

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, June 27, 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 Pastor David Nigh from Christ our Savior Fellowship Church
- III.** Pledge of Allegiance
- IV.** Roll Call

- ◆ Mayor Nathan Blackwell                      Acting City Manager, Veronica Miller
- ◆ Deputy Mayor Linette Matheny              City Attorney, Daniel Mantzaris
- ◆ Council Member Chuck Cooper              Ivy De La Cruz, Deputy City Clerk
- ◆ Council Member Dave Askew                Executive Admin. Assist. Claudia Klockars
- ◆ Council Member Keith Trace                Members of the Press

All Members were present.

**V.** Presentations

- Proclamation in recognition of Parks and Recreation Month

Mayor Blackwell presented Stephanie Holtkamp with a proclamation in recognition of Parks and Recreation Month.

- Presentation by Osceola County Fair Kissimmee Valley Livestock

**Larry Berry** presented a plaque to the City of St. Cloud Council Members for their sponsorship to the Osceola County Kissimmee Valley Livestock Fair.

**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.

**Judy King**, 2455 McMichael Road, represented the American Cancer Relay for Life. She requested a waiver for the Marina banquet hall for the July 26, 2019 event.

Deputy Mayor Matheny responded by explaining that we had a process to follow for these types of requests.

Mayor Blackwell suggested Ms. King submit the paperwork to the Parks and Recreation staff for consideration.

**Hughette Crumpler**, 300 Michigan Avenue, thanked Council for their recent action to stop the leachate from entering the City's water system.

City Attorney Mantzaris stated City Manager Sturgeon had sent a letter to Waste Connection the day following the meeting. Waste Connection followed up with a letter stating the action from the City was in breach of contract and in return, the City followed up with a letter stating they disagreed.

**Ms. Crumpler** requested a letter to be sent to the County that requested them to prohibit coal ash from Puerto Rico.

**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. Resolution No. 2019-111R, a resolution of the City Council of the City of St. Cloud, Florida, amending the municipal swimming pool use fees and charges and amending the fees and charges for the use of parks, recreation facilities, and equipment, pursuant to City Code Chapter 30-6 and 30-7.

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

B. Resolution No. 2019-114R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the City of St. Cloud Special Event Fee Schedule and providing an effective date.

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

C. Resolution No. 2019-115R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the Special Event Co-Sponsorship and Fee Reduction Waiver Policy for the City of St. Cloud and providing an effective date.

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

D. Resolution No. 2019-116R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the Community Support Grant Program Policy for the City of St. Cloud and providing an effective date.

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

E. Resolution No. 2019-117R, a resolution of the City Council of the City of St. Cloud, Florida, accepting and adopting the Community Support Sponsorship Policy for the City of St. Cloud and providing an effective date.

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

F. Resolution No. 2019-123R, a resolution of the City Council of the City of St. Cloud, Florida, for the approval to rescind and replace the parks and recreation master plan approved and adopted by Resolution No. 2007-260R on September 27, 2007.

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

G. Resolution No. 2019-126R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Florida Sheriff's Association Contract No. FSA 19-TRS21.0, whose subject matter is Tires, providing for the award thereof to multiple vendors, and providing an effective date.

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

H. Resolution No. 2019-130R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a first amendment to the task authorization to the Continuing Contract and Agreement for Professional Engineering Services with Wright-Pierce, Inc. dated September 14, 2017, and any amendments thereto, for Toho Water Authority Utility Integration Impact Analysis Proposal for Evaluation Phase Services, and providing an effective date.

**COST:** up to \$37,260.00

I. Resolution No. 2019-132R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Osceola County School District Bid No. SDOC-16-B-111-KB Fuel for the Osceola County Purchasing Consortium, which is reasonable and otherwise in the best interest of the City of St. Cloud, and the award thereof to Petroleum Traders Corporation, and providing an effective date.

J. Resolution No. 2019-135R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to sign a letter on behalf of the St. Cloud City Council in approval of Osceola County's distribution of funds from the Florida Department of Law Enforcement (FDLE), Office of Criminal Justice (OCJG) 2019 Edward Byrne Memorial Justice Assistance Grant (JAG).

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

K. Resolution No. 2019-136R, a resolution of the City Council of the City of St. Cloud, Florida authorizing the Mayor to accept a public utility easement from RLI Live Oak, LLC. for Live Oak Lake to have and to hold for all uses traditionally made of a public utility easement.

**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 Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

## **VIII. Public Hearings**

1. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE NO. 2019-04**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-04 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-04.

**Hughette Crumpler**, 300 Michigan Avenue, stated the Comprehensive Plan needed a plan to protect our water source from contaminates like “coal ash”.

Mr. Crandell stated one of the goals and objectives was to protect the quality of the City’s potable water and ground water. He also advised that US Water was doing “flushing” in several sections as regular maintenance.

Acting City Manager Miller stated the infrastructure element has not been updated since 2003 and the Planning Department was working with all departments to update their element with current information for the future and add additional transparency to the Council.

Deputy Mayor Matheny stated she had noticed several grammatical errors and would prefer to have them corrected and brought back at a later meeting if there was no timeframe.

Mr. Crandell stated there was an October 2019 deadline for adoption.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-04 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

2. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE NO. 2019-05**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-05 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Discussion took place along with Public Hearing #1.

Mayor Blackwell announced the continuation of the proposed ordinance with no response from the audience.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-05 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

3. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE NO. 2019-06**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-06 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Discussion took place along with Public Hearing #1.

Mayor Blackwell announced the continuation of the proposed ordinance with no response from the audience.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-06 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

4. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE NO. 2019-07**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-07 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Discussion took place along with Public Hearing #1.

Mayor Blackwell announced the continuation of the proposed ordinance with no response from the audience.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-07 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

5. **FINAL PUBLIC HEARING 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) **ACTION ON ORDINANCE NO. 2019-08**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-08 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Discussion took place along with Public Hearing #1.

Mayor Blackwell announced the continuation of the proposed ordinance with no response from the audience.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-08 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

6. **FINAL PUBLIC READING 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) **ACTION ON ORDINANCE NO. 2019-09**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-09 into the record by title.

Cameron Crandell, Engineering Manager, Public Services reviewed the proposed ordinance.

Discussion took place along with Public Hearing #1.

Mayor Blackwell announced the continuation of the proposed ordinance with no response from the audience.

Deputy Mayor Matheny made a motion to continue Ordinance No. 2019-09 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

- 7. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-24**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Article II, "Definitions" and Article III Division 28, "Exterior Lighting Standards" of the Land Development Code; providing for severability; conflicts; codification; and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2019-24**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-24 into the record by title.

Melissa Dunklin, Planning & Zoning Manager, reviewed the proposed ordinance and requested a continuance for the July 25, 2019 Council Meeting to allow OUC additional review time and provided Council with feedback from the public.

Mayor Blackwell announced the continuation for the proposed ordinance.

Deputy Mayor Matheny made a motion to continue the final public hearing for Ordinance No. 2019-24 to the July 25, 2019 Council Meeting. Council Member Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

- 8. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-30**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning portions of a drainage and utility easement located along the eastern twenty feet of property located south of Mutter Road, north of Nolte Road and West of Old Canoe Creek Road, at 1913 Oakview Circle, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2019-30 (This is a Quasi-Judicial proceeding)**

Claudia Klockars, Executive Administrative Assistant read the final public hearing for Ordinance No 2019-30 into the record by title.

Melissa Dunklin, Planning & Zoning Manager, reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-30.

**Steve Barkley**, 1913 Oakview Circle, applicant reviewed his process with the County and the City.

City Attorney Mantzaris stated there was a mistake in the header that Council had the opportunity to correct.

Council consensus was to allow the ordinance as written.

Council Member Cooper made a motion to adopt Ordinance No. 2019-30. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

- 9. FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-39**, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System; amending Section 6, benefit amounts and eligibility; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. **ACTION ON ORDINANCE NO. 2019-39.**

Claudia Klockars, Executive Administrative Assistant read the final public hearing for Ordinance No. 2019-39 into the record by title.

Joe Etter, Deputy Director Human Resource, Safety & Risk Management, reviewed the proposed ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-39.

**Hughette Crumpler**, 300 Michigan Avenue, inquired if there was a regular review schedule for this process. She also inquired if there was a process for protecting citizens from the heat.

Mr. Etter stated that they were working on a process to address the General Employee Retirement on a regular basis.

Council Member Trace made a motion to adopt Ordinance No. 2019-39. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

- 10. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2019-35**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the City Code, to repeal and replace Chapter 8 - Animals, Section 8-2. - Number of pet animals restricted, and Section 8-3. - Keeping poultry, domestic fowl in their entirety, providing for severability, conflicts, codification, and an effective date. (Final Public Hearing will be on July 25, 2019) (Above is full title) **ACTION ON ORDINANCE NO. 2019-35**

Claudia Klockars, Executive Administrative Assistant read the first public hearing for Ordinance No. 2019-35 into the record by title.

Melissa Dunklin, Planning & Zoning Manager reviewed the proposed ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2019-35 with no response from the audience.

Council discussion followed regarding the classes on caring for the chickens.

Deputy Mayor Matheny made a motion to approve Ordinance No. 2019-35. Council Member Cooper seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

## **IX. Council Action**

1. Discussion and possible action regarding a vacancy on the Police and Fire Pension Board.

Claudia Klockars, Executive Administrative Assistant read Council Action #1.

Captain Fran Rinehart stated he had served 5 years on the Board and was a Certified Public Pension Trustee.

Mayor Blackwell made a motion to reappoint Captain Fran Rinehart to Seat #2 on the Police and Fire Pension Board. Deputy Mayor Matheny seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 5-0)

**X. City Attorney**

City Attorney Dan Mantzaris stated he had emailed Council copies of the letter sent by the attorney for Waste Connections.

**XI. City Manager**

Acting City Manager Miller requested a motion to add Resolution No. 2019-140R to the agenda as directed by Council at a previous Council meeting.

Council Member Trace made a motion to add Resolution No. 2019-140R to the agenda. Council Member Askew seconded the motion.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

Claudia Klockars, Executive Administrative Assistant, read Resolution No. 2019-140R into the record by title.

Acting City Manager Miller reviewed the proposed resolution regarding the Public Safety Ad Hoc Committee. She stated upon direction from Council, the City Manager had amended this resolution to add two new positions. City Manager Sturgeon's two recommendations were Christina Morris and Norma Vasquez.

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

Council Member Cooper shared his displeasure in the handling of the recommendations.

Deputy Mayor Matheny made a motion to approve Resolution No. 2019-140R with the addition of two recommendations from City Manager Sturgeon. Council Member Askew seconded the motion.

Council Member Trace requested a small bio of the two recommendations.

Acting City Manager Miller stated that Ms. Morris was the Director of the W 192 CRA. Norma Vasquez was a St. Cloud Pastor and on the City's Board of Adjustments.

Mayor Blackwell called for roll call. After roll call by Deputy City Clerk, Ivy De La Cruz, motion carried. (Vote 4-1) Council Member Cooper voted nay.

**XII. Mayor and Council Members**

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

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

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

**Council Member Askew** stated he had attended a Toho Workshop where discussion regarding St. Cloud water was on the agenda. He made them aware that Toho may reach out to Council regarding a couple of options for our growing City that may not be in our best interest.

Council Member Cooper asked to speak again and requested an update on the Hotel. Acting City Manager Miller stated the owner and contractor were currently waiting for approval from the Historic Preservation Board for the new design on the exterior before proceeding further. The Board meets on July 9, 2019 and after approval it would take four weeks to submit design and permits.

Bob Deatherage, Interim Building Director reviewed some concerns Council had stated regarding the metal structure. He also discussed replacing the roof with a truss roof with asphalt shingles and eight studio apartments.

**Mayor Blackwell** read a letter from the Department of Education to the Police Department congratulating them on their recognition at the 2019 Commissioner's Business Recognition Award Recipient from Osceola County.

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

- Thursday, July 4, 2019 - City Offices will be closed in observance of the 4<sup>th</sup> of July Holiday
- Monday, July 22, 2019 - Finance Committee budget Workshop - 6:00 p.m. @ City Hall, Council Chambers
- Thursday, July 25, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers
- Monday, July 29, 2019 - City Council Budget Workshop - 6:00 p.m. @ City Hall, Council Chambers

#### Reports:

- Warrant List #14
- Tree Advisory Committee Minutes March 2019 - Approved

### **XIV.** Adjournment: 7:42 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

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