

ST. CLOUD CITY COUNCIL REGULAR MEETING
Wednesday, September 21, 2022
City Hall - Council Chambers
1300 9th Street
6:00 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. Pledge of Allegiance

III. Roll Call

- ◆ Mayor Nathan Blackwell
- ◆ Deputy Mayor Linette Matheny
- ◆ Council Member Kolby Urban
- ◆ Council Member Dave Askew
- ◆ Council Member Keith Trace

IV. Agenda Update: To include continued or add-on items, corrections, and/or deletions of existing items as submitted by the City Manager.

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. There are no consent items at this time.

VIII. Public Hearings

1. **FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-187R**, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final Ad Valorem Tax millage for the City of St. Cloud for the fiscal year 2022/2023, the same being adopted

prior to the adoption of a final budget for said period. (FINAL MILLAGE) (Above is full title) **ACTION ON RESOLUTION NO. 2022-187R**

2. **FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-188R**, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final budget for the City of St. Cloud for the fiscal year 2022/2023; the same being adopted following the adoption of a final millage rate for said period. (FINAL BUDGET) (Above is full title) **ACTION ON RESOLUTION NO. 2022-188R**
3. **FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-189R**, a resolution of the City Council of the City of St. Cloud, Florida, adopting the 2022-2027 Five Year Capital Improvement Plan, with an effective date of October 1, 2022 through September 30, 2027 subject to annual review and amendment as needed to support the service levels and community need. (Above is full title) **ACTION ON RESOLUTION NO. 2022-189R**
4. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-56**, an ordinance of the City Council of the City of St. Cloud, amending City Code Chapter 44, "Utilities", by repealing in their entirety Article II, "Sanitary Sewer System", Article III, "Reclaimed Water" and Article IV, "Potable Water". Adding new Article II, "Sanitary Sewer, Reclaimed Water and Potable" Section 44-31, adoption of Tohopekaliga Water Authority Policies and Reserving Sections 44-32 through 44-240 and Articles III and IV for future use; amending City Land Development Code by amending Article II, "Definitions", Section 2.1.1, General; Article IV, "Site Development Plans", Division 2, Procedures for Securing Approval of Site Development Plans", Subsections 4.2.4. "Exceptions"; Article V, "Subdivision Regulations", Division 4, "Recording Plats", Subsection 5.4.2 "Approval and Payment of Fees Required"; Article VII "Environmental Utilities"; Article VIII, Landscaping and Tree Protection, Division 1 "General Provisions" Section 8.1.1.1, "Purpose and Applicability" and Division 5, "Landscaping", Section 8.5.13 "Landscaping in Utility Service Area"; Article VIII - "Landscaping and Tree Protection", Division 6 - "Irrigation", Section 8.6.1 - "Irrigation, Intent of Division"; Article VIII - "Landscaping and Tree Protection", Division 6 - "Irrigation", Section 8.6.2 - "Irrigation Systems"; Article VIII - "Landscaping and Tree Protection", Division 6 - "Irrigation", Section 8.6.3 - "Irrigation Design/Installation"; providing for severability; conflict; administrative correction; codification and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-56**

IX. Council Action

1. Resolution No. 2022-261R, a resolution of the City Council of the City of St. Cloud, Florida, approving the first amendment to that certain agreement with St. Cloud Main Street, Inc. for funding in an amount not to exceed an additional \$50,000 for implementation of a Cloud Cash Program and authorizing the City Manager to execute the first amendment to the agreement and providing for an effective date.

X. City Attorney

XI. City Manager

XII. Mayor and Council Members

XIII. Information Section and Report Section

- Thursday, October 6, 2022 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chamber
- Thursday, October 27, 2022 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chamber

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: September 21, 2022

Agenda Item Type: Public Hearings
Resolution 2022-187R

First Public Hearing: September 7, 2022

Second Public Hearing: September 21, 2022

FINANCE AGENDA ITEM:

FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-187R, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final Ad Valorem Tax millage for the City of St. Cloud for the fiscal year 2022/2023, the same being adopted prior to the adoption of a final budget for said period. (FINAL MILLAGE) (Above is full title) **ACTION ON RESOLUTION NO. 2022-187R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

As per Florida Statute 200.065 two public hearings are required in order to adopt a final Ad Valorem tax millage of 5.1128 which is 11.79 percent above the rolled-back rate of 4.5736.

REQUEST:

Request council approval to establish a final ad valorem tax millage rate for the fiscal year 2022/23.

LEGAL AUTHORITY:

As per Florida Statute 200.065.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.
Staff recommends **APPROVAL** of this item.

FINANCE DIRECTOR'S COMMENTS: Finance Director recommends **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

09/21/2022 - Final Action

09/07/2022 - Motion to approve by Askew. Seconded by Blackwell. Passed 5-0



MEETING: September 21, 2022

Agenda Item Type: Public Hearings
Resolution 2022-188R

First Public Hearing: September 7, 2022

Second Public Hearing: September 21, 2022

FINANCE AGENDA ITEM:

FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-188R, a resolution of the City Council of the City of St. Cloud, Florida, establishing a final budget for the City of St. Cloud for the fiscal year 2022/2023; the same being adopted following the adoption of a final millage rate for said period. (FINAL BUDGET) (Above is full title) **ACTION ON RESOLUTION NO. 2022-188R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

As per Florida Statute 166.241 the City is required to adopt a budget each fiscal year by ordinance or resolution. The amount available from taxation and other sources, including balances brought forward from prior fiscal years, must equal the total appropriations for expenditures and reserves. In other words, the adopted budget must balance.

REQUEST:

Request City Council to approve the budget for FY2022/2023.

LEGAL AUTHORITY:

As per Florida Statute 166.241

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of this item

FINANCE DIRECTOR'S COMMENTS:

Finance Director recommends **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

CITY COUNCIL ACTION:

09/21/2022 - Final Action

09/07/2022 - Motion to approve by Blackwell. Seconded by Trace. Passed 5-0



MEETING: September 21, 2022

Agenda Item Type: Public Hearings
Resolution 2022-189R

FINANCE AGENDA ITEM:

FINAL PUBLIC HEARING FOR RESOLUTION NO. 2022-189R, a resolution of the City Council of the City of St. Cloud, Florida, adopting the 2022-2027 Five Year Capital Improvement Plan, with an effective date of October 1, 2022 through September 30, 2027 subject to annual review and amendment as needed to support the service levels and community need. (Above is full title) **ACTION ON RESOLUTION NO. 2022-189R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The City of St. Cloud's Capital Improvement Plan (CIP) establishes, prioritizes, and defines funding for capital projects to improve existing systems and develop new infrastructure and facilities. The use of a CIP promotes better use of the City's limited financial resources, reduces costs, focuses priorities, and assists in the coordination of public and private development. The City's CIP is a five year planning document which identifies the major capital improvement expenditures and gives a proposed sequence of implementing their construction. The CIP serves as a long range dynamic plan since the plan is reviewed and revised annually to account for completed and newly identified projects. In addition, City priorities may change due to funding opportunities or circumstances that have caused a more rapid deterioration of assets or greater need identified elsewhere. As a basic tool for documenting anticipated capital improvement expenditures, the listing of projects includes a funding strategy for projects in which needs have been identified, but specific solutions and funding resources have been determined to be accomplished through debt financing.

The CIP is the result of an ongoing infrastructure planning process, which provides flexibility and takes advantage of opportunities for funding capital improvement expenditures. The Fiscal Years 2022-2027 CIP is developed utilizing adopted policies and current master plans, input from the public, professional peer review, and review and approval of the City's elected officials. A draft CIP is made available to the general public and elected officials for review and comment. Input from the public occurs at many levels. As Master Plans are developed and adopted, there are public input opportunities to ensure that the plans reflect community input and need.

REQUEST:

Request for adoption and approval of the 2022-2027 five year Capital Improvement Plan (CIP).

LEGAL AUTHORITY:

City of St. Cloud Article VI. Financial Procedures Section 6.01-6.07.

(Laws of Fla. Ch. 65-2166, § 6.07; Ord. No. 81-B, § 6, 2-5-1981/3-19-1981)

BUDGET AND RECOMMENDATION:

Budgeted (FY22/23) \$15,195,000

Total Capital Improvement Plan \$230,455,846 (FY2023-2027)

Fund: Multiple Funding Sources

Staff recommends **APPROVAL** of this item

FINANCE DIRECTOR'S COMMENTS:

Finance Director recommends **APPROVAL** of this item.

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

09/21/2022 - Final Action

09/07/2022 - Motion to approve by Blackwell. Seconded by Askew. Passed 5-0



MEETING: September 21, 2022

Agenda Item Type: Public Hearings
Ordinance 2022-56

First Public Hearing: September 8, 2022

Second Public Hearing: September 21, 2022

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2022-56, an ordinance of the City Council of the City of St. Cloud, amending City Code Chapter 44, “Utilities”, by repealing in their entirety Article II, “Sanitary Sewer System”, Article III, “Reclaimed Water” and Article IV, “Potable Water”. Adding new Article II, “Sanitary Sewer, Reclaimed Water and Potable” Section 44-31, adoption of Tohopekaliga Water Authority Policies and Reserving Sections 44-32 through 44-240 and Articles III and IV for future use; amending City Land Development Code by amending Article II, “Definitions”, Section 2.1.1, General; Article IV, “Site Development Plans”, Division 2, Procedures for Securing Approval of Site Development Plans”, Subsections 4.2.4. “Exceptions”; Article V, “Subdivision Regulations”, Division 4, “Recording Plats”, Subsection 5.4.2 “Approval and Payment of Fees Required”; Article VII “Environmental Utilities”; Article VIII, Landscaping and Tree Protection, Division 1 “General Provisions” Section 8.1.1.1, “Purpose and Applicability” and Division 5, “Landscaping”, Section 8.5.13 “Landscaping in Utility Service Area”; Article VIII - “Landscaping and Tree Protection”, Division 6 - “Irrigation”, Section 8.6.1 - “Irrigation, Intent of Division”; Article VIII - “Landscaping and Tree Protection”, Division 6 - “Irrigation”, Section 8.6.2 - “Irrigation Systems”; Article VIII - “Landscaping and Tree Protection”, Division 6 - “Irrigation”, Section 8.6.3 - “Irrigation Design/Installation”; providing for severability; conflict; administrative correction; codification and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2022-56**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Ordinance No. 2022-56 amends and revises the City Code and the City Land Development Code provisions and requirements related to water, sewer and reclaimed services. Where applicable the proposed ordinance adds Toho Water Authority to the code as the reviewing agency for current code and LDC provisions. Additionally, where appropriate it deletes utility standards and requirements in the City Code and the LDC. As per the February 10, 2022 Interlocal Agreement, Toho Water Authority will manage the City’s water, waste water and reclaimed utility systems in accordance with Toho requirements. In addition to establishing the legal authority to implement and enforce standards, the proposed ordinance will ensure that the general public is aware of the necessity to work with Toho on, or related to water, sewer and reclaimed matters.

REQUEST:

The request is to approve Ordinance No. 2022-56 for the amendment of Articles II, III, IV, V, VII, and VIII of the Land Development Code of the City of St. Cloud.

LEGAL AUTHORITY:

City Charter Section 2.04 and February 10, 2022 Interlocal between the City of St. Cloud and Toho Water Authority.

BUDGET AND RECOMMENDATION:

Staff recommends **APPROVAL** of Ordinance No. 2022-56.

Planning Commission recommendation will be forthcoming and provided at the final public hearing of this ordinance before City Council on September 21, 2022.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager Miller recommends approval

CITY COUNCIL ACTION:

09/21/2022 - Final Action

09/08/2022 - The motion to **APPROVE** was made by Deputy Mayor Matheny, seconded by Council Member Trace. The motion carried unanimously 5-0 with all members voting "Aye."



MEETING: September 21, 2022

Agenda Item Type: Council Action
Resolution 2022-261R

CITY MANAGER AGENDA ITEM:

Resolution No. 2022-261R, a resolution of the City Council of the City of St. Cloud, Florida, approving the first amendment to that certain agreement with St. Cloud Main Street, Inc. for funding in an amount not to exceed an additional \$50,000 for implementation of a Cloud Cash Program and authorizing the City Manager to execute the first amendment to the agreement and providing for an effective date.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

On September 8, 2022, City Council consensus authorized the City Manager to enter into an agreement with St. Cloud Main Street for the administration and execution of its Cloud Cash Program in response to the Downtown Economic Gardening Program within the Entertainment District, for an amount not to exceed \$50,000. It was further discussed that the City Manager would return to the City Council at the next regularly scheduled meeting to request additional funding for said program up to a total \$100,000.

REQUEST:

Council's approval of Resolution No. 2022-261R for the execution of the 1st amendment of the agreement between the City and St. Cloud Main Street to increase funding by \$50,000 to \$100,000 for its Cloud Cash Program.

LEGAL AUTHORITY:

BUDGET AND RECOMMENDATION:

Budgeted \$100,000

Account #001-1000-512-31.00

Staff recommends APPROVAL

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 Manager Miller recommends approval

CITY COUNCIL ACTION:
09/21/2022 - Final Action