



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

Tuesday, October 17, 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, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, Fire Chief Clint Welborn, Police Chief Michael Balken, Internal Auditor Randall Bridgeman, Assistant Finance Director Peter Brill, City Projects Director Tye Chighizola, Marketing & Communication Manager Ashley Dobbs, HR/Risk Management Director Devan Kikendall, Director Economic Development Aubrey Hale, Budget Director Tammi Haslam, Director of Facilities & Fleet Management John King, City Engineer & Director of Water Resources Sean Lanier, Chief Financial Officer Janice Mitchell, Director of Public Works Darren Park, Director of Electric Utility Doug Peebles, Director of Telecommunications Mel Poole, Director of Parks & Recreation Preston Pooser, Assistant Director Cyber & Physical Security Christopher Ramos, Strategic & Legislative Affairs Administrator Jeannine Robbins, 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
 - Earl Arnett, Public Works
 - Lamont Sweeting, Public Works

2. Public Notice

Public Notice for the October 17, 2023 City Council Regular Meeting was posted on September 5, 2023

3. Proclamations & Awards

4. Presentations

- 4a.** Present service award to retired Fire Captain Theron Remington for his dedication to the Ocala-Marion Mentorship Program

Fire Chief Clint Welborn presented a service award to retired Fire Captain Theron Remington for his dedication to the Ocala Marion Mentorship Program.

Captain Hickman praised Captain Remington for his great leadership in the community.

Fire Captain Theron Remington thanked the City for the award.

5. Public Comments

6. Public Hearings

- 6a.** Approve Community Development Services application for U.S. Department of Housing and Urban Development's Pathways to Removing Obstacles to Housing Grant in the amount of \$10,000,000

Director of Community Development Services James Haynes commented \$85 million in grant funds will be distributed to over twenty jurisdictions. The City will be submitting an application requesting the maximum allowed amount of \$10 million; no match required. The funds will be used to create incentives and support affordable housing initiatives. The grant requires the City to host one public hearing. To note, the City conducted a public meeting last week.

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

- 6b.** Adopt Ordinance 2024-1 to rezone from PUD-0, Planned Unit Development, to PD, Planned Development for property located at the northwest corner of SE 24th Road and SE 31st Street (Parcel 29851-000-00), approximately 14.15 acres (PD23-45098) (Quasi-Judicial) - Request to postpone until the November 7, 2023, City Council meeting

Introduced By: Ire J. Bethea Sr

RESULT: POSTPONED

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 6c.** Adopt Resolution 2024-2 concerning a PD, Planned Development, including PD standards for property located at the northwest corner of SE 24th Road and SE 31st Street (Parcel 29851-000-00) (Case No. PD23-45098) (Quasi-Judicial) - Request to postpone until the November 7, 2023, City Council meeting

RESULT: POSTPONED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

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

7. Second and Final Reading of Ordinances

(All are Public Hearings)

- 7a.** Adopt Ordinance 2024-2 to rezone from B-1A, Limited Neighborhood Business, to B-4, General Business District, for property located at 424 SW 11th Street (Parcel No. 28575-002-01), approximately 0.54 acres (Case ZON23-45299) (Quasi-Judicial)

Introduced By: Barry Mansfield

Growth Management Department Senior Planner Emily Johnson reported the applicant is requesting a zoning change from B-1A (Limited Neighborhood Business) to B-4 (General Business District), for the property located at 424 SW 11th Street. The applicant plans on pursuing a multifamily development project; the multifamily use was conditionally approved by the Board of Adjustment on September 18, 2023. The present B-1A zoning district would only permit multifamily dwellings with a special exception at a maximum of 10 dwelling units per acre. She explained how multifamily conflicts with the underlying high intensity land use category. The requested zoning district is consistent and compatible with the surrounding area. The Planning & Zoning Commission and staff recommend approval.

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

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

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

- 7b.** Adopt Ordinance 2024-3 to rezone from M-1, Light Industrial, to M-2, Medium Industrial, property located at 3100 SW 3rd Street, parcel number 22767-002-00; approximately 2.11 acres (Case ZON23-45305) (Quasi-Judicial)

Introduced By: Jay A. Musleh

Growth Management Department Senior Planner Emily Johnson reported the applicant is requesting a zoning change from M-1 (Light Industrial) to M-2 (Medium Industrial), for the property located at 3100 SW 3rd Street. The subject property currently operates as a recycling center. The intent of the rezoning is to reclassify the property as a materials recovery facility. The applicant submitted two separate applications: code text amendment for Section 122-1225 and lot reconfiguration. The requested zoning district is consistent and compatible with the surrounding area. The Planning & Zoning Commission and staff recommend approval.

Robert Batsel, 1531 SE 36th Avenue, spoke on behalf of the applicant. He thanked staff for the favorable recommendation. The code text amendment application will come before Council next month and will address items unrelated to the project.

There being no further 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

- 7c. Adopt Ordinance 2024-4 to amend the Future Land Use Element of the Comprehensive Plan by deleting Policy 18.3 relating to development conditions for property located at 2015 NE 14th Street and the parcel directly to the east (Parcel No. 26490-000-00 and 26490-001-00), approximately 9.84 acres (Case FLUP23-45191)

Introduced By: Kristen M. Dreyer

Growth Management Department Senior Planner Emily Johnson reported the applicant is requesting to amend the future land use element of the Comprehensive Plan, by deleting Policy 18.3 relating to development conditions, for the property located at 2015 NE 14th Street, and the parcel directly to the east. The amendment will increase the maximum development potential (approximately 59 dwelling units) and allow apartment dwellings on the subject properties. Staff determined the proposed amendment will allow future development consistent with the low intensity future land use designation and is compatible with the surrounding area. Furthermore, State agencies raised no objections. The Planning & Zoning Commission and staff recommend approval.

Jimmy Gooding, 1531 SE 36th Avenue, spoke on behalf of the applicant. He stated the text policy is no longer appropriate, due to land use and Zoning Code changes.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 7d. Adopt Ordinance 2024-5 amending Chapter 30, Article II Alarms Systems concerning definitions, enforcement, and collection process (COD23-45373)

Introduced By: Kristen M. Dreyer

City Projects Director Tye Chighizola reported the proposed ordinance will address the additional revenue process. He explained how the amendment will change the process for fees collected for false alarms. Furthermore, the ordinance will eliminate waste and streamline the process; staff recommends approval.

Council Member Bethea asked how many false calls the City receives annually. Mr. Chighizola responded approximately 200 calls annually.

Council President Hilty asked if the majority of false alarms are due to dementia patients.

Mr. Chighizola responded no; the false alarms are business-related, often due to alarm malfunctions.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

8. General Business

- 8a.** Adopt Budget Resolution 2024-103 amending the Fiscal Year 2022-23 budget to appropriate funds to support expenditures incurred as a result of Hurricane Ian in the amount of \$212,445

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

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

SECONDER: Jay A. Musleh

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

- 8b.** Adopt Budget Resolution 2024-104 amending the Fiscal Year 2022-23 budget to appropriate funds to support expenditures incurred as a result of Hurricane Nicole in the amount of \$398,497

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 8c.** Adopt Budget Resolution 2024-105 amending the Fiscal Year 2022-23 budget to appropriate funds to support expenditures incurred as a result of Hurricane Idalia in the amount of \$421,975

Council Member Bethea asked if the budget request is related to two different hurricanes. Budget Director Tammi Haslam confirmed the budget request is related to two different hurricane seasons. She noted the City has received several reimbursements for hurricane expenditures.

Ms. Haslam confirmed the City has not completed the 20% process with Council President Hilty. Furthermore, the City has not been fully reimbursed for the third storm.

Council Member Bethea spoke on the importance of having emergency funds.

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

RESULT: ADOPTED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

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

- 8d.** Approve the use of the State of Florida Department of Management Services cooperative purchasing agreement with AT&T Wireless for mobile communications services with FirstNet Authority with an estimated aggregate expenditure of \$1,401,151

There being no 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

- 8e.** Accept the City of Ocala's Fiscal Year 2023-24 Community Development Block Grant agreement totaling \$496,815

There being no 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

- 8f.** Approve asbestos, lead, and mold testing contract for DK Environmental Construction Services, Inc, and PbO3 Environmental Monitoring, LLC in an amount not to exceed \$100,000

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

- 8g.** Approve an Economic Investment Program agreement between the City of Ocala and Averitt Express, Inc. with a total investment not to exceed \$96,000

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

RESULT: APPROVED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

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

ABSENT: Musleh

- 8h.** Approve renewals of cooperative purchasing agreements with UniFirst Corporation and Cintas Corporation for the provision of citywide uniform services for an aggregate contract expenditure of \$296,000

There being no 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

- 8i.** Approve the continued use of State of Florida contract with WEX Bank for fuel card services with an increased total contract expenditure of \$180,000

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

- 8j.** Approve the annual renewal of Computer Information Systems Computer Aided Dispatch software for Fiscal Year 2023-24 in an amount not to exceed \$125,295

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

RESULT: APPROVED

MOVER: Barry Mansfield

SECONDER: Kristen M. Dreyer

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

- 8k.** Approve additional expenditures under the agreement for as-needed electrical repair and installation services with Stokes Electric in the amount of \$100,000

There being no 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

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: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

- 9a. See Item 10
- 9b. Adopt Budget Resolution 2024-107 amending the Fiscal Year 2023-24 budget to appropriate the City of Ocala's Community Development Block Grant allocation totaling \$496,815
- 9c. Approve additional expenditures under the agreement for elevator/lift maintenance services with Oracle Elevator Company for the purchase of a replacement elevator for the Growth Management Department in the amount of \$94,948
- 9d. Approve the purchase of four Silent Messenger II sign boards from Solar Technology, Inc. for the Public Works Department in the amount of \$67,444
- 9e. See Item 10
- 9f. Approve additional expenditures under the City's continuing professional engineering services agreement with Kimley-Horn & Associates, Inc., including Task Work Order #28 to perform a Neighborhood Traffic Calming Study for a portion of Southeast Ocala in the amount of \$59,017
- 9g. Approve the purchase of replacement pistols for Ocala Police Department using Bradford County cooperative purchasing agreement with Dana Safety Supply, Inc. in the amount of \$96,568
- 9h. Approve the annual renewal for hardware and software for closed-circuit television maintenance from Morse Communications for Fiscal Year 2023-24 in an amount not to exceed \$57,680
- 9i. Approve an Addendum to the Sales and Purchase Contract City of Ocala-to-Ocala Aviation, LCC
- 9j. September 2023 outside counsel invoices for general city business legal services in the amount of \$1,630.00 and for risk management-related legal services in the amount of \$6,264
- 9k. Approve Lease Amendment No.1 with Elevation89, LLC, to facilitate dining room expansion, additional term, and additional rent of approximately \$12,000 annually
- 9l. Approve the use of a three-year continuing contract with Sunbelt Rentals, Inc. for as-needed citywide small equipment rentals with an initial estimated aggregate expenditure of \$50,000
- 9m. Approve a one-year renewal with North Florida Container & Truck Repair, LLC for dumpster repair services with a maximum expenditure of \$80,000
- 9n. Approve regular City Council meeting minutes from October 3, 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.

- 9a.** Adopt Budget Resolution 2024-106 amending the Fiscal Year 2022-23 budget to accept and appropriate funding from the US Department of Housing and Urban Development for the Marion County's Continuum of Care Homeless Information System 2021 program year grant in the amount of \$83,491

Director of Community Development Services James Haynes stated the City applied for funding to offset expenses associated with HMIS system management. He explained how the grant was not awarded in the correct timeframe. He clarified the systems tracking and audit tools with Mayor Guinn. He noted the new software is more detailed for homeless records. Staff can track the number of beds available in Marion County. There is a challenge receiving information from organizations not funded by the Continuum of Care. The City will utilize the system's information to achieve more grant funding.

City Manager Pete Lee confirmed the quarterly reports are considered public record with Mayor Guinn. He discussed how Mr. Haynes' department strives to combat homelessness in the community.

Mr. Haynes confirmed there are several organizations not fully reporting (Salvation Army and Interfaith) to the HMIS system with Council Member Dreyer. He explained the HMIS system reporting challenges. To note, the City purchased 100 licenses to distribute to organizations. The plan is to utilize the system to track success and increase funding.

Council President Hilty spoke in support of the HMIS system.

Mr. Haynes clarified the community outreach reporting efforts with Council Member Dreyer. He explained how the licenses work between the City and County.

There being no further 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

- 9e.** Approve U.S. Department of Housing and Urban Development Homeless Management Information System Continuum of Care Program Year 2021-2022 grant funds to the City of Ocala totaling \$83,491

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

11. Introduction and First Reading of Ordinances - None

12. Internal Auditor's Report - None

13. City Manager's Report

Airplane crash at Ocala Airport update

City Manager Pete Lee spoke on the airplane crash at the Airport. The crash was caused by engine failure, under investigation by NTSB. He noted the occupants were treated for injuries.

Regional funding of opioid settlement

City Manager Pete Lee shared insights from attending the Opioid Settlement Committee meeting. The County has requested the various municipalities pool the settlement for the County to administer; the City's portion of the settlement for the first year is approximately \$42,000. The committee has not determined how the money will be distributed. The City will provide updates at the next meeting. He clarified the division of the Regional Funds (\$10,540,000) among the County and City. The City will receive \$942,000 over 18 years. To note, the City and County must come to an agreement, to be eligible for Regional Funds.

Police Chief Mike Balken stated the Committee discussed grant administration of the funds.

Mr. Lee confirmed the funding is allocated from the Opioid settlement with Council Member Bethea.

School impact fees

City Manager Pete Lee stated he will meet with each Council Member individually to sign the letter for the school impact fees.

SunTran recognition

City Manager Pete Lee recognized SunTran for winning two awards at the 2023 Florida Public Transportation Association Annual Conference.

14. Police and Fire Department Report

Police Chief Mike Balken – Public Safety Opioid Response Efforts

Police Chief Mike Balken discussed the public safety Opioid response efforts for October 2, 2023 to October 15, 2023. The Police Departments Opioid response efforts 6, overdose deaths 2, Narcan leave behind 2, and Amnesty participation 0. Year to date, dispatch calls 56,000, traffic crashes 2,600, self-initiated calls 83,000, and Baker Acts 700, and Marchman Acts 300.

Police Chief Mike Balken – Public Safety Opioid Response Efforts & Community Paramedicine

Police Chief Mike Balken discussed the public safety Opioid response efforts and community paramedicine program. The overdose response efforts 6, overdose deaths 1, and Narcan leave

behind 1.

15. Mayor's Report

16. City Attorney's Report

Mediated Settlement Agreement

- 16a.** Approve letter to be sent to the Marion County Property Appraiser in the matter of City of Ocala v. Wanda Hampton, et al

City Attorney Sexton discussed the mediated settlement agreement for a property located in Marion County. The settlement agreement includes a City commitment to prepare a letter on behalf of the defendant, to ask the Property Appraiser to reevaluate the assessed property taxes for a portion of the property owned by the City. The letter was prepared by Attorney Jimmy Gooding; 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

17. Informational Items

- 17a.** Calendaring Items

- Veterans Day Holiday - Friday, November 10, 2023 - City offices closed
- Light Up Ocala - Saturday, November 18, 2023 - Downtown Square

- 17b.** Comments by Mayor

Mayor Guinn requested an update on animal control

City Manager Pete Lee confirmed that the County's animal control services inquired about building a new facility at the Airport with Mayor Guinn. Currently, the County is utilizing their existing facility near the landfill on Baseline Road. The plan is to build a new facility to remedy capacity issues.

Growth Management Director Jeff Shrum confirmed the plan is to build the new facility north of SR 40.

Mr. Lee stated staff will provide aerial photos to Council.

Council Member Dreyer questioned why the County would want the property annexed. Mr. Shrum responded it would simplify the processes to have the property not divided between the City and County parcels.. He confirmed the property has existing water and sewer connections.

Mayor Guinn requested an update on traffic impact fees

City Manager Pete Lee confirmed the City started scheduling individual meetings with the School Board Members to discuss impact fees.

Mayor Guinn asked if the County must spend the impact fee in the quadrant the development is taking place. Mr. Lee responded dual rational nexus is required.

Mayor Guinn stated the County can choose not to spend the impact fee on the actual impact the development creates. The agreement should require the County to spend the collected impact fee on the actual impact.

City Attorney Sexton confirmed the County and the City will collect the impact fee to insure the School Board spends the money in the geographic location.

Mr. Lee stated all entities have agreed to establish one school impact fee.

City Attorney Sexton confirmed transportation impact fees are separate from school impact fees.

Mr. Lee confirmed transportation impact fees can only be used for future needs.

17c. Comments by Council Members

17d. Informational

a. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 5:37 pm

Minutes

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk