



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, August 2, 2022

4:00 PM

1. Call to Order

a. Opening Ceremony

1. Invocation - Chaplain John Hanks
2. Pledge of Allegiance

b. Welcome and Roll Call

Council President Pro Tem Hilty arrived at 4:42pm.

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

Municipal Officers/Others Present: The meeting was also attended by Interim City Manager Pete Lee, Assistant City Attorney Robert W. Batsel Jr., 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, Chief Planning Official Aubrey Hale, Budget Director Tammi Haslam, Procurement & Contracting Officer Daphne Robinson, Interim Chief of Staff Chris Watt, Ocala Police Dept Representative, IT Representative and other interested parties.

2. Public Notice

Public Notice for the August 2, 2022 City Council Regular Meeting was posted on July 1, 2022

3. Proclamations & Awards

3a. Service Award - Sergeant Jimmy Pitman - Ocala Police Department - 25 Years of Service.

Interim City Manager Pete Lee and Mayor Guinn presented a service award to Jimmy Pitman in appreciation of his 25 years of service to the City of Ocala. He started his career with the City of Ocala in 1997. During his career, he was promoted to multiple leadership positions.

Jimmy Pitman thanked the City for the service award.

3b. Recognition of the Ocala Police Department Unified Drug Enforcement Strike Team (UDEST)

Mayor Guinn presented a recognition award to the Ocala Police Department Unified Drug Enforcement Strike Team (UDEST).

Captain Douglas spoke on combating illegal drugs in the community and thanked the citizens of Ocala for their support.

4. Presentations

4a. Ocala/Marion County Visitors & Convention Bureau Presentation - Loretta Shaffer, Tourism Director

Loretta Shaffer, Tourist Development Director with Marion County, presented a rebranding toolkit. The purpose of the Tourist Development Council (TDC) is to advise and make recommendations to the Board of County Commissioners regarding the following matters: tourism sales, marketing, and advertising. She provided a brief overview of Section 125.0104, Florida Statutes, and shared a video with Council. Tourism has a huge economic impact to the local community, bringing in \$1 billion revenue annually, and creates more job opportunities. She summarized Marion County's valuable assets, such as the World Equestrian Center, the Florida Aquatics Swimming & Training Facility, the Fort King National Historic Landmark, growing arts and cultural scenes, and a thriving and vibrant hospitality industry.

She spoke on the logo/tagline research phase and brand evolution. The new logo represents Ocala's branding story and history in the community. The full brand conversion will take place in six (6) to 12 months, and the brand toolkit includes several professional elements.

5. Public Comments

Brian Creekbaum, 103 NE 31st Terrace, commented on animal control services

Brian Creekbaum, 103 NE 31st Terrace, spoke on Marion County's lack of providing high quality animal control services to residents in the City of Ocala. The County has failed to meet the established response times in the Marion County policy. He shared his disappointing experience meeting with three Marion County representatives to remedy the matter. He suggested the City take action to remedy the matter.

Council President Bethea asked if the City met with Marion County to discuss the matter. Interim City Manager Pete Lee responded the City will be meeting with a Marion County representative tomorrow, at 3:00 p.m.

Jessica Fieldhouse, Executive Director with Ocala Main Street, 5307 108th Street, commented on Ocala hosting the 2023 State Conference

Jessica Fieldhouse, Executive Director with Ocala Main Street, 5307 108th Street, commented on Ocala hosting the 2023 State Conference for Florida Main Streets and the Florida Trust for Historic Preservation. The conference will take place in July 2023, and will generate great tourism in the City. The event will positively impact the economy and support local small businesses.

6. Public Hearings

- 6a.** Approve the sale of beer and wine for off-premise consumption for Sandy's Shack, LLC d/b/a Sandy's Shack located at 4901 E Silver Springs Blvd Unit #306/307 (Quasi-Judicial)

City Attorney Batsel explained the quasi-judicial procedure for public hearings.

Council President Bethea opened the public hearing at 4:28 p.m.

Growth Management Director Tye Chighizola discussed an off-premise alcohol permit request for Sandy's Shack located in the Six Gun Plaza. The plaza has received 14 service calls over two (2) years, but he noted that OPD will use the address for traffic citations that occur in front of the plaza on Silver Springs Blvd., and staff recommends approval.

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

AYE: Dreyer, Mansfield, Musleh, and Bethea Sr

ABSENT: Hilty Sr

- 6b.** Open a public hearing and introduce Ordinance 2022-72 to allow a materials recovery facility as a permitted use in the M-2 and M-3 zoning districts subject to criteria (COD22-44744). (This is the first of two public hearings. The second and final hearing is scheduled for Tuesday, August 16, 2022.)

Introduced By: Kristen M. Dreyer

Council President Bethea opened the public hearing at 4:29 p.m.

Growth Management Director Tye Chighizola spoke on the draft materials recovery facility ordinance. The City held several public hearings, and the Planning & Zoning Commission recommends approval of the draft ordinance. The final public hearing is scheduled on August 16, 2022. The draft ordinance differentiates between a recycling center and materials recovery facility. To note, the materials recovery facility requires a DEP permit, and the City can add a Chapter 163 Development Agreement. He explained the difference between a materials recovery facility versus waste transfer station, which does not sort collected waste.

There being no further discussion or public comment, Council President Bethea closed the public hearing at 4:37 p.m.

- 6c.** Open a public hearing to consider a Concurrency Development Agreement to be entered into pursuant to Sections 163.3220 through 163.3243 Florida Statutes, between the City, RM Maricamp, LLC, and The Grand Reserve at Pelham, LLC (CDA22-44889) for approximately 47.25 acres located south of the intersection of SR 464 and SE 25th Avenue. (This is the first of two public hearings. The second and final hearing is scheduled for Tuesday, August 16, 2022.)

Council President Bethea opened the public hearing at 4:38 p.m.

Growth Management Director Tye Chighizola commented the Concurrency Development Agreement requires two public hearings. The next public hearing is scheduled on August 16, 2022, and the item is associated with five other items (rezoning to PD, resolution adopting PD plan, Concurrency Development Agreement, subdivision for a 7-Eleven, and alcohol permit). The request before Council addresses the intersection improvements, and the City is proposing a roundabout to mitigate traffic impacts. If the agreement is approved, the City will work with the applicant to address buffering, landscaping, and retrieval of donated right-of-way. To note, the westbound right turn lane is an existing failure; the developer is not responsible for improving existing failures.

Council President Pro Tem Hilty arrived at 4:42 p.m.

Council Member Musleh expressed concern regarding the left turn onto SE 25th. Mr. Chighizola responded the left turn lane failure is related to the development project. He explained the existing westbound right turn lane failures and noted the proposed improvements will help improve the intersection.

Fred Roberts, 40 SE 11th Avenue, provided a brief overview of the proposed improvements and Concurrency Development Agreement. The developers will be working together to establish a pool of funds to cover improvement expenses. The agreement addresses the dedication of right-of-way to the City, and proposed traffic improvements. He summarized the off-site/traffic improvements totaling \$2 million. The traffic study determined the only existing failure is the westbound right turn lane, and the left lane turn onto SE 25th has very little traffic.

The developer favors the City's roundabout design to mitigate traffic impacts. To note, Woodland Villages requested the sidewalk be constructed on the opposite side of the road to eliminate pedestrian traffic near the property, and the developer has agreed to that request.

Mr. Chighizola noted the roundabout design will create additional stacking.

Brad Tropello, Woodland Villages Resident, 2420 SE 18th Circle, also representing BJT Marketing Realty, spoke in opposition of the proposed development project. He

expressed concern regarding the following: traffic impacts, school overcrowding, numerous development projects, increased density, and alcohol permit for the proposed 7-Eleven. Furthermore, he agrees with Council Member Musleh's comments regarding the left turn lane failure, which is a pedestrian safety concern. He questioned the traffic calculations, and requested Council maintain the single-family zoning.

Mr. Chighizola commented the 7-Eleven/office park property does not require a public hearing or improvements. He explained if single-family homes were built, the density would trigger no intersection improvements. The City recommends establishing a roundabout at the intersection to mitigate traffic impacts. Council must consider the following two options: roundabout or three-way stop (Woodland Villages right-of-way is needed).

Mr. Roberts commented the traffic testimony will be presented at the next City Council meeting scheduled on August 16, 2022. He explained the land use classification and compatibility of the multi-family development project. The School Board Member who attended the Planning & Zoning Commission meeting did not oppose the proposed project. He reiterated the developer is expensing \$2 million for improvements. He spoke on establishing a written agreement between the developers and Woodland Villages to remedy the landscaping issue. He stated the Woodland Villages President favors the roundabout design, which would be at the developers' expense, and the donation of right-of-way to the City.

There being no further discussion or public comment, Council President Bethea closed the public hearing at 5:18 p.m.

- 6d.** Open a public hearing to consider a proposed amendment to a Concurrency Development Agreement to be entered into pursuant to Sections 163.3220 through 163.3243, Florida Statutes, between the City and Ocala Trophy Ltd., a Florida Limited Partnership, related to the Heath Brook Development of Regional Impact (DRI) located off SR 200. (This is the first of two public hearings. The second and final hearing is scheduled for Tuesday, August 16, 2022.)

Council President Bethea opened the public hearing at 5:18 p.m.

Growth Management Director Tye Chighizola commented the Concurrency Developer's Agreement will be addressed at the next public hearing scheduled on August 16, 2022. The public hearing will consist of the following: rezoning to PD, resolution adopting PD plan, Concurrency Development Agreement, DRI amendment, and three-party agreement for the donation of right-of-way.

- 6e.** Adopt Resolution 2022-44 to vacate an 8-foot public utility and drainage easement adjacent and parallel to the west and north lot lines of Lot 6, Block B as recorded in Galloway & Sands Subdivision Replat, Book "U", Page 36, located at 2817 NW 8th Place. (Case PLV22-44775) (Quasi-Judicial)

Growth Management Director Tye Chighizola commented the resolution is regarding a rededication/vacation of an old plat with a utility/ drainage easement. The building was

built over a portion of the utility easement and is no longer needed. The property is an industrial subdivision, south of Blitchton Road. He noted staff recommends approval.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: James P. Hilty Sr

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

7. Second and Final Reading of Ordinances - None

8. General Business

- 8a.** Adopt the Fiscal Year 2022-2023 tentative millage rates: Basic City - 6.6177; District A - 1.7185; District B - 1.6332; District C - 1.4699

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Jay A. Musleh

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

- 8b.** Approve a one-year renewal with HM Insurance Group to provide stop loss insurance for the City's self-insured health plan with an expenditure of \$1,885,503

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

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

- 8c.** Approve appointment of Michael Kroitor to the Municipal Code Enforcement Board by ballot vote

Deputy City Clerk Pamela Omichinski distributed and tallied the ballots. Ms. Omichinski announced Council appointed Michael Kroitor to the Municipal Code Enforcement Board by ballot vote.

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.
musleh/mansfield

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

RESULT: APPROVED THE CONSENT AGENDA

MOVER: Jay A. Musleh

SECONDER: Barry Mansfield

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

- 9a.** Approve Subordination of Utility Interest Agreement to the Florida Department of Transportation (FDOT) on Marion County Parcel #21521-001-01
- 9b.** Adopt Resolution 2022-45 for the Subordination of Utility Interest Agreement to the Florida Department of Transportation on Marion County Parcel # 21521-001-01
- 9c.** Approve the One Fort King Conceptual Subdivision Plan (SUB21-44626) located at the southwest corner of SW Fort King Street and SW First Avenue (approximately .52 acres)
- 9d.** Approve First Amendment to the janitorial services agreement with ServiAmigos Solutions, LLC, to provide additional janitorial services at the MLK SportsPlex, Tom's Park, and Ocala Skate Park over the remainder of the three-year contract term for an additional expenditure of \$51,645
- 9e.** Approve agreement for Police Special Duty Officers between the Ocala Police Department and the School Board of Marion County
- 9f.** Approve City Council Work Session Minutes from June 28, 2022
- 9g.** Approve Regular Meeting City Council Minutes from July 19, 2022

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 16, 2022)

- 11a.** Introduce Ordinance 2022-73 to correct the legal description adopted in Ordinance 2022-36 annexing property (approximately 35.6 acres) located in the SE corner of 3848 NW 27th Avenue (Quasi-Judicial)

Introduced By: James P. Hilty Sr

- 11b.** Introduce Ordinance 2022-74 concerning a rezoning from PUD-08, Planned Unit Development, to R-3, Multi-Family Residential, for property located along SW 24th Avenue approximately 720 feet east of the intersection of SW 19th Avenue Road, approximately 1.36 acres (Case ZON22-44741) (Quasi-Judicial)

Introduced By: Jay A. Musleh

- 11c.** Introduce Ordinance 2022-75 concerning a rezoning from R-1A, Single-Family Residential, to PD, Planned Development, and approval of an associated PD plan and standards book for property located at 2700 SE Maricamp Road (bordering the eastern boundaries of subdivisions Woodland Estates and Woodland Villages), approximately 39.24 acres. (Case PD21-44492) (Quasi-Judicial)

Introduced By: Barry Mansfield

- 11d. Introduce Ordinance 2022-76 annexing approximately 34.06 acres located at 2300 SW 38th Avenue (Case ANX22-44859) (Quasi-Judicial)

RESULT: WITHDRAWN

- 11e. Introduce Ordinance 2022-77 concerning an amendment to the Future Land Use Category from Medium Residential & Commercial (County) to Low Intensity (City), for property located at 2300 SW 38th Avenue, approximately 34.06 acres. (Case LUC22-44860)

RESULT: WITHDRAWN

- 11f. Introduce Ordinance 2022-78 concerning a rezoning from B-2, Community Business, to PD, Planned Development, for two parcels (23874-000-16 and 23874-000-17) in the Heath Brook Planned Development located on SW 46th Court, approximately 2.21 acres (Case PD21-44375) (Quasi-Judicial)

Introduced By: Kristen M. Dreyer

- 11g. Introduce Ordinance 2022-79 annexing property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel (Parcel # 15493-000-00) directly to the north, approximately 40 acres (Case ANX22-44799) (Quasi-Judicial)

Introduced By: James P. Hilty Sr

- 11h. Introduce Ordinance 2022-80 amending the Future Land Use Designation from High Residential (County) to Neighborhood (City) for property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel directly to the north (Parcel # 15493-000-00), approximately 40 acres (Case LUC22-44800)

Introduced By: Barry Mansfield

- 11i. Introduce Ordinance 2022-81 concerning a rezoning from R-3, Multiple-Family Dwelling (County), to R-3, Multi-Family Residential (City), for property located at 221 NE 35th Street (Parcel # 15464-005-00) and the parcel directly to the north (Parcel # 15493-000-00), approximately 40 acres (ZON22-44801) (Quasi-Judicial).

Introduced By: Jay A. Musleh

- 11j. Introduce Ordinance 2022-82 concerning a rezoning from M-1, Light Industrial, to M-2, Medium Industrial, for property located along NW 35th Street approximately 1,000-feet east of the intersection of NW 27th Avenue (Parcel # 13857-000-00), approximately 29.01 acres (Case ZON22-44851) (Quasi-Judicial).

Introduced By: Barry Mansfield**12. Internal Auditor's Report****13. City Manager's Report****Ocala International Airport Awarded Outstanding Achievement in Airport Aesthetic Safety and Service Award**

Interim City Manager Pete Lee commented the Ocala International Airport was awarded the Aesthetic Safety and Service Award by FDOT.

Ocala Main Street Recognition

Interim City Manager Pete Lee congratulated Ocala Main Street on being chosen to host the 2023 State Conference. The conference will generate a lot of tourism downtown.

Sanitation Survey Update

Interim City Manager Pete Lee commented the Sanitation survey is complete. The results showed the following: 98% residential satisfaction and 95% commercial satisfaction.

Building Department Survey Update

Interim City Manager Pete Lee commented the City launched the Building Department survey this week, and the survey results will be shared with Council.

Animal Control Services Update

Interim City Manager Pete Lee commented the City will be meeting with the Marion County Administrator on August 3, 2022, to discuss animal control services. Mr. Lee noted that during an interim discussion held with the Marion County Administrator, the Administrator suggested appointing one (1) Marion County Commissioner and one (1) City Council Member to join in the discussion following the August 3, 2022, meeting.

Council Member Musleh expressed interest in attending the follow up meeting.

City Attorney Search Update

Interim City Manager Pete Lee commented the City retained Colin Baenziger & Associates. The application deadline was extended to July 29, 2022 (original deadline July 15, 2022). The City received 16 applications and five (5) interested candidates. The Director of HR/Risk Management Chris Watt determined five (5) individuals and one firm are viable. The City will provide candidate information to Council on August 10, 2022, and individual phone calls will be scheduled with Council to discuss the candidates. At the next City Council meeting scheduled on August 16, 2022, Council will select candidates to continue in the interview process.

Council Member Mansfield requested clarification regarding the interview process. Director of HR/Risk Management Chris Watt responded Council will have one-on-one interviews with each candidate.

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 July 18, 2022 to July 31, 2022. The Police Departments Opioid response efforts 11, overdose deaths 2, Narcan leave behind 3 and Amnesty participation 4.

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 9, overdose deaths 1 and Narcan leave behind 1. For the month of July, 357 people have enrolled in the Opioid Recovery Project and they had a total of 164 community paramedicine graduates. The Narcan leave behind for the OD2A Program amounts to 70 participants and trained 35 individuals to administer Narcan. The Fire Department received 2,249 response calls for the month of July.

15. Mayor's Report**Mayor Guinn commented on the new firearm training simulator at the Ocala Police Department**

Mayor Guinn invited Council to try the new virtual reality firearm training simulator at the Police Department. He requested Police Chief Balken reach out to Council.

Mayor Guinn commented on the Panhandling Ordinance

Mayor Guinn spoke on the Coral Springs Panhandling Ordinance, which has never been challenged in court. The ordinance prohibits standing in high traffic areas, and suggested the City review the ordinance.

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

- 17a1. City Council Workshop: Proposed FY22/23 Budget - Tuesday, August 23, 2022 - 12pm Noon - City Council Chambers
- 17a2. Community Redevelopment Area (CRA) Agency Board Meeting – Tuesday, August 16, 2022 – 3:45pm – City Council Chambers

b. Comments by Mayor**Mayor Guinn commented on naming the library at the Mary Sue Rich Community Center after Erin Jackson**

Mayor Guinn spoke on naming the library at the Mary Sue Rich Community Center after Erin Jackson. He noted Ms. Jackson is the first Black woman in history to win an Olympic gold medal in speed skating and is a great leadership figure to the youth in the community. The County Commission will consider the library naming at the next meeting.

c. Comments by Council Members**Council Member Mansfield requested clarification regarding the 200 Club Hearing**

Council Member Mansfield requested clarification regarding the 200 Club Hearing. City

Attorney Batsel commented the hearing is scheduled on August 9, 2022, to discuss the appeal of Council's denial regarding the rezoning. He will schedule a separate meeting to meet with Council Member Mansfield before the hearing. Mr. Batsel noted the School Board stated they will not be participating in the hearing.

d. Informational

17d1. Power Cost Adjustment Report - June 2022

17d2. Monthly Budget to Actual Report as of June 30, 2022 and Capital Improvement Project Status Report

17d3. Executed Contracts Under \$50,000

18. Adjournment

Adjourned at 5:54 p.m

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Minutes

Ire Bethea Sr.
Council President

Angel B. Jacobs
City Clerk