



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, August 16, 2022

4:00 PM

1. Call to Order

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

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

Municipal Officers/Others Present: The meeting was also attended by Interim City Manager Pete Lee, Assistant City Attorney Robert W. Batsel Jr., Assistant City manager Ken Whitehead, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, Fire Chief Clint Welborn, Police Chief Michael Balken, Director of Electric Utility Doug Peebles, Internal Auditor Randall Bridgeman, Growth Management Director Tye Chighizola, Multimedia & Communication Coordinator Danielle Dyals, Budget Director Tammi Haslam, Director Community Development Services James Haynes, Director of Facilities & Fleet Management John King, City Engineer & Director of Water Resources Sean Lanier, Director Public Works Darren Park, Director of Parks & Recreation Preston Pooser, Interim Chief of Staff Chris Watt, Procurement & Contracting Officer Daphne Robinson, Community Outreach Coordinator Rachel Fautch, Ocala Police Dept Representative, IT Representative and other interested parties.

2. Public Notice

Public Notice for the August 16, 2022 City Council Regular Meeting was posted on July 13, 2022

3. Proclamations & Awards

- 3a. Constitution Week Proclamation presented to the National Society Daughters of the American Revolution President Beth Coleman and to members of the DAR Ocala Chapter.

Mayor Guinn presented a proclamation for Constitution Week. The City proclaims

September 17, 2022 - September 23, 2022, as Constitution Week.

Ms. Coleman thanked Mayor Guinn and the City for the proclamation award. She provided a brief overview of the planned events to celebrate Constitution Week.

3b. Service Award - Officer Jorge Fernandez - Ocala Police Department - 25 Years of Service.

Interim City Manager Pete Lee and Mayor Guinn presented a service award to Police Officer Jorge Fernandez in appreciation of his 25 years of service to the City of Ocala.

4. Presentations

4a. Discuss next steps for City Attorney interviews

Colin Baenziger, Colin Baenziger & Associates, Owner & Principal, 2055 S Atlantic Avenue, Suite 504, Daytona Beach Shores, FL 32118, spoke on the executive search for a City Attorney in the State of Florida. The firm narrowed the fifteen-candidate list to the following top three candidates: James Saunders, William Sexton and Vose Law Firm. He provided a brief overview of each candidate's law/government background and financial impact. He recommended Council interview each candidate. He explained he approached nearly every municipal attorney in Florida in this search and noted there may be other applicants after the November election.

Council Member Musleh agrees with interviewing all three applicants. He commented he initially had concern regarding the proposal submitted by the Vose Law Firm, but after reading the proposal he is interested. Council Members Hilty, Dreyer and Mansfield concurred with Council Member Musleh.

Council concurred to interview all three applicants.

Mr. Baenziger commented the individual interviews are tentatively scheduled for Friday, August 26, 2022. He recommended scheduling full Council interviews afterwards.

Interim City Manager Lee commented he will work with the City Clerk to schedule the meetings.

5. Public Comments

Peter Grier, 3601 W Silver Springs Blvd, commented on Saving Mercy evictions

Peter Grier, 3601 W Silver Springs Blvd, spoke on Saving Mercy not using Government funds to help the homeless population find housing. He expressed concern the non-profit organization is illegally evicting residents.

Council President Bethea explained Saving Mercy had presented to Council their plan for redevelopment at the previous Council meeting. He noted City Council cannot intervene in private litigation, and all residents have known about these plans for at least 18 months.

Interim City Manager Pete Lee spoke on the relocation requirements for HUD funding.

Council President Bethea commented Saving Mercy is facing challenges relocating residents, including residents who refuse to work with Saving Mercy.

Mayor Guinn spoke on Saving Mercy violating their 501c(3) status. Council Member Hilty disagrees with Mayor Guinn's comments regarding Saving Mercy. He discussed how the non-profit organization is facing challenges collecting rental income from tenants. He noted the tenants were given proper notice from an attorney regarding the closure and have been provided with several relocation options.

John Barber, 1908 SE 5th Street, requested Council schedule a workshop to discuss the Rail-to-Trail project

John Barber, 1908 SE 5th Street, requested Council schedule a workshop to discuss the Rail-to-Trail project. He provided a brief history of the railroad lines, and asked for the City's consideration in converting the rail line, which runs through the City to Silver Springs Shores, from an industrial rail operation to an alternative-use bicycle and pedestrian trail. He further stated that he received the support of the TPO Board in 2020, and it was suggested he approach the City with this concept.

Interim City Manager Pete Lee stated the railroad was recently sold to a similar entity. He agrees with Mr. Barber's comments regarding the trails project. He will schedule a working group session with City staff, TPO, and County.

Council Member Musleh supports scheduling a work group session to further discuss the matter. He commented funding could be done through a number of grants available, as well as City/County commitment.

City Attorney Batsel cautioned Council regarding legal issues that would be associated with this project.

6. Public Hearings

- 6a.** Adopt Ordinance 2022-75 concerning a rezoning from R-1A, Single-Family Residential, to PD, Planned Development for property located at 2700 SE Maricamp Road (bordering the eastern boundaries of subdivisions Woodland Estates and Woodland Villages), approximately 39.24 acres. (Case PD21-44492) (Quasi-Judicial)

Introduced By: Barry Mansfield

City Attorney Batsel explained the quasi-judicial procedure for public hearings.

President Bethea opened public hearings for items 6a, 6b, 6c, 6d and 6e at 4:35pm.

The City Clerk filed proof of publication for Ordinances 2022-72 - 2022-82 (Legal Ad 31539790 - 8/5/22 & Annexation Ad 31539812 - 8/5/22 & 8/12/22). The City Clerk read the ordinance titles into the record.

Growth Management Director Tye Chighizola spoke on all five public hearing items. The PD plan includes a two-story, 312-apartment development, and the Concurrency Development Agreement addresses the trips for the developments, the intersection improvements, and donation of right-of-way. The City recommends including the Chapter 163 Developer's Agreement to address all raised concerns, including a traffic circle to allow better stacking at the intersection of 25th and Maricamp Rd, as well as reworking the lanes at the intersection. The applicant is requesting approval to renew the expired alcohol permit for the 7-Eleven development. Mr. Chighizola noted FDOT recently approved a left turn out of the 7-Eleven development.

Council Member Musleh expressed concern regarding FDOT approving a left turn out of the 7-Eleven development. Mr. Chighizola responded the City previously suggested a right-in/right-out only.

Mr. Chighizola explained there are two versions of the Concurrency Agreement before Council: one with a 3-way stop at the Woodland Villages entrance, and one with a traffic circle. City staff recommends approving the agreement with the traffic circle, and asked Council to decide which one to proceed with if the item is approved. He explained the developer and Woodland Villages executed a separate agreement to address buffering, fencing, and donation of right-of-way (roundabout improvement).

Fred Roberts, 40 SE 11th Avenue, stated he is representing the applicant. He provided a brief overview of the development projects. The developer is proposing a 312 luxury multi-family development with resort-style amenities, with 1 and 2 story buildings. The market demand is very high for multi-family housing opportunities, and the developers held a neighborhood meeting to address concerns expressed by Woodland Villages residents. He presented pictures of the site plan buffering/elevations.

Furthermore, the 7-Eleven site plan has not changed since it was considered by Council in July 2021, and requested Council approve renewal of the alcohol location permit. Council can revoke the alcohol location permit at any time. The Chapter 163 Developer's Agreement (between the three (3) property owners/developer/City) addresses the donation of right of way to the City for the proposed extension of SE 25th Avenue and for potential further extension of SE 25th Avenue, and shared traffic improvements. Mr. Roberts explained the developers will fund over \$2 million in intersection improvements with this agreement. He summarized the proposed traffic improvements. Woodlands Villages requested the sidewalk be constructed on the opposite side of the road to eliminate pedestrian traffic near the property. The developer favors the City's roundabout design to mitigate traffic impacts.

Amber Gardner, Kimley Horn, Licensed Professional Engineer, 101 E Silver Springs Blvd., Suite 400, provided a brief overview of the traffic study. As the apartment complex was the last to enter into this agreement, the study includes consideration of all proposed developments and utilized methodology approved by the City. The original traffic study was in between May/July 2021, and confirmation studies in May 2022. The traffic study determined a westbound right-turn lane improvement for Maricamp Road onto 25th Avenue, to alleviate the high peak hour car volume (300 cars). She noted the

study includes additional recommendations to alleviate queuing concerns. She explained 4 days of queue data was collected between 7am-9am, for a total of 8 hours. Generally, there were 2 vehicles queued in the northbound lane on 25th; only 4 cycles over the 8 hours had 7-8 cars, and she noted except for one cycle, all cars made it through the light. Nonetheless, they recommend adding a dedicated left turn lane.

The roundabout design will add additional stacking and calm traffic in the area. The proposed geometry is same as SE 18th Avenue, which is a very high-volume intersection.

Mr. Roberts spoke on the developers working together to share the improvement costs to remedy traffic impacts in the area. He explained the money is being escrowed by the parties as soon as the item is approved and upgrades will be started regardless of the status of the rest of the project. The Woodland Villages Homeowner's Association has agreed to donate the right-of-way if the development projects are approved, and the developer executed an agreement regarding the donation of \$50,000 to the Woodland Villages Homeowner's Association.

Council Member Hilty questioned how future growth is calculated into the traffic counts. Ms. Gardner explained the historic trend evaluation (5% growth calculation).

Council Member Hilty expressed concern regarding traffic impacts. Mr. Roberts explained the appropriate use of the traffic study. The intersection has existing traffic issues not related to the proposed development projects. The City Engineer confirmed the proposed improvements will improve traffic conditions and the development project will provide more housing opportunities in the community.

Council Member Hilty suggested looking at the development's impact from a macro perspective. Mr. Roberts explained the inappropriateness of a macro evaluation. The traffic study determined the mentioned improvements will alleviate existing traffic impacts.

Ken Nadeau, 2421 SE 18th Circle, spoke in opposition of the proposed development project. He expressed concern regarding the following: future maintenance of the luxury development, traffic impacts, proposed access point, and school overcrowding. He requested Council vote no and consider a single-family development project. He read a statement from the Woodland Villages Homeowners Association.

Robert Pickler, 2327 SE 18th Circle, spoke in opposition of the proposed development project. He expressed concern regarding the single entrance. He asked if they plan on creating a secondary exit.

Brad Tropello, 2420 SE 18th Circle, spoke in opposition of the proposed development Project, specific to 7-Eleven and alcohol sales. He submitted photos for the record and presented substantial evidence to Council. He cited portions of the Ocala Municipal Code as reasons for denial. He expressed concern the public notice regarding 7-Eleven's application for an alcoholic beverage location permit was not properly noticed.

City Attorney Batsel asked Mr. Tropello what concerns he has regarding the public notice. Mr. Tropello expressed concern residents in the area did not receive the public notice.

City Attorney Batsel stated he will follow up with City staff to determine when the public notice was mailed to residents.

Mr. Chighizola commented the notice requirement is 10days prior to the public hearing. The public notices should have been mailed on August 4, 2022.

Mr. Roberts addressed concerns regarding multifamily uses, and noted multifamily is compatible with single family. Regarding the alcohol location permit, he explained they requested crime data from OPD for 2 stores: the Wawa on Pine and the one on SE Maricamp. The usage of this 7-Eleven would be more like the Wawa on Maricamp. , The public notice was appropriately mailed in a timely manner by City staff. The traffic study methodology was approved by City staff, and the Chapter 163 Developer's Agreement will address existing traffic concerns. Furthermore, FDOT is permitting and directing all traffic improvements. He requested Council consider the proposed development projects and improvements.

Mayor Guinn shared his experience serving on Council when other similar development projects were planned.

Mr. Roberts spoke on the developer creating a high-end product in the area. He reiterated the developers worked together to address concerns raised by Woodland Villages residents.

City Attorney Batsel explained the public notice mailing issue. A member of the public (Mr. Tropello) stated a City employee mailed the notices on August 12, 2022; however, Mr. Chighizola stated the notices were mailed on August 4, 2022. He requested Council take into consideration the mailing issue and missing notice date.

President Bethea questioned if the public notices were mailed in a timely manner. Council Member Musleh responded Mr. Chighizola stated the notices were mailed on August 4, 2022.

Council agreed City staff mailed the notices in a timely manner.

The public hearing was closed at 6:12pm.

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

AYE: Dreyer, Mansfield, Musleh, and Bethea Sr

NAY: Hilty Sr

- 6b.** Adopt Resolution 2022-46 concerning a PD, Planned Development, and an associated PD plan and standards book for property located at 2700 SE Maricamp Road (bordering the eastern boundaries of subdivisions Woodland Estates and Woodland Villages), approximately 39.24 acres (Case PD21-44492) (Quasi-Judicial)

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

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: James P. Hilty Sr

AYE: Dreyer, Mansfield, Musleh, and Bethea Sr

NAY: Hilty Sr

- 6c.** Adopt a Concurrency Development Agreement to be entered into pursuant to Sections 163.3220 through 163.3243 Florida Statutes, between the City, RM Maricamp, LLC, and The Grand Reserve at Pelham, LLC (CDA22-44889) for property located south of the intersection of SR 464 and SE 25th Avenue, approximately 47.25 acres. (This is the second of two public hearings. The first hearing was held on Tuesday, August 2, 2022.)

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

AYE: Dreyer, Mansfield, Musleh, and Bethea Sr

NAY: Hilty Sr

- 6d.** Approve the sale of beer and wine for off-premise consumption for 7-Eleven, Inc., a Texas Corporation, Inc d/b/a 7-Eleven # 41806 located on SE Maricamp Road (SR 464) approximately 300 feet east of SE 25th Avenue (Quasi-Judicial)

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

AYE: Dreyer, Musleh, and Bethea Sr

NAY: Hilty Sr, and Mansfield

- 6e.** Approve the conceptual plan for the Maricamp & 25th Subdivision (SUB21-44406) for parcels located 300 feet east and 500 feet south of the SE Maricamp Road and SE 25th Avenue intersection (Quasi-Judicial)

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

RESULT: APPROVED

MOVER: Barry Mansfield

SECONDER: Jay A. Musleh

AYE: Dreyer, Mansfield, Musleh, and Bethea Sr

NAY: Hilty Sr

- 6f.** Transmit to the Department of Economic Opportunity an amendment to Future Land Use Policy 18.21 for property located northwest of the intersection of SW 48 Avenue and SW 48 Road, approximately 18.24 acres (Case FLUP22-44857)

Growth Management Director Tye Chighizola commented the request is a policy amendment for Fore Ranch Watermark Phase 2 (264 apartments). The policy amendment will address the improvement of the roadway from Fire Station #6 to 48th Avenue. Phase 1 is under construction, and the request will come back to Council for a rezoning. The Planning & Zoning Commission approved the request in July, and City staff recommends approval.

Fred Roberts, 40 SE 11th Avenue, spoke on the appropriateness of the transmittal request. The plan is to pave the dirt roadway between Fire Station #6 and 48th Avenue. The transmittal rezoning request will be presented at a future meeting for Council to consider.

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

RESULT: APPROVED

MOVER: Barry Mansfield

SECONDER: James P. Hilty Sr

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

ABSENT: Musleh

- 6g.** Approve a tri-party agreement between the City, Marion County, and Ocala Trophy concerning the proposed SW 40th Avenue/SW 49th Avenue (Phase I) road project from SW 66th Street to SW 43rd Street Road (flyover)

Council President Bethea opened a public hearing for items 6g, 6h, 6i, 6j, and 6k at 6:18pm.

Growth Management Director Tye Chighizola spoke on all five public hearing items. He provided a brief overview of the Triparty Agreement between the City, the County and Ocala Trophy. The goal is to start construction at the end of year 2022 and provide relief to State Road 200/I-75. Heath Brook previously donated 100-foot of right-of-way along the interstate, which will go back to Ocala Trophy. The 125-foot right-of-way will be constructed by the County and the City will provide utilities.

The City will be giving back the existing easement to maintain an easement for a future 230 KV transmission line. Furthermore, the City is working on executing an agreement for the 42nd Street flyover. The agreement before Council will extend the timeline to September 26, 2026, and add additional trips to Heath Brook. The Concurrency Development Agreement will address the trips and capital improvements.

Chris Roper, 420 S Orange Avenue, Orlando, FL, 32801, stated he is an attorney representing the applicant. He spoke on the year long process with the City. The County has funding available, and the agreement was approved by the County on July 19, 2022. The Ocala Trophy will be conveying 11 acres for future roadway development, and the traffic study will be performed by Kimley Horn. The extension of the roadway will create capacity for 494 trips, without affecting existing roads. He also discussed a two (2) acre boundary adjustment to the PD.

James Mitchell, 4400 SW 62nd Loop, spoke in opposition of the proposed request. He stated he is the President of Heath Brook HOA and expressed concern regarding increased traffic noise. He requested Council take into consideration the residents of Heath Brook.

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 6h.** Adopt Ordinance 2022-78 concerning a rezoning from B-2, Community Business, to PD, Planned Development, for two parcels (23874-000-16 and 23874-000-17) to include such parcels located on SW 46th Court in the Heath Brook Planned Development, approximately 2.21 acres (Case PD21-44375) (Quasi-Judicial)

Introduced By: Kristen M. Dreyer

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: James P. Hilty Sr

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

- 6i.** Adopt Resolution 2022-47 amending the Heath Brook Plan Development Plan and Standards, concerning parcels 23874-000-16, 23874-000-17, 23874+001-00, 23875-000-00, and a portion of 23877-000-00, approximately 116.80 acres (Case PD21-44375) (Quasi-Judicial)

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: James P. Hilty Sr

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

- 6j.** Adopt Resolution 2022-48 concerning the first amendment to the Heath Brook

Development of Regional Impact amended and restated Development Order for property located between the 4400-5500 blocks of SR 200, approximately 910 acres (Case DRI21-0001) (This is the second of two public hearings. The first public was held on July 11, 2022, with the Planning and Zoning Commission.)

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: James P. Hilty Sr

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

- 6k.** Adopt an amendment to the Heath Brook Concurrency Development Agreement (CDA22-44885) to be entered into pursuant to Sections 163.3220 through 163.3243, Florida Statutes, between the City and Ocala Trophy Ltd., a Florida Limited Partnership for properties located between 4400-5500 blocks SR 200, approximately 910 acres (This is the second of two public hearings. The first hearing was held on Tuesday, August 2, 2002.)

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

7. Second and Final Reading of Ordinances

(All are Public Hearings)

- 7a.** Adopt Ordinance 2022-73 to correct the legal description adopted in Ordinance 2022-36 annexing property (approximately 35.6 acres) located in the SE corner of 3848 NW 27th Avenue (Quasi-Judicial)

Introduced By: James P. Hilty Sr

Growth Management Director Tye Chighizola commented the annexation was adopted in April 2022. The 35-acre property was subdivided, and the goal is to correct the legal description for the site plan. He noted staff recommends approval.

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

RESULT: ADOPTED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

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

- 7b.** Adopt Ordinance 2022-74 concerning a rezoning from PUD-08, Planned Unit Development, to R-3, Multi-Family Residential, for property located along SW 24th

Avenue approximately 720 feet east of the intersection of SW 19th Avenue Road, approximately 1.36 acres (Case ZON22-44741) (Quasi-Judicial)

Introduced By: Jay A. Musleh

Growth Management Director Tye Chighizola spoke on the property's history over the years. The City made an agreement to receive money for the Scott Springs Park during the property sale (City received \$25,000). The property will be developed under R-3 zoning, and staff recommends approval.

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: James P. Hilty Sr

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

- 7c. Adopt Ordinance 2022-79 annexing property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel (Parcel # 15493-000-00) directly to the north, approximately 40 acres (Case ANX22-44799) (Quasi-Judicial)

Introduced By: James P. Hilty Sr

Council President Bethea opened a public hearing for items 7c, 7d, and 7e at 6:46pm.

Growth Management Director Tye Chighizola spoke on all three public hearing items. He provided a brief overview of the maximum land use per acre in the County (8 units Per acre) and City (12 units per acre). The R-3 zoning will remain the same, and City Council considered a transmittal hearing last month. The City capped the land use/zoning at 8units per acre; however, the policy was eliminated at the transmittal hearing. The Planning & Zoning Commission recommended approval of the annexation/land use, but denial of re-zoning.

The Commission expressed concern about the future development of the property, access roads, and compatibility. He noted staff recommends approval.

City Attorney Batsel commented the applicant requested annexation of the property be contingent upon approval of the land use and zoning.

Austin Dailey, 40 SE 11th Avenue, Ocala, FL 34471, spoke on the annexation of two County parcels into the City. He explained there are a total of three parcels to be developed; one is already annexed and they would like to develop all three as a single plan. A neighborhood meeting was held after the Planning & Zoning Commission meeting, and ten residents were in attendance. He reiterated the annexation is contingent upon approval of R-3 zoning and neighborhood land use. He summarized the reasoning for annexation and noted the development will create more housing opportunities. The zoning/land use are consistent/appropriate in the area, noting nearly all surrounding properties are zoned R-3 even if they are not currently developed as such.

He explained being in the City implies higher development standards compared to the County. The property is not zoned or appropriate for rural land use. He provided a brief overview of the future land use. The request before Council is for the lowest density, and the properties are currently zoned R-3 (surrounded by 28 properties with R-3 zoning).

James Reichart, 300 NW 42nd Street, Ocala, FL 34475, spoke in opposition of the proposed development project. He expressed concern regarding multifamily uses. He noted the property is surrounded by estate homes, and the proposed development is not compatible with the area.

O'Donald Clark, 10 NW 42nd Street, spoke in opposition of the proposed development project. He owns the property adjacent to the proposed development. He expressed concern regarding no site plans and increased density. He requested Council consider the residents' investment in the community.

Margaret Spontak, 250 NW 42nd Street, spoke in opposition of the proposed development project. She expressed concern regarding increased road damage, traffic impacts, and buffering. Furthermore, she agrees with executing a Concurrency Agreement.

Interim City Manager Pete Lee commented the Planning & Zoning Commission recommend approval of the annexation/land use and recommend denial of the rezoning.

Mr. Chighizola spoke on the public hearing process. The first reading was conducted on August 2, 2022.

Mr. Dailey commented a neighborhood meeting was held with the residents to address concerns. The goal is to create one cohesive project under one jurisdiction. He requested Council consider how the proposed development will benefit the area.

Mr. Chighizola spoke on the zoning options available for Council to consider.

Council Member Musleh asked if the applicant considered a PD. Mr. Chighizola responded the City previously suggested a PD with the policy.

Mr. Dailey reiterated the property is zoned R-3 and surrounded by R-3 zoning. He noted a PD is not appropriate at this time. The site plan design will come before Council at a future meeting.

Council Member Dreyer disclosed she met with the applicant in the past to discuss their development projects in the area. She noted the City and County R-3 zoning is not the same. She asked why the City should not consider a PD. Mr. Dailey responded if the City reduces the density to the County density, the reduction will impact the development project. He reiterated the inappropriateness of a PD; and provided a brief overview of the maximum land use per acre (County 8-units per acre, and City 12-units per acre).

Ms. Spontak requested Council address the road concerns. Mr. Chighizola responded the annexation is only for the property; the road would remain a County roadway, but it would be included within the development, so the developer would likely need to address it.

Interim City Manager Pete Lee stated the applicant chose the lowest land use density allowed in R-3 zoning. He noted the City will have control over the site plan process.

City Attorney Batsel reiterated the annexation of the property is contingent upon approval of the land use and zoning.

Council Member Musleh commented the residents would greatly benefit under a City development, due to the stringent process. He favors approving the annexation, land use and zoning.

Council Member Dreyer concurs with Council Member Musleh.

Council Member Hilty expressed concern the annexation will set a precedent going forward for future developers. Council Member Musleh responded property owners have the right to sell and develop property.

City Attorney Batsel requested Council consider the City policies regarding growth when reviewing the request.

Council Member Dreyer asked Council if they favor annexing the property for City control. She noted there are grocery, pharmacy and fast-food options nearby.

Council President Bethea commented the residents will greatly benefit from the development in the future.

Council Member Mansfield concurs with his fellow Council Members. He favors the City having control over future development of the property.

The public hearing was closed at 7:43pm.

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

RESULT: ADOPTED

MOVER: James P. Hilty Sr

SECONDER: Jay A. Musleh

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

- 7d.** Adopt Ordinance 2022-80 amending the Future Land Use Designation from High Residential (County) to Neighborhood (City) for property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel directly to the north (Parcel # 15493-000-00), approximately 40 acres (Case LUC22-44800)

Introduced By: Barry Mansfield

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

- RESULT:** ADOPTED
MOVER: Barry Mansfield
SECONDER: Kristen M. Dreyer
AYE: Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea Sr
- 7e. Adopt Ordinance 2022-81 concerning a rezoning from R-3, Multiple-Family Dwelling (County), to R-3, Multi-Family Residential (City), for property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel directly to the north (Parcel # 15493-000-00), approximately 40 acres (ZON22-44801) (Quasi-Judicial).

Introduced By: Jay A. Musleh

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

- RESULT:** ADOPTED
MOVER: Jay A. Musleh
SECONDER: James P. Hilty Sr
AYE: Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea Sr
- 7f. Adopt Ordinance 2022-82 concerning a rezoning from M-1, Light Industrial, to M-2, Medium Industrial, for property located along NW 35th Street approximately 1,000-feet east of the intersection of NW 27th Avenue (Parcel # 13857-000-00), approximately 29.01 acres (Case ZON22-44851) (Quasi-Judicial).

Introduced By: Barry Mansfield

Growth Management Director Tye Chighizola commented the applicant submitted a rezoning request. The City annexed the property several years ago, and staff recommends approval.

Fred Roberts, 40 SE 11th Avenue, commented the rezoning will allow outdoor storage and manufacturing, which will support the rail line connectivity. The rezoning is appropriate and compatible with the surrounding uses.

Council Member Dreyer expressed concern regarding removal of the screening component. Mr. Roberts explained the PD conceptual plan includes a GU element along the frontage. He believes housing will not be established all the way to 35th. The development is surrounded by M-2 zoning, and the property will have sufficient screening/buffering.

Council Member Dreyer asked if the trees will be removed on the southside of the property. Mr. Roberts responded yes; the access route will be cleared to the railroad tracks. The property will operate as a manufacturing facility with outdoor storage. The plan includes establishing a fence to properly secure the entire property.

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

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: Jay A. Musleh

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

- 7g.** Adopt Ordinance 2022-72 to allow a materials recovery facility as a permitted use in the M-2 and M-3 zoning districts subject to criteria (COD22-44744). (This is the second of two public hearings. The first public hearing was held on Tuesday, August 2, 2022. The second public hearing is scheduled for after 5:00 pm)

Introduced By: Kristen M. Dreyer

Council President Bethea opened the public hearing at 7:50pm.

Growth Management Director Tye Chighizola commented the Planning & Zoning Commission recommended approval of the ordinance in July. The proposed ordinance will allow a materials recovery facility as a permitted use in the M-2 and M-3 zoning districts subject to criteria. The ordinance language is similar to the Construction & Demolition landfill Ordinance. Furthermore, the ordinance allows the City to pursue a Chapter 163 Developer's Agreement for a new use. The Recycling Ordinance was recently modified/brought up to code by City staff. He defined a Materials Recovery Facility as a solid waste facility (Class 1 and Class 3 waste) that performs recycling.

Council Member Musleh requested clarification regarding the type of operations allowed under the proposed ordinance. Mr. Chighizola responded the ordinance allows for recyclables, Class 1 waste, and Class 3 waste.

Council Member Musleh asked if the facility will be required to comply with DEP regulations. Mr. Chighizola responded yes.

Council Member Musleh asked if Friends Recycling is allowed to operate under the ordinance. Mr. Chighizola responded Friends Recycling must submit a zoning application. The City identified several sites that will benefit from adoption of the proposed ordinance.

Mr. Chighizola noted a waste transfer station does not perform recycling.

Council Member Dreyer noted MRFs must perform recycling in the City.

Council President Bethea expressed concern allowing multiple sites to operate as a Materials Recovery Facility.

City Attorney Batsel requested Council consider allowing the proposed use in the City subject to the restrictions in the ordinance.

Interim City Manager Pete Lee noted Council directed City staff to draft the ordinance in February.

Whitfield Jenkins, 2200 NW 24th Road, spoke in support of the proposed ordinance. He

shared his experience visiting Friends Recycling. He expressed the importance of supporting small business owners in the community.

Tommy Brooks, 2140 NW 21st Street, spoke in opposition of the proposed ordinance. He expressed concern regarding increased health issues due to the landfill odor. He requested Council oppose allowing Friend's Recycling to expand their landfill in the community.

Terry Crawford, 2310 SE 8th Street, asked if the ordinance includes a sewage transfer station. City Attorney Batsel responded no, he read the definition for a materials recovery facility. Mr. Chighizola noted sewage transfers station are not allowed.

Denita Newton, 106 NW 11th Avenue, requested Council relocate the landfill out of the thriving community. She noted the area is filled with new development and increased density.

Barbara Fitos, 926 SE 12th Street, spoke in opposition of the proposed ordinance. She requested Council create comprehensive solutions to manage solid waste and future development. The proposed ordinance will not remedy the solid waste issue in Marion County. She requested Council oppose the proposed ordinance and partner with the County to create a comprehensive alternative that will not impact existing neighborhoods.

Council President Bethea expressed concern allowing dirty MRFs in the City limits. The landfills disperse bacterial odor, which causes significant health problems. He requested Council takes into consideration the residents in the community.

Council Member Hilty asked if there are existing facilities within the City limits. Mr. Chighizola responded recycling facilities are located within the City limits.

Council Member Dreyer noted Waste Pro could achieve a DEP certification.

Council President Bethea expressed the importance of creating a livable community without landfills.

Council Member Hilty noted the proposed ordinance will bring operating facilities up to code in the City.

Interim City Manager Pete Lee noted Friends Recycling is only allowed to operate as a recycling facility.

Council Member Musleh commented the proposed ordinance before Council will allow the recycling of trash. He asked if the residents will be receiving any cost incentives on future waste bills. Interim City Manager Pete Lee responded he will take that into consideration when the contract terminates in 2025. The City will continue securing the best options for the community.

Council Member Musleh expressed concern allowing a materials recovery facility as a

permitted use in the M-2 and M-3 zoning districts. Mr. Chighizola responded new applicants will be required to execute a Chapter 163 Developer's Agreement.

Council Member Musleh commented facilities that achieve all dirty MRF designations will be regulated by DEP. Mr. Chighizola responded the City can enforce zoning violations.

Mr. Chighizola explained the solid waste and recycling process to Council.

Mayor Guinn stated he has no concerns regarding the proposed ordinance. He noted the business technology has improved.

Mr. Chighizola anticipates the transfer MRFs will grow in the City limits.

The public hearing was closed at 8:27pm.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: James P. Hilty Sr

AYE: Hilty Sr, Dreyer, Mansfield, and Musleh

NAY: Bethea Sr

8. General Business

- 8a.** Approve continued use of State of Florida Department of Management Services alternative source agreement 56120000-19-ACS for citywide furniture purchases with an increased estimated aggregate expenditure of \$130,000

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Jay A. Musleh

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

- 8b.** Approve additional funding for the purchase of traffic signal equipment with various awarded vendors utilizing an approved Florida Department of Transportation contract for \$200,000

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

- 8c.** **AYE:** Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea Sr
Approve the purchase of 18 vehicles for the Public Works Department in the amount of \$2,223,539

Council Member Mansfield asked how the City orders vehicles. Director of Facilities & Fleet Management John King responded the City has great relationships with car vendors for ordering requests. The orders are placed with direct manufactures.

Interim City Manager Pete Lee noted the City receives great savings for guaranteed purchases.

Mr. King commented the City received a \$600,000 cost saving for the early purchase.

Council Member Mansfield asked if the vehicles come with a work bed. Mr. King responded the vendor delivers complete vehicles.

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

- 8d.** **AYE:** Hilty Sr, Dreyer, Mansfield, Musleh, and Bethea Sr
Adopt Budget Resolution 2022-161 amending the Fiscal Year 2021-2022 budget to transfer funds from the Rate Stabilization Reserve and the Electric Construction Fund to the Electric Operating Fund Reserve in the amount of \$11,403,102

Mayor Guinn asked how it will affect user rates. Budget Director Tammi Haslam responded the rates will remain the same.

Council Member Musleh asked how long the PCA rate will remain the same. Ms. Haslam responded the rate will remain the same through at least January 2023.

Interim City Manager Pete Lee spoke on the locked-in fuel rates.

Council Member Hilty noted future contract rates are increasing.

Council Member Musleh noted the cost of gas affects the PCA rate. He asked if the City will have funding available for capital projects. Mr. Lee responded yes; the funding was shifted to the FY2023 budget.

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

RESULT: ADOPTED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

AYE: Hilty Sr, Dreyer, Mansfield, and Musleh

ABSENT: Bethea Sr

- 8e.** Adopt Budget Resolution 2022-162 amending the Fiscal Year 2021-2022 budget to appropriate 2022-2023 State Housing Initiatives Partnership (SHIP) grant funding in the amount of \$393,567

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

AYE: Hilty Sr, Dreyer, Mansfield, and Musleh

ABSENT: Bethea Sr

- 8f.** Approve the City of Ocala's Community Development Block Grant Annual Action Plan for submission to the Department of Housing and Urban Development

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 8g.** Approve a contract between Ramar Land Corporation and the City to purchase 5.57 acres for a drainage retention area for the NW 44th Avenue road project in an amount not to exceed \$612,770

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

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

- 8h.** Approve sale of 115 acres of non-aviation Airport property to Seefried Industrial Properties, Inc., for the future development of Project Angus in the amount of \$8,625,000

Reggie Bouthillier, 106 E College Avenue, Unit 700, Tallahassee FL, stated they look forward to working with the City to develop the site.

Mayor Guinn asked for clarification on expected building size. Mr. Bouthillier responded the building size will be determined 30- to 60-days after the contract is executed with the City. The estimated building size is 1.2 million to 3.2 million square feet.

Mayor Guinn asked if they would have cold storage or dry storage. Mr. Bouthillier

responded he cannot disclose that information at this time. The plan is to submit a building site plan within 60-days.

Mayor Guinn asked for clarification on the number of anticipated employees. Airport Director Matt Grow responded they anticipate more than 1,000 new jobs.

City Attorney Batsel commented the City has a right of first offer if there are no improvements and the property is being sold.

Council Member Mansfield spoke on the importance of not selling Airport land, and suggested the Airport invest in extending the runway.

Kevin Sheilley, Ocala/Marion County Chamber & Economic Partnership, 310 SE 3rd Street, stated he agrees with Council Member Mansfield's comments. He noted Chief Growth Officer Heather Bark will be leading the leasing efforts of Airport property. Furthermore, he encouraged Council to support the sale of the property on the westside of the road.

Council Member Dreyer questioned how they choose the end-users. Mr. Sheilley explained the customer base evaluation process.

Mayor Guinn addressed the industrial zoning with Council Member Dreyer.

Council Member Dreyer expressed concern regarding the very low appraisal price. She suggested pursuing a long-term ground lease. Mr. Sheilley explained the listing price reflects market value.

Mayor Guinn asked what the first price was. Mr. Chile responded below \$60,000 per acre.

City Attorney Batsel reiterated the City has a right of first offer. Seefried and the unknown end-user are working on determining their partnership.

Council Member Dreyer noted the applicant can reassign the contract eliminating the City clause.

Council Member Musleh commented the City is receiving the highest value of the property.

City Attorney Batsel commented the developer is willing to spend \$200 million to \$400 million to develop the property.

Council Member Mansfield noted the sale revenue will go to the Airport Fund. He spoke on the importance of increasing Airport land values.

Mayor Guinn stated he does not support a marijuana end-user. Mr. Bouthillier stated this project is completely unrelated to that subject. Interim City Manager Pete Lee responded the City addressed all concerns with Mr. Bouthillier. The appraised value was used to

determine the appropriate sale price of the property.

Council Member Dreyer recommended selling the property above appraised value. Furthermore, she suggested the City identify lease-only properties and create lease guidelines. Interim City Manager Pete Lee responded the City followed the proper protocol for land sales. The City will evaluate establishing a policy going forward for leasing.

Mr. Sheilley spoke on the City's motive to increase growth (jobs, taxes, utilities) in the community.

Council Member Hilty asked how long they have been working on Project Angus. Mr. Sheilley responded 14-months.

Terry Crawford, Ocala Advisory Airport Board Member, spoke on the priceless value of Airport property. The Airport land has endless growth opportunities. He noted appraisals are considered a subjective view of the property value and do not represent the market value. To note, a third party performed comps to determine the high market value of the land. He requested Council only pursue land lease agreements to maintain Airport revenue.

The Airport Advisory Board has a fiduciary responsibility to protect the Airport. He requested the City create a leasing policy for Airport land.

Mayor Guinn commented the City will greatly benefit from the ad valorem tax revenue generated from the property sale. He suggested Council approve the proposed land sale.

Council Member Dreyer asked if the property has access to the airport. Airport Director Matthew Grow responded no, not directly.

Mr. Crawford reiterated the importance of pursuing lease agreements.

City Attorney Batsel commented the applicant would not support executing a lease agreement.

Kevin Reed, 3011 17th Avenue, spoke on the increasing value of Airport land. He suggested Council sell the property for a fair market price or sell the buyer a non-airport property. Furthermore, he requested Council take into consideration the Airport's operating expenses in 50-years.

Mayor Guinn noted the City secured a great buyer who is going to make a significant investment in Ocala.

Mr. Crawford expressed disappointment regarding the low sales price per acre (\$70,000 per acre).

Council Member Hilty asked if the end-user will be flying product into the warehouse.

Mr. Bouthillier concurs with Mayor Guinn. The applicant would like to expand their business operations in Ocala, and the firm performed an appropriate appraisal of the property.

Council Member Musleh spoke in support of selling the industrial land. Mayor Guinn concurs with Council Member Musleh.

Council Member Dreyer expressed concern regarding the low sales price. She suggested Council counteroffer.

Council Member Musleh encouraged Council to support the proposed sale offer. Council Member Hilty concurs with Council Member Musleh.

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Jay A. Musleh

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

NAY: Dreyer

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: James P. Hilty Sr

SECONDER: Barry Mansfield

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

- 9a.** Adopt Budget Resolution 2022-163 amending the Fiscal Year 2021-2022 budget to appropriate funds for the City of Ocala's State Housing Initiatives Partnership Program (SHIP) in the amount of \$14,338
- 9b.** Adopt Budget Resolution 2022-164 amending the Fiscal Year 2021-2022 budget to transfer funds from Public Works Reserve for Contingency accounts to purchase vehicles for Public Works in the amount of \$2,223,539
- 9c.** Adopt Budget Resolution 2022-165 appropriating grant funds from the Florida Department of Transportation State Safety Office and the University of North Florida Institute of Police Technology Management totaling \$36,946
- 9d.** Adopt Resolution 2022-49 appointing Tasha Osbourne and Davida Randolph to the Affordable Housing Advisory Committee for unexpired three-year terms ending December 31, 2022

RESULT: PULLED

- 9e. Approve the purchase of various inventory items for the Water Resources Department from Consolidated Pipe & Supply, Empire Pipe and Supply, Ferguson Waterworks, and Fortiline in the amount of \$69,736
- 9f. Approve encroachment agreement with Florida Gas Transmission Company, LLC to allow Ocala Electric Utility to install underground facilities within FGT's easement
- 9g. Adopt Resolution 2022-50 to reduce the membership of the North Magnolia CRA Advisory Committee from nine members to seven members.
- 9h. Approve the appointment of TaMara York to the Downtown Ocala Redevelopment Advisory Committee
- 9i. Approve Contract Renewal #1 with Florida Department of Health, extending the Overdose Data to Action Community Paramedicine Program for an additional annual term through August 31, 2023
- 9j. Accept agreement with the Florida Department of Transportation State Safety Office and the University of North Florida Institute of Police Technology Management to reimburse the City for High Visibility Enforcement overtime expenditures up to a maximum of \$36,946
- 9k. July, 2022 city attorney invoices for general city business legal services in the amount of \$20,482.31 and for risk management-related legal services in the amount of \$26,131.75
- 9l. Approve Regular Meeting City Council Minutes from August 2, 2022

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.

11. Introduction and First Reading of Ordinances

(Second and Final Reading - September 6, 2022)

- 11a. Introduce Ordinance 2022-83 to allow a Downtown Event Zone with regulations consistent with House Bill 1429 adopted in the 2022 Florida Legislative Session

Introduced By: James P. Hilty Sr

- 11b. Introduce Ordinance 2022-84 amending Section 26-7 of the City Code of Ordinances to provide for early voting in accordance with applicable Florida Statutes and an interlocal agreement by and between the City and the Marion County Supervisor of Elections

Introduced By: Kristen M. Dreyer

Rock Gibboney, 597 N Terrace, spoke on voting irregularities during the 2020 election. He expressed the importance of performing a forensic audit and improving the voting process.

12. Internal Auditor's Report

- 12a. Internal Audit Report Issues - Unannounced Cash Counts Audit

Internal Auditor Randall Bridgeman noted the City completed the annual cash counts for

19 accounts, and all accounts were in compliance with internal controls.

12b. Internal Audit Charter - Annual Update

Internal Auditor Randall Bridgeman noted no changes are required for the Internal Audit Charter.

13. City Manager's Report

City Council Budget Workshop scheduled on Tuesday, August 23, 2022

TPO meeting scheduled on Tuesday, August 23, 2022

Council Member Hilty volunteered to represent the City on the East Central Florida Regional Planning Council (ECFRPC)

Interim City Manager Pete Lee spoke on the East Central Florida Regional Planning Council (ECFRPC) vacancy. The Council meets six times per year on the third Wednesday of the month, from 10:30 am to 12:30 pm; location Downtown Orlando Administrative building.

Council Member Hilty volunteered to be on the Council.

Golf Cart Information Sessions on Thursday, August 18th at 1pm and 5:30pm at The Brick City Center for the Arts

Interim City Manager Pete Lee commented the public has expressed concerns regarding golf cart parking.

Mayor Guinn noted the Police Department receives numerous reports regarding teens driving golf carts. He suggested implementing golf cart fines.

Police Chief Balken commented the Police Department is working hard to promote golf cart safety. He suggested revisiting the ordinance to impose golf cart fines and support enforcement efforts.

Council Member Hilty agrees with supporting golf cart enforcement efforts.

Work group to be scheduled to discuss a comprehensive plan for Ocala International Airport aviation and non-aviation properties

Interim City Manager Pete Lee spoke on scheduling a work group to discuss a comprehensive plan for Ocala International Airport aviation and non-aviation properties.

Council Member Musleh suggested scheduling individual meetings in October or November. He spoke on the importance of leasing property contiguous to the Airport.

New City Attorney recruitment update

Interim City Manager Pete Lee expressed the importance of extending legal services beyond November 1, 2022. City Attorney Batsel responded he will work with City to provide legal

coverage. The City will need to consider isolated or routine legal services going forward.

Council Member Musleh suggested utilizing Assistant City Attorney Gilligan for legal services if needed. He anticipates Council will secure a new City Attorney soon.

City Attorney Batsel spoke on the importance of securing a City Attorney in the near future.

Mr. Lee agrees with utilizing Assistant City Attorney Gilligan for legal services. The goal is to have a City Attorney in-house by November 1, 2022.

City Attorney Batsel suggested utilizing a full law firm for legal services.

Fire User Fee payouts update

Director of Finance Emory Roberts commented 9,800 refund checks, totaling \$28.6 million, have been issued to the public so far, and \$23 million has been cashed. The goal is process checks on a weekly basis and wire funds, and he expects an additional 2,000 checks to be mailed by week's end. The call center receives over 200 calls per day, and they have a backlog of 2,000 voicemails. The City is working hard to verify addresses and many of the checks have been mailed out of state.

Council Member Hilty asked if the claims forms are backing up the process. Mr. Roberts responded no; they have processed over three hundred claims forms.

Council Member Musleh questioned if they will need to pursue the same process for the 9% refund. City Attorney Batsel explained that process should be very simple, as many addresses have already been verified.

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 August 1, 2022 to August 14, 2022. The Police Departments Opioid response efforts 15, overdose deaths 4, Narcan leave behind 4 and Amnesty participation 3. He discussed the arrest of a couple who were smuggling drugs from Mexico, and noted the department has 12 new Police Officer recruits in training. To note, the department graduated 8 new Police Officer's tonight.

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 13, overdose deaths 1 and Narcan leave behind 1. For the month of August, 357 people have enrolled in the Opioid Recovery Project and they had a total of 166 community paramedicine graduates. The Narcan leave behind for the OD2A Program amounts to 70 participants.

15. Mayor's Report**Mayor Guinn discussed the history of Saving Mercy**

Mayor Guinn expressed concern regarding Saving Mercy's eviction process of weekly tenants.

Council Member Hilty commented Saving Mercy works hard to support different categories of people. He noted residents are making false accusations against Saving Mercy, and tonight's public speaker was offered eight places to relocate. The City and County are working hard to combat homelessness.

16. City Attorney's Report**16a. Report on American Humanist Association Inc., et al v. City of Ocala, et al.**

City Attorney Batsel commented Council may incur additional costs during the filling/petition process. The motion filed by the plaintiffs for attorney fees amounts to \$247,779.44, and they can be awarded an additional \$25,000.

City Attorney Batsel asked Council if they would object to waiving the conflict of interest for the Pension Board Attorney's firm representing a property owner against the City. He requested feedback from Council.

Council agreed to waiving the conflict of interest.

17. Informational Items**17a. Calendaring Items**

17a1. City Council Workshop: Proposed FY22/23 Budget - Tuesday, August 23, 2022 - 12pm Noon - City Hall, Council Chambers

17a2. Labor Day Holiday - Monday, September 5, 2022 - City Offices will be closed

17a3. CRA Meeting - Tuesday, September 6, 2022 - 3:45pm - City Hall, Council Chambers

17a4. First Budget Hearing - Tuesday, September 6th - 5:05pm - City Hall, Council Chambers

17a5. Special City Council Meeting: Adoption of Fire Assessment Resolution - Tuesday, September 13, 2022 - 5:00 pm - City Hall, Council Chambers

17a6. Final Budget Hearing - Tuesday, September 20, 2022 - 5:05pm - City Hall, Council Chambers

17b. Comments by Mayor

17c. Comments by Council Members

Council Member Mansfield praised Interim City Manager Pete Lee's leadership and suggested Council consider appointing him City Manager

Council Member Mansfield commented Pete Lee is doing an amazing job as the City Manager. He suggested making Mr. Lee the official City Manager.

Council Member Musleh suggested making the City Manager position an actionable item on the next meeting agenda.

Mayor Guinn concurs with Council Member Mansfield.

17d. Informational

17d1. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 10:26 p.m.

Minutes

Ire Bethea Sr.
Council President

Angel B. Jacobs
City Clerk