



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, February 21, 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 Attorney William Sexton, Assistant City Manager Ken Whitehead, 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, Deputy Director Planning 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, Director of Public Works Darren Park, Director of Electric Utility Doug Peebles, Director of Telecommunications Mel Poole, Director of Parks & Recreation Preston Pooser, Strategic & Legislative Affairs Administrator Jeannine Robbins, Director of Finance Emory Roberts, 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
 - Heriberto Nunez - Public Works
 - Ross Jenkins - Public Works
 - Aaron Walters - Public Works
 - Bradley Beymer - Public Works

2. Public Notice

Public Notice for the February 21, 2023 City Council Regular Meeting was posted on January 4, 2023

3. Proclamations & Awards

3a. Service Award - Christopher Drivas - Ocala Electric Utility - 25 Years of Service

Assistant City Manager Ken Whitehead and Mayor Guinn presented a service award to Christopher Drivas in appreciation of his 25 years of service to the City of Ocala.

Christopher Drivas thanked the City and Council for their support.

3b. Irish American Heritage Month Proclamation will be presented to Tom Egan, Representative of the Ancient Order of Hibernians (AOH) on behalf of the Florida AOH State Board

Mayor Guinn presented a proclamation for Irish American Heritage Month. The City proclaims March 2023, as Irish American Heritage Month.

Tom Egan, Representative of the Ancient Order of Hibernians, thanked the City for the proclamation.

3c. Engineers Week Proclamations will be presented to the Florida Engineering Society Forest Chapter and to Alex Campano, the Chapter President

Mayor Guinn presented a proclamation for Engineers Week. The City proclaims February 19, 2023 to February 25, 2023, as Engineers Week.

Alan Garri, PE, Kimley-Horn Inc, thanked the City for the proclamation. The City engineers play a great role in building the City's infrastructure and educating the public.

4. Presentations**5. Public Comments****Brian Creekbaum, 103 NE 31st Terrace, requested Council schedule an animal control workshop**

Brian Creekbaum, 103 NE 31st Terrace, read past comments by Council regarding animal control services. He requested Council schedule an animal control workshop.

John Ivory, 1860 SW 76th Lane, commented on Jervey Gantt Park and practice field rental charges

John Ivory, 1860 SW 76th Lane, stated he is the Director of the local Marion County Flag Football League. He expressed concern regarding the practice field rental/paint charges being imposed by the City at Jervey Gantt Park, and lack of park lighting. He requested the City improve the practice fields by installing lighting and artificial grass. Additionally, he requested the T-ball fields be removed, allowing for expanded use of the area by the MCYFL.

Council President Hilty requested Assistant City Manager Ken Whitehead and a representative of the Recreation and Parks Department meet with Mr. Ivory to further discuss the matter.

Greg Schmid, 1209 SE 15th Avenue, commented on the usage of golf carts

Greg Schmid, 1209 SE 15th Avenue, commented on the usage of golf carts in the SE section. He

requested Council reconsider the removal of a public sidewalk for golf cart usage, as well as information regarding the types of vehicles allowed, youth driving privileges, child safety, and container/road/noise restrictions.

Suzy Heinbockel, 2907 SE 22nd Avenue, commented on fiber optic services

Suzy Heinbockel, 2907 SE 22nd Avenue, shared her experience attending a City meeting regarding fiber optic services in subdivisions. On March 1, 2022, she received a proposal from OFN regarding 29 signed agreements, and the construction cost estimate totals \$176,000, (\$35,200 down payment) with elevated monthly services totaling \$134.86, for 36-months. She noted the HOA declined making the down payment; and received a revised proposal from OFN with increased costs. She provided a brief overview of her challenges associated with trying to extend fiber optic services to her subdivision. She recommended the City charge fiber optic customers a systems fee to cover maintenance expenses.

Council President Hilty thanked Ms. Heinbockel for her feedback.

6. Public Hearings

- 6a.** Adopt Ordinance 2023-33 to change the Future Land Use Designation from Public to Medium Intensity/Special District, for property located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area); approximately 5.83 acres. (LUC22-45057)

Introduced By: Ire J. Bethea Sr

Postponed to March 21, 2023 City Council Meeting

Growth Management Director Tye Chighizola commented staff recommends Council postpone discussion of items 6a, 6b, 6c, and 6d, to the City Council meeting scheduled on March 21, 2023.

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

RESULT: POSTPONED

MOVER: Ire J. Bethea Sr

SECONDER: Jay A. Musleh

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

- 6b.** Adopt Ordinance 2023-34 concerning a rezoning from GU, Government Use, to PD, Planned Development, for property located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area), approximately 5.83 acres (PD22-44861) (Quasi-Judicial)

Introduced By: Jay A. Musleh

Postponed to March 21, 2023 City Council Meeting

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

RESULT: POSTPONED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

- 6c.** Adopt Resolution 2023-17 concerning a PD, Planned Development, located on the south side of NW 35th Street in the 2100-2400 block (currently a water retention area), approximately 5.83 acres; and to amend the previously approved West Oak Planned Development (PD) plan for property (former Pine Oaks Golf Course) located south of NW 35th Street, east of NW 27th Avenue, north of NW 21st Street and west of CSX railroad, approximately 220.23 acres (PD22-44861) (Quasi-Judicial)

Postponed to March 21, 2023 City Council Meeting

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

RESULT: POSTPONED

MOVER: Ire J. Bethea Sr

SECONDER: Barry Mansfield

- 6d.** Approve a Concurrency Development Agreement (CDA22-45035) to address capacity reservation and proportionate share contributions for required traffic improvements identified in the traffic study for the West Oak Planned Development located south of NW 35th Street, east of NW 27th Avenue, north of NW 21st Street and west of CSX railroad, approximately 213.2 acres (This is the second of two public hearings. The first public hearing was held on January 9, 2023, with the Ocala Planning and Zoning Commission. Request to postpone the public hearing to the March 7, 2023, City Council meeting)

Postponed to March 21, 2023 City Council Meeting

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

RESULT: POSTPONED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 6e.** Approve the Marion County Third Amended and Restated Interlocal Agreement for Public School Facility Planning

Growth Management Director Tye Chighizola commented the City is revising the Interlocal Agreement to be in compliance with the Florida Statute. The modifications addressed coordination among agencies and availability of data. The plan is to schedule interim meetings throughout the year and hold joint public workshops annually. He thanked the School Board, the County, and Council Member Dreyer for their hard work.

Council Member Dreyer expressed support for reinstating the Interlocal Agreement. She noted the school planning group will meet several times throughout the year for informational updates.

Mr. Chighizola spoke on scheduling a future meeting to discuss appointing members and

Development Services Director Jeff Shrum to the technical working group.

There being no further 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

7. Second and Final Reading of Ordinances

(All are Public Hearings)

- 7a.** Adopt Ordinance 2023-29 to rezone from SC, Shopping Center, to B-2, Community Business, for property located on the west side of Tartan Road, south of properties addressed 5500 and 5300 SW College Road; approximately 3.18 acres (ZON22-45052) (Quasi-Judicial)

Introduced By: Jay A. Musleh

Development Services Director Jeff Shrum commented the applicant is requesting to change the zoning from SC (Shopping Center) to B-2 (Community Business), to allow a mini warehouse storage building. On January 9, 2023, the Planning Commission recommended approval; and staff recommends approval as well.

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

- 7b.** Adopt Ordinance 2023-30 to annex property located north of the access road included in the Shops at Foxwood Replat (P.B. 12 Pg. 161), said access road running behind properties addressed 4579 to 4631 NW Blitchton Road; approximately 6.10 acres (ANX22-45042) (Quasi-Judicial)

Introduced By: Ire J. Bethea Sr

Development Services Director Jeff Shrum commented items 7b, 7c, and 7d are related. The subject property has a reverse frontage road along the southside with City utilities. On January 9, 2023, the Planning Commission recommended approval; and staff recommends approval as well.

Jimmy Gooding, 1531 SE 36th Avenue, stated he agrees with staff's recommendation regarding the three items before Council.

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

- 7c. Adopt Ordinance 2023-31 to change the Future Land Use Designation from Commercial (County), to Low Intensity (City), for property located north of the access road included in the Shops at Foxwood Replat, said access road running behind properties addressed 4579 to 4631 NW Blitchton Road; approximately 6.10 acres (LUC22-45047)

Introduced By: Barry Mansfield

Development Services Director Jeff Shrum commented the applicant is proposing to change the future land use designation from Commercial to Low Intensity. On January 9, 2023, the Planning Commission recommended approval; and staff recommends approval as well.

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

- 7d. Adopt Ordinance 2023-32 to rezone from B-2, Community Business (County), to B-2, Community Business (City), for property located north of the access road included in the Shops at Foxwood Replat, said access road running behind properties addressed 4579 to 4631 NW Blitchton Road; approximately 6.10 acres (ZON22-45048) (Quasi-Judicial)

Introduced By: Barry Mansfield

Development Services Director Jeff Shrum commented the applicant is requesting to change the zoning from B-2 (Marion County Community Business) to B-2 (City Community Business), for a hotel use. On January 9, 2023, the Planning Commission recommended approval; and staff recommends approval as well.

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

- 7e. Adopt Ordinance 2023-35 to amend the boundaries of the Ridge at Heath Brook Community Development District generally located southeast of SW Highway 200 (College Road) and west of I-75 by adding approximately 36.431 acres to increase the size of the Community Development District to approximately 75.796 acres (Case No. PH23-45081) (Quasi-Judicial)

Introduced By: Barry Mansfield

Growth Management Director Tye Chighizola commented the City initiated the Community Development District, Ridge at Heath Brook, one year ago. Council will see future amendments as acreage is added to the subdivision property; and the ordinance was publicly advertised for four consecutive weeks. To note, staff recommends 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

- 7f. Adopt Ordinance 2023-36 amending sections 2-195 and 2-196, Code of Ordinances, City of Ocala, Florida; providing for the administration of preemployment fingerprinting and background checks

Introduced By: Kristen M. Dreyer

City Attorney William Sexton commented the ordinance adoption amends the existing ordinance regarding preemployment fingerprinting and background checks, to comply with requirements imposed by the State of Florida, Department of Law Enforcement, and FBI.

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

- 7g. Adopt Ordinance 2023-37 creating sections 58-170 through 58-172, Code of Ordinances, City of Ocala, Florida; providing for the regulation of dangerous uses of the public rights-of-way; enforcement and penalties

Introduced By: Kristen M. Dreyer

There being no 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 one-year renewal agreement with the School Board of Marion County to provide fiber services to metropolitan area network schools with gross revenue in the

amount of \$1,214,139

Council Member Musleh asked what the annual maintenance cost is for the fiber optic line. Director of Telecommunications Mel Poole responded the maintenance cost is \$8,000, and the cost for the second leased line is approximately \$3,000. The plan is to buildout the line and perform in-house maintenance. Furthermore, fiber has a 30-year life span, and the equipment will need to be upgraded every 5-7-years.

Mr. Poole noted the City is preparing for the school's bid request.

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

- 8b.** Approve contract for the rehabilitation of the Gaines residence located at 2408 NW 21st Street to Bruce Wayne Wiley, LLC, for a total project cost not to exceed \$137,328

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

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

- 8c.** Approve a three-year Small Municipal and County Government Enterprise Agreement with Environmental Systems Research Institute, Inc. to provide citywide geographic information system software with an estimated aggregate expenditure of \$165,000

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

RESULT: APPROVED

MOVER: Ire J. Bethea Sr

SECONDER: Barry Mansfield

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

- 8d.** Approve a one-year renewal with Southern Lawn Care Mid Florida, Inc., for streets grounds maintenance in the north section of the City with an aggregate expenditure of \$191,671

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8e.** Accept award letter from the Federal Emergency Management Agency for the purchase of LifePak monitor/defibrillators in the amount of \$346,500

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

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: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 9a.** Approve the donation of a surplus vehicle to the Marion Technical Institute Automotive Program
- 9b.** Approve the release of an Electric Easement located on Parcel #2390-000-000 and recorded in OR Book 2444, Page 1602
- 9c.** Approve the Contract for Sale and Purchase for the sale of Marion County Parcel #2390+006-000 to HP Ocala 40th Avenue, LLC for the price of \$94,000
- 9d.** Approve Task Work Order #23 with Kimley-Horn & Associates, Inc., for SR 40 at NW 46th Avenue signalization design in the amount of \$52,620
- 9e.** Adopt Budget Resolution 2023-126 to accept and appropriate funds from the Federal Emergency Management Agency for the purchase of LifePaks in the amount of \$346,500
- 9f.** Approve appointment of Brady Fritz to the Brownfields Advisory Committee for an unexpired four-year term ending March 1, 2027
- 9g.** Approve reappointment of John Gamache and appoint Ronnie Santana Jr. to the East Ocala Redevelopment Advisory Committee
- 9h.** Approve appointment of Kendall Drake and Rachel Laxton to the Downtown Ocala Redevelopment Advisory Committee
- 9i.** Approve appointment of David McCollister to the North Magnolia Community Redevelopment Area Advisory Committee
- 9j.** Approve reappointment of Ruth Reed to the West Ocala Redevelopment Advisory Committee
- 9k.** Approve reappointment of Ruth Reed and Carolyn Adams to the Brownfields Advisory Committee.

- 9l. Approve reappointment of Michael Kroitor and Kevin Steiner for new three-year terms with the Municipal Code Enforcement Board
- 9m. Approve reappointment of Rus Adams, Owen Boone and Richard Kesselring to new three-year terms with the Planning and Zoning Commission
- 9n. Approve reappointment of Jane Cosand, Trusten “Holland” Drake and Ira Holmes to new three-year terms with the Ocala Historic Preservation Advisory Board
- 9o. Approve reappointment of Pamela Calero Wardell to a new four-year term with the Ocala Municipal Arts Commission
- 9p. Approve January 2023 city attorney invoices for general city business legal services in the amount of \$7,046.25 and for risk management-related legal services in the amount of \$29,962.30
- 9q. Approve Regular Meeting City Council Minutes from February 7, 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.

11. Introduction and First Reading of Ordinances - None

12. Internal Auditor's Report - None

13. City Manager's Report

13a. Golf Cart Update

Assistant City Manager Ken Whitehead commented the Downtown Educational Sessions are scheduled on March 30, 2023, at 12 pm and 5:30 pm; location IHMC. The sessions will discuss the proposed golf cart map revisions. The City will perform outreach on social media platforms, and mail notices to golf cart owners.

Council Member Musleh asked if the City drafted a golf cart definition regarding the golf cart model. Mr. Whitehead responded yes; the definition is included in the Golf Cart Ordinance.

13b. State Legislative Priorities

Assistant City Manager Ken Whitehead commented Council was given a draft list of State Legislative priorities and appropriation requests. He requested consensus from Council to move forward with the priorities. On March 23, 2023, the priorities will be presented during one-on-one meetings with the City’s Delegation Members in Tallahassee.

Council agreed with the draft priorities.

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 February 6, 2023 to February 19, 2023. The Police Departments Opioid response efforts 5, overdose deaths 0 Narcan leave behind 2 and Amnesty participation 3. The department and Mayor will be going before the Accreditation Commission this week.

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 3, overdose deaths 0 and Narcan leave behind 0. For the month of February, 446 OD2A Program participants, 250 community paramedicine graduates, and 1,764 calls for service.

15. Mayor's Report

FDOT Public Information Meeting scheduled on Thursday, March 9, 2023, at 6 pm

Mayor Guinn commented the FDOT Public Information meeting will be held at the Klein Center, to discuss the proposed medians on State Road 200. He expressed concern the project will cause businesses to permanently close.

Ocala Housing Authority Board Member vacancy

16. City Attorney's Report

17. Informational Items

- a. Calendaring Items
- b. Comments by Mayor
- c. Comments by Council Members
- d. Informational

17d1. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 5:15 pm

Minutes

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk