



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

Tuesday, August 1, 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, Assistant City Attorney Jared Gainey, 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, Deputy Economic Development Aubrey Hale, Budget Director Tammi Haslam, Planning Director Patricia Hitchcock, Director of Facilities & Fleet Management John King, City Engineer & Director of Water Resources Sean Lanier, 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
 - James Dorsey, Growth Management
 - Joshua Hamblen, Growth Management

2. Public Notice

Public Notice for the August 1, 2023 City Council Regular Meeting was posted on July 5, 2023

3. Proclamations & Awards

- 3a. Service Award - Wesley Fleming - Ocala Electric Utility - 15 Years of Service**

City Manager Pete Lee and Mayor Guinn presented a service award to Wesley Fleming in appreciation of his 15 years of service to the City of Ocala.

4. Presentations

4a. FMPA PowerPoint Slides

Council President Hilty reviewed a presentation from the July 19, 2023 FMPA Board of Directors meeting and discussed the FMPA's comment on the EPA's proposal on emissions from power generators. He explained the EPA is proposing to close most coal plants and have significant impact on natural gas availability, which will have a large impact on Florida and has the potential to increase electricity prices by 100-250%. He expressed concern the timelines laid out by the EPA are impossible to meet.

4b. Stephen Shiver and Sarah Suskey with the Advocacy Group will be presenting the "2023 Florida Legislative Session Recap."

Sarah Suskey with the Advocacy Group presented the 2023 Florida Legislative Session recap. She provided a brief overview of the following: approved \$117 billion budget, priority list, State revenues/wages, historic tax cuts (\$2.7 billion), and legislative agenda/delegation. Furthermore, the City's three proposed projects were approved: \$500,000 for force main replacement, 1,000,000 for Lower Floridan conversion, and \$250,000 for continuation of the sewer exfiltration project.

Mayor Guinn commented the fentanyl trafficking bill, House Bill 1359, will take effect on October 1, 2023. He requested a meeting with the legislators to discuss adding language regarding minimum mandatory sentencing for habitual misdemeanor offenses. He also requested Ms. Suskey work on moving the Baby Box bill forward in the next legislative cycle.

5. Public Comments

6. Public Hearings - None

7. Second and Final Reading of Ordinances

(All are Public Hearings)

- 7a.** Adopt Ordinance 2023-51 concerning a zoning change from B-1A, Limited Neighborhood Business, to R-3, Multi-Family Residential, for a property located at the SE corner of the intersection of SW 12th Street and SW Sixth Avenue, approximately 0.29 acres (ZON23-45189) (Quasi-Judicial)

Introduced By: Ire J. Bethea Sr

Growth Management Department Emily Johnson reported the applicant is requesting a zoning change from B-1A (Limited Neighborhood Business) to R-3 (Multi-Family Residential). The area is surrounded by a mix of uses: single-family, multifamily,

commercial, and industrial. The applicant is proposing a multifamily workforce housing development project. The proposed zoning is consistent and compatible with the area. The Planning & Zoning Commission and City staff recommend approval.

Jerry Lourenco, 2350 NW 27th Avenue, passed out Florida League of Cities pamphlets to Council, unrelated to the application.

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

- 7b.** Adopt Ordinance 2023-52 to amend the supplementary regulations for daycare facility play areas, to accommodate indoor play areas for licensed urban childcare facilities (COD23-45175)

Introduced By: Kristen M. Dreyer

Growth Management Department Senior Planner Emily Johnson reported the City is proposing to amend the supplementary regulations for daycare facility play areas, to accommodate indoor play areas for licensed urban childcare facilities. The State of Florida has adopted statutes regarding indoor play area accommodations for licensed childcare facilities in urban areas. The Planning & Zoning Commission and City staff recommend approval.

Carrie Theall, CEO of Early Learning Coalition of Marion County, 2300 SW 17th Road, spoke in opposition of the proposed ordinance. She discussed how outdoor learning plays an important role in child development. She requested Council deny the proposed ordinance.

Planning Director Patricia Hitchcock confirmed a business owner requested the City align the ordinance with the Florida Statutes. The goal is to accommodate indoor play areas for licensed urban childcare facilities, in locations where outdoor play may not be as readily available, such as within a strip mall where the outdoor play area may be a section of parking lot or located near dumpster. She commented indoor vs. outdoor play areas is considered a parental choice.

Mayor Guinn, and Council Members Dreyer and Bethea concurred with Ms. Hitchcock's comments regarding parental choices.

Annetta Gonzalez, 2746 NE 14th Street, spoke in support of the proposed ordinance. She thanked the City and Council for considering her request to accommodate indoor play areas for licensed urban childcare facilities.

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

8. General Business

- 8a.** Approve a three-year contract with Tyndale Enterprises, Inc. to provide a managed uniform program for Ocala Electric Utility and Ocala Fiber Network with an estimated aggregate expenditure of \$340,000

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

RESULT: APPROVED
MOVER: Kristen M. Dreyer
SECONDER: Barry Mansfield
AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 8b.** Approve the use of multiple cooperative purchasing agreements for the purchase of 22 vehicles for the Electric and Public Works Departments in an amount not to exceed \$2,533,689

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

RESULT: APPROVED
MOVER: Ire J. Bethea Sr
SECONDER: Jay A. Musleh
AYE: Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr

- 8c.** Approve the purchase and installation of pool slide replacements from Natural Structures for Jervey Gantt Aquatic Fun Center and the Hampton Aquatic Center in the amount of \$303,273

Council Member Musleh stated the proposed purchase and installation cost of \$303,273, is very expensive.

Director of Fleet & Facilities Management John King confirmed the life span of the pool slides is approximately 15 years with Council Member Dreyer. He noted the stainless-steel design is resistant to corrosion and will not cause burn injuries.

Director of Recreation & Parks Preston Pooser discussed how the pool slides are a valuable asset to the department's increased revenues over the years. To note, the inoperable pool slides have negatively impacted revenues for the department, citing year over year pool party rentals as an example.

Chief of Staff Chris Watt confirmed the City is self-insured with Council President Hilty.

Council Member Bethea concurs with Mr. Pooser. He requested Council support the

request for public enjoyment.

Mr. Watt confirmed there are no liability cost savings or injury claims.

There being no further 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

- 8d.** Approve additional expenditures under contract for warehouse inventory software and equipment with Barcode and Mobile Inventory Systems Group in an amount not to exceed \$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, and Hilty Sr

ABSENT: Musleh

- 8e.** Approve two-year renewal of piggyback agreement with Municipal Equipment Company, LLC, for fire equipment and supplies in an amount not to exceed \$90,000

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, and Hilty Sr

ABSENT: Musleh

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: Ire J. Bethea Sr

SECONDER: Barry Mansfield

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

ABSENT: Musleh

- 9a.** Approve a Developer's Agreement between the City of Ocala and MHC Spanish Oaks,

LLC to connect Spanish Oaks subdivision to the City of Ocala's centralized wastewater service

- 9b.** Approve a Memorandum of Understanding with the School Board of Marion County, Florida for its use of the City's Aquatic Fun Centers for swim team practices and swim meets with a projected annual revenue of \$4,500

- 9c.** Approve a sign location lease with The Lamar Companies

RESULT: PULLED

- 9d.** Adopt Budget Resolution 2023-153 amending the Fiscal Year 2022-2023 budget to appropriate funds from the General Fund Reserve for Projects account for a change order with Geo-Technologies Inc. in the amount of \$10,444

- 9e.** Adopt Budget Resolution 2023-154 amending the Fiscal Year 2022-2023 budget to transfer funds from Reserve for Contingency accounts for the Electric and Public Works departments to purchase vehicles in the amount of \$2,533,689

- 9f.** Approve additional expenditures on a contract for commercial pool pump service and repairs with Pitsch Plumbing Service, Inc., for an increased aggregate expenditure amount of \$78,000

- 9g.** Approve a Utility Easement granted to Peoples Gas Systems, Inc.

- 9h.** Approve reappointment of Brian Cretul to the Police Officers' Retirement System Board of Trustees for a new two-year term ending August 6, 2025

- 9i.** Approve Minutes from July 18, 2023 City Council meeting

- 9j.** Approve Minutes from June 27 and July 11, 2023 City Council Workshops

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 - August 15, 2023)

- 11a.** Introduce Ordinance 2023-53 revising Article VII - Sections 66-191 through 66-197 of the Code of Ordinances concerning the operation of golf carts

Introduced By: Kristen M. Dreyer

- 11b.** Introduce Ordinance 2023-54 to amend the future land use designation from Public to Medium Intensity/Special District for approximately 5.83 acres of property located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area) (Case LUC23-45236)

Introduced By: Ire J. Bethea Sr

- 11c.** Introduce Ordinance 2023-55 to rezone from GU, Governmental Use, to PD, Planned Development, property located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area), approximately 5.83 acres (Case PD23-45234) (The final hearing on the rezoning and a public hearing on the PD Plan and Design Standards Book amendments will be held by City Council on August 15, 2023)

(Quasi-Judicial)

Introduced By: Jay A. Musleh

- 11d.** Introduce Ordinance 2023-56 to amend Section 122-910 for multi-family dwellings to be permitted to develop based on maximum intensity (Floor Area Ratio) rather than maximum density in Shopping Centers (COD23-45198)

Introduced By: Barry Mansfield

12. Internal Auditor's Report - None

13. City Manager's Report

13a. E Fort King St, SE 5th St and SE 8th St Discussion

City Manager Pete Lee discussed the SE 8th Street speed study performed between SE 3rd & SE 15th Avenue. The study determined a stop sign at the intersection of SE 8th Street and SE 13th Avenue is needed to support pedestrian safety. The City recommends performing a comprehensive study to determine needed improvements in the area.

City Engineer & Director of Water Resources Sean Lanier provided a brief overview of the speed study report. He noted a stop sign is warranted to remedy the safety issue. Furthermore, he recommends performing a comprehensive study.

Mayor Guinn spoke on the Council's authority.

Council Member Mansfield noted the residents in the community expressed concern regarding pedestrian safety.

James Boutwell, 815 SE 13th Avenue, spoke in support of installing a stop sign at the intersection. The stop sign will remedy the pedestrian safety issue.

Fred Roberts, 40 SE 11th Avenue, spoke in opposition of installing a stop sign at the intersection. He requested Council postpone installation to allow additional time to study and explore other improvement alternatives that will have less of an effect on the flow of traffic.

Bo Briggs, 1244 SE 7th Street, spoke in opposition of installing a stop sign at the intersection. He agrees with the speed complaints; however, he does not agree a stop sign will eliminate City liability issues. Furthermore, he expressed concern the stop sign will increase vehicle accidents.

Elizabeth Ritterhoff Noble, 537 SE 13th Avenue, spoke in support of installing a stop sign at the intersection. She noted the intersection is hazardous in the community and a stop sign is needed to support pedestrian safety.

Savannah Boutwell, 815 SE 13th Avenue, spoke in support of installing a stop sign at the intersection. She noted the intersection is hazardous in the community and a stop sign is needed to support pedestrian safety. She suggested installing the stop sign temporarily

while the larger study is completed, and removing it if the large study recommends other solutions.

Mr. Boutwell reiterated the pedestrian safety concern in the community.

Mr. Lanier confirmed the stop sign is needed at the intersection for visual/side obstruction issues.

Council Member Dreyer concurs with Mr. Lanier.

Council President Hilty noted four-way-stops tend to create confusion. Furthermore, he supports installing the stop sign.

Mr. Roberts requested the City perform a thorough traffic study before installing a stop sign. He expressed concern the stop sign will create traffic impacts. He suggested scheduling a meeting with the City to discuss the intersection issues.

Council Member Mansfield favors installing a stop sign to calm traffic and support pedestrian safety.

Mayor Guinn suggested the City pay the homeowners to relocate the fence to eliminate the visual impairment.

Mr. Roberts concurs with the City regarding the visual impairment issues located at the intersection. He reiterated the importance of performing a thorough traffic study before making road improvements.

Council Members Dreyer and Musleh agree with Mr. Lanier's decision to install a stop sign while performing a traffic study.

Mr. Lee assured Council a traffic study will be performed.

Recognition letter from First Lady Casey DeSantis to Ocala Fire Rescue

City Manager Pete Lee read a letter from First Lady Casey DeSantis commending the Ocala Fire Rescue for rescuing a citizen.

Public Property Designation Policy

City Manager Pete Lee stated the City will present modifications to the Public Property Designation Policy at a future meeting.

14. Police and Fire Department Report

Deputy Police Chief Lou Biondi – Public Safety Opioid Response Efforts

Deputy Police Chief Lou Biondi discussed the public safety Opioid response efforts for July 17, 2023 to July 30, 2023. The Police Department's Opioid response efforts 6, overdose deaths 1,

Narcan leave behind 1, and Amnesty participation 2. The department is working hard on combating illegal drugs in the City.

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

Fire Chief Welborn discussed the public safety Opioid response efforts and community paramedicine program. The overdose response efforts 2, overdose deaths 0, Narcan leave behind 0, and calls for service 2,221. Year to date, 458 OD2A Program participants, and 302 community paramedicine graduates.

15. Mayor's Report

Celebration of Life for Joanie Martin scheduled on August 12, 2023, at 3 pm

Mayor Guinn invited Council to the Celebration of Life for Joanie Martin scheduled on August 12, 2023, at 3 pm at the Marion Theater.

Jerry Lourenco's property swap status

City Manager Pete Lee confirmed Jerry Lourenco has offered to trade a property located at NW 21st Street & 27th Avenue, which will be evaluated by the Procurement Department.

RFP for demolition of properties

Mayor Guinn suggested the City issue RFPs for demolition properties.

Procurement & Contracting Officer Daphne Robinson reported the City is drafting a scope of work for continuing services demolition contracts. The contract will be awarded to multiple vendors to prevent delays.

City Manager Pete Lee confirmed the City will utilize continuing services.

Replacement of damaged flag located at the Gazebo on the Square

City Manager Pete Lee confirmed the City will replace the damaged flag located at the Gazebo on the Square.

16. City Attorney's Report

17. Informational Items

17a. Calendaring Items

- Community Redevelopment Area Agency Board Meeting - August 15, 2023 at 3:45pm
- Council Chambers
- City Council Work Session - Proposed FY 2023/2024 Budget Workshop - August 22, 2023 at 12:00pm - Council Chambers

17b. Comments by Mayor

City Council's Authority

Mayor Guinn spoke on Council's authority over the City.

Council Members Musleh stated City Manager Pete Lee has the authority to install a stop sign. The City's qualified Engineer performed a study and recommended the installation of a stop sign. Furthermore, the item was listed for informational purposes only.

17c. Comments by Council Members**Council Member Bethea confirmed he will be attending the Florida League of Cities Conference****Council Member Dreyer requested an update regarding the 44th Avenue extension road improvements**

Council Member Dreyer stated she has received emails and phone calls from School Board members and staff from Saddlewood Elementary School regarding road construction outside the school, and questioned whether the intersection will be open prior to school resuming.

City Manager Pete Lee confirmed the City will reach out to the School Board to remedy the confusion regarding construction traffic impacts.

James Boutwell, 815 SE 13th Avenue, stated the developer is installing a storm drain system on the corner, which will be completed before school starts.

Council Member Dreyer shared her wonderful experience attending the Community Forum: Planning 101 - Brick by Brick, and praised Growth Management staff on their presentation**17d. Informational**

17d1. Monthly budget to actual report and Capital Improvement Project status report as of June 30, 2023

17d2. Speed Study Results for SE Eighth Street

17d3. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 6:07 pm

Minutes

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk