

**ST. CLOUD CITY COUNCIL REGULAR MEETING**

**Thursday, April 8, 2021**

**City Hall - Council Chambers**

**1300 9th Street**

**6:30 p.m.**

**Agenda**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker shall be allotted 3 minutes to address the Council, unless such time is extended by the Mayor or by questions from Council. Groups shall designate a spokesperson to avoid repetition of comments. Every effort will be made to avoid interrupting speakers. Thank you for participating in your City Government.

**I.** Call to Order

**II.** Invocation

**III.** Pledge of Allegiance

**IV.** Roll Call

- ◆ Mayor Nathan Blackwell
- ◆ Deputy Mayor Keith Trace
- ◆ Council Member Linette Matheny
- ◆ Council Member Chuck Cooper
- ◆ Council Member Dave Askew

**V.** Presentations

- There are no presentations at this time.

**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.

**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. 2021-056R, 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 Deputy Finance Director to sign signature cards and other necessary documentation related to the City's banking relationships with SunTrust Bank, now Truist Bank, Bank of America, N.A., and US Bank, N.A., 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.

**This item is to sign signature cards and other necessary documentation related to the City's banking relationships with SunTrust Bank, now Truist Bank, Bank of America, N.A, and US Bank, N.A.**

- B. Resolution No. 2021-066R, a resolution of the City Council of the City of St. Cloud, Florida, amending the official staffing table for the purpose of adding one (1) Customer Service Agent, two (2) Meter Reader for the remainder of Fiscal Year 2020-2021.

**COST:** up to \$ 61,013.14

**This item is to amend the official staffing table.**

- C. Request Council's approval of a Final Plat for Old Hickory Phase 3  
**This item is for the approval of the final plat for Old Hickory Phase 3.**

- D. Request Council's approval of a Final Plat for Tohoqua Phase 4A  
**This item is for the approval of the final plat for Tohoqua Phase 4A.**

- E. Minutes: January 28, 2021 / Regular Meeting

#### **VIII. Public Hearings**

1. **PUBLIC HEARING FOR RESOLUTION NO. 2021-063R** a resolution of the City Council of the City of St. Cloud, Florida, granting a Conditional Use to operate a "gasoline sales in conjunction with a convenience store" use on a 1.21-acre property known as Parcel K, located East of the Florida Turnpike and West of Old Canoe Creek Road on Lexington Blvd, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2021-063R**

#### **IX. Council Action**

1. Discussion and possible action regarding appointments to vacancies on the Planning Commission and Historic Preservation Board.

#### **X. City Attorney**

#### **XI. City Manager**

#### **XII. Mayor and Council Members**

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

- Thursday, April 15, 2021 - City Council Workshop - 3:00 p.m. @ City Hall, Council Chambers
- Thursday, April 22, 2021 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

#### **Proclamations:**

- Proclamation in recognition of Fair Housing Month
- Proclamation in recognition of Water Conservation Month

Reports:

- Warrant List #9
- Recreation Advisory Committee Meeting Minutes - February 2021 - Approved

**XIV. Adjournment**

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, such person will need a record of the proceedings and that, for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, and which record is not provided by the City of St. Cloud. (FS 286.0105) In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Secretary/Clerk of the Committee/Board (listed below), prior to the meeting. (FS 286.26) City Clerk Linda P. Jaworski, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



**MEETING:** April 8, 2021

**Agenda Item Type:** Consent Agenda  
Resolution 2021-056R

**FINANCE AGENDA ITEM:**

Resolution No. 2021-056R, 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 Deputy Finance Director to sign signature cards and other necessary documentation related to the City's banking relationships with SunTrust Bank, now Truist Bank, Bank of America, N.A, and US Bank, N.A., 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.

**This item is to sign signature cards and other necessary documentation related to the City's banking relationships with SunTrust Bank, now Truist Bank, Bank of America, N.A, and US Bank, N.A.**

**STRATEGIC PLAN GOAL:**

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**BACKGROUND INFORMATION:**

The City wishes to establish a custodial account with US Bank for safekeeping of investment instruments as prescribed in our Investment Policy Statement (2021-002R) therefore US Bank is being added to the banking resolution.

**REQUEST:**

Request City Council's approval to adopt the updated banking resolution, Resolution 2021-056R which supersedes Resolution 2020-159R.

**LEGAL AUTHORITY:**

Florida Statute 280-Security for Public Deposits  
City Code Section 2-150

**BUDGET AND RECOMMENDATION:**

No Cost associated with this request; Staff recommends approval

**FINANCE DIRECTOR'S COMMENTS:**

Finance Director recommends APPROVAL of this item.

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends approval

**CITY COUNCIL ACTION:**

04/08/2021 - Final Action



**MEETING:** April 8, 2021

**Agenda Item Type:** Consent Agenda  
Resolution 2021-066R

First Public Hearing: April 8, 2021

**HUMAN RESOURCES AGENDA ITEM:**

Resolution No. 2021-066R, a resolution of the City Council of the City of St. Cloud, Florida, amending the official staffing table for the purpose of adding one (1) Customer Service Agent, two (2) Meter Reader for the remainder of Fiscal Year 2020-2021.

**COST:** up to \$ 61,013.14

**This item is to amend the official staffing table.**

**STRATEGIC PLAN GOAL:**

**Professional Workforce:** To attract and retain highly skilled staff in order to provide services to the community.

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**BACKGROUND INFORMATION:**

The Human Resources department calculated cost of salary with benefits for addition of positions to the staffing table. Finance department determined funding available on or after February 26, 2021.

**REQUEST:**

Human Resources Department recommends approval for Fiscal Year 2020-2021 on 04/08/2021 council meeting. To amend the official staffing table for the purpose of adding a total of three (3) positions.

**LEGAL AUTHORITY:**

City of St. Cloud Personnel Rules and Regulations Position Control Sec. 5.06 (B)

**BUDGET AND RECOMMENDATION:**

Budgeted \$61,013.14 / Actual cost up to \$61,013.14 for the remaining months of Fiscal Year 2020-2021.

Actual Cost for a full fiscal year is \$146, 431.54

Water Fund

Staff recommends **APPROVAL** of this amendment.

**FINANCE DIRECTOR'S COMMENTS:** Funds were approved in the budget and are available in accordance with current policies.

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

**CITY COUNCIL ACTION:**



**MEETING:** April 8, 2021

**Agenda Item Type:** Public Hearings  
Resolution 2021-063R

First Public Hearing: April 8, 2021

**PLANNING AGENDA ITEM:**

**PUBLIC HEARING FOR RESOLUTION NO. 2021-063R** a resolution of the City Council of the City of St. Cloud, Florida, granting a Conditional Use to operate a “gasoline sales in conjunction with a convenience store” use on a 1.21-acre property known as Parcel K, located East of the Florida Turnpike and West of Old Canoe Creek Road on Lexington Blvd, St. Cloud, Florida, as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2021-063R**

**STRATEGIC PLAN GOAL:**

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

The subject property has a Future Land Use designation of Medium Density Residential and is located within a Planned Unit Development (PUD) zoning district. The Anthem Park PUD permits the use of “Gasoline sales in conjunction with a convenience store” on a conditional basis as stated in Ordinance 2004-32. Ordinance 2004-32 is currently in the process of being amended and updated (Ordinance 2021-04), however the use regulations governing Tract K remain the same. As required by the Land Development Code Section 3.4.3.C.3.b, the applicant has provided responses to the six factual matters listed therein. The proposed conditional use is consistent with the Planned Unit Development approved for Anthem Park. The proposed use will not have adverse impacts on existing traffic patterns or intensity.

Notice of Public Hearing were mailed to property owners within 300 feet of the subject property and was advertised as required by State Statutes.

**Planning Commission Recommendation:** On March 16, 2021, the Planning Commission reviewed this request for a Conditional Use and made a recommendation of **DENIAL** of Resolution No. 2021-063R with a 5-0 vote.

**REQUEST:**

The applicant is requesting approval of a Conditional Use for “Gasoline sales in conjunction with a convenience store” at Parcel K on Lexington Blvd

**LEGAL AUTHORITY:**

Section 3.4.3.C.5.c of the Land Development Code states that before any conditional use is granted, the City Council shall make a finding, based upon the consideration of the factual



matters stated as questions, that the granting of the conditional use will not adversely affect the public interest, but rather will promote the public health, safety, and general welfare. Such finding shall be made if all of the factual matters, stated as questions, are answered in the affirmative, but if not, the conditional use application shall be denied. The applicant has provided responses to the six factual matters and they are attached.

**BUDGET AND RECOMMENDATION:**

There is no cost associated to this item

Staff recommends **APPROVAL** of Resolution No. 2021-063R

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends City Council act as Council deems appropriate

**CITY COUNCIL ACTION:**

04/08/2021- Final Action



**MEETING:** April 8, 2021

**Agenda Item Type:** Council Action

**CITY CLERK AGENDA ITEM:**

Discussion and possible action regarding appointments to vacancies on the Planning Commission and Historic Preservation Board.

**STRATEGIC PLAN GOAL:**

**Professional Workforce:** To attract and retain highly skilled staff in order to provide services to the community.

**Public Service:** To ensure cost effective service while providing a high level of service to our internal and external customers.

**Financial Sustainability:** To meet the short and long-term financial needs of the City of St. Cloud.

**Infrastructure:** To provide safe and adequate infrastructure to meet current and future needs.

**Growth Management:** To create a vibrant, progressive and diverse community through collaborative planning.

**Economic Development:** To promote economic development in the City of St. Cloud.

**BACKGROUND INFORMATION:**

At the March 16, 2021 Planning Commission meeting, the Commission Members requested to replace Mr. John Dilullo Seat # 2, in accordance with City Code - Article VII, Section 7.01 and Land Development Code - Article III, Division 4 - 3.4.3, as he has not attended several meetings in a row nor returned the Commissions administration calls or emails for the past four meetings.. Alt 1 and Alt 2 moved up, leaving Alt # 2 Seat#7 Vacant. This appointment is an at large appointment.

On 3/26/21 we received an email from Kolby Urban who was resigning from the Historic Preservation Board leaving Seat # 2 vacant. This is a non-coterminous board and is an at large appointment.

**REQUEST:**

Request Council discussion and possible action regarding an appointment to a vacancy on the Planning Commission. Applications have been submitted by, Jeffrey Rivera, Brian Roper, Teresa Velazquez, Holly Wolfer, Kyle DeYoung, James Morency, David Bridle, Asif Qureshi, Ashley Prisacariu, Mikayla Goetz, Paul Kersey, Terrance Lloyd, Maureen McNamee-Cook, Richard Estill, and Brian Pugh.

Request Council discussion and possible action regarding an appointment to a vacancy on the Historic Preservation Board. Applications have been submitted by, Sarah Alicea, Rachel Ruffing, Mikayla Goetz, Kacie Rosario, Holly Wolfer, Joanne McMenamin, Carmelo Oquendo, Thomas Lord, Melissa Towe, Bill Fermmer, Ekaterina Akulova, Dan Harkwick, Richard Estill.

**LEGAL AUTHORITY:**

Planning Commission = City Code - Article VII, Section 7.01 and Land Development Code - Article III, Division 4 - 3.4.3.

Historic Preservation Board =City Council by adoption of Ordinance 2016-55

**BUDGET AND RECOMMENDATION:**

No Cost associated with this item.

Recommend Council act as deemed appropriate.

**FINANCE DIRECTOR'S COMMENTS:**

N/A

**PROCUREMENT DIRECTOR'S COMMENTS:**

N/A

**CITY MANAGER'S COMMENTS:**

Deputy City Manager Miller recommends Council act as deemed appropriate.

**CITY COUNCIL ACTION:**

Final Action - April 8, 2021