustees; amending Section 8, Disability; amending Section 16, Miscellaneous Provisions; amending Section 27, Reemployment After Retirement; amending Section 28, Deferred Retirement Option Plan; Providing for Codification; providing for severability of Provisions; repealing all ordinances in conflict herewith and providing an effective date. (Above is full title) (Final Public Hearing will be held April 25, 2019) **ACTION ON ORDINANCE NO. 2019-18.**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-18 into the record by title.

Harvey Bisson, Human Resources Director, reviewed the proposed ordinance.

Mayor Blackwell announced the first reading for Ordinance No. 2019-18.

**Hughette Crumpler**, 300 Michigan Avenue, asked if anyone has determined the incremental costs because of these changes.

Mr. Bisson said there were no costs to the city for any of these changes.

Council Member Trace made a motion to approve the first reading for Ordinance No. 2019-18.

Council Member Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, Motion carried. (Vote 4-0) Deputy Mayor Matheny was absent.

3. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2019-19**, an ordinance of the City of St. Cloud, amending the City of Saint Cloud Police Officers' and Firefighters' Retirement System; amending Section 8, Disability; amending Section 17, Miscellaneous Provisions; amending Section 27, Prior Police or Fire Service; amending Section 28, Deferred Retirement Option Plan; amending Section 29, Reemployment After Retirement; amending Section 30, Supplemental Benefit Component for Special Benefits; Chapter 175 and 185 Share Accounts; providing for codification; providing for severability of provisions; Repealing all ordinances in conflict herewith and providing and effective date. (Above is full title) (Final Public Hearing will be held April 25, 2019) **ACTION ON ORDINANCE NO. 2019-19.**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-19 into the record by title.

Harvey Bisson, Human Resources Director, reviewed the proposed ordinance.

Mayor Blackwell announced the first reading of Ordinance No. 2019-19 with no response from the audience.

Council Member Trace made a motion to approve the first reading for Ordinance No. 2019-19. 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) Deputy Mayor Matheny was absent.

4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-16**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning a drainage and utility easement located along the lot line between Lots 6 and 7, in Nolte Commercial Park, southwest of the intersection of Nolte and Canoe Creek Roads, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2019-16**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2019-16 into the record by title.

Christopher Mills, Principal Planner, reviewed the proposed ordinance.

Mayor Blackwell announced Ordinance No. 2019-16 with no response from the audience.

Council Member Trace made a motion to approve Ordinance No. 2019-16. Council Member Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, Motion carried. (Vote 4-0) Deputy Mayor Matheny was absent.

## IX. Council Action

1. Resolution No. 2019-057R, a resolution of the City Council of the City of St. Cloud, Florida, repealing Resolution 2018-134R dated August 9, 2018 and approving a Water & Wastewater Service Agreement from Lots Partners, LLC., a residential development named Preserve at Lakeside located in the unincorporated area of Osceola County on the north side of east 10<sup>th</sup> St., east of Orange Ave. and west of Dean St.; authorizing the City Manager to execute the agreement; and providing an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-057R into the record by title.

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

Mayor Blackwell announced Resolution No. 2019-057R.

Ray Stangle, applicant, discussed their project approximately a month ago and they were excited to bring the project forward.

Council Member Cooper asked how many lots were less than 50 feet.

Mr. Stangle said 30 of the 36 are less than 50 feet and noted that they were building infrastructure for future development.

Jo Thacker, 515 Bryant Street, added this is the same number of units that was in the last agreement that Council approved.

Council Member Trace made a motion to approve Resolution No. 2019-057R. Council Member 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 Deputy Mayor Matheny was absent.

2. Discussion and possible action regarding parking in downtown.

City Manager Sturgeon said he has received several complaints from downtown businesses about enforcing parking ordinances downtown and requested direction from Council on how to proceed.

Mayor Blackwell asked if anyone in the audience wished to speak to this item.

**Hughette Crumpler**, 300 Michigan Avenue, does not want to turn into a city that gives lots of parking tickets. We should warn people about parking and then put out a public policy.

**Dwight Loeding**, 1150 Pennsylvania Avenue, believes other business owners are utilizing parking spots and losing potential customers.

**Bob Beechum**, 1105 New York Avenue, believes we should encourage property owners to park behind their property.

**Police Chief Gauntlett** did not believe parking signs were the solution; we just introduced our community redevelopment agency officers to the downtown area and it is a good community policing idea. He suggested community education first and if that does not work we can come back before Council and discuss parking enforcement issues.



Council Member Cooper agreed.

Council Member Trace thought outreach was a great way to talk with people about business issues in the area.

Mayor Blackwell believed staff under the City Manager's leadership could put proposals together for the business owners which are impacted by parking issues.

Council Member Askew was also open to ideas that staff has regarding downtown parking. He thought eventually we may have to consider a parking garage.

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

City Attorney Mantzaris stated there was a tentatively scheduled ethics training for Thursday, May 2<sup>nd</sup>, 2019 but hoped Council could change training to Wednesday, May 1<sup>st</sup>, from 3:00 to 7:00 p.m. We were also hoping to extend an invitation to those members on city appointed boards and citizens as well.

Mayor Blackwell and Council Member Trace stated they were not available on May 1<sup>st</sup>.

City Clerk Jaworski suggested a change to May 30<sup>th</sup>, the last Thursday of the month to give board members notice. We could have a revision sent out for May 30, 2019 to see if it works for everyone.

Mayor Blackwell went on to the next item. A definitive date was not announced at this time.

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

City Manager Sturgeon said Andre Anderson, Planning Director, Melissa Dunklin, Planning Manager and Susan Caswell, Osceola County Assistant Community Development Coordinator hashed out a way for Osceola County/City of St. Cloud to jointly review plans and developments in the JPA and would like Council consensus to move forward with it.

Council consensus was to jointly work with Osceola County and review plans and developments in the JPA.

The City Manager thanked the City Clerk and the Deputy City Clerk for their hard work.

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

**Mayor Blackwell** stated the City of St. Cloud sponsored an Economic Development Summit this morning at the Lakefront and said it was excellent and something we need to continue to focus on to attract business and commercial development.

**Council Member Askew** noted that David Rodriguez, Economic Development Director and Shelley Watson, CRA Specialist, did an excellent job at the Economic Development Summit this morning at the Lakefront.

He asked if we could put the parking issue in with the GAI re-design of the downtown or the Lakefront area with the Planning Department. The City Manager said its part of an upcoming workshop.

**Council Member Trace** advised there was an open seat on MetroPlan Citizen Advisory Committee and Earth Week events are coming up soon.

**Council Member Cooper** asked what transpired with the legislative session in Tallahassee. The City Manager said the projects bridged with OLE for Neo-City and the Advanced Welding Program paperwork did not get put in on time.

Council Member Cooper felt OLE dropped the ball. The City Manager said Mr. Dewar, lobbyist, sent him a letter that he went to the Department of Economic Opportunity and asked for a grant for this program. They have already done a lot of the leg work on the welding program and if we were not successful this year we will try again next year.

Council Member Cooper asked about safety issues at the Lakefront due to stored Jet Ski's by the boat ramp.

City Attorney Mantzaris said Council can designate the boat ramp is just for boat launches and so forth and provide direction for the types of change in codes they would like to see. Council can discuss the types of codes that should change at the Lakefront to make it safe for all visitors.

City Manager Sturgeon suggested a discussion about Park Rangers.

Police Chief Gauntlett stated he has already put crossing guards at the Lakefront to call anything into dispatch that may be a concern especially in the summer months. Police does have options available to them if there are behavioral issues, drinking, loud music, and young children in harm's way and he agreed that safety issues need to be revisited.

**Council Member Cooper** inquired about parking at the lakefront stating people are parking in spaces for 12 hours or more. He suggested a limit of 3-4 hours at a time, giving other people the chance to also enjoy the Lakefront.

The City Manager suggested after more discussion we should add recommendations for citywide parking to our transportation master plan requirements.

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

Mayor Blackwell read the following:

- Friday and Saturday, April 12 & 13, 2019 - Advanced Institute for Elected Officials @ Tampa
- Thursday, April 18, 2019 - City Council Workshop - 6:00 p.m. @ City Hall, Council Chambers

- Thursday, April 25, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in recognition of Arbor Day

Reports:

- Warrant List #9 ready for review
- Tree Advisory Committee Meeting Minutes November 14, 2018 - Approved

**XIV.** Adjournment 8:27 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

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