

ST. CLOUD CITY COUNCIL REGULAR MEETING

July 13, 2017

City Hall Council Chambers

1300 Ninth Street

6:30 PM

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 Dave Askew
- Council Member Linette R. Matheny
- Council Member Chuck Cooper
- Council Member Donald Shroyer

V. Presentations

- There are no presentations at this time.

VI. Citizen's 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. Minutes: April 27, 2017 / Regular Meeting and May 11, 2017 / Regular Meeting

B. Resolution No. 2017- 117R, a resolution of the City Council of the City of St. Cloud, Florida, in support of the Osceola County Home Consortium and Community Development Block Grant Funds (CDBG) Annual Action Plan for Federal Fiscal Year 2017-2018 and providing for an effective date.

COST: No cost associated with this item.

C. Resolution No. 2017-121R, a resolution of the City Council of the City of St. Cloud,

Florida, for the approval and adoption of the City of St. Cloud Citywide Trails Master Plan.

COST: No cost associated with this item.

- D. Resolution No. 2017-122R, a resolution of the City Council of the City of St. Cloud, Florida, amending the City of St. Cloud Grants/Appropriations/Loans (GAL) Manual to clarify the policy allowing the City Manager's authority on GAL applications to be \$50,000 in matching funds which is consistent with the Purchasing Policy and providing for an effective date.

COST: No cost associated with this item.

- E. Resolution No. 2017-127R, 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: No cost associated with this item.

- F. Resolution No. 2017-128R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Ardaman & Associates, Inc. per RFQ No. 2017-028 for continuing professional geotechnical engineering services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- G. Resolution No. 2017-129R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Geotechnical and Environmental Consultants, Inc. per RFQ No. 2017-028 for continuing professional geotechnical engineering services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- H. Resolution No. 2017-130R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Madrid Engineering Group, Inc. per RFQ No. 2017-028 for continuing professional geotechnical engineering services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- I. Resolution No. 2017-131R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Johnston's Surveying, Inc. per RFQ No. 2017-029 for continuing professional surveying and mapping services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- J. Resolution No. 2017-132R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with Southeastern Surveying and Mapping Corporation per RFQ No. 2017-029 for continuing professional surveying and mapping services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- K. Resolution No. 2017-133R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing and directing the Mayor to enter into an agreement with C M Arrington & Associates, Inc. per RFQ No. 2017-029 for continuing professional surveying and mapping services, on an as needed basis for the City of St. Cloud for work on various City projects, as negotiated by the City Manager on behalf of the City of St. Cloud in accordance with the Consultants' Competitive Negotiations Act and as directed by City Council.

COST: No cost associated with this item.

- L. Resolution No. 2017-135R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the waiver of formal bidding requirements and utilizing Broward County Sheriff's Office Contract #12-29077/JHJ, which is reasonable and otherwise in the best interest of the City of St. Cloud, for the purchase of Motorola public safety radios and related services, providing for the award thereof to Motorola Solutions, Inc., and providing an effective date.

COST: \$62,742.26

- M. Resolution No. 2017-137R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a second addendum to and extension of the agreement dated April 10, 2014, between the City of St. Cloud and Arthur's Catering, Inc. for pre/post disaster food services, and providing an effective date.

COST: Costs will only occur when utilized during emergencies; the City will apply for reimbursement from FEMA.

- N. Resolution No. 2017-138R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a second addendum to and extension of the agreement dated April 10, 2014, between the City of St. Cloud and DRC Emergency Services, LLC for pre/post disaster food services, and providing an effective date.

COST: Costs will only occur when utilized during emergencies; the City will apply for reimbursement from FEMA.

- O. Resolution No. 2017-140R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first addendum to and extension of the agreement dated June 23, 2016, between the City of St. Cloud and Custom Tree Care, Inc. for emergency debris management and removal, and providing an effective date.

COST: Costs will only occur when utilized during emergencies; the City will apply for reimbursement from FEMA.

- P. Request Council's approval of a Final Plat for 7 lots in Nolte Road Commercial Park of Stevens Plantation Planned Unit Development (PUD).
COST: No cost associated with this item.
- Q. Request Council's approval of a Preliminary Subdivision Plan for 461 lots in Lancaster Park East.
COST: No cost associated with this item.

VIII. Public Hearings

1. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2017-17**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a future land use designation of "mixed use" to approximately 276.29 acres, located east of Eastern Avenue, west of Old Hickory Tree Road, south of 19th Street and north of Nolte Road; 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) **ACTION ON ORDINANCE NO. 2017-17**
2. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2017-18**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "Mix" mixed use, compatible with a "Mixed Use" Future Land Use designation change, adopted by Ordinance No. 2017-17, for approximately 276.29 acres, located east of Eastern Avenue, west of Old Hickory Tree Road, south of 19th Street and north of Nolte Road; 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) **ACTION ON ORDINANCE NO. 2017-18**
3. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2017-26**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the Comprehensive Plan to incorporate the Ten-Year Water Supply Facilities Work Plan by amending the goals, objectives and policies of the Infrastructure, Capital Improvements and Intergovernmental Coordination Elements; providing for applicability and effect, severability, conflicts, distribution and copies on file, authorization for transmittal to the Department of Economic Opportunity, and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2017-26**
4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2017-36**, an ordinance imposing a temporary moratorium on the operation of Medical Marijuana Treatment Centers and licensed Medical Marijuana Dispensaries within the City of St. Cloud for a period of six (6) months unless rescinded, or extended, or by a subsequent amendment to the City's Land Development Regulations regarding the regulation of Marijuana Treatment Centers and licensed Medical Marijuana Dispensaries; providing for Conflicts, Severability and an immediate Effective Date. (Above is full title) **ACTION ON ORDINANCE NO. 2017-36**

5. **RESOLUTION NO. 2017-125R**, a resolution of the City Council of the City of St. Cloud, Florida, amending Resolution number 2016-171R which adopted the 2016/2017 budget for the City of St. Cloud, finding the City Manager has certified there are prior year fund balances and/or revenues available in the 2016/2017 budget for additional projects and programs in various funds not included in the original 2016/2017 budget, requiring the budget to be increased to include said additional funding in the various funds and making supplemental appropriations within the funds. (Above is full title)
ACTION ON RESOLUTION NO. 2017-125R

IX. Council Action

1. Request City Council's approval of the Roan Bridge Mixed Use Conceptual Master Plan/Concept Plan.

2. Resolution No. 2017-142R, a resolution of the City Council of the City of St. Cloud, Florida approving a Water & Wastewater Service Agreement from Martni Realty Fund, LLC., for Twistee Treat at Cobblestone a commercial business located in the unincorporated area of Osceola County south of Irlo Bronson Memorial Highway and east of Partin Settlement Rd. authorizing the City Manager to execute the agreement; and providing an effective date.

3. Resolution No. 2017-143R, a resolution of the City Council of the City of St. Cloud, Florida, declaring certain real property located at 2901 17th street as surplus property, approving an Interlocal Agreement with Osceola County School Board, a Florida government entity, to lease the property for a term of twenty seven (27) months in consideration of the dedication of certain real property from the School Board to the City of St. Cloud and authorizing the City Manager to execute all documents necessary to complete the property transfer and lease and providing for an effective date.

4. Resolution No. 2017-144R, a resolution of the City Council of the City of St. Cloud, Florida, approving an Interlocal Agreement with Osceola County, a Florida Government entity, for the dedication of real property to Osceola County related to the construction of transportation improvements on Old Canoe Creek Road; authorizing the Mayor to execute the Interlocal Agreement and all documents necessary to complete the dedication and providing an effective date.

5. Resolution No. 2017-145R, a resolution of the City Council of the City of Ct. Cloud, Florida, authorizing the Mayor to enter into a "School Capacity Mitigation and Funding Agreement" ("Agreement") between the School District of Osceola County, Florida, a

Public Body Corporate organized and existing under the Constitution and Laws of the state of Florida (“School District”); Clifford Clay Jowers, individually, Susan A. Jowers, individually, Clay Jowers Family Trust, a family trust, Sylvia Val Wofford Family Trust, a family trust (“Jowers”); and the City of St. Cloud, Florida, a Florida Municipal Corporation for the location and conveyance of a school site for mitigation of school capacity; and providing for an effective date.

X. Introduction/First Reading of Ordinances: The following items are before the Council for approval of Introduction/First Reading only. Final action will not be taken tonight, public comment will be heard at the final public hearing for the ordinance.

1. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2017-38**, an ordinance of the City Council of the City of St. Cloud, Florida, amending the City Code of the City of St. Cloud Florida to amend Chapter 12 “Business” Article V, “Pain Management Clinic and Pharmacy Licensing” Section 12-150 “Purpose and Definitions,” Section 12-151 “Pain Medication Licensing Procedures,” Section 12-152 “Application and Review Procedures for Pain Medication Licenses,” Section 12-153 “Review Criteria for Pain Medication Licenses,” Section 12-154 “Mandatory Conditions for Pain Medication Licenses,” and Section 12-155 “Issuance, Revocation and Renewal of Pain Medication Licenses;” Article II, “Peddlers, Canvassers, Itinerant Vendors and Solicitors” Section 12-52 “Application, Fee;” Article VI “Secondhand Dealers, Pawnbrokers and Precious Metal Purchases” 12-171 “Permit;” Chapter 46 “Vehicles for Hire” Article II “Taxicabs and Limousines” Section 46-52 “Application, Form, Fee;” providing for severability; conflicts; codification; and an effective date. (Above is full title) (Final Public Hearing will be heard on August 10, 2017) **ACTION ON ORDINANCE NO. 2017-38**

XI. City Attorney

XII. City Manager

XIII. Mayor and Council Members

XIV. Information and Report Section

- Thursday, July 27, 2017 - City Council NIMS Training - 6:00 p.m. @ EOC
- Monday and Tuesday, August 7th & 8th 2017, City Council Budget Workshop - 6:00 p.m. @ City Hall, Council Chambers
- Thursday, August 10, 2017 City Council Meeting – 6:30 p.m. @ City Hall, Council Chambers

Reports: Warrant List #16

XV. Adjournment

If a person decides to appeal any decision made by the Committee/Board, with respect to any matter considered at such hearing/meeting, such person will need a record of the proceedings and that, for this 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) Linda P. Jaworski, 1300 9th Street, St. Cloud, FL 407-957-7300