



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, May 2, 2023

4:00 PM

1. Call to Order

- a. Opening Ceremony
 - 1. Invocation
 - 2. Pledge of Allegiance
- b. Welcome and Roll Call

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

Municipal Officers/Others Present: The meeting was also attended by City Manager Peter Lee, City Attorney Robert Batsel Jr., City Attorney William Sexton, Assistant City Manager Ken Whitehead, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, 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, Deputy Fire Chief Richard Lietz, 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

- Lisa Singleton, Growth Management
- Todd Swanson, HR & Risk Management
- Avis Davis, Recreation & Parks
- Darryl Gutierrez, Recreation & Parks
- Wesley Hogan, Recreation & Parks
- Ronald Lewis, Recreation & Parks
- Christina Morris, Recreation & Parks
- David Ricks, Recreation & Parks
- Khristian Roberts, Recreation & Parks
- Terra West, Recreation & Parks

2. Public Notice

Public Notice for the May 2, 2023 City Council Regular Meeting was posted on April 4, 2023

3. Proclamations & Awards

- 3a.** Historic Preservation Month Proclamation will be presented to Breah Miller, Planner II; Gus Gianikas CRA Manager; Shari D. Ausley, Chair-Ocala Historic Preservation Advisory Board; Christina Anne Snook, Vice Chair-Ocala Historic Preservation Advisory Board; Matt Grow, Board Member-Historic Ocala Preservation Society, and to Pamela Stafford, Board Member - Historic Ocala Preservation Society

Mayor Guinn presented a proclamation for Historic Preservation Month. The City proclaims May 2023, as Historic Preservation Month.

Shari D. Ausley, Chair, Ocala Historic Preservation Advisory Board, spoke on the importance of preserving Ocala's history.

- 3b.** Jewish American Heritage Month Proclamation will be presented to Rabbi Yossi Hecht, Director of the Chabad Jewish Center of Ocala, Florida

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

Rabbi Yossi Hecht thanked Mayor Guinn for the proclamation and made a brief presentation.

- 3c.** Drinking Water Week Proclamation will be presented to Sean Lanier, Water Resources Director and City Engineer; Rusella Bowes-Johnson, Water Resources Assistant Director; Robyn Preston, Manager of Water Treatment & Reclamation; Ryan Tassa, Lead Water Treatment Plant Operator; and to the Water Operators

Mayor Guinn presented a proclamation for Drinking Water Week. The City proclaims May 7, 2023 to May 13, 2023, as Drinking Water Week.

Lead Water Treatment Plant Operator Ryan Tassa spoke on the importance of preserving water.

City Engineer & Director of Water Resources Sean Lanier thanked Mayor Guinn for the

proclamation.

- 3d.** Andrea Ditto, Chair of the Florida Section of the American Water Works Association Region XI, will be presenting the Best-Tasting Drinking Water 2023 Region XI award to Sean Lanier, Water Resources Director and City Engineer; Rusella Bowes-Johnson, Water Resources Assistant Director; Robyn Preston, Manager of Water Treatment & Reclamation; Ryan Tassa, Lead Water Treatment Plant Operator; and to the Water Operators

Andrea Ditto, Chair of the Florida Section of the American Water Works Association Region XI presented the Best Tasting Drinking Water 2023 Region XI award to the City.

Lead Water Treatment Plant Operator Ryan Tassa thanked Ms. Ditto for the award.

Manager of Water Treatment & Reclamation Robyn Preston spoke on the plant operations.

- 3e.** American Wetlands Month Proclamation will be presented to Sean Lanier, Water Resources Director and City Engineer; Rusella Bowes-Johnson, Water Resources Assistant Director; Robyn Preston, Manager of Water Treatment and Reclamation; and to Gabriela Sullivan, Water Resources Conservation Coordinator

Mayor Guinn presented a proclamation for American Wetlands Month. The City proclaims May 2023, as American Wetlands Month.

Water Resources Conservation Coordinator Gabriela Sullivan spoke on the importance of the Ocala Wetland Recharge Park.

Manager of Water Treatment & Reclamation Robyn Preston thanked Mayor Guinn for the proclamation.

- 3f.** Proclamation calling for a General Election for Tuesday, September 19, 2023

Council President Hilty on behalf of Mayor Guinn presented a proclamation calling for a General Election for Tuesday, September 19, 2023.

4. Presentations

5. Public Comments

Brian Creekbaum, 103 NE 31st Terrace, commented on the closure of City offices during storms

Brian Creekbaum, 103 NE 31st Terrace, expressed concern regarding the closure of City offices during storms. He requested information regarding idle employee benefits for the day the City offices were closed for Hurricane Nicole.

Council President Hilty suggested Mr. Creekbaum submit a public records request.

Andrea Farrar, 1411 SE 18th Avenue, commented on traffic impacts near Woodfield

Andrea Farrar, 1411 SE 18th Avenue, spoke on the traffic control issues and safety concerns near Woodfields. She requested Council help calm traffic in the area.

City Manager Pete Lee confirmed the City has utilized traffic control devices in the area.

City Engineer & Director of Water Resources Sean Lanier stated the City has surveyed the area for sidewalk improvements to promote pedestrian safety while complying with ADA (Americans with Disabilities Act) standards and noted there are some challenges with topography. He explained the City has also considered on adding chokers and speed tables to control the speed limit.

City Manager Pete Lee stated the City will follow up with traffic recommendations and costs.

Mr. Lanier commented the plan is to apply engineering/traffic calming solutions to remedy the matter. He will provide an update next month.

6. Public Hearings

- 6a.** Open a public hearing concerning a Chapter 163 Development Agreement for approximately 26.63 acres of property located on the east side of SW 43rd Court in the 3600 block (across from Saddlewood Elementary) (DMA23-45165). This is the first of two public hearings. The second and final public hearing is scheduled for May 16, 2023, at 4:00 pm

Council President Hilty opened the Public Hearing at 4:40 pm.

Growth Management Director Tye Chighizola provided a brief history of the requested relief and development project. The applicant will not start development until the road improvements are completed by the City. The second public hearing is scheduled on May 16, 2023, to discuss the Chapter 163 Development Agreement and rezoning.

Fred Roberts, 40 SE 11th Avenue, thanked staff for their hard work. He confirmed the applicant agreed to not start construction until the road improvements are completed.

RESULT: OPENED A PUBLIC HEARING

7. Second and Final Reading of Ordinances - None

8. General Business

- 8a.** Adopt Budget Resolution 2023-137 amending the Fiscal Year 2022 - 2023 budget to provide a supplemental appropriation to reconcile cash balance forward accounts and for the continuation of projects not completed in Fiscal Year 2021 - 2022 in the amount of \$77,167,433

There being no 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
- 8b.** Approve one-year renewal with All Seasons Landscape Contractors, Inc. for street sweeping services in the amount of \$239,640

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
- 8c.** Approve contract with R&R Builders, LLC, for the rehabilitation of the Pennington residence located at 322 NE 12th Avenue for a total project cost not to exceed \$157,100

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
- 8d.** Approve Community Development Block Grant-Corona Virus Grant Sub-Recipient Agreement with the Greater Ocala Community Development Corporation to execute a micro-business loan program in the amount of \$200,000

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
- 8e.** Approve a three-year contract with The Fishel Company for third party pole attachment analysis services for Ocala Electric Utility in the estimated amount of \$900,000

Council Member Musleh asked if the pole attachment must be recertified every year. Director of Electric Utility Doug Peebles responded no; only new attachments need to be certified.

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

- RESULT:** APPROVED
- MOVER:** Barry Mansfield
- SECONDER:** Jay A. Musleh
- AYE:** Mansfield, Bethea Sr, Dreyer, Musleh, and Hilty Sr
- 8f.** Approve the purchase of electric meters from Wesco Distribution, Inc. with an estimated

expenditure of \$250,000

RESULT: PULLED

- 8g.** Adopt Resolution 2023-26 approving an amendment to the Public Transportation Grant Agreement (PTGA) 449858-1-94-01 with the Florida Department of Transportation for design and construction of the north T-hangar access road in the amount of \$500,000

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

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

- 8h.** Approve the Legal Services Agreement with Roper, P.A. for outside counsel services

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

- 8i.** Approve appointment of and establish compensation for Jared R. Gainey as Assistant City Attorney

Mayor Guinn asked if the Police Department will be able to utilize Mr. Gainey for their legal needs. City Attorney Sexton confirmed the Police Department will be able to utilize Mr. Gainey for their legal matters.

There being no further 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

- 8j.** Approve settlement in the matter of Cynthia Haile v. the City of Ocala, Florida in the amount of \$100,000

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Jay A. Musleh

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

- 8k.** Approve a two-year contract with C.W. Roberts Contracting, Inc. for the Transportation Rehabilitation Improvement Program with an aggregate expenditure not to exceed

\$5,000,000

Council Member Dreyer thanked Mr. Sean Lanier and Ms. Daphne Robinson for answering council members' questions and concerns from the previous council meeting.

Stuart Savoy, C.W. Roberts Contracting, Inc., Vice President Division Manager, 4034 SE 38th Loop, thanked Council for their support.

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

RESULT: APPROVED

MOVER: Kristen M. Dreyer

SECONDER: Jay A. Musleh

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

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 First Amendment to the Contract for Sale and Purchase of property between the City of Ocala and Newco Homes of Ocala Inc.
- 9b.** Adopt Budget Resolution 2023-138 amending the Fiscal Year 2022-23 budget to appropriate \$500,000 in additional grant funding from the Florida Department of Transportation and transfer an additional \$125,000 from the Airport reserve for contingencies account for design and construction of the north T-hangar access road for a total amount of \$625,000
- 9c.** Approve renewal of Trakit software maintenance with Superion LLC for six months at an estimated expenditure of \$23,512
- 9d.** Adopt Budget Resolution 2023-139 amending the fiscal year 2022-2023 budget to appropriate funds from the reserve building fund for related expenses in the amount of \$57,012
- 9e.** Approve appointment of Antoinette Hunt to the Brownfields Advisory Committee for an unexpired four-year term ending March 1, 2027
- 9f.** Accept the grant of an avigation easement from TBMI II, LLC, over property located on the east side of SW 60th Avenue, between SW 31st Street and SW 38th Street, approximately 61.39 acres
- 9g.** Approve College Park Townhomes Final Plat (SUB22-44997)
- 9h.** Approve Heath Preserve Phase 1 and 2 Final Plat (SUB22-44738)

- 9i. Approve estoppel certificate as required by the fixed base operator lease with Sheltair Aviation Ocala, LLC
- 9j. Approve Supervisor of Elections recommendation for the 2023 Early Voting period
- 9k. Approve Regular Meeting City Council Minutes from April 18, 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

(Second and Final Reading - May 16, 2023)

- 11a.** Introduce Ordinance 2023-45 revising the language in section (7) c. 1. increasing the General Employees Retirement System benefit multiplier from 1.0% to 1.3%. The benefit for current retirees, Deferred Retirement Option Program (DROP) members, and vested terminated members shall change to reflect the 1.3 percent multiplier for all years of service prospectively beginning with the October 1, 2023 payment

Introduced By: Ire J. Bethea Sr

- 11b.** Introduce Ordinance 2023-46 concerning a zoning change to R-3, Multi-family Residential, for approximately 15 acres of property located on the east side of SW 43rd Court in the 3600 block (across from Saddlewood Elementary) (Case ZON23-45169) (Quasi-Judicial)

Introduced By: Kristen M. Dreyer

12. Internal Auditor's Report - None

13. City Manager's Report

- 13a. Rescheduling of July 4, 2023 City Council meeting

A motion was made to cancel the July 4, 2023 City Council meeting.

City Manager Pete Lee stated staff recommends canceling the City Council meeting scheduled on July 4, 2023.

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

Storm Update

City Manager Pete Lee thanked City staff for their fast emergency response efforts during the recent storm.

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 April 17, 2023 to April 30, 2023. The Police Departments Opioid response efforts 4, overdose deaths 1, Narcan leave behind 0, and Amnesty participation 2. The department will be swearing in new Police Officers on Monday, May 8, 2023, from 10 am to 11 am. He commented the department will set up a special traffic detail in the Woodfields area to address traffic issues.

Deputy Fire Chief Richard Lietz – Public Safety Opioid Response Efforts & Community Paramedicine

Deputy Fire Chief Lietz discussed the public safety Opioid response efforts and community paramedicine program. The overdose response efforts 6, overdose deaths 1, Narcan leave behind 0, and calls for service 2,159. Year to date, 442 OD2A Program participants, and 262 community paramedicine graduates.

15. Mayor's Report**House Bill 1359 Update**

Mayor Guinn reported House Bill 1359 passed. He is working on scheduling a ceremonial signing of the Bill.

16. City Attorney's Report**17. Informational Items****17a. Calendaring Items**

17a1. Community Redevelopment Area Agency Meeting - May 16, 2023 - 3:45pm - Council Chambers

17b. Comments by Mayor**17c. Comments by Council Members****Council Member Bethea thanked City staff for their support efforts during the recent storm****17d. Informational**

17d1. Power Cost Adjustment Report - March 2023

17d2. Monthly budget to actual report and Capital Improvement Project status report as of March 31, 2023

17d3. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 5:13 pm

Minutes

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk