



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, April 4, 2023

4:00 PM

1. Call to Order

- a. Opening Ceremony
 - 1. Invocation
 - 2. Pledge of Allegiance
- b. Welcome and Roll Call

Present: Mayor Reuben Kent Guinn
Pro Tem Barry Mansfield
Council Member Ire J. Bethea Sr
Council Member Kristen M. Dreyer
Council Member Jay A. Musleh
Council President James P. Hilty Sr

Municipal Officers/Others Present: The meeting was also attended by City Manager Peter Lee, City Attorney William Sexton, Assistant City Manager Ken Whitehead, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, Fire Chief Clint Welborn, Police Chief Michael Balken, Internal Auditor Randall Bridgeman, City Projects Manager Tye Chighizola, Marketing & Communication Manager Ashley Dobbs, Deputy Director Planning Aubrey Hale, Budget Director Tammi Haslam, Planning Director Patricia Hitchcock, Director of Facilities & Fleet Management John King, City Engineer & Director of Water Resources Sean Lanier, Director of Public Works Darren Park, Director of Electric Utility Doug Peebles, Director of Telecommunications Mel Poole, Director of Parks & Recreation Preston Pooser, Strategic & Legislative Affairs Administrator Jeannine Robbins, Director of Finance Emory Roberts, Procurement & Contracting Officer Daphne Robinson, Chief of Staff Chris Watt, Ocala Police Dept Representative, IT Representative, The Press and other interested parties.

- c. New Employees
 - Thomas Allman - Public Works
 - Emily Johnson - Growth Management
 - Truman Hensen - Growth Management

2. Public Notice

Public Notice for the April 4, 2023 City Council Regular Meeting was posted on March 1, 2023

3. Proclamations & Awards

- 3a.** Marion County Healthcare Decision Day Proclamation will be presented to Rick Bourne, Hospice of Marion County CEO, and to Jessica McCune, Community Awareness

Manager

Mayor Guinn presented a proclamation for Marion County Healthcare Decision Day. The City proclaims April 16, 2023, as Marion County Healthcare Decision Day.

Jessica McCune, Community Awareness Manager, Hospice of Marion County, expressed gratitude for healthcare workers. She invited the public to attend a ceremony honoring the fallen, scheduled on Saturday, April 8, 2023, location Public Library.

Rick Bourne, CEO, Hospice of Marion County, thanked Mayor Guinn and the City for the proclamation award.

- 3b.** Kenny's Place Nursery Proclamation will be presented to Sandon Wiechens, Kenny's Place Nursery Board of Directors President, and to Betsey Poore, staff member

Mayor Guinn presented a proclamation for Kenny's Place Nursery. The City proclaims April 4, 2023, to recognize Kenny's Place Nursery's 30th year anniversary.

Sandon Wiechens, Board of Directors President, Kenny's Place Nursery, thanked Mayor Guinn and the community for the proclamation award.

- 3c.** Water Conservation Month Proclamation will be presented to Frank Gargano, Southwest Water Management District; William White, St. Johns Water Management District; Sean Lanier, City Engineering & Water Resources Departments Director; Rusella Bowes-Johnson, City Engineering & Water Resources Departments Assistant Director; Krystal Miller, City Water Resources Department Administrative Supervisor; and to Gabriela Sullivan, City Water Resources Coordinator

Mayor Guinn presented a proclamation for Water Conservation Month. The City proclaims April 1, 2023, as Water Conservation Month.

Frank Gargano, Senior Government Affairs Regional Manager, Southwest Florida Water Management District, spoke on the importance of water conservation.

City Water Resources Coordinator Gabriella Sullivan thanked City staff and partnering organizations for their hard work.

- 3d.** Volunteer Month Proclamation will be presented to Ms. Katie Holt, Aerobics Instructor volunteer at the Barbara Washington Senior Center and Mary Sue Rich Community Center, and students Selestine Washington-Poole, Vivian Tinsley, Doretha Merritt, and Rebecca Webb

Mayor Guinn presented a proclamation for Volunteer Month. The City proclaims April 2023, as Volunteer Month.

Katie Holt, Aerobics Instructor Volunteer, Barbara Washington Senior Center & Mary Sue Rich Community Center, expressed gratitude to be able to serve the residents in the community. She thanked Mayor Guinn and the City for the proclamation award.

Selestine Washington-Poole thanked Ms. Holt for her volunteer efforts in the community. She encouraged the public to visit the Barbara Washington Senior Center and Mary Sue Rich Community Center.

Council Member Bethea thanked Ms. Holt for her volunteer efforts in the community.

4. **Presentations**

4a. **Presentation by Friends of Marion County Veterans Park by Ron Oppliger**

Todd Belknap, 2601 NE 26th Terrace, spoke on behalf of Ron Oppliger, Chairman with the Friends of Marion County Veterans Park Foundation. He provided a brief overview of the following: the foundation's mission, proposed project, and funding. The nonprofit organization is dedicated to honoring veterans and their families. The plan is to install several monuments and perform several improvements. Furthermore, the proposed project will be at no-cost to taxpayers. He encouraged the public to visit their website and follow their social media accounts.

4b. **OEU Lineman Rodeo**

City Manager Pete Lee recognized the OEU rodeo team for accomplishments during the American Public Power event. Furthermore, year 2023 marks the first time the City has won competing at the annual event.

5. **Public Comments**

Brian Creekbaum, 103 NE 31st Terrace, commented on animal control services

Brian Creekbaum, 103 NE 31st Terrace, read past comments by City employees and Council Members regarding animal control services. Furthermore, he expressed concern regarding double taxation for animal control services for City residents.

6. **Public Hearings**

7. **Second and Final Reading of Ordinances**

(All are Public Hearings)

7a. **Adopt Ordinance 2023-43 amending Chapter 34, Article IX, Section 34-201 concerning litter**

Introduced By: Barry Mansfield

Director of Public Works Darren Park reported the County formed a taskforce concerning litter in September 2021. He provided a brief overview of the history regarding the adoption of Ordinance 2023-43. The County Commission requested all municipalities adopt the ordinance for uniformity in addressing litter/illegal dumping issues.

There being no further discussion the motion carried by roll call vote.

RESULT: ADOPTED
MOVER: Barry Mansfield
SECONDER: Jay A. Musleh
AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

8. General Business

8a. Approve five-year renewal with Waste Pro of Florida, Inc., for single-stream curbside recycling with a contract expenditure of \$8,439,862

Mayor Guinn asked when the City started soliciting for bids. Director of Public Works Darren Park responded the City started soliciting for bids in 2018. The existing contract expires on September 30, 2023; and staff recommends approving a renewal contract with Waste Pro of Florida, Inc. He confirmed staff can reopen the item for bids in 90-days, at no-cost to the City.

Council Member Dreyer asked where the nearest MRF (materials recovery facility) is located; excluding Waste Pro of Florida, Inc. Mr. Park responded the nearest MRF is located in Alachua County.

Council Member Dreyer stated she received great feedback from outside haulers supporting the contract expenditure of \$8,439,862.

Council Member Mansfield stated he supports the proposed contract expenditure. He suggested executing a one-year contract renewal.

Mr. Park stated the City favors executing a 5-year contract renewal to save money.

Council Member Mansfield noted the existing vendor utilized the escalation clause annually in the past agreement.

Council Member Musleh spoke on inflation over the years. Furthermore, he favors approving a multiyear contract with Waste Pro of Florida, Inc.

Procurement & Contracting Officer Daphne Robinson confirmed the 5-year renewal term can be modified by Council.

City Attorney William Sexton stated the City can terminate the contract at any time.

Jerry Lourenco, 2350 NW 27th Avenue, expressed concern investing millions of dollars in a 1-year contract. He discussed the financial hardships the facility has overcome. Furthermore, he looks forward to continuing to do business with the City.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED
MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

AYE: Bethea Sr, Dreyer, Musleh, and Hilty Sr

NAY: Mansfield

- 8b.** Approve four-year contract for resurfacing of athletic courts with Sport Surface Pros, LLC in an amount not to exceed \$159,300

Council Member Mansfield asked why the City favors executing multi-year contracts. Assistant Director of Recreation & Parks Julie Johnson responded multi-year contracts ensure one vendor uses the same materials to maintenance the courts. The request before Council is a 4-year contract with the option to renew the fifth year.

Procurement & Contracting Officer Daphne Robinson confirmed City solicitations include clauses obligating the vendor to lock-in prices for the initial contract term; and escalations are allowed during renewals.

Mayor Guinn asked how often the athletic courts are resurfaced. Ms. Johnson responded the courts are resurfaced every 5-to-6-years.

Ms. Johnson clarified the maintenance process and usage of vendors.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Ire J. Bethea Sr

SECONDER: Kristen M. Dreyer

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 8c.** Adopt Budget Resolution 2023-130 amending the Fiscal Year 2022-2023 budget to accept and appropriate funding for the City of Ocala's HOME Investment Partnership Program grant in the amount of \$516,240

There being no discussion the motion carried by roll call vote.

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 8d.** Adopt Budget Resolution 2023-131 amending the Fiscal Year 2022-2023 budget to appropriate funds from the Federal Emergency Management Agency, State of Florida, and general fund reserve for contingencies for a disaster mitigation project totaling \$373,354

There being no discussion the motion carried by roll call vote.

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

- SECONDER:** Kristen M. Dreyer
- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8e.** Approve a three-year contract with Southern Lawn Care Mid Florida, Inc. for specialty grounds maintenance services with an aggregate expenditure amount not to exceed \$196,911

Council Member Mansfield asked if the department executes one-year contract renewals. Parks Division Head William Cayro Rodriguez responded no; the department favors executing multiyear contracts to lock-in the price, due to inflation.

There being no further discussion the motion carried by roll call vote.

- RESULT:** APPROVED
- MOVER:** Kristen M. Dreyer
- SECONDER:** Ire J. Bethea Sr
- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8f.** Approve contract with R&R Builders, LLC, for the rehabilitation of the Rodriguez residence located at 844 NE 44th Avenue for a total project cost not to exceed \$109,200

Council Member Bethea asked if the City has executed agreements with the vendor in the past. Director of Community Development Services James Haynes responded yes.

There being no further discussion the motion carried by roll call vote.

- RESULT:** APPROVED
- MOVER:** Kristen M. Dreyer
- SECONDER:** Jay A. Musleh
- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8g.** Approve the purchase of various inventory items for Ocala Fiber Network awarded to multiple vendors in the amount of \$104,928

There being no discussion the motion carried by roll call vote.

- RESULT:** APPROVED
- MOVER:** Ire J. Bethea Sr
- SECONDER:** Kristen M. Dreyer
- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8h.** Approve a contract with Advanced Commercial Contractors, Inc., to renovate the SunTran Administration and Maintenance Facility in an amount not to exceed \$320,495

Council Member Mansfield asked if local vendors expressed any interest. City Projects Director Tye Chighizola responded no; local vendors did not express any interest in the small contract.

Procurement & Contracting Officer Daphne Robinson commented the City solicited the

project to 822 vendors; only two vendors expressed interest.

Mr. Chighizola noted the City received DOT funding totaling \$1.2 million, with no match required.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Jay A. Musleh

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

9. Consent Agenda

Consent Agenda items are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of Council or the public request specific items to be removed for separate discussion and action.

RESULT: APPROVED THE CONSENT AGENDA

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 9a. Adopt Budget Resolution 2023-132 amending the Fiscal Year 2022-2023 budget to accept and appropriate sponsorship funds for the 2023 Levitt AMP Ocala Music Series in the amount of \$8,000
- 9b. Approve the new additional parcels for the surplus property list
- 9c. Approve the release of a Blanket Electric Easement granted by Parkside Ocala, LLC in exchange for a replacement easement
- 9d. Approve a release of Electric Easement granted by MDH F2 Ocala 35th St LLC
- 9e. See Item 10
- 9f. Approve the donation of a .17-acre lot (Parcel # 2865-017-003) to the adjacent New Bethel Church
- 9g. See Item 10
- 9h. Approve one-year renewal of the citywide virtualization system, VMWare, and ongoing maintenance and licensing costs from Dell Technologies, Inc. in the amount of \$51,146
- 9i. Approve reappointment of Michael Pape to the Ocala Tree Commission for a new four-year term ending March 1, 2027
- 9j. Approve Regular City Council meeting minutes from March 21, 2023

10. Consent Agenda Items Held for Discussion

Should any items be removed from the Consent Agenda for discussion, they will be discussed at this time.

- 9e.** Approve guidelines for legal services concerning private clients that may be provided by former City Attorney Robert W. Batsel, Jr. and Assistant City Attorney W. James Gooding III

City Projects Director Tye Chighizola commented the City is working with the attorneys to draft guidelines for legal services concerning private clients and discuss a comprehensive list of prohibited projects. To note, staff recommends approval.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 9g.** Approve W. James Gooding III to represent Concept Development, Inc. concerning a potential rezoning of parcel # 29509-000-27 which is located just east of SE 25th Avenue behind the new 7-Eleven store on SE Maricamp Road

City Projects Director Tye Chighizola commented the applicant is proposing to change the zoning from O-1 to O-P; staff recommends approval.

Attorney W. James Gooding III provided a brief overview of the following rules: Rule 4-1.9 Conflict of Interest, Former Client, and Rule 4-1.11 Special Conflicts of Interest for Former & Current Government Officers & Employees. He explained the consent process regarding representation of private clients. Furthermore, he requested permission from Council to represent Concept Development, Inc. concerning a potential rezoning.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

11. Introduction and First Reading of Ordinances

(Second and Final Reading - April 18, 2023)

- 11a.** Introduce Ordinance 2023-44 to rezone from GU, Governmental Use, to M-1, Light Industrial, for property located on the west side of SW 60th Avenue approximately 615 feet north of SW 38th Street, approximately 7 acres (Case # ZON22-44988) (Quasi-Judicial)

Introduced By: Ire J. Bethea Sr

12. Internal Auditor's Report - None

13. City Manager's Report

Critical purchase of two generators

City Manager Pete Lee clarified the timeframe constraints regarding the purchase request for two Cummins generators. The generators have a 36-to-42-week lead time; and the FEMA Hazard Mitigation Project completion deadline is December 15, 2023.

Council's Strategic Planning Session scheduled on Tuesday, April 11, 2023**Employee Family Fun Day scheduled on Saturday, April 15, 2023; from 11 am to 3 pm****14. Police and Fire Department Report****Police Chief Mike Balken – Public Safety Opioid Response Efforts**

Police Chief Balken discussed the public safety Opioid response efforts for March 20, 2023 to April 2, 2023. The Police Department's Opioid response efforts 6, overdose deaths 1, Narcan leave behind 5, Amnesty participation 1, 6,800 calls for services, and 95% service level for emergency calls. Furthermore, the Police Department will continue to work with Federal partners to combat illegal drugs in the City.

Fire Chief Clint Welborn – Public Safety Opioid Response Efforts & Community Paramedicine

Fire Chief Welborn discussed the public safety Opioid response efforts and community paramedicine program. The overdose response efforts 4, overdose deaths 0, and Narcan leave behind 1, and 2,230 calls for service. Year to date, 442 OD2A Program participants, and 247 community paramedicine graduates. The Fire Department partnered with several organizations to provide aid to displaced families from the Morgan fire.

15. Mayor's Report**Booster Stadium field house renovations update**

Mayor Guinn commented the School Board and community favor renovating the Booster Stadium field house. The project cost totals \$3.6 million; and the estimated completion date is Fall 2025.

16. City Attorney's Report**17. Informational Items**

17a. Calendaring Items

- Strategic Planning Session - April 11, 2023 - 8:30am - 2:30pm - Mary Sue Rich Community Center

- Community Redevelopment Area Agency Meeting - April 18, 2023 - 3:45pm - Council Chambers

17b. Comments by Mayor

Mayor Guinn announced he will not seek re-election

17c. Comments by Council Members

Council Member Bethea requested an update on the Mary Sue Rich Center

Council Member Bethea asked what the total number of members at the Mary Sue Rich Center is. Director of Recreation and Parks Preston Pooser responded the center has over 7,000 registered members.

Council Member Bethea suggested increasing safety measures to protect the public, such as performing bag searches.

Mr. Pooser stated he will contact colleagues nationwide to collect public safety recommendations.

Council Member Dreyer stated she enjoyed working with Mayor Guinn**Council Member Mansfield thanked Council for attending the King of Wing event****Council Member Musleh stated he will not seek re-election in 2025**

17d. Informational

17d1. Speed Study Results for SE 5th Street

17d2. Power Cost Adjustment Report - February 2023

17d3. Monthly Budget to Actual Report as of February 28, 2023 and Capital Improvement Project Status Report

17d4. Critical purchase of two (2) Cummins generators to be utilized in the FEMA Hazard Mitigation Project to provide backup power for the City's fuel facility and the Public Works Sanitation building in the amount of \$213,077

17d5. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 5:33 pm.

Minutes

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk