

ST. CLOUD CITY COUNCIL REGULAR MEETING
Thursday, October 10, 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 Delbert Rogers from Champion Baptist Church
- III. Pledge of Allegiance
- IV. Roll Call

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| ◆ Mayor Nathan Blackwell | City Manager, William Sturgeon |
| ◆ 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 National Domestic Violence Awareness Month

Mayor Blackwell presented Tammy Douglas with a proclamation in recognition of National Domestic Violence Awareness Month

- Proclamation in recognition of Pink Heals

Mayor Blackwell presented Lisa Thompson and Darla Craig with a proclamation in recognition of Pink Heals.

- Presentation of Employee of the Month

Bob Deathridge, Building Director, presented James Laurent, Todd Hastings, and Daniel Bauman with the Employee of the Month Award for August 2019.

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.

Debra Gingrich, 6730 Owens Road, thanked Council for trees on 192 and requested an update on the leachate litigation.

Laura Tweed, 2808 Mead Avenue, thanked Council for the trees on Highway 192. She shared concerns regarding the cost of tonnage at the landfill.

Hughette Crumpler, 300 Michigan Avenue, requested transparency and continued information from Council. She requested an update of the ADA Project and felt the vendor should be held accountable for non compliance on this project.

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.

Mayor Blackwell announced the consent agenda.

Council Member Cooper pulled Items A & D for discussion.

Deputy Mayor Matheny pulled Items B & D for discussion.

Hughette Crumpler, 300 Michigan Avenue, requested more detailed information on Consent Agenda items.

Ariel Hartning, 119 E Cedarwood Circle, Kissimmee, requested information on Items C & F.

- A. Resolution No. 2019-206R, 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.

Council Member Cooper asked for a clarification on this item.

Stephanie Holtkamp, Parks & Recreation Director, reviewed and provided additional information.

- B. Resolution 2019-210R, a resolution of the City Council of the City of St. Cloud, Florida, approving an Interlocal Agreement with the Stevens Plantation Community Development granting the right to maintain certain areas within the public right-of-way, authorizing the Mayor to execute the Interlocal Agreement, and providing an effective date.

COST: There is no cost associated with this item.

Deputy Mayor Matheny asked for a clarification on this item.

City Attorney Mantzaris reviewed this item for clarification.

- C. Resolution No. 2019-211R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into a task authorization to the continuing contract and agreement for Professional Engineering Services with Jones Edmunds & Associates, Inc. dated October 4, 2017, and any amendments thereto, for the St. Cloud Closed Class I Landfill Permit Compliance Monitoring Services - FY 2020, FDEP Permit Renewal 0144175-011-SF, and providing an effective date.

COST: Actual cost up to \$56,800.00 (includes \$2,000.00 contingency)

Kevin Felblinger, Interim Public Works Director, provided additional information.

D. Resolution No. 2019-212R, 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 Team Pain Enterprises, Inc. per Request for Proposal (RFP) No. 2019-127 Skate Park Design Build, and providing an effective date.

COST: up to \$298,000.00

Council Member Cooper asked for a clarification on this item.

City Manager Sturgeon reviewed this item for clarification.

Mayor Blackwell announced the proposed resolution.

Deputy Mayor Matheny made a motion to approve Resolution No. 2019-212R up to \$15,000.00 for the design. 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)

E. Resolution No. 2019-213R, 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 Risk Management Associates Inc. dba Public Risk Insurance Advisors (PRIA) per Request for Qualifications (RFQ) No. 2019-117 Agent of Record/Insurance Consultant, and providing an effective date.

COST: No cost to the City. Commission will be paid by the City's insurance carriers.

City Manager Sturgeon reviewed this item.

F. Resolution No. 2019-216R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the assignment of agreement for Soil Densification & Stabilization from Ground Works Solutions, Inc. dba Uretek Holdings, Inc. to Shenandoah General Construction, LLC, and providing an effective date.

COST: No additional cost to the City. Existing Multi-year agreement renewal approved by Resolution No. 2019-046R.

City Manager Sturgeon reviewed this item.

City Attorney Mantzaris suggested Ms. Hartning meet with Mr. Felblinger.

Deputy Mayor Matheny made a motion to approve the Consent Agenda minus Item D which was addressed separately. 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. 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**

Ivy De La Cruz, Deputy City Clerk, read the final public hearing for Ordinance No. 2019-24 into the record by title.

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

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-24 for public comment with no response from the audience.

Deputy Mayor Matheny made a motion to adopt the final public hearing for Ordinance No. 2019-24. 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. FIRST PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2019-40**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use Designation of “Private/Institutional” to approximately 1.32 acres identified as Muslim Center of St. Cloud, located at 3720 5th Street; 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) (Final Public Hearing will be heard on October 24, 2019) **(This is a Quasi-Judicial proceeding)**

Ivy De La Cruz, Deputy City Clerk, read the first public hearing for Ordinance No. 2019-40 into the record by title.

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

Mayor Blackwell announced the first public hearing for Ordinance No. 2019-40 and Ordinance No. 2019-41 for public comment with no response from the audience.

Wajid Mohammed, Kissimmee, Applicant, requested approval and was available for questions.

Hughette Crumpler, 300 Michigan Avenue, questioned the zoning. Mr. Anderson reviewed and stated it was compatible with the surrounding area.

Council Member Cooper questioned the strategy to complete the construction.

Mr. Mohammed stated the site plan was delayed due to budget constrictions and upon approval would begin construction late November or early December.

Council Member Trace made a motion to approve the first public hearing for Ordinance No. 2019-40. 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 PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2019-41**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Zoning District of “Professional”, compatible with a “Public/Private Institutional” Future Land Use Designation change, adopted by Ordinance No. 2019-40, for approximately 1.32 acres identified As Muslim Center of St. Cloud, located on 3720 5th Street; 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) (Final Public Hearing will be heard on October 24, 2019) **ACTION ON ORDINANCE NO. 2019-41 (This item is a Quasi-Judicial proceeding)**

Ivy De La Cruz, Deputy City Clerk, read the first public hearing for Ordinance No. 2019-41 into the record by title.

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

Discussion took place under Public Hearing #2.

Mayor Blackwell made a motion to approve the first public hearing for Ordinance No. 2019-41. 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)

4. **FIRST PUBLIC HEARING AND TRANSMITTAL FOR ORDINANCE NO. 2019-43**, an ordinance of the City Council of the City of St. Cloud, Florida, repealing and replacing 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 November 21, 2019) **ACTION ON ORDINANCE NO. 2019-43**

Ivy De La Cruz, Deputy City Clerk, read the first public hearing for Ordinance No. 2019-43 into the record by title.

Cameron Crandell, Deputy Director for Environmental Utilities, reviewed the proposed ordinance.

Mayor Blackwell announced the first public hearing for Ordinance No. 2019-43 for public comment.

Laura Tweed, 2808 Mead Avenue, asked for further clarification.

Hughette Crumpler, 300 Michigan Avenue, asked for further clarification on how to meet the water needs for the City.

Mr. Crandell responded with additional information for clarification.

Council Member Trace made a motion to approve the first public hearing and transmittal for Ordinance No. 2019-43. 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)

5. **PUBLIC HEARING FOR RESOLUTION NO. 2019-192R**, a resolution of the City Council of the City of St. Cloud, Florida, making a determination of parking spaces required for “single-family dwellings” located south of 17th Street, east of Delaware Avenue and west of Eastern Avenue, St. Cloud, Florida, further described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2019-192R**

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-192R into the record by title.

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

Mayor Blackwell announced the public hearing for Resolution No. 2019-192R for public comment.

Shawn Hindle, Hanson, Walter & Associates, 3 Broadway, Kissimmee, stated he represented the applicant and was available for questions.

Hughette Crumpler, 300 Michigan Avenue, had concerns about the parking.

Mr. Hindle reviewed the parking concerns.

Council discussion followed regarding the amount of parking spaces and the navigability of the roads.

Council Member Trace made a motion to approve Resolution No. 2019-192R with stipulations, single family homes, maximum three (3) bedrooms, maximum 1400 square feet, and nine (9) guest parking spaces. Mayor Blackwell seconded the motion.

Mayor Blackwell called for roll call. After roll call by City Clerk, Linda Jaworski, motion failed. (Vote 2-3) Deputy Mayor Matheny, Council Member Cooper, and Council Member Askew voted nay.

6. **PUBLIC HEARING FOR RESOLUTION NO. 2019-204R**, a resolution of the City Council of the City of St. Cloud, Florida amending resolution number 2018-153R which adopted the fiscal year 2018/2019 budget for the city of St. Cloud, finding the City Manager has certified there are prior year fund balances and or current revenues available in the budget for additional projects and programs in various funds not included in the original budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. **ACTION ON RESOLUTION NO. 2019-204R**

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-204R into the record by title.

Wendy Collazo, Finance Director reviewed the proposed resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2019-204R for public comment with no response from the audience.

Council Member Cooper stated he would be looking for roll backs next year.

Council Member Trace requested monthly updates regarding medical fund trends.

Deputy Mayor Matheny made a motion to approve Resolution No. 2019-204R. 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)

IX. Council Action

1. Resolution No. 2019-205R, a resolution of the City Council of the City of St. Cloud, Florida, providing for the approval and adoption of the City of St. Cloud Solid Waste Program Rate Study dated August 2019, approval and implementation of a rate scenario, and providing for an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-205R into the record by title.

Kevin Felblinger, Interim Public Works Director, reviewed the proposed resolution and requested direction and approval of rate scenarios.

Mayor Blackwell announced Resolution No. 2019-205R for public comment.

Hughette Crumpler, 300 Michigan Avenue, shared her concerns over rate increases.

City Manager Sturgeon stated these fees were based on a third party study.

Mr. Felblinger stated the increases were due to increased fees at the JED.

City Attorney Mantzaris clarified that the City operates a transfer station and the fees are for other haulers that bring their loads to the transfer station.

Council discussion followed regarding contracts and services.

Council Member Cooper made a motion to continue Resolution No. 2019-205R until a later date. 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)

2. Resolution No. 2019-217R, a resolution authorizing borrowing of not exceeding \$36,000,000 to refund all or a portion of the City's outstanding capital improvement revenue bonds, taxable series 2010B, Build America Bonds-Direct Payment, providing for the issuance of a revenue note to evidence the City's obligation to repay such amount, providing for the payment of the note and the execution and delivery of a loan agreement, covenanting to budget and appropriate from non-ad valorem revenue amounts necessary to pay the principal of and interest on such note.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-217R into the record by title.

Wendy Collazo, Finance Director, reviewed the proposed resolution.

Mayor Blackwell announced Resolution No. 2019-217R for public comment.

Jay Glover, PFM Financial Advisors, LLC, gave a presentation regarding paying off and refinancing City bonds. He stated that there had been a dramatic decline in interest rates in the past two months which had enhanced savings. He also explained that out of the three bids, Sterling National Bank showed a substantial lower interest rate and savings.

David Meisner, 3410 Pawley's Loop N, shared a concern regarding the time for the interest rate lock-in and what if the interest rates go up.

Mr. Glover stated the interest rate and savings were locked in upon approval of the resolution tonight.

Mayor Blackwell made a motion to approve Resolution No. 2019-217R. 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)

3. Resolution No. 2019-218R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing the Mayor to execute an agreement of services between St. Cloud Chamber of Commerce and the City of St. Cloud for services rendered and providing for an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-218R into the record by title.

City Manager Sturgeon reviewed the proposed resolution.

Mayor Blackwell announced Resolution No. 2019-218 for public comment.

Hughette Crumpler, 300 Michigan Avenue, requested clarification on the amount of money given to the Chambers.

Dirk Webb, St. Cloud Chamber of Commerce, President, introduced himself and advised all of his plans for the future.

Council Member Askew stated he was hopeful for the future of the Chamber under Mr. Webb's direction.

Council Member Cooper asked for details on how the Chamber was using the \$50,000.00.

Mr. Webb stated his mission was to continue collaborating with the City for the betterment of the community and its' potential and opportunities.

City Manager Sturgeon stated he would keep Council informed of future ventures.

Hughette Crumpler, 300 Michigan Avenue, questioned any changes for the 4th of July and if any monies would be spent on politicians. Mr. Webb stated they were looking at future 4th of July events and that he would work with any elected official only.

Council Member Trace made a motion to approve Resolution No. 2019-218R. 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. Resolution No. 2019-219R, a resolution of the City Council of the City of St. Cloud, Florida requesting the State Legislature and Governor act to strictly regulate the disposal of coal combustion residuals (coal ash) within the State of Florida to, at a minimum, prohibit the disposal of coal combustion residuals produced outside the State of Florida, providing for distribution of the resolution and providing an effective date.

Ivy De La Cruz, Deputy City Clerk, read Resolution No. 2019-219R into the record by title.

City Manager Sturgeon reviewed the proposed resolution.

City Attorney added the following omitted language; “is in the best interest of the citizens of St. Cloud” to the resolution.

Mayor Blackwell announced Resolution No. 2019-219R for public comment.

Valerie Anderson, 714 Kentucky Avenue, stated she was in favor of the resolution.

Debra Gingrich, 6730 Owens Road, stated she was in favor of the resolution.

Laura Tweed, 2808 Mead Avenue, stated she was in favor of the resolution.

Ronald Hutchins, 2207 Antigua Place #726, stated he was in favor of the resolution.

Barbara Cady, 2920 Winding Trail, had signage that supported the resolution.

Mikayla Wells, 9040 Mercury Drive, stated she was in favor of the resolution.

Hughette Crumpler, 300 Michigan, stated she appreciated citizen support.

Council Member Cooper made a motion to approve Resolution No. 2019-219R. 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)

5. Request Council's approval of the proposed sign concept for Crabby Bill's restaurant located at 1104 Lakeshore Boulevard, St. Cloud, pursuant to the terms of the lease agreement.

Ivy De La Cruz, Deputy City Clerk, ready Item #5 into the record.

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

Mayor Blackwell announced the item for public comment.

Hughette Crumpler, 300 Michigan, shared her concerns regarding new signage.

Council discussion followed regarding whether the sign would meet the future Master Plan and how it would benefit the City.

Council took no action at this time and requested additional information.

Please add cost if any in the discussion box. Please use the formatting similar to the other items entered. COST: bolded then the dollar amount if any, if not, use...no cost associated with this

item. I seen it says no cost under budge panel but i don not want to assume there is not cost.
Thanks, Linda

6. Discussion and update regarding the South Lake Avenue Right-of-Way vacation.

Ivy De La Cruz, Deputy City Clerk, ready Item #6 into the record.

Andre Anderson, Planning & Zoning Director, reviewed the item.

Mayor Blackwell announced the item for public comment.

Council discussion followed regarding options.

Hughette Crumpler, 300 Michigan Avenue requested further clarification of the vacating process.

City Attorney reviewed the process between the County, City and property owners.

Council took no action at this time and requested staff to attend the County Commission meeting regarding this item.

X. City Attorney

City Attorney Mantzaris stated he had nothing at this time.

XI. City Manager

City Manager Sturgeon stated they had an agreement with the school board for after hours parking for the Cannery Park at 901 Virginia Avenue.

He also, informed Council that at their request, he had found funding to sponsor a table for Osceola Reads. Council consensus was to sponsor the interactive table for \$1,900.00.

City Manager Sturgeon introduced the new Economic Development & Special Projects Manager, Antranette Forbes.

Ms. Forbes introduced herself and stated she looked forward to working with staff.

XII. Mayor and Council Members

Deputy Mayor Matheny stated she had discovered a 2 ½ acre, one owner property, between California Avenue and Dakota Avenue, and asked for Council direction to obtain the property for a future park.

Council consensus was for staff to look into and bring back information to Council.

Council Member Cooper requested additional information regarding a case the Board of Adjustment had approved regarding a metal building.

City Attorney Mantzaris stated, due to an omitted provision in the code regarding accessory structures, it permitted the applicant to reapply. He informed Council that the next step would be to challenge the approval in court.

Council Member Cooper inquired about the City's rental house and inquired about a bid for work on Pennsylvania Avenue.

After discussion Council consensus was to lower the rental to \$800.00 a month and for only employees in need. City Manager Sturgeon explained the work on Pennsylvania Aveune was in design stage and the deadline was July 1, 2019 for a signed contract to receive State allocation.

Council Member Cooper requested clean up near the Lakeshore sewer plant for a possible park.

Council consensus was for staff to look into the possibility.

Council Member Askew stated he had nothing at this time.

Council Member Trace stated he would see everyone at the Pinktoberfest.

Mayor Blackwell read a thank you note from the Osceola County Education Foundation for the Council's student scholarship support.

The Mayor discussed the landscaping around City Hall to which City Manager Sturgeon informed Council bidding had gone out on September 29, 2019.

XIII. Information Section and Report Section

- Thursday, October 24, 2019 - City Council Special Session - 5:30 p.m. @ City Hall, Council Chambers
- Thursday, October 24, 2019 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chamber

Proclamations:

- Proclamation in recognition of Fire Prevention Week

Reports:

- Recreation Advisory Committee Meeting Minutes August – Approved
- Warrant List #19

XIV. Adjournment: 11:03 p.m.

Mayor Nathan Blackwell

ATTEST: City Clerk, Linda P. Jaworski

Minutes Approved: _____