

**ST. CLOUD CITY COUNCIL REGULAR MEETING**  
**Thursday, January 9, 2020**  
**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 David Nigh from Christ Our Savior Fellowship Church

**III.** Pledge of Allegiance

**IV.** Roll Call

- |                                |                                   |
|--------------------------------|-----------------------------------|
| ◆ 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    | Claudia Klockars, Executive Admin |
| ◆ Council Member Keith Trace   | Members of the Press              |

**V.** Presentations

- Presentation in recognition of State Representative Mike La Rosa's legislative efforts

This presentation did not take place

- Presentation by Education Foundation

Kerry Avery provided a presentation on Education Foundation in regards to their scholarship program. She requested that a meeting be scheduled with Ms. Albertini and the Procurement Director, Leslie Flores.

- Old Canoe Creek Road Update

Naseem Ghandour, Public Works Director, gave an update on the repair work being done on Old Canoe Creek Road.

**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.

**Jack Smouse**, 17th Street, would like to see more enforcement for speeding vehicles and requested update on the 17<sup>th</sup> street sidewalk. He has concerns about the Hastings Property.

**Linda Rile**, 6680 Bass Highway, was present regarding code enforcement shutting down the Farmer's Market in Tractor Supply parking lot.

City Manager Sturgeon asked Ms. Rile to give him a call in the morning to possibly work something out.

**David Meisner**, Stevens Plantation, asked about traffic light at Budinger and Nolte Road. Naseem Ghandour, Public Works Director, explained they were moving forward on this project.

**Hughette Crumpler**, 300 Michigan Avenue, asked Council Members to act in the best interest of all citizens and should not have any appearance of impropriety. She was pleased that three retiring police canines get to go home with their owners.

**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 Manager Sturgeon requested to pull item D for discussion after Public Hearing #1.

Council Member Trace requested to pull item A for discussion.

- A. Resolution No. 2020-001R, 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.  
**(This item is for disposal of obsolete property)**

Council Member Trace requested the reason an item is being declared obsolete.

Council consensus was to add a column in the attachment with a reason why an item is obsolete.

**David Meisner**, Stevens Plantation, stated he was concerned about the net asset amount being declared. Wendy Collazo, Finance Director reviewed the information.

- B. Resolution No. 2020-004R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the purchase of one (1) 2020 Mack 48' Walking Floor Trailer Model TNSP48MF with options, available through Florida Sheriffs Association Contract No. FSA18-VEH16.0, Cab & Chassis Trucks and Heavy Equipment, Specification No. 62, and the award thereof to Trucks & Parts of Tampa, LLC, and providing an effective date.  
**COST:** up to \$89,504.00  
**This item is for the purchase of one (1) 2020 Mack 48' Walking Floor Trailer.**

- C. Resolution No. 2020-006R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of Florida Municipal Power Agency (FMPA) ITB No. 2019-021, which is reasonable and otherwise in the best interest of the City of St. Cloud, whose subject matter is Wastewater Pipe, Valves & Fittings, providing for the award thereof to Ferguson Enterprises, LLC (Ferguson Waterworks), and providing an effective date.

**COST:** This contract will be utilized by various City departments for the purchase of pipe, valves and fittings (water/waste water) from various approved and budgeted expenditure accounts.

**This item is for the purchase of wastewater pipe, valves & fittings for the routine corrective maintenance of water distribution and water collection systems.**

**Hughette Crumpler** asked if these were budgeted items and City Manager Sturgeon replied yes.

Council Member Trace made a motion to approve items A through C. 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)

- D. Request Council's approval of a Final Plat for Gramercy Farms Phase 9a.  
**(This item is for the approval of the final plat for Gramercy Farms Phase 9a)**

This item was heard after Public Hearing #1. Please see page 4.

### **VIII. Public Hearings**

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2019-45**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning portions of a utility easement located on property located east of La Salle Avenue, west of Packard Avenue and north of Pine Tree Drive, specifically described in the body of this ordinance; providing for severability, conflicts and an effective date. (Above is full title)  
**ACTION ON ORDINANCE NO. 2019-45**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Ordinance No. 2019-45 into the record by title.

Andre Anderson, Community Development Director reviewed the proposed Ordinance.

Mayor Blackwell announced the final public hearing for Ordinance No. 2019-45.

**Steve McCann**, KB Homes gave an update on the drainage pipe issue. Deputy Mayor Matheny advised she was satisfied with the proposed solution, although it would take time to complete.

**Darrin Davis**, 2755 Mercedes Way, said if it is not maintained routinely the flow will be impeded.

Naseem Ghandour, Public Works Director, stated staff will meet with Mr. Davis to look at the ditch and decide whose responsibility it was to maintain it.

Deputy Mayor Matheny made a motion to postpone the final public hearing for Ordinance No. 2019-45 to the June 11, 2020 Council Meeting. 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)

- D. Request Council's approval of a Final Plat for Gramercy Farms Phase 9a.  
**(This item is for the approval of the final plat for Gramercy Farms Phase 9a)**

Claudia Klockars, Executive Administrative Assistant read item D into the record.

Andre Anderson, Community Development Director, reviewed request for final plat approval.

Council Member Trace made a motion to approve item D on the consent agenda. Council Member Askew seconded the motion.

Mayor Blackwell asked if anyone wished to speak to item D on the consent agenda 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)

2. **PUBLIC HEARING FOR RESOLUTION NO. 2019-254R**, a resolution of the City Council of the City of St. Cloud declaring certain real property located consisting of five parcels located at 3148 Bailey Road, 2250 Canoe Creek Road and three non-addressed parcels on Canoe Creek Road, all in St. Cloud, Florida as surplus property and approving the sale to Equity Investments, LLC of a total of approximately 51.028 acres for \$1,750,000 and authorizing the Mayor and City Manager to perform all acts necessary and appropriate to close on the property as provided herein. (Above is full title)  
**ACTION ON RESOLUTION NO. 2019-254R**

Claudia Klockars, Executive Administrative Assistant, read the final public hearing for Resolution No. 2019-254R into the record by title.

City Manager Sturgeon reviewed the proposed Resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2019-254R.

**Jack Smouse**, 1415 17<sup>th</sup> Street, was against the sale of the property.

**Theresa Mailhot**, 2924 Cold Breeze Circle, was against the sale of the property and requested an investigation as to when this proposed sale began.

**Joyce Adams**, 601 California Avenue, was against the sale of the property.

**David Meisner**, Stevens Plantation, felt the sale was being rushed.

**Susan Zayak**, 105 East St. Cloud Commerce Park, was against the sale of the property.

**Monique Constantino**, 1870 Big Buck Drive, was concerned about the relationship between Mayor Blackwell and Reed Berlinski -Equity Investments and requested an investigation.

**Chris Zayak**, 105 East St. Cloud Commerce Park, was against the sale of the property.

**Mike Heaphy**, 994 Seneca Trail, understood the City should grow but not all at once.

**Jennifer Phillips**, 2060 Big Buck Drive, was against the sale of the property.

**Darren Davis**, **2755 Mercedes Way**, felt we could hold onto the property to reduce traffic congestion.

**Hughette Crumpler** was against the sale of the property.

City Manager Sturgeon said the Public Safety Advisory Committee were disappointed to hear about the possible sale of the land and respectfully asked to table the sale of the 47 acres until the committee could analyze and prepare recommendations for Council.

**For the record** City Manager Sturgeon corrected misinformation of comments that were made during the citizen's forum.

- The City is not short 40 police officers or firefighters
- The City of St. Cloud has been thoroughly transparent

- A licensed appraiser was used to appraise this property

City Manager Sturgeon stated he met with the Police Chief and Fire Chief recently and agreed it would be better to divide the Public Safety Complex into two buildings. The Fire Chief could fully survive in a temporary administrative building. Police Chief Gauntlett agreed to shrink his footprint and go with an emergency operations center and a 911 Communications Center.

Mayor Blackwell felt his integrity was being attacked during the citizen's forum and said his business is legitimately done with transparency and frustrated he was accused otherwise. He said this is why good people do not run for office.

Acting Deputy Police Chief Rinehart presented the needs and challenges for the Police Department.

Fire Chief Silvestris presented the needs and challenges for the Fire Department and believed the Public Safety Advisory Committee would come forward with solid recommendations.

Council Member Cooper would like the Public Safety Complex on this land. He also suggested a plan to have OUC purchase Stevens North DSD and not purchase the Hastings property and felt we would have extra funds to build the Public Safety Complex and further stop the taxes the City would have to pay.

Council Member Trace said assuming this is the right location he felt 6-10 acres should be allocated for the Public Safety Complex, set the per/acre value to 1.99 million dollar valuation and make sure the tax timing is correct.

Council Member Cooper made a motion to deny Resolution 2019-254R. Motion died due to the lack of a second motion.

Deputy Mayor Matheny requested David Calcanis from Colliers International give his opinion regarding the figures that Council Member Cooper spoke of.

David Calcanis explained the price the City was getting per acre currently was within the market range for what residential land sells for and we are in a good market with a good buyer.

Reed Berlinsky felt that it should go out for RFP to be fair.

City Attorney Mantzaris cautioned Council of the risk as we have spent millions of taxpayer dollars carrying this project since 2006 and asked Council to please provide direction to staff if you wish to move in a different direction.

Council Member Cooper made a motion to deny selling property and put it out for RFP. Motion died due to a lack of a second.

City Manager Sturgeon reminded Council that the entire process is that we have the approval of the bond holders who are getting impatient that a decision has not been made.

Deputy Mayor Matheny made a motion to deny moving forward and request RFP go back out with similar conditions and remove the Public Safety Complex from the solicitation. 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. **PUBLIC HEARING FOR RESOLUTION NO. 2020-003R**, a resolution of the City Council of the City of St. Cloud, Florida, approving, for the purposes of section 147(f) of the internal revenue code, the issuance by the capital trust agency of its educational facilities revenue bonds (St. Cloud Preparatory Academy, Inc.), series 2020, in one or more series, either taxable or tax-exempt, or both, pursuant to a plan of finance, in an

aggregate principal amount not to exceed \$25,000,000, for the purpose of financing the costs of such educational facility more fully described herein; authorizing the Mayor to execute an inter-local agreement with the capital trust agency; and providing an effective date. (Above is full title) **ACTION OF RESOLUTION NO. 2020-003R**

Claudia Klockars, Executive Administrative Assistant read Resolution No. 2020-003R into the record by title.

Wendy Collazzo, Finance Director reviewed the proposed Resolution.

Mayor Blackwell announced the public hearing for Resolution No. 2020-003R.

**David Meisner**, Stevens Plantation, asked how many other charter schools are given the tax exempt status and City Attorney Mantzaris said there have no other requests.

Deputy Mayor Matheny asked why we do this and should reach out to Osceola County School District. She did not want us to be held financially responsible.

City Manager Sturgeon said Kissimmee and Osceola County do it but not the School District.

**Lawrence Raab** stated this is for federal tax purposes and for state law requirements.

Mayor Blackwell made a motion to approve Resolution No. 2020-003R. 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)

## **IX. Council Action**

1. Resolution No. 2020-008R, a resolution of the City Council of the City of St. Cloud approving the first addendum to that certain purchase and sale agreement between the City of St. Cloud and George M. Hastings, as Trustee of the George M. Hastings family trust and Mary D. Hastings, as Trustee of the Mary D. Hastings family trust for the purchase of approximately 219.44 acres for \$5,750,000; adding a seller option to lease back the property for \$1,000 per month for up to ninety days and authorizing the Mayor to execute the first addendum.

Claudia Klockars, Executive Administrative Assistant read Resolution No. 2020-008R into the record by title.

The City Manager reviewed the proposed Resolution.

Mayor Blackwell announced Resolution No. 2020-008R.

**David Meisner**, Stevens Plantation, was against this purchase.

**Theresa Mailhot**, 2924 Cold Breeze Circle, would like to see the sale happen.

Council Member Cooper asked why we would purchase this when we have Chisholm Park.

**Hughette Crumpler**, 300 Michigan Ave, was not aware the City was continuing with this purchase when she believes it is strapped for money.

Deputy Mayor Matheny said in her estimation she assumes the City Manager and City staff will do their due diligence, look into financing, viability, and cost of maintenance.

Deputy Mayor Matheny made a motion to approve Resolution 2020-008R. Council Member Askew seconded the motion.

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

2. Discussion and possible action regarding the selection of Deputy Mayor

Council Member Trace made a motion to keep Deputy Mayor Matheny on for another year. Council consensus was to keep Council Member Matheny as Deputy Mayor.

3. Discussion and possible action regarding Council's Committees

After discussion, Council consensus was to keep Council Committees and Board they sit on the same this year.

**X.** City Attorney

City Attorney Mantzaris stated he had nothing at this time.

**XI.** City Manager

City Manager Sturgeon said we were able to bring in the manufacturer of our garbage trucks and figured out a way to adjust the arm to shut garbage can lids 90% of the time.

**XII.** Mayor and Council Members

**Mayor Blackwell** read a thank you letter from Devon Anderson.

Mayor Blackwell asked for an update on the colored water. Brian Wheeler, St. Cloud Utilities Director provided an update.

Mayor Blackwell asked about the BOA decision to grant the building of a large utility building and the City Attorney stated we are waiting to hear from the circuit court and at Mayor Blackwell's request, Veronica Miller gave an update on Matrix.

Mayor Blackwell said that a few weeks ago they voted to overrule Board of Adjustments ruling and asked for Councils input because he was having second thoughts about it, not because he agreed with the BOA but the vote devalued the members who were selected to serve on the board. He was considering changing his vote. Council Consensus was to continue with their previous decision.

**Deputy Mayor Matheny** stated she and Council Member Trace attended meeting for Skate Park and it was very exciting.

Deputy Mayor Matheny would like to see an executed agreement as to where the fire stations will be in Tohoqua and Center Lake properties. City Attorney Mantzaris said we can work through that.

She spoke of the wind analysis for the downtown lights and suggested the spacing between the lights be looked at.

**Council Member Askew** asked for an update on the St. Cloud Hotel and the City Manager said they are supposed to start Phase I by the end of the month.

**Council Member Cooper** asked for an update on downtown music and the City Manager said they are currently looking for a solution for a new system.

Council consensus is to look into new Christmas ornaments for the holidays and requested samples to view.

**Council Member Trace** asked if we could use contingency funds from the Old Canoe Creek Road Project collapse for the seven additional road crossings on this same ditch that should be inspected.

Naseem Ghandour, Public Works Director said they already inspected this area and he will look into the contingency funds.

Mayor Blackwell suggested we look into federal funding with help from our federal lobbyists. Council consensus was to put a plan into place to inspect and repair any damaged areas.

**XIII.** Information Section and Report Section

- Friday, Saturday and Sunday, January 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> - Institute for Elected Municipal Officials - Jacksonville
- Saturday, January 11, 2020 - Tree Swap 9:00 a.m. @ Peghorn Park
- Thursday, January 16, 2020 - City Council Workshop - 6:00 p.m. @ City Hall, Council Chambers
- Monday, January 20, 2020 - City Offices Closed in observance of Martin Luther King Jr. Day
- Thursday, January 23, 2020 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers
- Thursday, January 30, 2020 - City Council Workshop - 6:00 p.m. @ City Hall, Council Chambers

Reports:

- Warrant List #4
- Tree Advisory Committee Meeting Minutes September 2019 - Approved

**XIV.** Adjournment: 10:35 p.m.

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Mayor Nathan Blackwell

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ATTEST: City Clerk, Linda P. Jaworski

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