

ST. CLOUD CITY COUNCIL REGULAR MEETING

**Thursday, February 8, 2024
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 Linette Matheny
- ◆ Council Member Kolby Urban
- ◆ Council Member Ken Gilbert
- ◆ Council Member Shawn Fletcher

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

VI. Presentations

- Presentation of Employee of the Year
- Presentation for Employee of the Month

VII. 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.

VIII. 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. 2024-012R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP Infuse) Contracts No. MMS2200733, No. MMS2200731, No.

MMS2200736, No. MMS2200732, No. MMS2200734, and No. MMS2200737, previously advertised for bid by the State of Minnesota Department of Administration, whose subject matter is Medical Supplies, providing for the award thereof to Medline Industries, LP, Concordance Healthcare Solutions, LLC, McKesson Medical-Surgical Government Solutions, LLC, Medical Solutions, Inc., Henry Schein Medical, and Cardinal Health, respectively, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This agreement will be utilized by the Fire Department on an as-needed basis from various approved and budgeted expenditure accounts.

This item is to approve the utilization of MMCAP Infuse Contracts for the purchase of pharmaceuticals and medical supplies for the Fire Department.

- B. Resolution No. 2024-020R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement between the City of St. Cloud, Florida, as an entitlement city, and Habitat for Humanity Greater Orlando and Osceola County for housing rehabilitation services, utilizing Community Development Block Grant Funding and any amendments therefore, and providing for an effective date.

COST: up to \$189,840.00, CDBG funds.

This item is to authorize the Mayor to enter into an agreement using CDBG funds for housing rehabilitation services for low- and moderate-income residents.

- C. Resolution No. 2024-021R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement between the City of St. Cloud, Florida, as an entitlement city, and Osceola Council on Aging for the execution of housing rehabilitation services, Community Development Block Grant Funding, and any amendments therefore, and providing for an effective date.

COST: up to \$80,000.00, CDBG funds.

This item is to authorize the Mayor to enter into an agreement using CDBG funds for housing rehabilitation services (energy efficiency/weatherization) for low- and moderate-income residents.

- D. Resolution No. 2024-023R, 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.

This item is to dispose of obsolete property.

- E. Resolution No. 2024-026R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a First Amendment to and extension of the agreement dated February 15, 2023, between the City of St. Cloud and Life Extension Clinics, Inc. d/b/a/ Life Scan Wellness Center, whose subject matter is Fire Fighter Physical Exams & Related Services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to approve an Amendment to the Agreement with Life Extension Clinics, Inc., extending the current contract for fire fighter physical exams & related services through February 15, 2025.

- F. Resolution No. 2024-027R, a resolution of the City Council of the City of St. Cloud,

Florida, authorizing the City Manager to enter into a task authorization to the agreement for Professional Architectural and Engineering Services for Public Safety Complex with Architects Design Group, Inc., for Public Safety Complex Phase I, and providing an effective date.

COST: up to \$167,605.00

This item is to approve a task authorization with Architects Design Group, Inc. to prepare needs assessment and phased master plan for Public Safety functions.

- G. Resolution No. 2024-028R, a resolution of the City Council of the City of St. Cloud, Florida, declaring certain real property as surplus and approving and authorizing the City Manager to execute and deliver a quit claim deed to that certain property to Wiggins Property Development LLC and providing for an effective date.

COST: No cost associated with this item.

This item is to provide a Quit Claim Deed to the owner of Wiggins Townhomes for the lift station tract to allow for private ownership and maintenance of the lift station intended to serve the development.

- H. Resolution No. 2024-029R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing the City Manager to enter into a first amendment to that certain water and wastewater agreement with Evaristo Flores, LLC dated October 2, 2017, and recorded in the public records of Osceola County on October 11, 2017 and providing for an effective date.

COST: No cost associated with this item.

This item is to amend a 2017 Water and Wastewater Agreement, replacing architectural standards for single-family homes with standards for townhomes.

- I. Resolution No. 2024-030R, a resolution of the City Council of the City of St. Cloud, Florida, approving the amendment to the Interlocal Agreement creating the Orlando Urban Area Metropolitan Planning Organization between the State of Florida, Department of Transportation, the Counties of Orange County, Florida, Osceola County, Florida, Seminole County, Florida; the Cities of City of Altamonte Springs, Florida, City of Apopka, Florida, City of Kissimmee, Florida, City of Orlando, Florida, City of Sanford, Florida, the City of St. Cloud, Florida, the Central Florida Regional Transportation Authority, and the Sanford Airport Authority, and the MetroPlan Orlando Municipal Advisory Committee; authorizing the Mayor to execute the agreement; and providing an effective date.

COST: No cost associated with this item.

This item is to approve and accept the amendment to the Interlocal Agreement creating the Orlando Urban Area Metropolitan Planning Organization giving a voting membership to the City.

- J. Resolution No. 2024-032R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to and extension of the agreement between the City of St. Cloud and Digitech Computer, LLC dated May 10, 2022, whose subject matter is Billing Services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to extend the term of the agreement for billing services with Digitech Computer, LLC for the Fire Department through January 29, 2026.

K. Resolution No. 2024-033R, a resolution of the City Council of the City of St. Cloud, Florida, approving the Proclamation Policy to recognize exceptional events and people associated with the City of St. Cloud, City-sponsored and supported events, or to increase public awareness of noteworthy causes, and authorizing the City Manager to execute the policy.

COST: No cost associated with this item.

This item is to approve a Proclamation Policy.

L. Resolution No. 2024-034R, a resolution of the City Council of the City of St. Cloud approving a Letter of Engagement with PFM Financial Advisors, LLC and the City of St. Cloud for the provision of financial planning and policy development services for professional fees not to exceed \$100,000, including contingency; authorizing the City Manager to execute the Letter of Engagement and providing for an effective date.

COST: up to \$100,000.00

This item is to approve an agreement for financial planning and policy development services with PFM Financial Advisors, LLC.

M. Request Council's approval of a reduction of lien for Code Enforcement Case #2021-1301; the property address for this case is 238 Virginia Avenue, St. Cloud, Florida.

N. Minutes: January 11, 2024 / Regular Meeting

IX. Public Hearings

1. **PUBLIC HEARING FOR RESOLUTION NO. 2024-007R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a place of worship in the "R-E" Single-Family Dwelling zoning district on the 2.61 acres known as Jesus is Lord Ministry generally located east of S Indiana Avenue, west of Michigan Avenue, south of Fertic Road, and north of Nolte Road as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-007R**

2. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-01**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of approximately 2.36 acres identified as Downtown Site 1, from "PUB" Public-Institutional and "MDR" Medium Density Residential Future Land Use designations to "COM" Commercial Future Land Use designation; generally located north of 10th Street, east of Massachusetts Avenue, and south of 8th Street, 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 held on February 22, 2024) **ACTION ON ORDINANCE NO. 2024-01**

3. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-02**, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the Zoning Map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 1.56 acres identified as Downtown Site 1, from "R-3" Multi-family Dwelling Residential zoning designation to "CBD-1" Central Business District 1 zoning designation; generally located west of New York Avenue, east of Massachusetts Avenue, and south of 8th Street, providing for entering the designation on the official zoning map, 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 February 22, 2024) **ACTION ON ORDINANCE NO. 2024-02 (This is a Quasi-Judicial proceeding)**

4. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-12**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "PUD" Planned Unit Development, compatible with a "Low Density Residential" Future Land Use designation change, adopted by Ordinance No. 2022-43, for approximately 25.59 acres identified as Walker Property, located south of Chisholm Park Trl, west of S. Narcoossee Rd, north of Old Oak Trl; providing for entering the designation on the official zoning map, providing for approval of the Preliminary/Final Master Plan and Preliminary Subdivision Plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) (Final Public Hearing will be held on a date to be determined) **ACTION ON ORDINANCE NO. 2024-12 (This is a Quasi-Judicial proceeding)**
5. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-58**, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System plan to include council members as eligible participants and restating the plan in its entirety to incorporate recent plan amendments; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith; providing for administrative correction of scrivener's errors and providing for publication and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2023-58**
6. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2024-03**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Section 5.07 of the City's Employee Handbook, providing for severability, conflict, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2024-03**
7. **FINAL PUBLIC HEARING FOR ORDINANCE NO. 2024-10**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted utility and drainage easement located west of Old Canoe Creek Rd, south of Dolfino Ct, and east of Cipriani Ln specifically described in the body of this ordinance; providing for severability, conflicts, and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2024-10**
8. **FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-14**, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted rights-of-way generally located on Florida Drained Land Company's Subdivision No. 1, as recorded in Plat Book B, Pages 65 and 66 of the Public Records of Osceola County, Florida more specifically described in the body of this ordinance; providing for severability, conflicts, and an effective date.(Above is full title) (Final Public Hearing will be heard on February 22, 2024) **ACTION ON ORDINANCE NO. 2024-14**
9. **PUBLIC HEARING FOR RESOLUTION NO. 2024-001R**, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2023-154R, which adopted the fiscal year 2023/2024 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. (Above is full title) **ACTION ON RESOLUTION NO. 2024-001R**
10. **PUBLIC HEARING FOR RESOLUTION NO. 2024-006R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a place of

worship in the "CBD-1" Central Business 1 Zoning District on the 0.14 acres known as Iglesia de Dios El Faro generally located south of 9th Street, east of Kentucky Avenue, west of Massachusetts Avenue, and north of 10th Street as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-006R**

11. **PUBLIC HEARING FOR RESOLUTION NO. 2024-008R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a ballet studio in the "NB" Neighborhood Business zoning district on the 1.06 acres known as City Beautiful Ballet generally located south of Chisholm Park Trail, east of Hidden Heights Trail, west of S Narcoossee Road, and north of Rummell Road as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-008R**
12. **PUBLIC HEARING FOR RESOLUTION NO. 2024-009R**, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a daycare facility in the Steven's Plantation "PUD" Planned Unit Development zoning district on the 1.38 acres known as Kiddie Academy generally located south of Nolte Road, east of Lafayette Trace Circle, west of Canoe Creek Road, and north of Marietta Way as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-009R**

X. Council Action

1. **INTRODUCTION FOR ORDINANCE NO. 2024-15**, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 46 "Traffic and Vehicles" creating Article III, "Pedicabs" Sections 46-131 through 46-200 and authorizing the use of pedicabs upon designated streets; providing that state and county roads are not authorized; providing for a revocable license; providing for waiver of claims; providing for parking regulations; providing that a driver's license is required; providing for registration; providing for required equipment; designating a pedicab boundary area; providing for number of occupants, speed and required insurance; providing for enforcement; providing for conflict, severability, administrative corrections, codification and an effective date. (Above is full title) (Final Public Hearing will be heard on March 14, 2024.) **ACTION ON ORDINANCE NO. 2024-15**
2. **INTRODUCTION FOR ORDINANCE NO. 2024-19**, an ordinance of the City Council of the City of St. Cloud, Florida to annex into the City of St. Cloud approximately 16.2 acres identified as Lake Lizzie Ventures LLC, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road; in accordance with the voluntary annexation provisions of chapter 171.044, Florida Statutes. (Above is full title) (Final Public Hearing will be heard on March 14, 2024) **ACTION ON ORDINANCE NO. 2024-19**
3. **INTRODUCTION FOR ORDINANCE NO. 2024-20**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation "MDR" Medium Density Residential to approximately 16.2 acres identified as Lake Lizzie Ventures LLC, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove 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) (Final Public Hearing will be heard on March 14, 2024) **ACTION ON ORDINANCE NO. 2024-20**
4. **INTRODUCTION FOR ORDINANCE NO. 2024-21**, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "PUD" Planned

Unit Development, compatible with a “Medium Density Residential” Future Land Use designation change, adopted by Ordinance No. 2024-21, for approximately 16.2 acres identified as “Lake Lizzie PUD”, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road; providing for entering the designation on the official Zoning Map, providing for the approval of the Preliminary Master Plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) (Final Public Hearing will be heard on March 14, 2024) **ACTION ON ORDINANCE NO. 2024-21 (This is a Quasi-Judicial proceeding.)**

XI. City Attorney

XII. City Manager

XIII. Mayor and Council Members

XIV. Information Section and Report Section

- Thursday, February 15, 2024 - City Council Workshop - 3:00 p.m. @ City Hall, Council Chambers
- Thursday, February 22, 2024 - City Council Meeting - 6:30 p.m. @ City Hall, Council Chambers

Reports:

- Warrant List #4

XV. 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 Ivy Llauro, 1300 9th Street, St. Cloud, FL. Phone 407-957-7300



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-012R

PROCUREMENT AGENDA ITEM:

Resolution No. 2024-012R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the utilization of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP Infuse) Contracts No. MMS2200733, No. MMS2200731, No. MMS2200736, No. MMS2200732, No. MMS2200734, and No. MMS2200737, previously advertised for bid by the State of Minnesota Department of Administration, whose subject matter is Medical Supplies, providing for the award thereof to Medline Industries, LP, Concordance Healthcare Solutions, LLC, McKesson Medical-Surgical Government Solutions, LLC, Medical Solutions, Inc., Henry Schein Medical, and Cardinal Health, respectively, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This agreement will be utilized by the Fire Department on an as-needed basis from various approved and budgeted expenditure accounts.

This item is to approve the utilization of MMCAP Infuse Contracts for the purchase of pharmaceuticals and medical supplies for the Fire Department.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Jason Miller, Fire Chief, the former contracts for the purchase of medical supplies for the Fire Department have expired. The Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP Infuse) has resolicited for medical supplies and awarded Contracts No. MMS2200733, No. MMS2200731, No. MMS2200736, No. MMS2200732, No. MMS2200734, and No. MMS2200737 as approved by the Minnesota Department of Administration based on a determination that the agreements are cost-effective and in the best interest of the MMCAP members.

MMCAP Infuse Contracts No. MMS2200733, No. MMS2200731, No. MMS2200736, No. MMS2200732, No. MMS2200734, and No. MMS2200737 provide for the purchase and delivery of medical supplies for MMCAP members. Each eligible user facility must be a member of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP Infuse) group purchasing organization (GPO) to be eligible to purchase from this agreement. The City of St. Cloud has been a member of MMCAP since 2012. These agreements will be utilized by the Fire Department for the purchase of medical supplies on an as-needed basis.

This item was posted for ten business days in accordance with the City of St. Cloud Procurement Policy, from November 20, 2023, through December 6, 2023, with no local vendor response.

REQUEST:

Resolution No. 2024-012R will authorize the City of St. Cloud to utilize the MMCAP Infuse Contracts No. MMS2200733, No. MMS2200731, No. MMS2200736, No. MMS2200732, No. MMS2200734, and No. MMS2200737 for the purchase of pharmaceuticals and medical supplies.

LEGAL AUTHORITY:

St. Cloud Procurement Policy Article VIII, Section 1

BUDGET AND RECOMMENDATION:

Undetermined at this time as services are provided on an “as-needed” basis. This agreement will be utilized by the Fire Department on an as-needed basis from various approved and budgeted expenditure accounts.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR’S COMMENTS:

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

PROCUREMENT DIRECTOR’S COMMENTS:

Recommends approval

CITY MANAGER’S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024-Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-020R

ECONOMIC DEVELOPMENT AGENDA ITEM:

Resolution No. 2024-020R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement between the City of St. Cloud, Florida, as an entitlement city, and Habitat for Humanity Greater Orlando and Osceola County for housing rehabilitation services, utilizing Community Development Block Grant Funding and any amendments therefore, and providing for an effective date.

COST: up to \$189,840.00, CDBG funds.

This item is to authorize the Mayor to enter into an agreement using CDBG funds for housing rehabilitation services for low- and moderate-income residents.

STRATEGIC PLAN GOAL:

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

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

BACKGROUND INFORMATION:

St. Cloud, as an entitlement city, receives grants called Community Development Block Grants on a formula basis to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low-and moderate-income persons.

At least 70 percent of every grant must be expended for activities that benefit low- and moderate-income persons by providing housing, a permanent job, a public service, or access to new or significantly improved infrastructure. The remaining 30 percent may be used to eliminate slum or blighted conditions, or to address an urgent need for which the grantee certifies it has no other funding.

Habitat for Humanity Greater Orlando and Osceola County provides housing rehabilitation services for low- and moderate-income persons. They have pledged to assist specifically St. Cloud residents in their roof replacement program.

REQUEST:

Resolution No. 2024-020R will authorize the Mayor to enter into an agreement with Habitat for Humanity Greater Orlando and Osceola County using CDBG funds for housing rehabilitation services.

LEGAL AUTHORITY:

24 Code of Federal Regulations (CFR) Part 75; Section 105(a)(4); 570.202 Sections 501 or 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z1 or 1701z-2); the Lead-

Based Paint Poisoning Prevention Act (42 U.S.C 4801 et seq.); and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.).

BUDGET AND RECOMMENDATION:

up to \$189,840.00, CDBG Account 001-5420-515-31-00, \$0 match required.
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 recommends approval

CITY COUNCIL ACTION:

2/8/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-021R

ECONOMIC DEVELOPMENT AGENDA ITEM:

Resolution No. 2024-021R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the Mayor to enter into an agreement between the City of St. Cloud, Florida, as an entitlement city, and Osceola Council on Aging for the execution of housing rehabilitation services, Community Development Block Grant Funding, and any amendments therefore, and providing for an effective date.

COST: up to \$80,000.00, CDBG funds.

This item is to authorize the Mayor to enter into an agreement using CDBG funds for housing rehabilitation services (energy efficiency/weatherization) for low- and moderate-income residents.

STRATEGIC PLAN GOAL:

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

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

BACKGROUND INFORMATION:

St. Cloud, as an entitlement city, receives grants called Community Development Block Grants (CDBG) on a formula basis to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.

The Annual Action Plan outlines specific activities that will be undertaken by the city in its efforts to provide for decent, safe, and sanitary housing, creating a suitable living environment within the City of St. Cloud with an emphasis in benefiting low- and moderate-income persons.

As background, on July 14, 2022, the City Council adopted Resolution No. 2022-070R which adopted the 2022 Annual Action Plan. Resolution 2023-027R amended the 2022 Annual Action Plan to reallocate funding from the Economic Development category to Housing Programs and Housing Code Enforcement categories. This change allowed the addition of new programs to assist low to moderate-income households that require housing assistance.

The attached resolution and professional services agreement allocates \$80,000 to Osceola Council on Aging, as a subrecipient, to provide housing rehabilitation services to low-income persons, as defined in 24 CFR570.208, specifically the implementation of a weatherization program for St. Cloud residents.

REQUEST:

Resolution No. 2024-021R will authorize the Mayor to enter into an agreement with Habitat for Humanity Greater Orlando and Osceola County using CDBG funds for housing rehabilitation services.

LEGAL AUTHORITY:

24 Code of Federal Regulations (CFR) Part 75; Section 105(a)(4); 570.202 Sections 501 or 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z1 or 1701z-2); the Lead-Based Paint Poisoning Prevention Act (42 U.S.C 4801 et seq.); and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.).

BUDGET AND RECOMMENDATION:

up to \$80,000.00, CDBG Account 001-5420-515-31-00, \$0 match required.
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 recommends approval

CITY COUNCIL ACTION:

2/8/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-023R

FINANCE AGENDA ITEM:

Resolution No. 2024-023R, 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.

This item is to dispose of obsolete property.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Various departments are requesting authorization to dispose of obsolete, damaged, and surplus City property. The obsolete, damaged, and surplus property will be disposed of by trading in for credit toward new equipment, donated, sold at cost, sold as scrap, sold via auction, or in instances where items are unable to be disposed of by these means they will be removed from service and properly discarded. Please see itemized list attached as Exhibit 'A' to the resolution. Staff recommends approval of this request.

REQUEST:

Request Council's approval to dispose of obsolete, damaged and surplus City property.

LEGAL AUTHORITY:

Resolution 2019-022R St. Cloud Capital Asset Policy Article VII, Sec. B1
Florida Statute Chapter 274 the items will be declared obsolete, damaged and /or surplus; and Florida Administrative Code Chapter 69I-73.005 Disposition of property, Section: 2-B.

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 recommends approval

CITY COUNCIL ACTION:
Final Action 02/08/2024



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-026R

PROCUREMENT AGENDA ITEM:

Resolution No. 2024-026R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a First Amendment to and extension of the agreement dated February 15, 2023, between the City of St. Cloud and Life Extension Clinics, Inc. d/b/a/ Life Scan Wellness Center, whose subject matter is Fire Fighter Physical Exams & Related Services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to approve an Amendment to the Agreement with Life Extension Clinics, Inc., extending the current contract for fire fighter physical exams & related services through February 15, 2025.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Jason Miller, Fire Chief, the Fire Department is requesting to renew the agreement with Life Extension Clinics, Inc., d/b/a/ Life Scan Wellness Center, for the annual “Fit for Duty” firefighter comprehensive medical physical to provide services in accordance with current NFPA 1582, 1583 and the Collective Bargaining Agreement Local 4153. The original Agreement was signed on February 15, 2023, with an allowance for up to two one-year extensions. This is the first amendment, extending the contract through February 15, 2025.

REQUEST:

Resolution No. 2024-026R will extend the existing agreement with Life Extension Clinics, Inc., d/b/a/ Life Scan Wellness Center, for fire fighter physical exams & related services for one year through February 14, 2025.

LEGAL AUTHORITY:

Resolution No. 2023-030R dated February 9, 2023

BUDGET AND RECOMMENDATION:

Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-027R

PROCUREMENT AGENDA ITEM:

Resolution No. 2024-027R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a task authorization to the agreement for Professional Architectural and Engineering Services for Public Safety Complex with Architects Design Group, Inc., for Public Safety Complex Phase I, and providing an effective date.

COST: up to \$167,605.00

This item is to approve a task authorization with Architects Design Group, Inc. to prepare needs assessment and phased master plan for Public Safety functions.

STRATEGIC PLAN GOAL:

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

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

BACKGROUND INFORMATION:

Per Douglas Goerke, Police Chief, Architects Design Group, Inc. scope of services for the St. Cloud Public Safety Complex is outlined in three phases. Phase I is generally described as the Pre-Design Planning Phase to include, but not be limited to the development of a Detailed Spatial Needs Assessment, Staffing Study, Site Feasibility Analysis, Conceptual Architectural Site Master Planning, Preliminary Technology Report, Conceptual Building Design, Preliminary Opinion of Probable Development Cost, Final Report & Presentation to the City Council. Design (Phase II) and Construction (Phase III) for the various implementation phases will be scheduled following approval of the Master Plan. The contract calls for this master planning phase to be completed within six months.

REQUEST:

Resolution No. 2024-027R will approve a task authorization with Architects Design Group, Inc. for Public Safety Complex Phase I.

LEGAL AUTHORITY:

Resolution No. 2023-209R approved on October 12, 2023.

BUDGET AND RECOMMENDATION:

Budgeted \$ 167,605.00 /Actual Cost up to \$167,605.00

300-9595-521.31-00

Project No. PS2401

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024-Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-028R

CITY MANAGER AGENDA ITEM:

Resolution No. 2024-028R, a resolution of the City Council of the City of St. Cloud, Florida, declaring certain real property as surplus and approving and authorizing the City Manager to execute and deliver a quit claim deed to that certain property to Wiggins Property Development LLC and providing for an effective date.

COST: No cost associated with this item.

This item is to provide a Quit Claim Deed to the owner of Wiggins Townhomes for the lift station tract to allow for private ownership and maintenance of the lift station intended to serve the development.

STRATEGIC PLAN GOAL:

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.

BACKGROUND INFORMATION:

A five-acre property north of Jones Road and on the east side of Wiggins Road was approved for platting in Osceola County in November 2022 for 34 townhome lots and various supporting tracts. During the due diligence for the sale of the property, it was discovered that the lift station tract was dedicated to the City of St. Cloud by mistake. The tract was intended to be owned and maintained by the property owners, as the lift station is sized to serve the development. Having confirmed that Toho Water Authority has no intention of maintaining the lift station, the buyer of the property has requested that the tract be transferred to them via a Quit Claim Deed. Because there is no desire to own or maintain this infrastructure, staff recommends approval of the requested Resolution transferring the property through a Quit Claim Deed to the buyer, Wiggins Property Development LLC.

REQUEST:

Resolution No. 2024-028R will surplus the lift station utility Tract E for the Wiggins Townhome subdivision and authorize the City Manager to execute a Quit Claim Deed to transfer the property to Wiggins Property Development LLC for ownership and maintenance of the lift station.

LEGAL AUTHORITY:

City Charter Sec 2.01 and Sec 2.04

BUDGET AND RECOMMENDATION:

No cost associated with this item.
Staff recommends APPROVAL of this item.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-029R

CITY MANAGER AGENDA ITEM:

Resolution No. 2024-029R, a resolution of the City Council of the City of St. Cloud, Florida, approving and authorizing the City Manager to enter into a first amendment to that certain water and wastewater agreement with Evaristo Flores, LLC dated October 2, 2017, and recorded in the public records of Osceola County on October 11, 2017 and providing for an effective date.

COST: No cost associated with this item.

This item is to amend a 2017 Water and Wastewater Agreement, replacing architectural standards for single-family homes with standards for townhomes.

STRATEGIC PLAN GOAL:

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.

BACKGROUND INFORMATION:

Wiggins Town Homes development includes 34 townhome units and various support tracts. Though the development is in unincorporated Osceola County, it is served by City water and sewer. A Water and Wastewater Service Agreement (with Evaristo Flores LLC) was approved in October 2017 for this development and included a monotony clause for single-family homes (Subparagraph 2.2.4 restricts individual homes from having the same model, paint color, and elevation as the adjacent homes, including across the street). The property is under contract at this time, and during the due diligence period, the Buyer (Wiggins Property Development LLC) noted that the standards were not specific to townhomes.

To adjust this requirement to be specific to townhome pods, staff is recommending that the subparagraph be replaced with a new Subparagraph 2.2.4, to read as follows: "Rowhouse architectural facades shall vary so the same rowhouse elevation and exterior paint color shall not match adjacent rowhouses, nor the rowhouse site located directly or diagonally across the street, including one (1) rowhouse to either side of the home directly across the street. Alternatively, individual townhouse facades shall vary so the same townhouse elevation and exterior color shall not match adjacent townhouses within the rowhouse. There shall be no limitation on the percentage of any single rowhouse facades and/or townhouse facade on a block." This is consistent with the language from the County's LDC (the City does not currently regulate townhomes specifically for this requirement). The proposed amendment would replace the subparagraph as recommended. The 2017 Agreement and proposed amendment are attached, along with the Resolution.

REQUEST:

Resolution No. 2024-029R would amend the 2017 Water and Wastewater Service Agreement,

replacing the current Subparagraph 2.2.4 with new language specific to townhomes(rowhouses).

LEGAL AUTHORITY:

City Charter Sec 2.01 and Sec 2.04

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Staff recommends APPROVAL of this item.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-030R

PLANNING AGENDA ITEM:

Resolution No. 2024-030R, a resolution of the City Council of the City of St. Cloud, Florida, approving the amendment to the Interlocal Agreement creating the Orlando Urban Area Metropolitan Planning Organization between the State of Florida, Department of Transportation, the Counties of Orange County, Florida, Osceola County, Florida, Seminole County, Florida; the Cities of City of Altamonte Springs, Florida, City of Apopka, Florida, City of Kissimmee, Florida, City of Orlando, Florida, City of Sanford, Florida, the City of St. Cloud, Florida, the Central Florida Regional Transportation Authority, and the Sanford Airport Authority, and the MetroPlan Orlando Municipal Advisory Committee; authorizing the Mayor to execute the agreement; and providing an effective date.

COST: No cost associated with this item.

This item is to approve and accept the amendment to the Interlocal Agreement creating the Orlando Urban Area Metropolitan Planning Organization giving a voting membership to the City.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

On September 13, 2023, the MetroPlan Orlando Board approved a recommendation by the Executive Committee requesting approval of MetroPlan Orlando's Apportionment Plan as required by state and federal law. MPO Governing Boards are federally required to designate membership in a way that reflects the population distribution of the region. Counties and cities are designated seats based on their 'slice' of the region's population.

MPO Boards are also required to revisit the apportionment of their membership after the release of each decennial census. The MetroPlan Orlando Board began this process following the release of the figures from the 2020 Census last year. Federal requirements mandate that any municipality over 50,000 residents have a voting seat on the MPO Board, so the Board added a St. Cloud seat based on the population increase. Orange County received an additional seat based on population increases as well.

On January 25, 2024, the Apportionment Plans were reviewed by FDOT and will soon go to the Office of the Governor for approval. This action necessitates completion of an amendment to our Interlocal Agreement to incorporate the changes. The approved MetroPlan Orlando Board membership in the Apportionment Plan is 22 voting members and 5 nonvoting advisors. Exhibit A is a draft Amendment to the Interlocal Agreement Creating the Orlando Urban Area Metropolitan Planning Organization, d/b/a/ MetroPlan Orlando, A Regional Transportation Partnership, which adds the City of St. Cloud, Florida, as a voting member and adds an

additional Orange County representative to the MetroPlan Orlando Board.

REQUEST:

The request is to approve Resolution 2024-030R for the amendment to the Interlocal Agreement creating the Orlando Urban Area Metropolitan Planning Organization between the State of Florida, Department of Transportation, the Counties of Orange County, Florida, Osceola County, Florida, Seminole County, Florida; the Cities of City of Altamonte Springs, Florida, City of Apopka, Florida, City of Kissimmee, Florida, City of Orlando, Florida, City of Sanford, Florida, the City of St. Cloud, Florida, the Central Florida Regional Transportation Authority, and the Sanford Airport Authority, and the MetroPlan Orlando Municipal Advisory Committee; authorizing the Mayor to execute the Agreement; and providing an effective date.

LEGAL AUTHORITY:

City of St. Cloud Code of Ordinances, Part 1- Charter and Related Laws, Subpart A - Charter, Article II, Powers of City, specifically Section 2.04, General Powers.

Section 163.01, Florida Statutes, Florida Interlocal Cooperation Act of 1969.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024- Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-032R

PROCUREMENT AGENDA ITEM:

Resolution No. 2024-032R, a resolution of the City Council of the City of St. Cloud, Florida, authorizing the City Manager to enter into a first amendment to and extension of the agreement between the City of St. Cloud and Digitech Computer, LLC dated May 10, 2022, whose subject matter is Billing Services, and providing an effective date.

COST: Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

This item is to extend the term of the agreement for billing services with Digitech Computer, LLC for the Fire Department through January 29, 2026.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Jason Miller, the EMS Division of the Fire Department is requesting a two-year renewal of the billing services agreement with Digitech Computer, LLC. This contract facilitates effective billing and collections for emergency medical services and transport, supporting revenue into the City. This amendment will extend the term of the agreement through January 29, 2026.

REQUEST:

Resolution No. 2024-032R will extend the term of the existing Agreement for billing services with Digitech Computer, LLC for two years.

LEGAL AUTHORITY:

Agreement dated May 10, 2022

BUDGET AND RECOMMENDATION:

Undetermined at this time as services are provided on an “as-needed” basis. This contract will be utilized by the Fire Department, on an as-needed basis, from various approved and budgeted expenditure accounts.

Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR’S COMMENTS:

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

PROCUREMENT DIRECTOR’S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024-Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda
Resolution 2024-034R

PROCUREMENT AGENDA ITEM:

Resolution No. 2024-034R, a resolution of the City Council of the City of St. Cloud approving a Letter of Engagement with PFM Financial Advisors, LLC and the City of St. Cloud for the provision of financial planning and policy development services for professional fees not to exceed \$100,000, including contingency; authorizing the City Manager to execute the Letter of Engagement and providing for an effective date.

COST: up to \$100,000.00

This item is to approve an agreement for financial planning and policy development services with PFM Financial Advisors, LLC.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Per Jeff Cooper, this contract with PFM will provide services related to financial planning, budget and strategic advice and planning, policy development and services related to debt issuance, specifically for the 2024 Capital Improvements issuance for the Public Safety Complex, Fire Stations and parks. The contract is for an amount up to \$85,000, with an additional \$15,000 leeway for the City Manager to approve any contingencies outside the current contract. PFM will provide the necessary services for the City to issue debt successfully. As a result, staff recommends approval of this item.

REQUEST:

Resolution No. 2024-034R will approve an agreement for financial planning and policy development services with PFM Financial Advisors, LLC.

LEGAL AUTHORITY:

St. Cloud Procurement Policy Article III, Section 2

BUDGET AND RECOMMENDATION:

Account number 001-4010-513-31-00 - up to \$100,000
Staff recommends **APPROVAL** of this request.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

Recommends approval

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 Final Action



MEETING: February 8, 2024

Agenda Item Type: Consent Agenda

CITY CLERK AGENDA ITEM:

Request Council's approval of a reduction of lien for Code Enforcement Case #2021-1301; the property address for this case is 238 Virginia Avenue, St. Cloud, Florida.

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

Code Enforcement Case #2021-1301 (James Steven Ward, previous owner) has a Code Enforcement lien filed for the amount of \$59,890.90 in accrued fines and administrative costs. Because the Special Magistrate has a \$50,000 threshold for lien reduction requests, this request requires Council approval. The violation related to allowing abandoned vehicles, high grass and not maintaining the exterior property areas in a clean, sanitary condition at 238 Virginia Avenue.

The property was found in violation on October 21, 2021, and the owner was given thirty days to cure the violations (November 25, 2021). The property was finally brought into compliance on July 13, 2023, after 596 days from the required date. Mr. Christopher Graeve from Re-build Properties, LLC. has offered a settlement amount of \$2,994.54 (5% of the total fines and administrative costs). Due to the lack of cooperation and length of time that the community was subject to the negative impacts from these violations, the City's Community Compliance Supervisor and City Manager reviewed the request and recommend a counteroffer for the reduction to \$12,210.90 (20% of the total fines plus administrative costs) to be paid within 30 days of the Council Meeting. At this meeting, the City Council may review the request and make a determination on whether a reduction is warranted and, if so, the revised total to be paid. If payment is not made within the time allowed herein, the fines shall revert back to the original accrued amount.

Magistrate Drew Smith Recommended approval of the settlement counteroffer, supporting the staff recommendation.

REQUEST:

Request Council act as deemed appropriate.

LEGAL AUTHORITY:

162.09 Florida Statutes

BUDGET AND RECOMMENDATION:

No cost associated with this item.

Magistrate Drew Smith Recommends **APPROVAL** of a settlement counteroffer of \$12,210.90, to be paid within thirty (30) days of the Council action.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

2/8/24- Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Resolution 2024-007R

PLANNING AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2024-007R, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a place of worship in the "R-E" Single-Family Dwelling zoning district on the 2.61 acres known as Jesus is Lord Ministry generally located east of S Indiana Avenue, west of Michigan Avenue, south of Fertic Road, and north of Nolte Road as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-007R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is a 2.6-acre tract of land on the west side of Michigan Avenue generally located south of Fertic Road and north of Nolte Road. The subject property has a Future Land Use designation of Low Density Residential and is located within the "R-E" Single-Family Dwelling zoning district. The "R-E" Single-Family Dwelling zoning district requires a Conditional Use for "Places of Worship."

The applicant intends to use the subject property as a place of worship that would host 150-250 people for weekly services. The applicant intends to build the church with a sanctuary for services, offices, and classrooms to accommodate workshops and preparation of community events. Places of Worship are considered support uses and complementary to residential zoning districts. Because the requested application satisfies the six required findings for a Conditional Use, is consistent with the general development pattern in the area, and will not adversely impact the traffic service levels due to the off-peak services, staff recommends approval of this request.

Special Note:

Comments were received at Planning Commission from the public with concerns of flooding, traffic and noise.

Planning Commission recommended denial based upon appropriateness of location.

REQUEST:

The request is to approve Resolution No. 2024-007R granting a Conditional Use for a "Place of Worship" in the Single-Family Dwelling (R-E) zoning district.

LEGAL AUTHORITY:

Section 3.4.3.C.3.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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item

Staff recommends **APPROVAL with conditions** of the Conditional Use for Resolution 2024-007R.

Conditions:

1. The approval of the requested Conditional Use does not constitute the approval of the provided concept plan as a site plan. Changes to the site will require approval of a Site Development Plan and any additional approvals required by the Land Development Code.
2. This approval of the requested Conditional Use is specifically for the use identified as a place of worship to include bible study, office space and classrooms to accommodate workshops and preparation for community events.
3. At any such time the church intends to serve as a food pantry or school another Conditional Use will be required.
4. The main auditorium/sanctuary shall not have more than 250 seats.

At the January 16, 2024 Planning Commission meeting, a motion to recommend **DENIAL** was made by Member Grigsby. The motion was seconded by Vice Chair Carney and passed 4-1 with Member Alexander voting “nay” (Chair Oquendo and Member Rivera absent).

FINANCE DIRECTOR’S COMMENTS:

N/A

PROCUREMENT DIRECTOR’S COMMENTS:

N/A

CITY MANAGER’S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/204 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-01

First Public Hearing: February 8, 2024

Second Public Hearing: February 22, 2024

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-01, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation of approximately 2.36 acres identified as Downtown Site 1, from “PUB” Public-Institutional and “MDR” Medium Density Residential Future Land Use designations to “COM” Commercial Future Land Use designation; generally located north of 10th Street, east of Massachusetts Avenue, and south of 8th Street, 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 held on February 22, 2024) **ACTION ON ORDINANCE NO. 2024-01**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of 10th Street, east of Massachusetts Avenue, and south of 8th Street. Subsequently, the applicant (City) is also requesting a Zoning Map Amendment (Ordinance 2024-02) with a designation of “CBD-1” Central Business District 1 for the parcels currently zoned “R- 3”. The applicant (City) is proposing to change the Future Land Use and zoning to support redevelopment of the site into a mixed-use development and parking garage. Decisions on the final design will be made by the Community Redevelopment Agency.

Staff have received phone calls about the project and a few residents have come to City Hall to ask questions. Additionally, residents spoke at the Planning Commission meeting and expressed concern about what type of development would be allowed in the area if the request is approved. They also expressed concerns about the future of the Community Garden located on 8th Street. Any decisions on the development and inclusion/exclusion of a community garden will be made as plans are reviewed. Because the Future Land Use Map designation proposed will be consistent with the adjacent properties to the south and east, as well as the proposed downtown revitalization plans, staff recommends approval of the request.

REQUEST:

The applicant (City) is requesting consideration of a Comprehensive Plan Amendment from Public/Institutional (0.79 acres) and Medium Density Residential (1.57 acres) to Commercial for approximately 2.36 acres of land total.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the Planning Commission's review.

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On November 21, 2023, Staff recommended APPROVAL of Ordinance No. 2024-01 for Comprehensive Plan Amendment.

On January 16, 2024, The Planning Commission recommended APPROVAL of Ordinance No. 2024-01 for Comprehensive Plan Amendment.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/22/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-02

First Public Hearing: February 8, 2024

Second Public Hearing: February 22, 2024

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-02, an ordinance of the City Council of the City of St. Cloud, Florida, providing for the zoning amendment of the Zoning Map of the Land Development Code of the City of St. Cloud, Florida, specifically, changing the zoning designation of approximately 1.56 acres identified as Downtown Site 1, from “R-3” Multi-family Dwelling Residential zoning designation to “CBD-1” Central Business District 1 zoning designation; generally located west of New York Avenue, east of Massachusetts Avenue, and south of 8th Street, providing for entering the designation on the official zoning map, 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 February 22, 2024) **ACTION ON ORDINANCE NO. 2024-02 (This is a Quasi-Judicial proceeding)**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of 10th St, east of Massachusetts Avenue, and south of 8th Street. Subsequently, the applicant (City) is also requesting a Comprehensive Map Amendment (Ordinance 2024-01) with a designation of Commercial for all the parcels in the subject area (2.36 acres total).

Staff has received phone calls about the project and a few residents have come to City Hall to ask questions. Additionally, residents spoke at the Planning Commission meeting and expressed concern about what type of development would be allowed in the area if the request is approved. They also expressed concerns about the future of the Community Garden located on 8th Street. Any decisions on the development and inclusion/exclusion of a community garden will be made as plans are reviewed. Because the Zoning designation proposed will be consistent with the adjacent properties to the south and east, as well as the proposed downtown revitalization plans, staff recommends approval of the request.

REQUEST:

The applicant (City) is requesting consideration of a Zoning Map Amendment from “R-3” Multi Family Density Residential to Commercial CBD-1 for approximately 1.57 acres of land total.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a

decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the Planning Commission's review.

BUDGET AND RECOMMENDATION:

There is no cost for this item.

On November 21, 2023, Staff recommended APPROVAL of Ordinance No. 2024-02 for Comprehensive Plan Amendment.

On January 16, 2024, The Planning Commission recommended APPROVAL of Ordinance No. 2024-02 for Comprehensive Plan Amendment.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/22/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-12

First Public Hearing: February 8, 2024

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-12, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of "PUD" Planned Unit Development, compatible with a "Low Density Residential" Future Land Use designation change, adopted by Ordinance No. 2022-43, for approximately 25.59 acres identified as Walker Property, located south of Chisholm Park Trl, west of S. Narcoossee Rd, north of Old Oak Trl; providing for entering the designation on the official zoning map, providing for approval of the Preliminary/Final Master Plan and Preliminary Subdivision Plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) (Final Public Hearing will be held on a date to be determined) **ACTION ON ORDINANCE NO. 2024-12 (This is a Quasi-Judicial proceeding)**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located south of Chisholm Park Trl, west of S. Narcoossee Rd, north of Old Oak Trl. The property is comprised of three undeveloped parcels totaling approximately 25.59 acres.

The current zoning pursuant to the automatic conversion of annexed land from County to City is "R-E" Single-Family Dwelling. The applicant is requesting to rezone the subject property to "PUD" Planned Unit Development, which is consistent with the assigned Future Land Use Map Amendment to Low Density Residential.

The proposed development is for 69 single-family detached homes, front loaded.

Total net developable: 25.59

Gross Residential Acreage: 20.92

Gross Residential Density 3.30 du/ac

The applicant has modified the proposed development plan to reflect the requested changes at the last City Council public hearing on this item (additional 75-foot lots, enhanced buffers, eliminated onstreet parking from Albany Avenue north of Street A, added 6-foot high vinyl fence for two adjacent residents who requested; etc). In addition, staff has proposed conditions to ensure the requirements are met as intended. As a result, staff recommends approval, including a positive finding on the sixteen required findings of fact to support the recommendation.

Special Note:

Oral comments were received during public hearing at Planning Commission.
Planning Commission recommended denial of the proposed PUD Zoning, PMP/FMP/PSP based upon the 16 factual matters.

REQUEST:

The applicant is requesting consideration of a Zoning Map Amendment assigning a zoning district of "PUD" Planned Unit Development for approximately 25.59 acres of land, in the City of St. Cloud.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff reviewed this request for PUD Zoning, PMP/FMP/PSP and recommends **APPROVAL with conditions** for Ordinance No. 2024-12.

Conditions:

1. Provide written approval from Osceola County Transportation and Transit to allow access to/from Narcoossee Road as shown in the PUD prior to the approval of the Subdivision Construction Plan (SCP).
2. All buffers shall include high buffer plantings per LDC Figure 8.4.1
3. Rights-of-way shall be provided for all stubouts to ensure future roadway access connections to City standards.
4. The required split rail fence on the west property boundary shall be located in an easement or tract and be maintained in perpetuity by the Homeowner's Association, its successors and assigns.

On January 16, 2024, the Planning commission reviewed this request for PUD Zoning, PMP/FMP/PSP and recommended **DENIAL** of the request for Ordinance No. 2024-12.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

Final Action: TBD



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2023-58

First Public Hearing: December 14, 2023

Second Public Hearing: February 8, 2024

HUMAN RESOURCES AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2023-58, an ordinance of the City of St. Cloud, amending the City of St. Cloud General Employees' Retirement System plan to include council members as eligible participants and restating the plan in its entirety to incorporate recent plan amendments; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith; providing for administrative correction of scrivener's errors and providing for publication and an effective date. (Above is full title)
ACTION ON ORDINANCE NO. 2023-58

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This ordinance modifies the City of St. Cloud General Employee's Retirement System to include City Council members as eligible participants.

REQUEST:

Request for approval of Ordinance No. 2023-58

LEGAL AUTHORITY:

City of St. Cloud Code of Ordinances Section 32-61.

BUDGET AND RECOMMENDATION:

No actuarial impact to General Pension retirement plan. City cost estimated at \$14,441.70 annually.

FINANCE DIRECTOR'S COMMENTS:

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

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action

12/14/2023 - Passed, Motion to approve by Matheny. Seconded by Blackwell. Passed 5-0.



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-03

First Public Hearing: January 11, 2024

Second Public Hearing: February 8, 2024

HUMAN RESOURCES AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2024-03, an ordinance of the City Council of the City of St. Cloud, Florida, amending Section 5.07 of the City's Employee Handbook, providing for severability, conflict, and effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2024-03**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

This ordinance will revise the Repayment provisions of Section 5.07 - Compensation Purpose of the Employee Handbook. This policy change defines a monthly maximum repayment amount of 50% of the rate it was paid out for employees who may have been overpaid beyond three continuous months. It also provides the City Manager with authority to enter into an agreement with an affected employee where the repayment terms may differ from the policy provisions.

REQUEST:

Request for approval of Ordinance No. 2024-03

LEGAL AUTHORITY:

Employee Handbook Section 1.01(E)(2)

BUDGET AND RECOMMENDATION:

N/A

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action

01/11/2024 - Passed, Motion to approve by Matheny. Seconded by Fletcher. Passed 5-0



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-10

First Public Hearing: January 11, 2024

Second Public Hearing: February 8, 2024

PLANNING AGENDA ITEM:

FINAL PUBLIC HEARING FOR ORDINANCE NO. 2024-10, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted utility and drainage easement located west of Old Canoe Creek Rd, south of Dolfino Ct, and east of Cipriani Ln specifically described in the body of this ordinance; providing for severability, conflicts, and an effective date. (Above is full title) **ACTION ON ORDINANCE NO. 2024-10**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject site is located west of Old Canoe Creek Rd, south of Dolfino Ct, and East of Cipriani Ln within a residential subdivision known as Villagio.

In July 2015 Villagio was annexed into the City of St. Cloud, Florida as a fully constructed and platted subdivision via an encumbrance annexation. Subsequently, in April 2016 Villagio Community Assoc, Inc sold portions of Tract C (the platted landscape buffer) located to the rear of lots 19, 20, 21, and 23 to the homeowners and other individuals. At this point, the drainage and utility easement is no longer on the rear property line but cuts off the added tract property from the lot.

The ownership conveyances for the portions of Tract C were discovered when the homeowner of lot 19 applied to permit a screen enclosure around the previously approved and constructed in-ground pool. Staff and the affected utility companies have reviewed the request, with no objections.

REQUEST:

The applicant is requesting the abandonment/vacation of 250 square feet of a platted drainage and utility easement.

LEGAL AUTHORITY:

Section 5.5.4.C of the Land Development Code (LDC) provides language for the review of proposed vacation of right-of-way and easements. Review considerations specified by the LDC include impacts to a. through d. below. The LDC requirements are **BOLDED**, and staff's comments follow in *italics*:

a. The City of St. Cloud;

City departments do not have any infrastructure within the drainage and utility easement impacted by this request.

b. The immediate neighborhood and/or adjacent area;

Vacation of the platted drainage and utility easement will not disrupt the surrounding infrastructure.

c. The property owners immediately adjacent to the affected right-of-way or easement;

The 5' foot drainage and utility easement located to the rear of lot 19 has no affect on property owners immediately adjacent or otherwise.

d. Any utility providers or governmental agencies having a possible need for the right-of-way or easement.

The City's Public Works Department and Toho Water Authority confirmed that no infrastructure would be harmed by the abandonment of the public drainage and utility easement. Additionally, a notice was sent to all utility companies and no objections were received.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff reviewed this request for the vacation of easement on or before December 7, 2023 with no objections, therefore staff recommends **APPROVAL** of Ordinance No. 2024-10.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

2/8/2024- Final Action

1/11/2024- A motion to approve was made by Council Member Matheny and seconded by Council Member Urban. The motion carried unanimously (5-0).



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Ordinance 2024-14

First Public Hearing: February 8, 2024

Second Public Hearing: February 22, 2024

PLANNING AGENDA ITEM:

FIRST READING AND INTRODUCTION FOR ORDINANCE NO. 2024-14, an ordinance of the City Council of the City of St. Cloud, Florida, closing, vacating, and abandoning the platted rights-of-way generally located on Florida Drained Land Company's Subdivision No. 1, as recorded in Plat Book B, Pages 65 and 66 of the Public Records of Osceola County, Florida more specifically described in the body of this ordinance; providing for severability, conflicts, and an effective date.(Above is full title) (Final Public Hearing will be heard on February 22, 2024) **ACTION ON ORDINANCE NO. 2024-14**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The proposed abandonment of the rights-of-way is generally located on Florida Drained Land Company's Subdivision No. 1, as recorded in Plat Book B, Pages 65 and 66 of the Public Records of Osceola County, Florida. With the construction of Cross Prairie Parkway to the north and Macy Island Road to the west of the property, these rights-of-way are no longer necessary for road construction. Furthermore, the rights-of-way run through the proposed K-8 school site.

REQUEST:

The applicant is requesting the abandonment of 40 square feet of a platted rights of way

LEGAL AUTHORITY:

Section 5.5.4.C of the Land Development Code (LDC) provides language for the review of proposed vacation of right-of-way and easements. Review considerations specified by the LDC include impacts to a. through d. below. The LDC requirements are **BOLDED**, and staff's comments follow in *italics*:

a. The City of St. Cloud;

City departments do not have any infrastructure within the right of way impacted by this request.

b. The immediate neighborhood and/or adjacent area;

Vacation of the platted right of way will not disrupt the surrounding infrastructure.

c. The property owners immediately adjacent to the affected right-of-way or easement;

The 40' foot section of right of way has no affect on property owners immediately adjacent or otherwise.

d. Any utility providers or governmental agencies having a possible need for the right-of-way or easement.

The City's Public Works Department and Toho Water Authority confirmed that no

infrastructure would be harmed by the abandonment of the public drainage and utility easement. Additionally, a notice was sent to all utility companies and no objections were received.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff reviewed this request for the vacation of rights of way on or before December 28, 2023 with no objections, therefore staff recommends **APPROVAL** of Ordinance No. 2024-14.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

2/22/2024- Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Resolution 2024-001R

FINANCE AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2024-001R, a resolution of the City Council of the City of St. Cloud, Florida amending Resolution Number 2023-154R, which adopted the fiscal year 2023/2024 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. (Above is full title) **ACTION ON RESOLUTION NO. 2024-001R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

If during the fiscal year, the manager certifies that there are available for appropriation revenue in excess of those estimated in the budget, the City Council may, by resolution, make supplemental appropriation for the year up to the amount of each excess. This budget amendment number two is necessary to ensure funds are placed in the needed projects and the line items to procure services and equipment. Specifically, this amendment provides funding for: to provide additional funding 2024 COPS Grant, JAG Grant for tracked robot, JAG Grant for police ready bicycles, repayment from Stormwater fund for project SW2006 Illinois pipe lining, salary and benefits for six new COPS grant police officer positions, equipment and services needed for the six new COPS grant police, additional firefighter positions, funding for project ST2405 Budinger Ave sidewalk extension, replacement cost increase for Police Department vehicles (16), fire rescue budgeted and expended in FY 22/23, but received in FY 23/24, replacement cost increase for aerial bucket truck replacement, funding for project PS2104 Fire Station 32 rebuild, funding for project ST2405 Budinger ave sidewalk extension, vehicles and emergency lighting/equipment for 6 new COPS grant police, transfer remaining cash to TOHO per interlocal agreement, repayment to General Fund of funding advance for project SW2006 Illinois Pipe Lining, ICC accreditation for the Building Department and future growth master plan.

REQUEST:

Request City Council's approval to amend the fiscal year 2023/2024 budget through Resolution 2024-001R.

LEGAL AUTHORITY:

Florida Statutes Chapter 166.241 and City Code sec. 2-212-Amendments after adoption.

BUDGET AND RECOMMENDATION:

FINANCE DIRECTOR'S COMMENTS:

Finance Director recommends **APPROVAL** of this item

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Resolution 2024-006R

PLANNING AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2024-006R, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a place of worship in the "CBD-1" Central Business 1 Zoning District on the 0.14 acres known as Iglesia de Dios El Faro generally located south of 9th Street, east of Kentucky Avenue, west of Massachusetts Avenue, and north of 10th Street as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-006R**

STRATEGIC PLAN GOAL:

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

BACKGROUND

The subject property is located at 1418 10th Street. The subject property has a Future Land Use designation of Commercial and is located within the "CBD-1" Central Business 1 zoning district. The "CBD-1" Central Business zoning district requires a Conditional Use for "Places of Worship."

INFORMATION:

The applicant intends to use the subject property as an additional place of worship and staging for the food pantry. The property adjacent to the north (907 Kentucky Avenue) is approved for a House of Worship and is currently operating. Services will be held on Tuesday and Thursday nights and Sunday mornings. The drive-up food pantry will continue to occur on the first and third Fridays of every month. The operations proposed by the applicant are consistent with the current uses for the church. Because the area, including surrounding properties, has an established pattern for services and is zoned for these activities, staff recommends approval.

Special Note:

Public comment was received in support of the Conditional Use, with the mention of the pallets and trash out front that could attract rodents.

REQUEST:

Resolution No. 2024-006R will grant a Conditional Use for a "Place of Worship" located at 1418 10th Street in the Central Business 1 zoning district.

LEGAL AUTHORITY:

Section 3.4.3.C.3.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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL with conditions** of the Conditional Use for Resolution 2024-006R.

CONDITIONS:

1. Changes to the site will require approval of a Site Development Plan and any additional approvals required by the Land Development Code.
2. Garbage and/or pallets shall not be kept at the front of the building except on designated pickup dates provided by Solid Waste.

On January 16, 2024 the Planning Commission reviewed this request for Conditional Use and recommended **APPROVAL WITH CONDITIONS** as stated by staff for Resolution No. 2024-006R.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/24 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Resolution 2024-008R

PLANNING AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2024-008R, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a ballet studio in the "NB" Neighborhood Business zoning district on the 1.06 acres known as City Beautiful Ballet generally located south of Chisholm Park Trail, east of Hidden Heights Trail, west of S Narcoossee Road, and north of Rummell Road as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-008R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is located at 1424 S Narcoossee Road. The subject property has a Future Land Use designation of Commercial and is located within the "NB" Neighborhood Business zoning district. The "NB" Neighborhood Business zoning district requires a Conditional Use for "Dance and Music studios."

The applicant intends to use the subject property as a ballet studio. Classes will be held Monday through Friday during the evenings and Saturday mornings. The operations proposed by the applicant are consistent with the current uses of the location, as there was a dance studio prior to this application. Due to the time period between the last dance studio and the proposed dance studio, the Conditional Use process is required. Nevertheless, because the request satisfies the required six findings, staff recommends approval of the application.

REQUEST:

The request is to approve Resolution No. 2024-008R granting a Conditional Use for a "Ballet Studio" located at 1424 S Narcoossee Road in the Neighborhood Business (NB) zoning district.

LEGAL AUTHORITY:

Section 3.4.3.C.3.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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item

Staff recommends **APPROVAL** of the Conditional Use for Resolution 2024-008R

On January 16, 2024 the Planning Commission reviewed this request for Conditional Use and recommended **APPROVAL** for Resolution No. 2024-008R.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Public Hearings
Resolution 2024-009R

PLANNING AGENDA ITEM:

PUBLIC HEARING FOR RESOLUTION NO. 2024-009R, a resolution of the City Council of the City of St. Cloud, Florida, granting a conditional use for a daycare facility in the Steven's Plantation "PUD" Planned Unit Development zoning district on the 1.38 acres known as Kiddie Academy generally located south of Nolte Road, east of Lafayette Trace Circle, west of Canoe Creek Road, and north of Marietta Way as described in the body of this resolution. (Above is full title) **ACTION ON RESOLUTION NO. 2024-009R**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is located on Lot 5 of the Nolte Road Commercial Park. The subject property has a Future Land Use designation of Low Density Residential and is located within the Steven's Plantation "PUD" Planned Unit Development zoning district.

The applicant proposes to develop a 2-story daycare facility of approximately 5,000 square feet within the Nolte Road Commercial Park area. At this time, the lot is vacant and will need to go through the Site Development Process if the Conditional Use is approved.

Special Note:

Public comment was received with a concern expressed for traffic on Nolte Rd.

REQUEST:

The request is to approve Resolution No. 2024-009R granting a Conditional Use for a "Daycare Facility" in the Steven's Plantation Planned Unit Development (PUD).

LEGAL AUTHORITY:

Section 3.4.3.C.3.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.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item

Staff recommends **APPROVAL with condition** for the Conditional Use for Resolution 2024-009R

CONDITION:

1. The approval of the requested Conditional Use does not constitute the approval of the provided concept plan as a site plan. Changes to the site will require approval of a Site Development Plan and any additional approvals required by the Land Development Code.

On January 16, 2024 the Planning Commission reviewed this request for Conditional Use and recommended **APPROVAL WITH CONDITION** as stated by staff for Resolution No. 2024-009R.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

02/08/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Council Action
Ordinance 2024-15

First Public Hearing: February 8, 2024

Second Public Hearing: March 14, 2024

ECONOMIC DEVELOPMENT AGENDA ITEM:

INTRODUCTION FOR ORDINANCE NO. 2024-15, an ordinance of the City Council of the City of St. Cloud, Florida, amending Chapter 46 "Traffic and Vehicles" creating Article III, "Pedicabs" Sections 46-131 through 46-200 and authorizing the use of pedicabs upon designated streets; providing that state and county roads are not authorized; providing for a revocable license; providing for waiver of claims; providing for parking regulations; providing that a driver's license is required; providing for registration; providing for required equipment; designating a pedicab boundary area; providing for number of occupants, speed and required insurance; providing for enforcement; providing for conflict, severability, administrative corrections, codification and an effective date. (Above is full title) (Final Public Hearing will be heard on March 14, 2024.) **ACTION ON ORDINANCE NO. 2024-15**

STRATEGIC PLAN GOAL:

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

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.

BACKGROUND INFORMATION:

At the January 12, 2023 City Council meeting, Council Member Fletcher stated he met with a downtown business owner interested in having a pedicab business that would connect the lakefront and downtown. Upon discussion with City Attorney Mantzaris, it was stated that a revision to the city code would be necessary if this was the direction of Council. Council consensus directed staff to bring the item back with idea, cost and challenges.

Staff conducted research including comparison of pedicab ordinances amongst surrounding communities including Sanford, Orlando, Mt. Dora and Orange County, Florida. Additionally, staff has met internally to discuss the proposed idea and its implications.

Scope of Operations

- Privately operated; permit required (non-transferrable)
- Registration with the City
- Non-motorized vehicles
- Proposed Boundary:
 - (North) Lakefront
 - (East) Brown Chapel
 - (West) Mississippi
 - (South) 13th Street

- Hours of operation will mirror entertainment district:
 - Wednesday thru Sunday, 11 a.m. to 2 a.m.
- No designated pick up/drop off areas.
- One approved vendor in use at a time; event coordination must be performed in advance.
- Decal and rates must be openly displayed
- Music or loud noises not allowed past 10 decibels and reasonably to be heard by the driver and passengers only.

Public Safety

The proposed ordinance has been reviewed by all applicable internal city departments. The St. Cloud Police recommended the proposed ordinance mimic pedicab permit application processes currently underway by the City of Orlando.

Challenges

While the intent of the proposed ordinance is to mirror the existing golf cart registration and administration process, it may bring challenges on existing staff-managing and enforcing said program.

Staff presented a proposed ordinance at the December 14, 2023 City Council meeting.

The attached proposed ordinance represents the staff's recommendation and council direction. Highlights include hours of operation, permit requirement, and operational compliance. Upon review and discussion, staff is seeking adoption of the proposed ordinance for inclusion onto the city code. Note, this is the first Action to Introduce the ordinance and advertise the adoption hearing for March 14, 2024.

REQUEST:

Ordinance No. 2024-15 will authorize the use of pedicabs within a specified geographic boundaries.

LEGAL AUTHORITY:

City Council shall review and render a decision based on the information presented for adoption onto the city code in accordance with Sections 3.16 and 3.19 of the St. Cloud, Florida Charter.

BUDGET AND RECOMMENDATION:

There is no costs associated with this item.
Staff requests **APPROVAL** on this item.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

03/14/2024- Final Action



MEETING: February 8, 2024

Agenda Item Type: Council Action
Ordinance 2024-19

First Public Hearing: February 8, 2024

Second Public Hearing: March 14, 2024

PLANNING AGENDA ITEM:

INTRODUCTION FOR ORDINANCE NO. 2024-19, an ordinance of the City Council of the City of St. Cloud, Florida to annex into the City of St. Cloud approximately 16.2 acres identified as Lake Lizzie Ventures LLC, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road; in accordance with the voluntary annexation provisions of chapter 171.044, Florida Statutes. (Above is full title) (Final Public Hearing will be heard on March 14, 2024)
ACTION ON ORDINANCE NO. 2024-19

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road. This property currently has a Future Land Use Map designation of Low Density Residential (County) with RS-1C (County) zoning. The subject property is currently contiguous to the St. Cloud City Limits and is located within the Joint Planning Area Interlocal Agreement with Osceola County. At this meeting, City Council will be asked to approve moving forward to public hearings (Planning Commission on February 20 and City Council on March 14).

REQUEST:

The applicant is requesting consideration of annexation of 16.2 acres identified as Lake Lizzie Ventures LLC pursuant F.S. 171.044.

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings identified in Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the City Council's review.

Section 171.044, Voluntary Annexation, Florida Statutes.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends **APPROVAL** to proceed to public hearings for the request for Voluntary Annexation for Ordinance No. 2024-19.

The Planning Commission is scheduled for February 20, 2024.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

03/14/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Council Action
Ordinance 2024-20

First Public Hearing: February 8, 2024

Second Public Hearing: March 14, 2024

PLANNING AGENDA ITEM:

INTRODUCTION FOR ORDINANCE NO. 2024-20, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a Future Land Use designation “MDR” Medium Density Residential to approximately 16.2 acres identified as Lake Lizzie Ventures LLC, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove 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) (Final Public Hearing will be heard on March 14, 2024)

ACTION ON ORDINANCE NO. 2024-20

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road. This property currently has a Future Land Use Map designation of Low Density Residential (County) with RS-1C (County) zoning.

REQUEST:

The applicant is requesting consideration of a Future Land Use Map amendment from Low Density Residential (County) to Medium Density Residential (City) for approximately 16.2 acres of land, known as Lake Lizzie Ventures LLC. At this meeting, City Council will be asked to authorize staff to move forward with public hearings (February 20 for Planning Commission and March 14 for final hearing by City Council).

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the Planning Commission’s review.

BUDGET AND RECOMMENDATION:

There is no cost for this item.

Staff recommends APPROVAL to proceed to public hearings for Ordinance No. 2024-20 for Comprehensive Plan Amendment.

The Planning Commission public hearing and recommendation is scheduled for February 20, 2024.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

03/14/2024 - Final Action



MEETING: February 8, 2024

Agenda Item Type: Council Action
Ordinance 2024-21

First Public Hearing: February 8, 2024

Second Public Hearing: March 14, 2024

PLANNING AGENDA ITEM:

INTRODUCTION FOR ORDINANCE NO. 2024-21, an ordinance of the City Council of the City of St. Cloud, Florida, assigning a zoning district of “PUD” Planned Unit Development, compatible with a “Medium Density Residential” Future Land Use designation change, adopted by Ordinance No. 2024-21, for approximately 16.2 acres identified as “Lake Lizzie PUD”, located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road; providing for entering the designation on the official Zoning Map, providing for the approval of the Preliminary Master Plan, filing of the Planning Commission recommendation and proof of publication, severability, and effective date. (Above is full title) (Final Public Hearing will be heard on March 14, 2024) **ACTION ON ORDINANCE NO. 2024-21 (This is a Quasi-Judicial proceeding.)**

STRATEGIC PLAN GOAL:

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

BACKGROUND INFORMATION:

The subject property is generally located north of East Irlo Bronson Memorial Highway, and east of Pine Grove Road. This property currently has a Future Land Use Map designation of Low Density Residential (County) with RS-1C (County) zoning.

REQUEST:

The applicant is requesting approval of a “PUD” - Planned Unit Development zoning district and associated Preliminary Master Plan (PMP) for approximately 16.2 acres of land. At this meeting, City Council will be asked to authorize staff to move forward with public hearings (February 20 for Planning Commission and March 14 for final hearing by City Council).

LEGAL AUTHORITY:

The City Council shall review the recommendation from the Planning Commission and render a decision based on the recommendation and information presented. The Planning Commission recommendation is based on the 16 required findings of Section 3.4.3.C.2.a of the Land Development Code. The applicant responses to the 16 required findings have been provided as an attachment for the Planning Commission’s review.

BUDGET AND RECOMMENDATION:

There is no cost associated with this item.

Staff recommends APPROVAL to proceed with public hearings for Ordinance No. 2024-21.

The Planning Commission is scheduled for February 20, 2024.

FINANCE DIRECTOR'S COMMENTS:

N/A

PROCUREMENT DIRECTOR'S COMMENTS:

N/A

CITY MANAGER'S COMMENTS:

City Manager recommends approval

CITY COUNCIL ACTION:

03/14/2024 - Final Action