



MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD TUESDAY, AUGUST 4, 2020, AT 6:00 PM VIA COMMUNICATIONS MEDIA TECHNOLOGY (CMT) FOR PUBLIC ACCESS AND PARTICIPATION

1. MEETING CALLED TO ORDER

ROLL CALL: Commissioner Olga Gonzalez (Present), Commissioner Felix Ortiz (Present), Commissioner Angela Eady (Present), Commissioner Jim Fisher (Present), Mayor Jose Alvarez (Present)

STAFF PRESENT: City Manager Mike Steigerwald, City Attorney Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Commissioner Fisher led the Commission in the Pledge of Allegiance.

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A CERTIFICATE OF APPRECIATION AWARD PRESENTATION TO KISSIMMEE GATEWAY AIRPORT AIR TRAFFIC CONTROLLER KEVIN OSWALD

The request is for the City Commission to recognize Kevin Oswald, an air traffic controller with the Kissimmee Gateway Airport, with a Certificate of Appreciation Award for his efforts in averting an aircraft incident.

City Manager Steigerwald congratulated Air Traffic Controller Kevin Oswald and stated he was instrumental in preventing a tragic situation and possible loss of life when he observed an aircraft with the right main landing gear not extended. The City of Kissimmee is proud to have Mr. Oswald on our team; he will receive a Certificate of Appreciation (Exhibit "A") for his quick action and professionalism.

3.B EMPLOYEE OF THE MONTH FOR APRIL, MAY, JUNE, JULY AND AUGUST

Request the City Commission join the City Manager in recognizing the Employee of the Month recipients for April, May, June, July and August.

City Manager Steigerwald provided a brief overview of each Employee of the Month for April

through August 2020. The following individuals were recognized: Madison-Lee Clancy (April), Christopher Alessandri (May), Mignel Rivera (June), Tameara Crespo (July), and Eric Gentry (August).

The City Manager Steigerwald reminded the Commission these individuals were selected as the Employee of the Month by a committee of peers, and there is no greater honor. Due to the social distance restrictions, Human Resources will distribute tokens of appreciation from the Commission.

3.C SERVICE AWARDS FOR JANUARY, FEBRUARY, MARCH, APRIL, MAY AND JUNE

Request the City Commission join the City Manager in recognizing employees who have reached milestones in their years of service.

City Manager Steigerwald read the names of all employees listed on the agenda, who are receiving awards for years of service. Due to the social distancing restrictions, Human Resources will distribute the awards.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING - SECOND AND FINAL READING - LAND DEVELOPMENT CODE TEXT AMENDMENT: LDC UPDATE AND FORM-BASED CODE (DRC#20-053) - PROPOSED ORDINANCE #20-15

AN ORDINANCE AMENDING THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING AND MOVING LANGUAGE FROM THE LAND DEVELOPMENT CODE TO TITLE 2, TITLE 7, TITLE 9, TITLE 10, AND TITLE 12 OF THE CODE OF ORDINANCES; REORGANIZING AND UPDATING LANGUAGE IN TITLE 14 OF THE CODE OF ORDINANCES; ADDING SECTION 14-5 FORM BASED CODE (FBC) AND CREATING AND AMENDING THE ZONING MAP TO REFLECT THE REGULATING PLAN IN 14-5; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Commission approval of the second and final reading of an ordinance that reorganizes and makes minor updates to the Land Development Code and adds the Form-Based Code Chapter.

City Attorney Sanchez de Fuentes read proposed Ordinance #3034 (Exhibit "B") by title.

Planner Ashley Cornelison, Development Services, stated this is the Second and Final Reading of an ordinance to update the Land Development Code and start using Form-Based Code. This process will allow for a more user-friendly process for both our citizens and staff. Form-Based Code uses both text and clearly drawn diagrams as visuals. Ms. Cornelison recognized staff from SM&E; Pat Tyjeski, Chris Dougherty, John Jones, Nick Hill, Boris Wong, Wenjun Lu, Ben Ellis, Tony Miller, Ken Huntington, and the Company Dover Kohl. She extended the City's appreciation for their significant contribution to this process. Staff recommends approval following the Public

Hearing.

Mayor Alvarez announced the Public Hearing with no response from the audience.

Commissioner Jim Fisher moved to adopt Ordinance # 3034. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

5. PUBLIC HEARINGS

None.

6. HEAR AUDIENCE

Jeremy Thomas Lanier, 5 W. Darlington Avenue, resident of Downtown Kissimmee and co-owner of a Downtown business, expressed concern due to a complaint lodged by a downtown business neighbor who reported a number of businesses to Code Enforcement. Many businesses are struggling during the pandemic and requested a temporary hold on code violations that are not a danger to the public until the effects of COVID-19 have lessened. Mr. Lanier thanked the Commission for their consideration.

7. CONSENT AGENDA

THE CONSENT AGENDA IS A TECHNIQUE DESIGNED TO EXPEDITE HANDLING OF ROUTINE MISCELLANEOUS BUSINESS OF THE CITY COMMISSION. THE CITY COMMISSION IN ONE MOTION MAY ADOPT THE ENTIRE AGENDA. THE MOTION FOR ADOPTION IS NON-DEBATABLE AND MUST RECEIVE UNANIMOUS APPROVAL. BY REQUEST OF ANY INDIVIDUAL MEMBER, ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA AND PLACED UPON THE REGULAR AGENDA FOR DEBATE.

Commissioner Jim Fisher moved to approve the Consent Agenda in its entirety. Commissioner

Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

7.A COMMISSION MINUTES APPROVAL

Request Commission approval of the July 7, 2020 KUA Board Interviews and July 7, 2020 Commission Meeting Minutes.

7.B ACCEPTANCE OF CORONAVIRUS RELIEF FUNDS FROM THE FLORIDA HOUSING FINANCE CORPORATION FOR COVID-19 HOUSING RELATED ACTIVITIES

Acceptance of the Coronavirus Relief Funds (CFR) from the Florida Housing Finance Corporation (FHFC) for related housing activities and authorization for the City Manager to execute the Subrecipient Agreement in the amount of \$503,634 and any subsequent agreements or necessary documents.

7.C EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2020

Review and approval to apply for the Edward Byrne Memorial Justice Assistance Grant.

7.D OMG COMMERCIAL PLAZA - FINAL PLAT (DRC#20-00035)

City Commission approval of the final plat known as OMG Commercial Plaza.

7.E LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT NO. 1 WITH FDOT FOR EMORY CANAL TRAIL NORTH FROM ERNEST STREET TO VINE STREET (US 192)

Approval of resolution authorizing the City Manager to execute and deliver to the Florida Department of Transportation (FDOT) the Local Agency Program (LAP) supplemental agreement for the Emory Canal Trail North from Ernest Street to Vine Street (US 192), (FPN 439069-1-58-01).

Resolution # 13-2020 (Exhibit "C").

7.F RATIFICATION OF EXECUTIVE ORDERS 2020-19 AND 2020-20

City Commission ratification of Executive Order 2020-19 issued July 20, 2020 and Executive Order 2020-20 issued July 27, 2020, for the extension of the Local Declaration of Emergency to August 2, 2020.

7.G ACCEPT REIMBURSEMENT IN THE AMOUNT OF \$29,950 FOR 1125 PALMWAY STREET FOR NONFULFILLMENT OF AFFORDABILITY PERIOD AND ASSOCIATED BUDGET ADJUSTMENT

Accept reimbursement in the amount of \$29,950 for the nonfulfillment of the affordability period for 1125 Palmway Street and associated budget adjustment.

7.H BID AWARD FOR THE CONSTRUCTION OF THE EMORY CANAL TRAIL NORTH FROM ERNEST STREET TO VINE STREET (US 192)

Approval to award the bid for the construction of the Emory Canal Trail North from Ernest Street to Vine Street (US 192), to Central Concrete Products Inc., Bartow, Florida in the amount of \$794,518. This project (FPN 439069-1-58-01) will be funded by the Florida Department of Transportation (FDOT) and Recreation Impact Fee Fund.

7.I FEDERALLY FUNDED PUBLIC ASSISTANCE STATE AGREEMENT - COVID-19

Approval of the Federally Funded Public Assistance State Agreement between the State of Florida, Division of Emergency Management and the City of Kissimmee to respond and address the Public Health Emergency for COVID-19.

7.J RS&H, INC. WORK ORDER NO. 1 - AMENDMENT NO. 2 TO THE CHURCH STREET PARKING IMPROVEMENT PROJECT

Approval to amend Work Order No. 1 with RS&H, Inc. for the Church Street Parking Improvement project in the amount of \$49,964.54.

7.K MERCEDES ESTATES - FINAL PLAT (DRC#20-00017)

City Commission approval of the final plat known as Mercedes Estates.

7.L APPROVAL TO ACCEPT THE 2020/21 FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM GRANTS

Approval to accept the 2020/21 Florida Recreation Development Assistance Program (FRDAP) Grants in the amount of \$50,000 each (total of \$100,000) for Mill Slough Park and Mark E. Durbin Park at Lakeside.

8. DISCUSSION ITEMS

8.A SOCIAL SERVICES FUNDING PROCESS FOR 2020-2021

Consideration of the Social Services and Quality of Life Funding Process for FY 2020-2021.

Deputy City Manager Desiree Matthews requested Commission feedback on Social Services and Quality of Life Funding for FY 2020-2021 due to the tremendous impact COVID-19 is having on our community, the moratorium on evictions, and high unemployment numbers.

After reviewing the various federal and state programs and funds available to residents and business owners, Deputy City Manager stated staff is recommending a delay in the disbursement of the City's funds until the CARES Act funds have been exhausted. Temporarily delaying the use of City funds would allow for better use of the funds for individuals who may not qualify for assistance under the COVID programs.

The Commission reached a majority consensus to delay the \$350,000 of City Social Service Funding.

Mayor Alvarez expressed concern about empty food pantries and rising instances of domestic violence and does not want to see money taken from HELP Now and the Council on Aging.

Deputy City Manager Matthews said staff would communicate with the agencies. If there is a dire need that our delay will cause, that can be taken into consideration, and we have time to bring it to the Commission.

Mayor Alvarez stated he is in favor of moving the \$50,000 in Quality of Life funds to Social Services if needed.

8.B DOWNTOWN KISSIMMEE TRAFFIC STUDY

Staff requests Commission direction on pursuing the proposed Downtown Kissimmee Traffic Study.

City Manager Steigerwald reviewed the request of merchants in December of 2019 for a traffic study to review pedestrian safety measures and take into consideration a change in the City Code that would allow street legal golf carts in Downtown. Florida Statutes requires an official study and an engineer to decide on which roads are safe and can handle this type of transportation. The lowest fee for a study would be \$34,500, and staff is looking for Commission direction.

Commission consensus to move this issue out until next year for consideration. Mayor Alvarez suggested having the Police Department provide comments before we move forward next year.

8.C ANNUAL ADVISORY BOARD APPOINTMENTS

Commission reappoint existing board members who wish to continue serving and make appointments to fill any vacancies. All current board members continue to serve until reappointed or replaced.

Commissioner Eady made a motion to appoint Mr. Hendrith Vanlon Smith, Jr. to the Parks and Recreation Advisory Board. Commissioner Fisher seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

CITY MANAGER STEIGERWALD

City Manager Steigerwald stated he has provided a Draft of a Special Notice 2020-13 (Exhibit "D") to implement a Temporary Waiver of § 13-1-15, the aesthetic portion of the Commercial Minimum Maintenance Standards Code. The temporary waiver would still allow Code Enforcement to continue to address safety issues and other items that have an immediate impact on properties.

Commissioner Eady made a motion to approve. Commissioner Gonzalez seconded for discussion.

Commissioner Fisher questioned the termination date of this waiver.

City Attorney Sanchez de Fuentes stated it would be in effect as long as we are under a State of Emergency.

City Manager Steigerwald added the Commission would have the option to extend after the State of Emergency if you desire, and staff would bring that back to the Commission.

Upon roll call, the vote was as follows:

Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

9.B CITY ATTORNEY

CITY ATTORNEY SANCHEZ DE FUENTES

Nothing.

9.C CITY COMMISSION

COMMISSIONER GONZALEZ

Nothing.

COMMISSIONER ORTIZ

Commissioner Ortiz reminded the Commission that we had a restaurant that closed in Downtown and we need to be mindful of the needs of the community.

Commissioner Ortiz also commended on a candidate's volunteers at the Early Voting location in Celebration and mentioned individuals being disrespectful and revealed it was Mayor Alvarez's volunteers.

Mayor Alvarez stated there were three (3) County Firefighters who were threatened with their lives by the spouse of a sitting County Commissioner and a police report is being filed.

COMMISSIONER EADY

Nothing.

COMMISSIONER FISHER

Commissioner Fisher reminded everyone to wear your mask and stay safe.

MAYOR ALVAREZ

Nothing

10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Alvarez adjourned the meeting at 6 42 PM

MAYOR-COMMISSIONER

ATTEST

CITY CLERK

Exhibit "A"
Certificate of Appreciation
Air Traffic Controller Kevin Oswald
Item 3.A

CITY OF
KISSIMMEE
1883



CERTIFICATE OF APPRECIATION

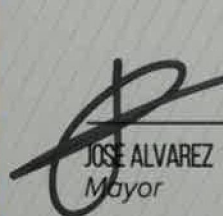
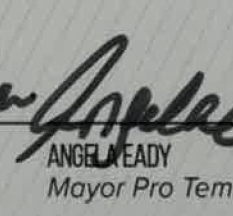
Presented to:

KEVIN LEO OSWALD

For demonstrating professional diligence and
commitment to

AVIATION SAFETY

Presented on August 4, 2020.

JOSE ALVAREZ Mayor	JIM FISHER Vice Mayor	ANGELA WADDY Mayor Pro Tem	OLGA GONZALEZ Commissioner	FELIX ORTIZ Commissioner
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Exhibit "B"
Ordinance # 3034
Land Development Code Form-Based Code
Item 4.A

Exhibit "C"
Resolution # 13-2020
Authorizing City Manager Execute FDOT Local Agency Program Agreement
Emory Canal Trail North from Ernest to Vine Street
Item 7.E

Exhibit "D"
Special Notice 2020-13
Temporary Waiver of Commercial Minimum Maintenance Standards
Item 9.A