

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, March 14, 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 Pastor Jay McCaig from Crossroads Baptist Church and the Chaplain from St. Cloud Medical Center.
- III. Pledge of Allegiance
- IV. Roll Call

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| ◆ Mayor Nathan Blackwell | Deputy City Manager, Veronica Miller |
| ◆ Deputy Mayor Linette Matheny | City Attorney, Daniel Mantzaris |
| ◆ Council Member Chuck Cooper | Linda Jaworski, City Clerk |
| ◆ Council Member Dave Askew | Ivy De La Cruz, Deputy City Clerk |
| ◆ Council Member Keith Trace | Members of the Press |

All members present.

V. Presentations

- Proclamation in recognition of March for Meals.

Mayor Blackwell presented Connie Benca with a proclamation in recognition of March for Meals.

- Proclamation in recognition of Confederate Memorial Day

Mayor Blackwell presented Herman Al Massey with a proclamation in recognition of Confederate Memorial Day.

- Proclamation in recognition of National Vietnam War Veterans Day

Mayor Blackwell presented Vine Monitto and Fred Casler with a proclamation in recognition of National Vietnam War Veteran Day.

- Proclamation in recognition of Miss Osceola County.

Council Member Askew presented Kylie Blakely with a proclamation in recognition of Miss Osceola.

- 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.

Frank Telemelo 1555 East 10th Street stated he uses the marina and it has become a safety issue with Jet Ski's stored in the boat launch area.

City Attorney Mantzaris advised they would look into it and work on enforcement issues.

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.

Deputy Mayor Matheny requested to pull items J and K for discussion.

Council Member Cooper requested to pull item G for discussion.

- A. Resolution 2019-033R, a resolution of the City Council of the City of St. Cloud, Florida, amending and readopting Resolution 2012-79R, "Construction and Design Standards for Pavement and Drainage Systems" for Article VI and "Utilities" for Article VII as provided for in Ordinance 2014-26 providing for severability, conflict, and an effective date.
COST: No cost associated with this item
- B. Resolution No. 2019-055R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the 2019 City-Wide Garage Sales to be held on April 5, 6, and 7, 2019, and on November 1, 2, and 3, 2019.
COST: No cost associated with this item.
- C. Resolution No. 2019-058R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into line extension and upsizing agreement with KB Home Orlando, LLC. for Rivercrest at Narcoossee (fka Lillian Lee Estates) a residential development and providing for an effective date.
COST: up to \$118,389.01 of available/eligible water impact fee credits.
- D. Resolution No. 2019-062R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into line extension and upsizing agreement with Narcoossee Land Ventures, LLC. for Twin Lakes a residential development and providing for an effective date.
COST: up to \$382,135.00 of available/eligible sewer impact fee credits.
- E. Resolution No. 2019-063R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor, Deputy Mayor, City Manager, Deputy City Manager, Finance Director, and Comptroller to sign signature cards and any other necessary documentation related to the city's banking relationships with SunTrust Bank and Bank of America, which are depositories for the City of St. Cloud, Florida, and provides for revision from time to time by certification and attestation of signatures by the city clerk of the City of St. Cloud due to changes in the persons holding offices and positions listed in section II.
COST: No cost associated with this item.
- F. Resolution No. 2019-064R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of three (3) 2019 Ford F-150 4WD Super Crew 145"

XLT Trucks, with options, available through the State of Florida Contract No. 25100000-18-1, and the award thereof to Duval Ford, LLC, and providing an effective date.

COST: up to \$111,380.04

- G. Resolution No. 2019-065R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of two (2) Blue Star Model JD60-02FT4 Trailer Mounted 60 KW Diesel Generators and one (1) Blue Star Model VD100-02FT4 Trailer Mounted 100 KW Diesel Generator, available through the Florida Sheriffs Association Contract No. FSA18-VEH16.0, Specification No. 77, and the award thereof to Mid Florida Diesel, Inc., and providing an effective date.
COST: up to \$175,334.00

Council Member Cooper asked about the generators.

Veronica Miller, Deputy City Manager said she reached out to staff and at this time we do not believe they were designed for the lift stations. If we have any additional information in the future we will provide it to Council.

- H. Resolution No. 2019-066R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a second amendment to the agreement dated March 23, 2017 between the City of St. Cloud and Sunstate Meter & Supply, Inc. for Cold Water Meters, and providing an effective date.
COST: This contract will be utilized by the Public Services Department for the purchase of products on an as-needed basis from various approved and budgeted projects and expenditure accounts throughout the fiscal year.

- I. Resolution No. 2019-067R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Urban Design Ventures, LLC., per Request for Proposal (RFP) No. 2019-016 for CDBG Consolidated Plan, Annual Action Plan and Analysis of Impediments Planning Services, and providing an effective date.
COST: up to \$51,300.00

- J. Request Council's approval of a Final Plat for 148 single family residential lots for Gramercy Farms Phase 6.

Deputy Mayor Matheny said Gramercy drainage issues have been a long standing issue with surrounding properties and was hoping Council would agree to ask them to take the metal culvert out that was left behind and maintain the ditches.

Council consensus was to have the City Attorney draft a letter and send it to legal Counsel for Gramercy to look into these two requests.

- K. Request Council's approval of a Final Plat for 101 single family residential lots for Gramercy Farms Phase 8.
- L. Request Council's approval of the Rivercrest at Narcoossee (FKA Lillian Lee Estates) Preliminary Subdivision Plan Amendment.

Mayor Blackwell asked if anyone in the audience wished to comment on the consent agenda with no response from the audience.

Council Member Askew made a motion to approve the consent agenda as presented. Deputy Mayor Matheny 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. **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, Planner, advised the applicant requested item be continued until the April 11, 2019, Council Meeting.

Mayor Blackwell announced the Final Public Hearing for Ordinance No. 2019-16 with no response from the audience.

Deputy Mayor Matheny made a motion to bring back the final public hearing for Ordinance No. 2019-16 to the Council Meeting on April 11, 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)

2. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-04**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing the Infrastructure Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-04**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-04 into the record by title.

City Attorney Mantzaris wanted to remind Council that items 2 through 7 are transmittals and a vote is required on each item.

Mayor Blackwell asked if anyone in the audience wished to comment on items 2, 3, 4, 5, 6, and 7 with no response from the audience.

DiAnna Rawleigh, Public Services Administrator, reviewed proposed Ordinance.

Ms. Rawleigh proposed a Workshop for May 16, 2019 to discuss and answer any questions Council may have. Staff is requesting approval to transmit and move forward to the Economic Development Department and bring back to the meeting on June 13, 2019.

Deputy Mayor Matheny made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. 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. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-05**, an Ordinance of the City Council of the City of St. Cloud, Florida, adopting the Stormwater Management Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-05**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-05 into the record by title.

Deputy Mayor Matheny made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. Council Member 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.

4. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-06**, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Natural Groundwater Aquifer Recharge Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-06**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-06 into the record by title.

Council Member Askew made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. Deputy Mayor Matheny 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.

5. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-07**, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Potable Water Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-07**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-07 into the record by title.

Council Member Askew made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. Deputy Mayor Matheny 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.

6. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-08**, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Sanitary Sewer Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-08**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-08 into the record by title.

Deputy Mayor Matheny made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. Council Member 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.

7. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2019-09**, an ordinance of the City Council of the City of St. Cloud, Florida, adopting the Solid Waste Element of the Comprehensive Plan; providing for filing of the Planning Commission recommendation and proof of publication, applicability and effect, severability, conflict, copies on file, and effective date (Above is full title) (Final Public Hearing will be heard on April 25, 2019) **ACTION ON ORDINANCE NO. 2019-09**

Ivy De La Cruz, Deputy City Clerk, read the first reading for Ordinance No. 2019-09 into the record by title.

Mayor Blackwell made a motion to transmit to the Department of Economic Opportunity and bring back to meeting on June 13, 2019. Council Member 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.

IX. Council Action

1. Resolution No. 2019-037R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to accept three (3) special warranty deeds from Tohoqua Community Development District to have and to hold for all uses traditionally made of special warranty deeds.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-037R into the record by title.

Council Member Trace stated he was a non-compensated member of the Tohoqua CDD and was abstaining from the vote. (Exhibit "A") Form 1B

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

Mayor Blackwell asked if anyone in the audience wished to comment on Resolution No. 2019-037R with no response from the audience.

Council Member Askew made a motion to approve Resolution No. 2019-037R. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, Motion carried with. (Vote 3-1-1) Council Member Cooper voted nay. Council Member Trace abstained from the vote. (Exhibit "A") Form 1B

2. 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 10th 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 and said at this point they have not met the average lot size of 50’.

Jo Thacker noted the lot size average is above 50’ and then thought she may have misjudged it and said it’s just shy of 50’.

Ray Stangle said they ran into a problem with the storm water management system and reminded Council they were widening 10th Street, extending the sewer main and developer wanted to maintain 36 lots.

Mayor Blackwell announced Resolution No. 2019-057R with no response from the audience.

Deputy Mayor Matheny asked if the community would be maintaining the sidewalks and trees and Mr. Stangle said he did not have the authority to approve that.

Deputy Mayor Matheny made a motion to continue Resolution No. 2019-057R to the April 11, 2019, Council Meeting so that Mr. Stangle may speak to the developer. Council Member 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.

3. Discussion and possible action regarding a committee vacancy on the Zoning Board of Adjustment and Appeal.

Linda Jaworski, City Clerk, reviewed the committee vacancy was for Seat #7, At-Large appointment. Anthony Busby and David Meisner are the two applicants.

Deputy Mayor Matheny nominated David Meisner for seat #7. Mayor Blackwell seconded the motion.

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

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

X. City Attorney Mantzaris

City Attorney Mantzaris stated he had nothing at this time.

XI. City Manager

Deputy City Manager, Veronica Miller advised she will be off the week of Spring Break.

XII. Mayor and Council Members

Mayor Blackwell said kudos to the Parks & Recreation Department for the Shuffleboard Club Regional Tournament.

Deputy Mayor Matheny asked staff to create a graphic of the Entertainment District and noted the following:

Blue buildings are >2,500/sq/ft

Purple buildings are 1,800/sq/ ft

Yellow buildings are 1,000/sq/ft

Deputy Mayor Matheny said if you look at the colors we may want a mixing of uses to make the downtown more vibrant and would like to revise bill and go up to 1,800 sq/ft from 1,000 sq/ft. It would be consistent with other communities around us.

Council Member Askew stated he had nothing at this time

Council Member Cooper asked the Deputy City Manager when Council was going to meet with OUC and she advised at the April, 2019 Council Workshop.

Council Member Cooper asked for the status on the St. Cloud Hotel.

Douglas Tillery, Building Official, said an unsafe notice was issued and sent certified mail to Albert Leka and he has 20 days from the notification to appeal it. After this there is a 20 day period for him to have a hearing. Then at this point if the City choses we could pay to have the building demolished and place a lien on the property but he would seek advice from the City Attorney before proceeding.

Council Member Trace inquired about a transportation master plan and the Planning Director said there was a Workshop scheduled for April 18, 2019.

He reminded everyone of the Cattle drive this upcoming Monday, Thursday, Friday, Saturday & Sunday and a Walk For a Mile in Her Shoes, Help Now was tomorrow at 5:30 p.m.

Discussion continued among Council regarding the Entertainment District.

Deputy City Manager Miller requested Council direction regarding the local, legislative bill for the Downtown Entertainment District, to request an increase in square footage from 1,000 sq/ft to 1,800 sq/ft and include the ratio associated number of seats.

Deputy Mayor Matheny made a motion to add this item to the agenda. Council Member Trace seconded the motion.

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

Deputy Mayor Matheny made a motion to amend the local legislative bill to increase the square footage from 1,000 sq/ft to 1,800 sq/ft, and include the ratio associated number of seats. Mayor Blackwell seconded the motion.

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

Richard Estel, 1031 Chamberlain Trail said according to AVT general rules, for 2018, Osceola County currently has a minimum requirement of 4,000 sq/ft with a minimum of 200 seats.

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

XIII. Information Section and Report Section

Mayor Blackwell read the following:

- Thursday, March 21, 2019 - City Council Workshop - 3:00 p.m. @ City Hall, Council Chambers
- Thursday, April 4, 2019 - Community Redevelopment Agency Meeting - 6:00 p.m. @ City Hall, Council Chambers
- Thursday, April 11, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Proclamations:

- Proclamation in recognition of Fix a Leak Week

Reports:

- Warrant List #8

XIV. Adjournment 7:09 p.m.

Mayor Nathan Blackwell

ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: _____