



Ocala City Council Minutes

Tuesday, December 21, 2021

Regular Meeting

110 SE Watula Avenue
Ocala, FL 34471
www.ocalafl.org

Angel B. Jacobs
(352) 629-8266

1. Call to Order

The Ocala City Council held a meeting at the Ocala City Hall on Tuesday, December 21, 2021 at 5:00 PM.

a. Opening Ceremony

1. Invocation - Chaplain Gene Kenney

2. Pledge of Allegiance

b. Welcome and Roll Call

Attendee Name	Title	Status	Arrived
Reuben Kent Guinn	Mayor	Present	
James P. Hilty Sr.	President Pro-Tem	Present	
Kristen M. Dreyer	Council Member	Present	
Barry Mansfield	Council Member	Present	
Jay A. Musleh	Council Member	Present	
Ire J. Bethea Sr.	Council President	Present	

Municipal Officers/Others Present: The meeting was also attended by City Manager Sandra Wilson, City Attorney Robert Batsel Jr., Assistant City Manager Bill Kauffman, Assistant City Manager Ken Whitehead, Assistant City Manager Pete Lee, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, Fire Chief Clint Welborn, Police Chief Michael Balken, Internal Auditor Randall Bridgeman, Growth Management Director Tye Chighizola, Marketing & Communication Manager Ashley Dobbs, Multimedia & Communication Coordinator Danielle Dyals, Director of Airport Matt Grow, Budget Director Tammi Haslam, Director of Community Dev Services James Haynes, Contracting Officer Tiffany Kimball, Director of Facilities & Fleet Management John King, City Engineer & Director of Water Resources Sean Lanier, Director of Public Works Darren Park, Director of Telecommunications Mel Poole, Director of Parks & Recreation Preston Pooser, Strategic & Legislative Affairs Adm Jeannine Robbins, Director of Finance Emory Roberts, Real Estate Project Manager II Tracy Taylor, Community Engagement Coordinator Ramona Williams, Ocala Police Dept Representative, IT Representative, The Press and other interested parties.

2. Public Notice

Public Notice for the December 21, 2021 City Council Regular Meeting was posted on December 1, 2021

3. Proclamations & Awards

a. Service Award - James Peal - Ocala Fire Rescue - 15 Years of Service

City Manager Wilson and Mayor Guinn presented a service award to James Peal in appreciation of his 15 years of service to the City of Ocala. He started his career with the Ocala Fire Rescue in 2006. During his career, he was promoted to multiple leadership positions. Furthermore, he enjoys spending time with his family and golfing.

James Peal thanked the Ocala Fire Rescue for the opportunity to serve the public.

b. Service Award - Jesse Blaire - Ocala Fire Rescue - 20 Years of Service

City Manager Wilson and Mayor Guinn presented a service award to Jesse Blaire in appreciation of his 20 years of service to the City of Ocala. He started his career with the Ocala Fire Rescue in 2001. During his employment, he obtained his Firefighter certification within three months and was promoted to multiple leadership positions. Furthermore, he helped create the successful Community Paramedicine Program to combat opioid addiction and establish COVID-19 testing stations.

Jesse Blaire thanked the Ocala Fire Rescue for the opportunity to serve the public.

4. Presentations

a. Presentation of funding to the College of Central Florida Foundation for the creation of the Mary Sue Rich Endowment Scholarship

Presentation by Sandra Wilson

City Manager Wilson presented the Mary Sue Rich Endowment Scholarship to the College of Central Florida Foundation. She thanked business leaders in the community for their generous donations. Furthermore, she thanked Ms. Rich for her contributions to the community over 24-years.

Mary Sue Rich thanked the City for creating the Endowment Scholarship in her name. She expressed gratitude to be able to serve the public for 24-years as a Council Member for the City. She hopes the scholarship will help students further their education and build a stronger community.

President of the College of Central Florida Dr. James Henningsen thanked Ms. Rich for her contributions to the community and helping students further their education.

Proclamation of National Homeless Persons Memorial Day

Mayor Guinn presented a proclamation for National Homeless Persons Memorial Day. He discussed how the proclamation honors those who have died and renews the commitment to assist the homeless population. The City proclaims December 21, 2021, as National Homeless Persons Memorial Day.

Office of Homeless Prevention Manager Robin Ford thanked the City for their continued support and funding to help the vulnerable homeless population.

Director of Community Development Services James Haynes thanked the City for their continued support and proclamation. He expressed gratitude to be able to serve the citizens of Ocala.

b. Affordable Housing Advisory Committee (AHAC) 2021 Annual Report

Presentation by James Haynes

Director of Community Development Services James Haynes briefed Council on the establishment of the AHAC (Affordable Housing Advisory Committee) annual report. The Committee represents affordable housing development opportunities in the City of Ocala. To note, section 420.9076(4) of the Florida Statutes describes the process for developing the AHAC Report. The key role of the AHAC is to prepare the AHAC Report and evaluate its implementation. The AHAC Report identifies incentive strategies and recommendations for adoption by the local government.

The recommendations should seek to remove regulatory barriers that limit the development or preservation of affordable housing or drive up housing costs. The report will be used as a guide when reviewing the report for Spring 2022, which is associated with ship funding and local housing. To note, the report is created by citizens of Ocala to recommend housing incentive strategies to City Council.

AHAC Committee Member Donnie Mitchel discussed the AHAC 2020 annual report. The Committee has two strongly suggested incentives for City Council to consider, which is expedited permitting and ongoing regulatory review process. According to Florida Statutes 420.9076(4)(a) (2006) "The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in Florida Statutes, Sec. 163.3177(6)(f)3." The City shall engage in an ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption. As part of the development review process, when code amendments, future land use classification changes, zoning changes, and site plans are reviewed by city staff, the proposal is evaluated for potential impacts on housing affordability.

2021 Recommendations:

- Have City Staff engage in monthly meetings across departments to identify ways to improve the permitting process.
- Work with the Building Department to revise current permitting applications to reflect an affordable housing type.
- Permitting expedited with a goal of approval within 25 business days.
- Perform case study analysis on the most cumbersome permit request to determine where the process went wrong.

- Establish an affordable housing liaison that will work on behalf of both the City and the contractor/developer to get request quickly through the permitting process.

According to Florida Statutes 420.9076(4)(i) (2006) “The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan, provisions that increase the cost of housing.” The City shall engage in an ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption. As part of the development review process, when code amendments, future land use classification changes, zoning changes, and site plans are reviewed by city staff, the proposal is evaluated for potential impacts on housing affordability. The city uses objectives and policies in the comprehensive plan as well as density bonuses, local housing incentive funds, and state or federal grants to help facilitate development that provides additional affordable housing for our community.

2021 Recommendations:

- Meet regularly to review policies, procedures, ordinances, regulations, and plan provisions that increase the cost of housing. Continue conversations with community partners to stay updated on the current housing market needs.
- Review above existing strategies for possible revisions, as applicable.

He discussed the following incentives for the City to consider: reservation of infrastructure capacity, flexible lot configurations and surplus lands inventory. According to Florida Statutes, Sec. 420.9076 (4) (d) “The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.” The City shall improve the efficiency, affordability, availability, and supply of safe and sanitary housing within the City of Ocala, placing emphasis on the needs of very low, low, and moderate-income families and those of the elderly by seeking, applying for, and administering grant funds.

2021 Recommendations:

- Readily make available a current inventory listing of City owned properties available for producing affordable housing units.
- Partner with local realtors to identify privately owned lots that may be available for producing affordable housing units.

According to Florida Statutes 420.9076(4)(g) (2006) “The allowance of flexible lot configurations, including zero-lot line configurations for affordable housing.” The City shall review lot size and land use requirements to encourage mixed use development that meets the needs and character of the individual neighborhoods.

2021 Recommendations:

- Allow home size flexibility on smaller lots in Residential zones by using alternate development standards for affordable/work force housing, where water and sewer

infrastructure are available to allow for smaller homes.

- On a case-by-case basis allow zero lot line exemptions.
- Produce a specific affordable housing zoning code.
- Allow quadraplexes to have duplex set back requirements.

Florida Statutes 420.9076(4)(j) (2006) “Prepare a printed inventory of locally owned public lands suitable for affordable housing. Determine a method for selling or donating this land for affordable housing development.” There is currently not an incentive strategy to address surplus inventory. The City has a surplus inventory list available and there are current policies and procedures that support the disposition of surplus property for use for affordable housing development.

2021 Recommendations:

- Continue utilizing Surplus Property for the purpose of producing affordable housing units
- Develop a formal process for how surplus property that is deemed affordable is distributed.
- Review existing strategies on determination of surplus property for affordable housing.
- Update the surplus land inventory more frequently than the 3 years that is the current practice.

The City received \$400,000 in Ship Funds and recommendations will be reviewed on a yearly basis. The Committee will meet monthly to enact the presented incentives.

5. Public Comments

Bishop David Stockton, 44 Emerald Road, Ocala, FL 34472, read into record a letter to Mayor Guinn to cease attacks on the Muslim community

Bishop David Stockton, 44 Emerald Road, Ocala, FL 34472, read into record a letter to Mayor Guinn to cease attacks on the Muslim community. The mission of the National Association of the Advancement of Colored People is to achieve equality, eliminate racism and eliminate racial discrimination. He noted the people have the right to religious freedom in America. He encouraged the Mayor to lead by example.

Whitfield Jenkins, 2200 NW 24th Road, Ocala, FL, expressed his support regarding the letter from NAACP to Mayor Guinn

Whitfield Jenkins, 2200 NW 24th Road, Ocala, FL, expressed his support regarding the letter from NAACP to Mayor Guinn. He noted the City Mayor position is very important and oversees the Police Department. He discussed a situation that took place when Mayor Guinn was a Council Member and refused to vote for Samuel Williams. Furthermore, he supports the NAACP and the members speaking tonight.

Dr. Barbara Brooks, 1636 SW 33rd Avenue, Ocala, FL 34474, expressed disappointment regarding Mayor Guinn's actions

Dr. Barbara Brooks, 1636 SW 33rd Avenue, Ocala, FL 34474, expressed disappointment regarding Mayor Guinn's actions. She discussed several incidents where Mayor Guinn refused a gift from the City of Ramallah, as well as insinuated Dr. Fakhoury is a terrorist. She requested the Mayor not use hate speech and treat the public with respect.

Barbara Fitos, 926 SE 12th Street, read into the record a letter hand delivered to Mayor Guinn regarding his comments during the Menorah Lighting on the Square

Barbara Fitos, 926 SE 12th Street, read into the record a letter hand delivered to Mayor Guinn regarding his comments during the Menorah Lighting on the Square. She discussed how the Mayor made inappropriate hate speech comments during the event and disrespected the City of Ocala. To note, the letter was distributed to print/media representatives.

6. Public Hearings

President Bethea opened the Public Hearing at 5:38 p.m.

The City Clerk filed proof of publication for Ordinances 2022-9 – 2022-14 (Legal Ad 6619537 - 12/10/21) and Annexation Ordinance 2022-8 and 2022-12 (Legal Ad 6619537 - 12/10/21 & 12/17/21). The City Clerk read the ordinance titles into the record.

- a. Adopted Ordinance 2022-8** to annex approximately 71.58 acres located at 700 NW 38th Avenue and 3999 NW 3rd Street (Parcels #22844-002-00 AND 22844-002-03) (Case ANX21-44527)

Presentation by Tye Chighizola

Introduced by Council Member, James Hilty Sr. December 7, 2021

Growth Management Director Tye Chighizola commented the request is an annexation for 700 NW 38th Avenue and 3999 NW 3rd Street. The property is 71.58 acres and is in an area proposed for a larger industrial/warehouse development. To note, item 6b is for the land use and staff recommends approval.

Fred Roberts, 40 SE 11th Avenue, Ocala, FL, stated he is representing the applicant and is available to answer any questions.

Mayor Guinn asked how the annexation will help the City move the traffic to the east and west. Mr. Chighizola responded the property will have access to 44th Avenue. The City is working on connecting 44th Avenue from State Road 200. The City will be presenting concurrency development ordinances at the next City Council meeting. The goal is to make 44th Avenue a major connection between the industrial developments and state roads.

Mr. Roberts commented annexation will be part of a 250-acre consolidated development. The intent is for the main park entrance to be located on 44th Avenue.

Mayor Guinn requested clarification on the traffic distribution. Mr. Roberts responded traffic will be distributed between 40th and 27th.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Jay A. Musleh, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- b. **Approved** transmittal to the Florida Department of Economic Opportunity a future land use map amendment from Employment Center and Commercial (Marion County) designations to Employment Center (City) designation for property located at 700 NW 38th Avenue and 3999 NW Third Street (Parcels #22844-002-00 and 22844-002-03), approximately 71.58 acres (Case LUC21-44528).

Presentation by Tye Chighizola

Growth Management Director Tye Chighizola commented the request is a transmittal for a land use amendment. The request will come back next month, and the City will evaluate zoning. To note, the request is a land use change from Employment Center to Industrial zoning.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	James P. Hilty Sr., President Pro-Tem
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- c. **Adopted Ordinance 2022-12** for a zoning change from B-2, Community Business, M-1, Light Industrial, OP, Office Park to PD, Planned Development, for UF Health Shands for approximately 28.20 acres generally located at 3751 NW Blitchton Rd and the 2000 - 3000 block of NW 35th Avenue Road (Case PD21-44384) (Quasi-Judicial)

Presentation by Tye Chighizola

Introduced by Council Member, Jay A. Musleh December 7, 2021

Growth Management Director Tye Chighizola commented items 6c and 6d are related. The request is a zoning change to PD (Planned Development), for UF Health Shands. He noted staff recommends approval.

Doug Kelley, 1525 International Parkway, Lake Mary, FL, stated he is with ETM Engineering & Planning and they are representing UF Health Shands. He thanked the City for processing their application and they support staff's recommendation.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- d. Adopted Resolution 2022-13** for a Planned Development for UF Health Shands for approximately 28.20 acres generally located at 3751 NW Blitchton Rd and the 2000 - 3000 block of NW 35th Avenue Road (Case PD21-44384)

Presentation by Tye Chighizola

Growth Management Director Tye Chighizola commented the request is the guidelines for the PD (Planned Development) and staff recommends approval. He noted the applicant did a great job developing a master plan campus for the facility.

Doug Kelley, 1525 International Parkway, Lake Mary, FL, stated he is available to answer any questions and they support staff's recommendation.

Council Member Musleh stated he supports staff's recommendation and the planning is outstanding.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- e. Adopted Resolution 2022-14** for an amendment to the Crystal Park Apartments Planned Development for approximately 13.1 acres located on the west side of NW 27th Avenue in the 1400 block (Case PD20-0008)

Presentation by Tye Chighizola

Growth Management Director Tye Chighizola commented the development was presented to Council several years ago. The application is following the old guidelines for approval and the request is being presented today for final approval. The property owner is proposing a 130-unit apartment complex called "Crystal Park Apartments", located on the west side of NW 27th Avenue in the 1400 block. The development will consist of workforce housing and affordable housing opportunities. He noted staff recommends approval.

Fred Roberts, 40 SE 11th Avenue, Ocala, FL, stated they evaluated the project several years ago and very little has changed. He noted the area is in great need of the proposed project. Furthermore, a traffic study was performed, and they are completing traffic improvements. The applicant would like to request approval for the inclusion of a bus pull-off for school buses and transit buses.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barry Mansfield, Council Member
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- f. **Opened a Public Hearing** for a Chapter 163 Concurrency Development Agreement for approximately 23.51 acres of property located at 2550 SE 24th Street (Parcel # 29850-000-27) (CDA21-44540). This is the first of two public hearings. The second and final public hearing will be held on January 4, 2022.

Presentation by Tye Chighizola

Council President Bethea opened the public hearing at 5:55 p.m.

Growth Management Director Tye Chighizola commented the City created a policy for the Albright parcel. The amendment changed the use limitation from the development of 180 single-family dwelling units to allow 320 multi-family units or a mix of residential types such that the traffic impacts shall not exceed that of 180 single family dwellings. The agreement also includes right-of-way donations. Ownership of SE 24th Street was recently transferred from Marion County to the City of Ocala. The City is not obligated to assume maintenance and control of the road until such time as the road is constructed to City standards. Furthermore, the agreement establishes the proportionate share payment (\$27,500) to be made by the developer to the City to mitigate the impact on public transportation facilities generated by the proposed development of the property.

Michael Lay, 2309 SW 15th Circle, Ocala, FL 34471, stated he lives adjacent to the property. He expressed concern the proposed development will increase traffic on Maricamp. He requested the City remedy the traffic issues on Maricamp.

Council Member Hilty commented staff should review the traffic in the area. He asked if access will only be in and out of 24th. Mr. Chighizola responded access will be located on 24th only at present. He explained there are multiple properties creating traffic issues. To note, the City has an agreement with Fluid Routing Services to consider new road access when the company redevelops the land; however, there are no timeframe limitations.

Council Member Hilty asked if future projects will have access issues to 25th. Mr. Chighizola

responded yes, if 25th continued all the way down to the property it will resolve the traffic issues. The second public hearing is scheduled on January 4, 2021.

Council President Bethea closed the public hearing at 6:01 p.m.

7. **Second and Final Reading of Ordinances** (All are Public Hearings)

- a. **Adopted Ordinance 2022-6** to approve proposed changes to the Comprehensive Plan to add a Property Rights Element as required per section 163.3177(6)(i) of Florida Statutes (Case CPTA21-0001).

Presentation by Tye Chighizola

Introduced by Council Member, James Hilty Sr. December 7, 2021

Growth Management Director Tye Chighizola commented the ordinance is a new State requirement for House Bill 59, which became law June 29, 2021 and went into effect July 1, 2021. This bill added a requirement that municipalities include a Property Rights Element in their Comprehensive Plan and provides template language for the Property Rights Element. The ordinance addresses the following: possessing property, maintaining/developing property, protecting property and disposal. He noted staff recommends approval.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Jay A. Musleh, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- b. **Adopted Ordinance 2022-7** amending the existing lots of record language in Section 122-249 concerning replacing a single-family dwelling unit with a new single-family dwelling unit (Case COD21-44544)

Presentation by Tye Chighizola

Introduced by Council Member, Jay A. Musleh December 7, 2021

Growth Management Director Tye Chighizola commented the ordinance proposes an amendment to the existing lots of record provisions. The code amendment will allow smaller lots within the City that do not meet current zoning requirements to be redeveloped. He noted staff recommends approval.

Council President Bethea asked if a single-family dwelling can be re-built on a property, and would it have to be similar in size. Mr. Chighizola responded yes, regardless of the lot size if there was a house there, you could put a house back there. He also noted that the size of a new

dwelling could be larger or smaller than the original, but would be restricted to an extent due to the size of the lot.,.

Council Member Dreyer asked to how many lots the ordinance applies. Mr. Chighizola responded there are currently 10 to 15 lots currently owned by the City, and possibly future development. He discussed previous language changes to the ordinance and increasing affordable housing stock.

Council Member Mansfield asked if the ordinance will meet the setback requirements. Mr. Chighizola responded yes, that is correct.

City Attorney Batsel commented the applicant can request a variance for setback requirements for buildable lots.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- c. **Adopted Ordinance 2022-9** to annex approximately 23.24 acres located south of US-27/Blitchton Road, on the east side of NW 44th Avenue (Parcel #21658-002-00) (Case ANX21-44451)

Presentation by Tye Chighizola

Introduced by Council Member, Barry Mansfield December 7, 2021

Growth Management Director Tye Chighizola commented items 7c, 7e and 7d are related. The applicant is proposing to develop a rental community with a 120-unit single-family home style layout. The property is located south of US-27/Blitchton Road, on the east side of NW 44th Avenue. The property has an easement to US-27 and will have future access to 44th Avenue. He noted staff recommends approval.

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

RESULT: ADOPTED [UNANIMOUS]
MOVER: Barry Mansfield, Council Member
SECONDER: James P. Hilty Sr., President Pro-Tem
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- d. **Adopted Ordinance 2022-10** for a change in land use from Commercial (County) to Low Intensity (City) for property located south of US-27/Blitchton Road, on the east side of NW 44th Avenue, approximately 23.24 acres (Parcel #21658-002-00) (Case LUC21-44450) (Quasi-Judicial)

Presentation by Tye Chighizola

Introduced by Council Member, James Hilty Sr. December 7, 2021

Growth Management Director Tye Chighizola commented the request is a change in land use from Commercial (County) to Low Intensity (City) for property located south of US-27/Blitchton Road, on the east side of NW 44th Avenue. The allowable density for Low Intensity is 18 units per acre, which would allow a maximum of 418 units. He noted staff recommends approval.

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

RESULT: ADOPTED [UNANIMOUS]
MOVER: James P. Hilty Sr., President Pro-Tem
SECONDER: Kristen M. Dreyer, Council Member
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- e. **Adopted Ordinance 2022-11** for a zoning change from B-2, Community Business (County) and M-2, Medium Industrial to R-3, Multi-Family Residential for property located south of US-27/Blitchton Road, on the east side of NW 44th Avenue, approximately 23.24 acres (Parcel #21658-002-00) (Case ZON21-44449) (Quasi-Judicial)

Presentation by Tye Chighizola

Introduced by Council Member, Barry Mansfield December 7, 2021

Growth Management Director Tye Chighizola commented the requested R-3 (Multi-Family Residential) zoning is consistent with the Future Land Use Designation of Low Intensity and with the Comprehensive Plan. To note, the adjacent property owner who owns the apartments had an issue with US-27 easement, which is a civil matter between the two property owners. The easement issues will be evaluated during the site plan process and staff recommends approval.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barry Mansfield, Council Member
SECONDER:	James P. Hilty Sr., President Pro-Tem
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

8. General Business

- a. **Approved** agreement with MIE, Inc for City of Ocala Employee Health Center remodel and expansion in the amount of \$264,482

Presentation by John King

Council Member Dreyer thanked Director of Facilities & Fleet Management John King for answering her questions. She expressed concern regarding the low bid submitted by the contractor. She noted three Ocala-based contractors lost out on the opportunity. Furthermore, she supports the proposed project, but not the chosen contractor.

Jeremy Dunn, 830 NE 12th Avenue, Ocala, FL 34470, spoke in support of Council Member Dreyer's comments regarding the low bid submitted by the contractor. He questioned why the City did not choose a local contractor.

City Attorney Batsel commented the Local Vendor Preference Ordinance reduces the risk of the City overpaying for services to benefit a local vendor. To note, the ordinance threshold is 5% and Council can modify the ordinance.

Council Member Mansfield requested clarification regarding unqualified low bids. City Attorney Batsel responded the bid must meet two categories: responsive and responsible.

Contracting Officer Tiffany Kimball commented unbalanced low bids are rejected. The project presented is considered a bonded job, which means the vendor must perform within the scope of the plans or the surety will ensure the project is completed.

Council Member Dreyer questioned Ms. Kimball's authority regarding bids. Ms. Kimball responded it is her job to verify accuracy of the bids received by the City. She explained City departments provide estimates to verify the bid amount received. Furthermore, she supports the fully bonded company as the chosen vendor for the project and they have successfully completed federally contracted work in the past.

Council Member Dreyer asked how the designations guarantee the tax payers get quality construction. Ms. Kimball responded the applicants are highly qualified to perform the construction and their designations are considered an addition. To note, the bid was considered an ITB, which is considered an invitation to submit a bid only and vendors must meet the qualifications to participate in the bidding process.

Council Member Dreyer stated she respectfully disagrees the chosen vendor is qualified.

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

RESULT:	APPROVED [3 TO 2]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	Barry Mansfield, Council Member
AYES:	Hilty Sr., Musleh, Bethea Sr.
NAYS:	Dreyer, Mansfield

- b. Approved** fire hydrant and valve installation, repair, and maintenance services with R & M Service Solutions LLC., utilizing a Seminole County contract with an estimated annual expenditure of \$100,000

Presentation by Sean Lanier

Council Member Dreyer thanked the City Engineer & Director of Water Resources Sean Lanier for answering her questions.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Barry Mansfield, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- c. Adopted Resolution 2022-15** approving a Florida Department of Transportation Locally Funded Agreement for mast arm and signal upgrade intersection improvements at East State Road 40 and State Road 492 with a lump sum city contribution of \$104,731

Presentation by Sean Lanier

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- d. Approved** piggyback contract with SGS Contracting Services, Inc. for emergency repairs at Water Treatment Plant #1 in the amount of \$1,141,087

Presentation by Sean Lanier

Council Member Mansfield questioned if there were other contractors or was this an emergency job. City Engineer & Director of Water Resources Sean Lanier explained the repair was budgeted for year 2021. The Water Treatment Plant was deteriorating, and the City hired a consultant to perform a cost evaluation for emergency repairs. The initial estimate was \$1.67

million. The City performed immediate repairs on basin 1 to perform preventative maintenance on basin 2. He noted they are procuring a specialized service.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- e. **Adopted Budget Resolution 2022-116** amending the Fiscal Year 2021-2022 budget to appropriate funds for the City's State Housing Initiatives Partnership Program (SHIP) in the amount of \$274,524

Presentation by Tammi Haslam

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristen M. Dreyer, Council Member
SECONDER:	Jay A. Musleh, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- f. **Approved** three-year contract for fence installation and repairs around stormwater drainage retention areas (DRAs) using Charles White Fence, Inc. with an estimated expenditure of \$150,000

Presentation by Darren Park

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James P. Hilty Sr., President Pro-Tem
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- g. **Approved** extension of agreement and price adjustment for solid waste disposal services with GFL Solid Waste Southeast LLC. with an estimated expenditure of \$6,099,000

Presentation by Darren Park

Council Member Dreyer questioned why the contract is being revised. Director of Public Works Darren Park responded GFL Solid Waste Southeast LLC contacted the City because their expenses have increased. In the current contract, valid through September 30, 2023, the disposal cost per ton is \$42. The proposed agreement would increase the cost per ton to \$45 and extend the agreement through September 30, 2025, an additional two years. The proposed rate of \$45 per ton is less than it was in 2012 when it was \$45.51 per ton.

Council Member Dreyer stated she disagrees and believes the current contract is a better deal for the City. Mr. Park responded they anticipate the vendor will not be willing to renew at the end of the 2-year contract. The vendor has increased their rates for two of their commercial clients.

Council Member Mansfield questioned if there are local vendors the City can utilize. Mr. Park responded no, there are no local vendors for commercial customers.

Council Member Dreyer questioned why the City would not wait to place an open bid until the end of the 5-year contract. Mr. Park responded they can wait until the end of the 5-year contract, however, the only bidder will be GFL Solid Waste Southeast LLC. Furthermore, if the City must haul the waste, it will increase staff costs.

Council Member Dreyer stated she is in favor of extending the contract for one year, but not changing the rate. She questioned why the vendor wants to increase the rate. Mr. Park responded the rate change is to lock-in disposal costs for an additional 2-years.

Council President Pro Tem Hilty asked if the vendor only collects waste. Mr. Park responded yes, collection of household garbage.

Council President Pro Tem Hilty asked why the City did not initiate a recycling bid. Mr. Park responded the initial bid was for both in 2018, however, the City received only one vendor for recycling and one vendor for garbage. The recycling contract is not due until year 2023 and the contract includes one 5-year renewal option. To note, GFL Solid Waste Southeast LLC does not have the ability to collect recycling.

Council Member Dreyer asked how often contracts are revised prior to renewal. Mr. Park responded occasionally they revise contracts.

Mayor Guinn asked when the contract expires and why the City wants to pursue the extension. Mr. Park responded the contract expires September 20, 2023. The proposed rate is a great deal for the City to secure right away.

Mayor Guinn stated he concurs with Council Member Dreyer.

Council Member Mansfield stated he concurs with Council Member Dreyer.

Council Member Dreyer suggested using Friends Recycling. Growth Management Director Tye Chighizola responded they do not allow transfer stations in the City. To note, Friends Recycling is considered a recycling center. The City previously presented ordinances for a transfer station, which were denied.

Mayor Guinn encouraged new Council Members to visit a transfer station.

Council Member Musleh discussed the importance of Council making a business decision. The prices have increased during the pandemic and the proposed rate is a great deal for the City.

Jerry Lourenco, 9875 SE 58th Avenue, stated he will not comment on the matter until the City drafts a solid waste ordinance. He discussed the issues he has with DEP regarding his facility. Furthermore, he disagrees with staff regarding his facility and noted his facility collects material contaminated with garbage from the City. The facility is permitted through DEP as a waste processing facility, however, the City prohibits them from operating as a Material Recovery Facility (MRF). To note, the proposed \$45-ton rate is considered market rate.

Council Member Dreyer asked Mr. Lourenco if he was able to operate as a MRF, would he submit a bid. Mr. Lourenco responded yes, he would submit a bid to the City. He questioned why the City sent him a letter stating he cannot operate as a MRF. He requested the City schedule a workshop to discuss the issue in further detail. To note, Waste Pro is considered a clean MRF. Furthermore, he discussed how he receives contaminated garbage from the City.

Council Member Musleh asked Mr. Lourenco if the City should deny the 2-year contract at a lower rate. Mr. Lourenco responded no.

City Manager Sandra Wilson asked Council if they would like to schedule a workshop.

Council agreed to schedule a workshop.

Mike Lager, 5111 S Pine Avenue, stated he is the General Manager at GFL Solid Waste Southeast LLC. Twice a year their company provides a Hazardous Waste Amnesty Day and Tire Amnesty Day at no charge. He noted they provide tire and light disposal at no cost to the City. The facility is certified as a solid waste processing facility by DEP, which means they can add recycling initiatives. Furthermore, they offer storm services and early access to the City. The proposed rate was negotiated with the City at \$45 a ton rate due to increased costs.

Mayor Guinn asked if the City will not find a lower rate than \$45 a ton. Mr. Lager responded that is correct. To note, their facility handles the most hazardous waste from the City.

Assistant City Manager Ken Whitehead stated the proposed rate is a great deal for the City. He discussed how class 1 transfer stations are very rare in Marion County. The City has only two options to choose from: GFL Solid Waste Southeast LLC and Baseline Landfill. To note, Baseline Landfill does not open until 7 a.m., which impacts City vehicles that need to dump loads at 5:30 a.m., which is why the City utilizes GFL Solid Waste Southeast LLC. If the City locks in the new proposed rate at \$45 a ton, the City has the option to terminate the contract according to Article 29 of the contract.

The City contract with GFL Solid Waste Southeast LLC will expire in year 2025. Furthermore, it takes 2-years to design, permit and construct a solid waste facility. He noted staff recommend approval of the proposed rate.

Council President Pro Tem Hilty asked why Mr. Lourenco's facility does not meet the ordinance requirements. Council President Bethea responded there are issues with the facility. He noted there are 1,200 homes in the surrounding area and development taking place. The people in the community do not want the facility in their neighborhood. Furthermore, allowing the facility to collect garbage will increase the terrible smell in the neighborhood and increase high levels of dangerous methane gas in the community.

City Manager Sandra Wilson asked Council if they would like to request a 30-day extension.

Council Member Dreyer requested clarification regarding the deadline to make a decision. Mr. Whitehead responded he can ask GFL Solid Waste Southeast LLC to give the City two weeks to make a decision, however, they are not obligated too. He recommends the City consider the proposed rate.

Council Member Dreyer requested the City schedule a workshop. She encouraged the City staff to create a solution that benefits everyone.

Council Member Musleh commented the City should schedule a workshop to help Council Members understand the process. He anticipates the rates will increase in the future and supports the proposed rate.

Mr. Whitehead commented the proposed rate for 4-years is a great deal and the City can terminate the contract at any time if they are not satisfied. To note, Mr. Lourenco needs permit approval from the City to operate as a MRF, which is worth scheduling a workshop to discuss.

City Attorney Batsel commented the City approved a recycling center and not a dirty MRF. He noted Council can reconsider the decision.

Growth Management Director Tye Chighizola commented the term recycling center is used as a permitted use and DEP uses MRF levels. To note, a recycling center does not need a DEP permit. Furthermore, Mr. Lourenco is only permitted to operate a C&D landfill, which is the opposite of a solid waste facility.

Council President Bethea requested the City schedule a workshop.

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

RESULT: APPROVED [UNANIMOUS]
MOVER: Kristen M. Dreyer, Council Member
SECONDER: Barry Mansfield, Council Member
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- h. Approved** contract with Florida Airfield Maintenance, JV to restripe runway markings for \$211,150

Presentation by Matt Grow

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

RESULT: APPROVED [UNANIMOUS]
MOVER: Barry Mansfield, Council Member
SECONDER: James P. Hilty Sr., President Pro-Tem
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- i. Approved** the 2020 CDBG Consolidated Annual Performance Evaluation Report (CAPER)

Presentation by James Haynes

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

RESULT: APPROVED [UNANIMOUS]
MOVER: James P. Hilty Sr., President Pro-Tem
SECONDER: Kristen M. Dreyer, Council Member
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- 9. 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 [UNANIMOUS]
MOVER: James P. Hilty Sr., President Pro-Tem
SECONDER: Barry Mansfield, Council Member
AYES: Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

- a. Approved** the purchase of covert cameras, storage, and equipment using federal GSA contracts in the amount of \$76,203

Presentation by Michael Balken

- b. Adopted Budget Resolution 2022-117** amending the Fiscal Year 2021-2022 budget for the purchase of covert cameras, storage, and equipment in the amount of \$26,203

Presentation by Tammi Haslam

- c. **Approved** accepting funds from the Florida Department of Transportation (FDOT) to reimburse expenses relating to the Impaired Driving Program in the amount of \$12,000

Presentation by Michael Balken

- d. **Adopted Budget Resolution 2022-118** amending the Fiscal Year 2021-2022 budget to accept and appropriate funds from the Florida Department of Transportation (FDOT) to reimburse expenses relating to the Impaired Driving Program in the amount of \$12,000

Presentation by Tammi Haslam

- e. **Approved** accepting funds from the Florida Department of Transportation (FDOT) to reimburse expenses relating to the Motorcycle Safety Program in the amount of \$20,000

Presentation by Michael Balken

- f. **Adopted Budget Resolution 2022-119** amending the Fiscal Year 2021-2022 budget to accept and appropriate funds from the Florida Department of Transportation (FDOT) to reimburse expenses related to the Motorcycle Safety Program in the amount of \$20,000

Presentation by Tammi Haslam

- g. **Approved** renewal of the Honeywell Connexo NetSense electric meter software maintenance for FY22 and subsequent years as long as the software is in use in the amount of \$60,719

Presentation by Doug Peebles

- h. **Approved** release of blanket electric easement that encumbers Marion County Parcel #29509-000-27

Presentation by Tracy Taylor

- i. **Approved** release of blanket electric easement that encumbers Marion County Parcel #29509-000-49

Presentation by Tracy Taylor

- j. **Approved** for the College Park Townhomes Conceptual Subdivision Plan located at the northwest corner of SW 34th Avenue Circle and SW 34th Terrace (SUB21-44374)

Presentation by Tye Chighizola

- k. **Adopted Budget Resolution 2022-120** appropriating funds from the Building Division's Reserve Fund account to include change order # 3 to the GovSense Agreement and for Building related expenses in the amount of \$42,474

Presentation by Tammi Haslam

- l. **Approved** subrecipient agreement with Marion Senior Services, Inc. to provide Meals on Wheels services using CDBG-CV3 funds pending final legal review with a total not to exceed \$70,000

Presentation by James Haynes

m. Approved Labor Attorney invoices for the month of November 2021 in the amount of \$641.55

Presentation by Chris Watt

n. Approved November 2021 city attorney invoices for general city business legal services in the amount of \$23,164.75 and for risk management-related legal services in the amount of \$12,603.08

Presentation by Robert W. Batsel, Jr.

o. Approved reappointment of John Dozier and Joshua Phillips to the Firefighters' Pension Board of Trustees for two-year terms ending October 4, 2023

Presentation by Angel Jacobs

p. Approved re-appointment of Brian Cretul, Mike Sommer and Lenny Uptagraft to the Ocala Police Officers Retirement System Board of Trustees for new two-year terms ending August 6, 2023

Presentation by Angel Jacobs

q. Approved Regular Meeting City Council Minutes for Tuesday, December 07, 2021

Presentation by Angel Jacobs

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 - January 4, 2022)

a. Introduced Ordinance 2022-13 for a zoning change to R-3, Multi-Family Residential, for approximately 23.51 acres of property located at 2550 SE 24th Street (Parcel # 29850-000-27) (Case ZON21-44541) (Quasi-Judicial)

Introduced by Council Member, Jay A. Musleh

RESULT:	INTRODUCED
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Next: 1/4/2022 5:00 PM

12. Internal Auditor's Report - None

13. City Manager's Report

CRA meeting scheduled January 18, 2022, at 4:45 p.m.

Council Membership Appointments to Non-City Boards

City Manager Sandra Wilson discussed the Council Membership Appointments.

Council Boards

Browns Field Advisory Board - Council Member Musleh
Continuum of Care Board - Council President Bethea
FMIPA - Council President Pro Tem Hilty
Insurance Review Committee - Council President Bethea
Investment Committee - Council Member Musleh
Tourist Development Council - Council Member Mansfield
Utility Advisory Board - Council Member Dreyer
Ocala Vision 2035 Leadership Group - Council Member Mansfield
REACH - Council President Bethea
TPO - Council Member Musleh (alternate)
Transportation Disadvantage Local Coordinating Board - Council President Pro Tem Hilty
Ft. King Heritage Foundation - Council Member Musleh
ZERO Safety Action Plan Committee - Council President Bethea
Public School Facility Public Workgroup Marion County - Council Member Dreyer

Redistricting (Council)

Council Representative - Council Member Mansfield
AHAC Resolution - Council Member Dreyer

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 December 6, 2021 to December 19, 2021. The Police Departments Opioid response efforts have decreased by 13%, overdose deaths remain neutral, Narcan leave behind decreased by 15% and Amnesty participation decreased by 28%.

Council Member Mansfield asked how the Police Department manages population growth. Furthermore, he asked what happened to the Police Departments mounted unit. Police Chief Balken responded the mounted unit was disbanded in 2004. Furthermore, financial support is needed to maintain that type of unit due to the expensive maintenance costs. Currently, the Police Department is working on expanding their footprint. He discussed rezoning a property behind the Police Department to house the mounted unit. He will present a presentation on the mounting unit in the upcoming budget meeting.

Council Member Mansfield encouraged the Police Department to do community outreach with the mounted unit to raise funds. Police Chief Balken responded they plan on establishing sponsorship for food supplies and vet bills. He recommends the horses be housed at the Police Department for safety, security and accessibility.

Police Chief Balken commented the Police Department is not involved in growth management. However, they meet with the Growth Management Department and CEP to forecast growth. To note, in the upcoming budget they will be requesting 25 new Police Officer positions to maintain a 60% control time.

Council President Pro Tem Hilty asked how the Belleview Police Officer salary of \$43,000 compares to Ocala's Police Officer salary. Police Chief Balken responded the Ocala Police Department is the highest paying agency in the county at \$45,900 annually.

Council President Bethea commented citizens are very apprehensive about being a Police Officer in today's world. Furthermore, he congratulated the Police Department on their new young recruits. Police Chief Balken responded they are working hard on becoming a fully staffed Police Department. He noted the Police Officer recruits go through a long training program before they become Police Officers.

Police Chief Balken expressed condolences for Council President Bethea's daughter a previous victim advocate for the Police Department that recently passed away.

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 decreased by 2%, overdose deaths decreased by 59% and Narcan leave behind decreased by 67%. For the month of December, 322 people have enrolled in the Opioid Recovery Project and they had a total of 124 community paramedicine graduates. The Narcan leave behind for the OD2A Program amounts to 74 participants and trained 22 individuals to administer Narcan.

Council Member Mansfield asked how the Fire Department manages population growth. Fire Chief Welborn responded the Prevention Division works with the Growth Management Department to help manage population growth for the Fire Department. The Growth Management Department oversees all permit requests for the City and meets with the developers. To note, the Fire Department hosts weekly meetings to discuss the needs of the Fire Department, which has increased with the rapid population growth.

15. Mayor's Report

Mayor Guinn commented on an event at The Centers

Mayor Guinn shared his experience attending the event at The Centers and shirts fundraiser. The shirts will be available during the MLK celebration.

Mayor Guinn commented on gift wrapping at the Boys & Girls Club

Mayor Guinn shared his experience gift wrapping at the Boys & Girls Club. Furthermore, he will be purchasing a bike for one of the youth members.

Mayor Guinn commented on a shooting incident

Mayor Guinn commented a former employee shoot someone who was attacking his son's friend and the state attorney determined it was a stand your ground incident. However, their house was burned down due to the court outcome, and they are working with local contractors to rebuild the home for the family during the holidays.

Mayor Guinn discussed the Youth Opportunities Program

Mayor Guinn commented he will be delivering 49 engraved bottles to the Youth Opportunities Program.

16. City Attorney's Report

a. Approved the two (2) Florida Subdivision Participation Agreements

Presentation by Robert W. Batsel, Jr.

City Attorney Batsel reported the City is participating in the opioid litigation, which is being handled by a Federal Court in Ohio. He requested Council approve two participation agreements for two settlements. The two settlements: big distributors and the National Jansen Settlement. The participation agreements are contingent upon 95% of the City and county participation. The goal is to discuss how the proceeds will be distributed to address behavioral health, mental health and the opioid crisis.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	James P. Hilty Sr., President Pro-Tem
AYES:	Hilty Sr., Dreyer, Mansfield, Musleh, Bethea Sr.

b. Approved Amended and Restated City Attorney Agreement

Presentation by Robert W. Batsel, Jr.

City Attorney Batsel reported there will be no changes when the contract terminates on October 31, 2022. Effective January 1, 2022, they will be departing the law firm of Gilligan, Gooding, Batsel, Anderson & Phelan, P.A. and forming the law firm of Gooding & Batsel, PLLC. The change will help remedy client conflicts of interest when representing the City. To note, they will continue representation of the City without interruption and to continue to serve the functions and departments that they have individually and collectively served. The enclosed amended and Restated City Attorney Agreement provides for such representation by both firms.

Council President Pro Tem Hilty commented the conflict of interest clause will remedy client conflicts. He questioned why clients did not read the contract before signing the agreement. He noted the matter was not handled properly. Furthermore, he anticipates working under one law firm will create more conflicts. City Attorney Batsel responded the clause summarizes what the law firm has been doing since 1992. From a City perspective, private clients will be informed

the Attorneys represent the City and they can waive the conflict of interest. To note, the language in the contract codifies the current process from a code of ethics standpoint.

Council President Pro Tem Hilty expressed concern regarding clients who signed the contract without knowledge of the amendment. City Attorney Batsel responded county staff confirmed the City handled the process appropriately with the conflict clause. He shared a process example with Council.

Council President Pro Tem Hilty questioned how the City Attorney's Office will operate under two firms. City Attorney Batsel responded the existing firm will continue in existence and the City must choose one firm. If the City enters into the proposed amendment, the City will receive services provided by two firms.

Council Member Mansfield requested clarification on the two firms. City Attorney Batsel responded they will not seek renewal of the contract on October 31, 2022.

Council Member Musleh suggested Council schedule a workshop.

City Attorney Batsel stated he is willing to participate in the workshop.

Council President Pro Tem Hilty requested clarification on a 2009 email seeking a staff attorney. City Manager Sandra Wilson responded the previous City Manager created a staff task force to evaluate in-house legal services and external legal services. To note, the City does have several in-house attorneys.

Council President Pro Tem Hilty suggested Council revisit the staff task force. Ms. Wilson responded she has started performing preliminary work.

City Attorney Batsel noted the county has five attorneys on board.

Council President Pro Tem Hilty suggested Council evaluate the costs associated with in-house legal services and external legal services.

Council Member Musleh suggested Council look at the situation from an efficiency standpoint, which will save the City money.

Ms. Wilson commented preliminary research shows it will cost more to establish in-house legal services.

Mayor Guinn suggested Council chose someone with a vast knowledge of the City operations.

Council President Bethea asked if a workshop is needed. Ms. Wilson responded she will send Council her preliminary research.

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

RESULT:	APPROVED [3 TO 2]
MOVER:	Jay A. Musleh, Council Member
SECONDER:	Kristen M. Dreyer, Council Member
AYES:	Dreyer, Musleh, Bethea Sr.
NAYS:	Hilty Sr., Mansfield

City Attorney Batsel commented on Carlton Arms settlement offer

City Attorney Batsel reported the Carlton Arms attorney contacted the City to resolve the change. He will let the attorney know City Council is not inclined to accept a settlement offer or the specific proposal. The City will proceed with bond validation in 45-days.

Assistant City Manager Peter Lee commented on NW 44th Ave Drainage Retention Area design negotiations with R&L Carriers

Assistant City Manager Peter Lee reported they are in the process of designing NW 44th Avenue. The City presented a plan to design the roadway several years ago, however, a drainage detention area was not included with the plan. The drainage that was planned for the roadway was located on private property. The City plans on establishing the drainage retention area in a DRA, which is maintained by the City. Furthermore, the City is working on drafting a contract.

City Attorney Batsel stated he was recently made aware of the plan. Council can choose to have him negotiate the contract on behalf of the City or hire outside counsel.

Council Member Musleh asked if he will be drafting the contract. City Attorney Batsel responded he will create the draft agreement with the staff's terms.

Mr. Lee noted the City Attorneys have not been involved in the past discussions regarding the design of NW 44th Avenue.

Council agreed they have no concerns.

City Attorney Batsel stated he will be available to address any concerns from Council.

17. Informational Items**a. Calendaring Items****b. Comments by Mayor**

Mayor Guinn wished everyone a Merry Christmas and happy New Year

c. Comments by Council Members

Council Member Mansfield wished everyone a Merry Christmas

Council Member Dreyer requested the City present a vacancy report

Council President Pro Tem Hilty wished everyone a Merry Christmas

Council Member Musleh wished everyone a Merry Christmas

Council President Bethea wished everyone a happy holiday

Council President Bethea commented on a request from All Voting is Local regarding early voting

City Clerk Angel Jacobs discussed a request received from Mr. Ricardo regarding bringing back early voting. She asked Council if they would like to add the item to the workshop. To note, the request will require an adoption of an ordinance and the City previously opted out in 2005.

Council President Bethea requested the item be added to the workshop and invite Mr. Wilcox. He noted Mr. Wilcox expressed concern regarding early voting.

d. Informational**1. Executed Contracts Under \$50,000****18. Adjournment**

Adjourned at 8:14 p.m.

Minutes

Ire J. Bethea Sr.
Council President

Angel B. Jacobs
City Clerk