

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, April 9, 2020**

**City Hall - Council Chambers**

**1300 9th Street**

**6:30 p.m.**

**Agenda**

**I.** Mayor Blackwell called the meeting to Order at 6:30 p.m.

**II.** Invocation by Pastor David Merced-Cruz from Family Life 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 P. Jaworski, City Clerk
- ♦ Council Member Dave Askew Ivy De La Cruz, Deputy City Clerk
- ♦ Council Member Keith Trace

All members were present.

Mayor Blackwell read a statement regarding the new communication media technology format for Council Meetings during the Covid-19 pandemic requiring social distancing.

Mayor Blackwell advised that at this time the add on item #5 under Council Action would be heard.

5. Resolution No. 2020-067R a resolution of the City Council of the City of St. Cloud, Florida, authorizing the use of communication media technology to conduct public meetings for the preservation of the continuity of government during the Novel Coronavirus Disease 2019 State of Emergency and authorizing the City Manager to take any and all measures reasonable and necessary to implement this purpose and providing for an effective date.

Ivy DeLaCruz, Deputy City Clerk read Resolution No. 2020-067R into the record by title.

Mayor Blackwell announced Resolution No. 2020-067R and City Clerk, Linda Jaworski, stated there was no one registered or in the audience at this time.

Deputy Mayor Matheny made a motion to approve Resolution No. 2020-067R. 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)

V. Presentation

- Presentation of the CAFR Financial Reporting for the City of St. Cloud for FY 2018-2019 by Purvis Gray & Company, LLC. Independent Auditors. (Via Phone)

Tim Westgate, Purvis Gray & Company provided a presentation and reviewed the CAFR report.

Council Member Cooper asked City Attorney Mantzaris what would happen to the DSD bonds after properties are sold.

City Attorney Mantzaris said there is no other repayment source for these bonds other than the net proceeds from the sale of the property.

Mayor Blackwell announced that they were moving the associated item in Council Action item #1 to this time. He asked if anyone wished to address the CAFR Report and City Clerk, Linda Jaworski, stated there is no one registered online or in the audience present to speak regarding this item.

Council Member Cooper made a motion to approve the CAFR report. 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)

- 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.

There was no one registered online or in the audience regarding this item.

- 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. 2020-014R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the sole source procurement of one (1) proprietary MCC 7500 Dispatch Console, with second and third year Systems Upgrade Agreement (SUA), from Motorola Solutions, Inc., and providing an effective date.

**COST:** up to \$83,960.00.

**This item is for the purchase of one (1) MCC 7500 Dispatch Console, with maintenance agreement, from Motorola Solutions, Inc.**

- B. Resolution No. 2020-048R, 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 Tetra Tech, Inc. dated September 28, 2017, and any amendments thereto, for Fire Station 33 Emergency Traffic Signal Design, and providing an effective date.

**COST:** up to \$64,500.00

**This item is to approve a task authorization with Tetra Tech, Inc. for the design of an emergency traffic signal at Fire Station 33.**

City Manager Sturgeon reviewed the changes he made regarding pedestrian changes to the emergency signals.

- C. Resolution No. 2020-063R, a resolution of the City Council of the City of St. Cloud, Florida, ratifying the agreement with Disaster Law and Consulting, LLC, which has been executed by the City Manager, per Request for Proposal (RFP) No. 2019-051 Public Assistance and Disaster Recovery Consulting and Management Services.

**COST:** Total cost undetermined at this time. A portion of the funds to be reimbursed by federal grant funding.

**This item is for the award of RFP No. 2019-051 Public Assistance and Disaster Recovery Consulting and Management Services to Disaster Law and Consulting, LLC.**

Mayor Blackwell asked if anyone wished to speak to the consent agenda and City Clerk, Linda Jaworski, stated there was no one registered online or in the audience at this time.

Council Member Cooper made a motion to approve the consent agenda. 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)

**VIII. Public Hearings**

1. **FIRST PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2020-04**, an ordinance of the City Council of the City of St. Cloud, Florida, to annex into the City of St. Cloud approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, north of Mable Simmons Road, and west of Westshore Drive; in accordance with the voluntary annexation provisions of Chapter 171.044, Florida Statutes. (Above is full title) (Final Public Hearing will be heard on May 28, 2020) **ACTION ON ORDINANCE NO. 2020-04**

Ivy DeLaCruz, Deputy City Clerk read Ordinance No. 2020-04 into the record by title.

Andre Anderson, Community Development Director said the applicant requested to continue item to the April 23, 2020 Council Meeting.

Mayor Blackwell announced Ordinance No. 2020-04 and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Cooper made a motion to continue this item to the April 23, 2020 Council Meeting. 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. **FIRST READING AND TRANSMITTAL FOR ORDINANCE NO. 2020-05**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use Designation of "Low Density Residential" to approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, north of Mable Simmons Road, and west of Westshore Drive; 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 May 28, 2020) **ACTION ON ORDINANCE NO. 2020-05 (This is a Quasi-Judicial proceeding**

Ivy DeLaCruz, Deputy City Clerk read Ordinance No. 2020-05 into the record by title.

Andre Anderson, Community Development Director said the applicant requested to continue item to the April 23, 2020 Council Meeting.

Mayor Blackwell announced Ordinance No. 2020-05 and City Clerk, Linda Jaworski, stated there is no audience present at this time. Council Member Askew made a motion to continue to the April 23, 2020 Council Meeting. 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)

- 3. FIRST PUBLIC HEARING AND INTRODUCTION FOR ORDINANCE NO. 2020-06**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "R-1" Single-Family Dwelling, compatible with a "Low Density Residential" Future Land Use designation, adopted by Ordinance No. 2020-05, for approximately 36.27 acres identified as Hickory Tree, located east of Hickory Tree Road, north of Mable Simmons Road, and west of Westshore Drive; providing for entering the designation on the official Zoning Map, 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 May 28, 2020) **ACTION ON ORDINANCE NO. 2020-06 (This is a Quasi-Judicial proceeding).**

Ivy DeLaCruz, Deputy City Clerk read Ordinance No. 2020-06 into the record by title.

Andre Anderson, Community Development Director said the applicant requested to continue item to the April 23, 2020 Council Meeting.

Mayor Blackwell announced Ordinance No. 2020-06 and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Askew made a motion to continue to the April 23, 2020 Council Meeting. 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)

- 4. FIRST READING FOR ORDINANCE NO. 2020-09**, an ordinance of the City of St. Cloud, Florida, establishing, on the proposed property known as Old Hickory and further described herein, and recognizing, the Old Hickory Community Development District, created and chartered by Uniform General Law, the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes (2001 and hereafter); acknowledging the uniform district charter expressed in Sections 190.006-190.041, Florida Statutes, and as referenced and provided by Section 190.004(4), Florida Statutes, and confirmed by section 189.031(3), Florida Statutes; establishing the District (on the property proposed in this petition) and designating the initial members of the district Board of Supervisors; and designating the proposed land area within which the District may manage and finance its basic infrastructure, systems, facilities, services, improvements and projects; providing for severability and effective date. (Above is full title) (Final Public Hearing will be heard

on April 23, 2020) **ACTION ON ORDINANCE NO. 2020-09 (This is a Quasi-Judicial proceeding)**

Ivy DeLaCruz, Deputy City Clerk read Ordinance No. 2020-09 into the record by title.

Andre Anderson, Community Development Director reviewed the proposed Ordinance.

**Jan Carpenter**, Attorney was present on behalf of Lennar Homes, LLC.

Deputy Mayor Matheny felt CDD's are more advantageous for the developer as they have mechanisms to fund the infrastructure but homeowners end up paying it on their tax bills. She would like to know what Lennar is willing to do above and beyond what is required and Mayor Blackwell agreed.

Mayor Blackwell announced Ordinance No. 2020-09 and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Askew made a motion to approve the first reading for Ordinance No. 2020-09. 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)

- 5. FIRST PUBLIC HEARING FOR ORDINANCE NO. 2020-12**, an ordinance of the City Council of the City of St. Cloud, Florida, prescribing the manner of holding the regular election to be held on the first Tuesday after the first Monday of November each election year, to wit: November 3, 2020 with a primary election on August 18, 2020 (if required), pursuant to Chapter 20, Article 1, Section 20 of the Code of Ordinances of the City of St. Cloud, providing for an effective date. (Above is full title) (Final Public Hearing will be heard on April 23, 2020) **ACTION ON ORDINANCE NO. 2020-12**

Ivy DeLaCruz, Deputy City Clerk read Ordinance No. 2020-12 into the record by title.

City Clerk, Linda Jaworski reviewed the proposed Ordinance.

Mayor Blackwell announced Ordinance No. 2020-12 and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Trace asked if any election dates will be moved due to Covid-19.

City Clerk Jaworski stated that the Osceola County Elections Office has no direction from the State of Florida regarding this, but if it is necessary to be changed, everyone would be notified.

Deputy Mayor Matheny made a motion to approve. 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)

- 6. PUBLIC HEARING FOR RESOLUTION NO. 2020-057R**, a resolution of the City Council of the City of St. Cloud, Florida, amending resolution number 2019-169R which adopted the fiscal year 2019/2020 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. 2020-057R**

Ivy DeLaCruz, Deputy City Clerk read Resolution No. 2020-057R into the record by title.

Wendy Collazo, Finance Director reviewed the proposed Resolution.

Mayor Blackwell announced Resolution No. 2020-057R and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Cooper said he discussed leasing these services with the City Manager to save money.

The City Manager asked Council for authorization to look into equipment up for sale for ice pigging. Brian Wheeler, Interim Utilities Director briefly explained new technology that is out.

Council consensus is for the City Manager and Brian Wheeler to evaluate and look for an alternative to entering into ongoing contracts, then bring back to Council.

Deputy Mayor Matheny made a motion to approve Resolution No. 2020-057R.

Mayor Blackwell 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. Request City Council's acceptance of the City's Comprehensive Annual Financial Report (CAFR) for FY 2018-2019 as presented by Purvis Gray & Company, LLC. Independent Auditors.

This item was heard under presentations. Please see page 2.

2. Resolution No. 2020-064R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the waiver of the formal bidding requirements and approving the negotiated procurement for Cleaning, Disinfection and De-chlorination of Potable Water Piping, and the award thereof to Professional Piping Services, Inc., and ratifying the agreement executed by the City Manager.

Ivy DeLaCruz, Deputy City Clerk read Resolution No. 2020-064R into the record by title.

Brian Wheeler, Interim Utilities Director reviewed the proposed Resolution.

Mayor Blackwell announced Resolution No.2020-064R and City Clerk, Linda Jaworski, stated there is no audience present at this time.

Council Member Trace made a motion to approve Resolution No. 2020-064R. 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. Resolution No. 2020-065R, a resolution of the City Council of the City of St. Cloud, Florida, ratifying the First, Second and Third Amendments to the agreement dated December 18, 2019 between the City of St. Cloud and Utility Service Co., Inc. for Ice Pigging - Domestic Water Mains, which have been executed by the City Manager, and providing an effective date.

Ivy DeLaCruz, Deputy City Clerk read Resolution No. 2020-065R into the record by title.

Brian Wheeler reviewed proposed Resolution.

Mayor Blackwell announced Resolution No. 2020-065R and City Clerk, Linda Jaworski stated there is no audience present at this time.

The City Manager explained that Mr. Wheeler and I will move this along as fast as we can. They will continue the pigging and swabbing until they can come to an agreement.

Council Member Trace made a motion to approve Resolution No. 2020-065R. 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)

4. Discussion and possible action as it relates to Crabby Bill's.

The City Manager advised that Crabby Bill's has requested a 60-day deferment of rent due to no work at the restaurant because of the pandemic. Deputy Mayor Matheny requested Sno Cone Shoppe be included.

Council consensus is for the City Manager to bring back a deferment plan at the next meeting.

5. Add on item: Resolution No.2020-067R

Resolution No. 2020-067R was heard and approved at the beginning of the meeting.

**X. City Attorney**

City Attorney Mantzaris told Mayor Blackwell he was doing a good job with the virtual meeting in such unusual times.

**XI. City Manager**

City Manager Sturgeon requested Council direction regarding the Community Agency Grant surplus of approximately \$20,000 and hoped to put a stimulus package together for small businesses and bring back to the next Council meeting on April 23, 2020.

Deputy Mayor Matheny asked the City Manager to make sure all the non-profits have been paid and crossed off the list.

Council consensus was also to donate \$15,000 to the Food Pantry due to the pandemic.

The City Manager thanked staff that assisted with bringing the virtual meeting together.

**XII. Mayor and Council Members**

**Mayor Blackwell** thanked everyone for their patience including Council and commended the City Manager for putting a task force together and looked forward to what his recommendations are. He encouraged the City Manager to continue communicating through Positive Osceola and our website as he was impressed.

**Deputy Mayor Matheny** thanked Mayor Blackwell for working tirelessly for the City during this pandemic. She also asked that everyone please sit tight, stay home, and stay safe.

**Council Member Askew** also thanked Mayor Blackwell for his tireless efforts.

**Council Member Cooper** requested an update on filter installations.

**Council Member Trace** encouraged everyone to stay safe.

**XIII.** Information Section and Report Section

- Council Workshop for April 16, 2020 has been cancelled.
- Thursday, April 23, 2020 - City Council Meeting - 6:30 p.m.

Proclamations:

- Proclamation in recognition of Water Conservation Month
- Proclamation in recognition of National Day of Prayer

Reports:

- Warrant List #9

**XIV.** Adjournment 8:12 p.m.

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Mayor Nathan Blackwell

ATTEST:

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City Clerk, Linda P. Jaworski

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