



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

Tuesday, May 20, 2025

4:00 PM

1. Call to Order

2. Roll Call

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

a. New Employees

- Melissa Walls, Electric
- Samson Ngetich, Electric
- Andrew Whichello, Engineering
- George Wright, Public Works
- Tucker Chenette, Water Resources
- Thomas Zerquera, Water Resources

3. Public Notice

- **Public Notice for the May 20, 2025 City Council Regular Meeting was posted on April 15, 2025**

4. Proclamations and Awards

4a. Presentation of the Mayor's Citizen Recognition Award to Joshua Musikantow

Mayor Marciano presented the Mayor's Citizen Recognition Award to Joshua Musikantow.

4b. Presentation of the American Wetlands Month Proclamation to Water Resources Director Sean Lanier and to Water Resources Operation Manager Robyn Preston

Mayor Marciano presented a proclamation for American Wetlands Month. The City proclaims the month of May 2025, as American Wetlands Month.

4c. Presentation of the National Public Works Week to Public Works Director Darren Park

Mayor Marciano presented a proclamation for National Public Works Week. The City proclaims May 18, 2025 to May 24, 2025, as National Public Works Week.

4d. Service Award - Lafayette Hodges - Ocala Police Department - 20 Years of Service

Mayor Marciano and City Manager Pete Lee presented a service award to Lafayette Hodges in appreciation of her 20 years of service to the City of Ocala.

4e. Service Award - Detective Michael Bowman - Ocala Police Department - 25 Years of Service

Mayor Marciano and City Manager Pete Lee presented a service award to Detective Michael Bowman in appreciation of his 25 years of service to the City of Ocala.

4f. Service Award - Battalion Chief Robert Altman - Ocala Fire Rescue - 35 Years of Service

Mayor Marciano and City Manager Pete Lee presented a service award to Battalion Chief Robert Altman in appreciation of his 35 years of service to the City of Ocala.

5. Presentations

6. 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.
pull 6c, 6f

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

RESULT: APPROVED THE CONSENT AGENDA

MOVER: Barry Mansfield

SECONDER: James P. Hilty Sr

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

6a. Approve award of contract to BWC Services USA, LLC, for grounds maintenance services at Ocala Wetlands Recharge Park in an amount not to exceed \$58,500

6b. Adopt Budget Resolution 2025-153 amending the Fiscal Year 2024-25 budget to accept and appropriate additional grant funds from the Florida Department of Law Enforcement for online sting operations in the amount of \$2,838

6c. Approve a task work order with McFarland Johnson, Inc. to provide design services for the T-Hangar Taxilane Rehabilitation project in the amount of \$83,536

RESULT: PULLED

6f. Approve City Council Work Session minutes from April 29, 2025

RESULT: PULLED

6g. Approve City Council meeting minutes from May 6, 2025

7. Consent Agenda Items Held for Discussion

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

8. Introduction and First Readings of Ordinances**9. Public Hearings / Second and Final Readings / Adoption of Ordinances**

- 9a.** Approve the sale of beer and wine for on-premise consumption for Graffiti Seafood & More Management, LLC., dba, Graffiti Seafood & More located at 1532 S Pine Ave (Parcel 28575-010-09) (Quasi-Judicial)

Council President Dreyer opened the public hearing at 4:21 pm.

Growth Management Director Jeff Shrum discussed an application submitted by Graffiti Seafood & More Management, LLC, for the property located at 1532 S Pine Avenue. The applicant is requesting an alcohol permit to allow the sale of beer and wine for on premise consumption; staff recommends approval.

No public comment.

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

RESULT: APPROVED

MOVER: Ire J. Bethea Sr

SECONDER: James P. Hilty Sr

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

- 9b.** Adopt Ordinance 2025-23 amending sections 2-195 and 2-196, Code of Ordinances, City of Ocala, Florida; providing for the administration of preemployment fingerprinting and background checks

Introduced By: Jay A. Musleh

Council President Dreyer opened the public hearing.

City Attorney William Sexton discussed the adoption of Ordinance 2025-23. The City is requesting to amend sections 2-195 and 2-196, Code of Ordinances. He provided a brief overview of the amendments, administration of pre-employment fingerprinting/background checks, and staff findings. He recommends City Council consider adoption of the mentioned ordinance.

No public comment.

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: James P. Hilty Sr

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

- 9c.** Adopt Ordinance 2025-24 to rezone approximately 1.00 acre of property located at 3640 SW Seventh Place from INST, Institutional, to M-2, Medium Industrial (Case

ZON25-0004) (Quasi-Judicial)

Introduced By: Ire J. Bethea Sr

Council President Dreyer opened the public hearing.

Chief Planning Official Endira Madraveren discussed the adoption of ordinance 2025-24. The applicant requested to rezone the subject property located at 3640 SW Seventh Place, from INST (Institutional) to M-2 (Medium Industrial). She provided a brief overview of the property's history, zoning, and staff findings. To note, the Planning & Zoning Commission and staff recommend approval.

No public comment.

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

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

SECONDER: Barry Mansfield

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

10. General Business

- 10a.** Adopt Budget Resolution 2025-155 amending the Fiscal Year 2024-25 budget for the carry forward of prior fiscal year grant funds totaling \$42,633,188

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

- 10b.** Adopt Budget Resolution 2025-156 amending the Fiscal Year 2024-25 budget to provide a supplemental appropriation to reconcile cash balance forward accounts and for the continuation of projects not completed in Fiscal Year 2023-24 in the amount of \$175,431,800

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

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

SECONDER: Barry Mansfield

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

- 10c.** Approve the award of a one-year contract for implementation and licenses to Spatial Business Systems for Automated Utility Design software at an estimated cost of \$113,500

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Jay A. Musleh

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

- 10d.** Approve a substantial amendment to the City of Ocala's HUD 2019-2023 Five-Year Consolidated Plan and 2019-2020 Annual Plan to allow \$200,000 to be used for rental assistance in the City of Ocala

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Ire J. Bethea Sr

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

- 10e.** Adopt Budget Resolution 2025-154 amending the Fiscal Year 2024-25 budget to accept and appropriate 2024-25 State Housing Initiatives Partnership Program grant funding in the amount of \$175,728

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

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: James P. Hilty Sr

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

- 10f.** Approve the award of a contract to Traffic Control Devices, LLC, for construction services related to the signalization project of SW 43rd Court at SW 40th Street for the bid amount of \$532,532, plus a 10 percent contingency, for a total expenditure not to exceed \$585,785

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

RESULT: APPROVED

MOVER: Ire J. Bethea Sr

SECONDER: James P. Hilty Sr

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

- 10g.** Approve award of the agreement for recoating services for Water Tower #2 to Southeastern Tank & Tower, Inc., in an amount not to exceed \$246,000

Council Pro Tem Bethea questioned how many water towers the City owns. City Engineer & Director of Water Resources Sean Lanier noted the City has two water towers, which are repainted every five to ten years. This second water tower was recently purchased from a private party.

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

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

- 10h.** Approve award of agreement to Ardurra Group, Inc., for professional services associated with planning studies for the Safe Streets and Roads for All grant in the amount of \$129,986

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

- 10i.** Approve the purchase of new portable radios for Ocala Police Department, Ocala Fire Rescue, and Ocala Electric Utility utilizing State of Florida's alternative source agreement with Motorola Solutions, Inc. in the amount of \$5,952,904

Meghan Mercer, Dana Lucas, 2150 15th Avenue, Vero Beach, FL, spoke on behalf of Communications International (integrator for L3 Harris). She requested City Council defer the action to allow Communications International the opportunity to schedule a meeting with City leadership to discuss the proposed purchase. Furthermore, she requested the City correct false statements on the Procurement Expectations Form.

Procurement & Contracting Officer Daphne Robinson spoke on the procurement procedures. She defined a cooperative purchase, which evaluates cost, quality, delivery and sustainability. Furthermore, the Ocala Police Department noted significant advantages with the selected vendor known as Motorola Solutions, Inc., compared to Communications International.

Police Information Systems Director Joshua Sasso stated the City has a great twenty-year business relationship with Motorola Solutions, Inc. (Motorola). The vendor is integrated into the 911 system and offers local Motorola support. To note, the vendor owns the Vespa software program, which OPD utilizes for emergency services. Motorola's ownership of the software provides various integration options to support public safety efforts. He cautioned on utilizing multiple vendors to avoid public safety issues and liability concerns.

Furthermore, he confirmed the radios are purchased directly from Motorola and outdated equipment is recycled to other departments to support cost saving efforts. He assured the two vendors were thoroughly evaluated; recommends selecting a "sole vendor", such as Motorola, to support public safety efforts.

Council Member Hilty expressed concern regarding Motorola's proposed price and the City's utilization of the Exception Request Form.

Ms. Robinson confirmed the Exception Request Form has been utilized by the City since 2022. The City allows departments to provide procurement requests with justification. The Procurement Department weighs the pros and cons of each request before selecting a vendor. The proposed amount (\$5,952,904) will be paid over a five-year period, to minimize budget impacts.

Mr. Sasso confirmed L3 Harris has partnerships with several government counties/municipalities, such as Levy County. To note, Levy County reported the vendors' products work fine; however, OPD values the service/product quality received from Motorola and reemphasized the importance of a single provider to minimize potential compatibility issues.

Council President Dreyer commended the Procurement Department for taking into consideration the departments needs when evaluating requests, not selecting a vendor based solely on price.

Council Member Musleh thanked the City for clarifying the vendor selection.

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Barry Mansfield

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

11. Internal Auditor's Report

12. City Manager's Report

- **Marion County public hearings for EMS impact fees/transportation impact fees scheduled for Friday, May 23, 2025, at 1:30 pm and 2:00 pm**

City Manager Pete Lee reported Marion County is hosting public hearings for EMS impact fees/transportation impact fees on May 23, 2025. The City is working on drafting local agreements prior to the public hearings. The draft agreements will address requests made by the County, and City Council will be briefed individually before the public hearings.

- **Ordinance for removal of fluoride from City water supply to be introduced next meeting in accordance with new State law to be enacted on July 1, 2025**

City Manager Pete Lee reported a new State Bill was passed regarding the removal of fluoride from City water, which will take effect on July 1, 2025. The City will introduce an ordinance at the next meeting to comply with the new State law.

13. Ocala Police Department Report**- Overview of Crime and Traffic Stops**

Police Chief Mike Balken reported on the Police Departments efforts for a two-week period, May 5, 2025 to May 18, 2025: 23 significant crimes, 194 arrests, 120 FIRs, and 1,112 traffic stops. The department is utilizing social media platforms to report on public safety efforts.

14. Ocala Fire Rescue Department Report**- Unit Responses**

Fire Chief Clint Welborn reported on unit responses for a two-week period, May 6, 2025 to May 19, 2025. The three busiest units: Fire Rescue One (155-unit responses), Fire Engine Four (90-unit responses), and Ladder 3 (90-unit responses).

- Service calls update

Fire Chief Clint Welborn reported on call type spotlights for a two-week period, May 6, 2025 to May 19, 2025: motor vehicle accidents 70, structure fires 4, and community paramedicine/core 70, and 938 calls for service (9,522 calls-to-date).

- Department Highlights

Fire Chief Clint Welborn reported the department responded to several incidents: gas leak incident on NE 36th Avenue (May 8, 2025), plane crash (May 7, 2025), vehicle building crash (May 10, 2025), and I-75 motor vehicle accident (May 14, 2025). Furthermore, the Department participated in two events: Fallen Officer Memorial (May 15, 2025) and EMS Week (May 18, 2025 to May 24, 2025).

15. City Attorney's Report**15a. Approval of and entry into a proposed Settlement Agreement in the matter of Art Rojas & Lucinda Hale v. City of Ocala, currently pending on appeal before the United States Court of Appeals for the Eleventh Circuit**

City Attorney Sexton discussed the approval of a settlement in the matter of Art Rojas & Lucinda Hale vs. City of Ocala. The plaintiffs have agreed to forego any entitlement for an award of attorney's fees. He requested City Council approve the proposed settlement.

Kent Guinn, 320 NW 3rd Avenue, asked if the settlement prohibits the City from conducting prayer breakfasts, recognizing the National Day of Prayer, or issuing a prayer proclamation. Mr. Sexton responded the settlement agreement does not contain prohibitions against future lawful conduct by the City.

Mr. Guinn spoke on the Freedom of Religion Group's demands to the City to remove religious words from the government logo. He discussed how the Kennedy case

(demonstrates legal standing) is directly related to the litigation matter before City Council. He anticipates the City will win the case if the matter goes before the Supreme Court; the City has an opportunity to defend the United States Constitution.

Rock Gibboney, 597 NE 45th Terrace, concurs with Mr. Guinn. He encouraged City Council to not settle.

Fernando Fernandez, 5725 Eco Road, spoke in support of freedom of religion.

Council Member Musleh expressed concern proceeding forward with the lawsuit, stating he is not willing to gamble with taxpayers' money. He suggested City Council consider the proposed settlement.

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

16. Public Comments

- **Doug Oswald, 4304 SE 5th Street, spoke on the OPD/ICE MOU**

Doug Oswald, 4304 SE 5th Street, spoke in opposition of the executed Memorandum of Understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He expressed concern regarding increased costs, lawsuits, conflict of interest, and lack of training/resources.

- **Sandra Slayton, 745 SW 79th Loop, spoke on the OPD/ICE MOU**

Sandra Slayton, 745 SW 79th Loop, spoke in opposition of the executed Memorandum of Understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern regarding increased costs, lack of funding, increased workload, increased property taxes, and increased crime.

- **David Boston, 155 NE 52nd Avenue, spoke on the OPD/ICE MOU**

David Boston, 155 NE 52nd Avenue, spoke in opposition of the executed Memorandum of Understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He expressed concern the partnership fuels a political narrative that instills fear in the community. He requested City Council terminate the agreement.

- **Maryann Lambert, 13010 NW 90th Avenue, Reddick, FL, spoke on the OPD/ICE MOU**

Maryann Lambert, 13010 NW 90th Avenue, Reddick, FL, spoke in opposition of the

executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern that the agreement violates illegal aliens' rights to due process. She questioned how the agreement is considered legal in the City of Ocala.

- **Elizabeth Dollinger, 8500 NW 162nd Court, Morrison, FL, spoke on the OPD/ICE MOU**

Elizabeth Dollinger, 8500 NW 162nd Court, Morrison, FL, spoke in opposition of the executed Memorandum of Understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern that the agreement will impact job sites and affect due process rights for illegal aliens.

- **Louine Ek, 5907 SW 59th Street, requested the Mayor and City Council declare June as Faith and Family Month**

Louine Ek, 5907 SW 59th Street, spoke in support of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). Furthermore, she requested the Mayor and City Council declare June as Faith and Family Month.

- **Fernando Fernandez, 5725 Eco Road, spoke on the OPD/ICE MOU**

Fernando Fernandez, 5725 Eco Road, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He expressed concern regarding the following: due process rights violations, profiling, harassment, and lack of crime reporting. He requested City Council terminate the agreement.

- **Craig Baggs, 401 SE 49th Avenue, spoke on the OPD/ICE MOU**

Craig Baggs, 401 SE 49th Avenue, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He expressed concern regarding the following: public safety, lawsuits, and increased taxpayer funding.

- **Quinn Cooper, 328 Marion Oaks Drive, spoke on the OPD/ICE MOU**

Quinn Cooper, 328 Marion Oaks Drive, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He expressed concern regarding the following: increased costs, lack of funding for other departments, and criminalizing illegal aliens.

- **Cathy Bailey, 3030 SE 13th Street, spoke on the OPD/ICE MOU**

Cathy Bailey, 3030 SE 13th Street, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern that the agreement violates due

process rights for illegal aliens.

- **Brooke Bennett, 305 SE 58th Avenue, spoke on the OPD/ICE MOU**

Brooke Bennett, 305 SE 58th Avenue, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern regarding the following: criminalizing illegal aliens, lack of due process rights, and increased taxes.

- **Gabbi Gallario, 1999 150th Avenue NW, spoke on the OPD/ICE MOU**

Gabbi Gallario, 1999 150th Avenue NW, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She expressed concern the agreement criminalizes illegal aliens.

- **Kent Guinn, 320 NW 3rd Avenue, spoke on the OPD/ICE MOU**

Kent Guinn, 320 NW 3rd Avenue, spoke in support of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He noted the City partners with federal agencies on a daily basis.

- **Diane Irwin, 4490 SW 44th Street, commented on item 10(i)**

Diane Irwin, 4490 SW 44th Street, noted item 10(i) was not removed from the General Business section. She suggested the City allow vendors to perform a demo before making a final decision.

- **Sandra Fernandez, 3270 NE 42nd Place, spoke on the OPD/ICE MOU**

Sandra Fernandez, 3270 NE 42nd Place, spoke in opposition of the executed Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). She accused the Chief of Police Mike Balken of not sending help to Police Officers on January 6, 2025 and exonerating 1,500 insurrectionists. She believes the Chief of Police does not have the best interest of the public.

Police Chief Mike Balken spoke on the history of the Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE). He stated OPD will not be raiding job sites or schools. The Police Officers will act on criminal acts committed in the City; illegal criminal aliens will be transferred to ICE custody. Furthermore, the department does not have the authority to deport illegal aliens. He recognized the department's efforts to arrest Tren de Aragua gang members.

Council Member Hilty stated Chief Balken is operating in the best interest of the public.

Council Members Bethea and Musleh, thanked Mr. Balken for clarifying the Memorandum of understanding between the Ocala Police Department (OPD) and U.S. Immigration and Customs Enforcement (ICE).

Police Chief Mike Balken noted the City can terminate the agreement at anytime by written intent.

17. Informational Items and Calendaring Items

- Monday, May 26, 2025 - Memorial Day Holiday - City Offices closed
- Tuesday, May 27, 2025 - 3:00pm - TPO meeting - Marion County Commission Auditorium
- Tuesday, June 3, 2025 - 4:00pm - City Council meeting - Council Chambers
- Tuesday, June 17, 2025 - 3:45pm - CRA Board meeting - Council Chambers
- Tuesday, June 17, 2025 - 4:00pm - City Council meeting - Council Chambers
- Thursday, June 19, 2025 - Juneteenth Day Holiday - City Offices closed
- Monday, June 23, 2025 - 3:00pm - TPO meeting - Marion County Public Library

17a. Inform Council of renewed agreement between the Florida Department of Corrections and the Ocala Police Department

17b. Inform Council that the Ocala Police Department has entered into a Memorandum of Agreement with the U.S. Immigration and Customs Enforcement as part of a task force

18. Comments by Mayor

- Fallen Officer Memorial

Mayor Marciano shared his experience attending the Fallen Officer Memorial.

- Workout with the Mayor event

Mayor Marciano reported the Workout with the Mayor event on May 15, 2025, was a great success with over one hundred attendees.

- City employee recognition

Mayor Marciano recognized the Director of Community Development Services, James Haynes, for hosting a successful affordable housing event.

- SR200 State Road update

Mayor Marciano noted SR200 is considered a State Road.

Council President Dreyer thanked City staff for addressing issues on State Road 200.

19. Comments by City Council Members

- **Council Member Hilty recognized the Director of Community Development Services, James Haynes, for hosting a successful affordable housing event**

20. Adjournment

Adjourned at 6:00 pm

Minutes

Kristen M. Dreyer
Council President

Angel B. Jacobs
City Clerk