



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

Tuesday, April 16, 2024

4:00 PM

1. Call to Order

2. Roll Call

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

Municipal Officers/Others Present: The meeting was also attended by City Manager Peter Lee, City Attorney William Sexton, Assistant City Clerk Ken Whitehead, City Clerk Angel Jacobs, Deputy City Clerk Pamela Omichinski, Fire Chief Clint Welborn, Police Chief Michael Balken, Internal Auditor Randall Bridgeman, City Projects Director Tye Chighizola, Multimedia & Communications Coordinator Danielle Dyals, Planning Director Aubrey Hale, Budget Director Tammi Haslam, Community Development Services Director James Haynes, HR/Risk Management Director Devan Kikendall, 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 Ocala Fiber Network Mel Poole, Director of Parks & Recreation Preston Pooser, IT Director Christopher Ramos, Strategic & Legislative Affairs Administrator Jeannine Robbins, Procurement & Contracting Officer Daphne Robinson, Growth Management Director Jeff Shrum, Chief of Staff Chris Watt, Ocala Police Dept Representative, IT Representative, The Press and other interested parties.

- a. New Employees
- Zackary Small, Customer Service
 - Jose Diaz, Electric
 - Alfred Shultz, Public Works
 - Luis Wilding, Public Works

3. Public Notice

- **Public Notice for the April 16, 2024 City Council Regular Meeting was posted on March 4, 2024**

4. Proclamations and Awards

- 4a. Service Award - Neville Bowen - Ocala Electric Utility - 15 Years of Service**

City Manager Pete Lee and Mayor Marciano presented a service award to Neville Bowen in appreciation of his 15 years to the City of Ocala.

4b. Service Award - Chief Mike Balken - Ocala Police Department - 30 Years of Service

City Manager Pete Lee and Mayor Marciano presented a service award to Chief Mike Balken in appreciation of his 30 years to the City of Ocala.

4c. The Arbor Day Proclamation will be presented to Rachel Fautsch, Growth Management Community Outreach Manager, and to Amy Casaletto, Recreation and Parks Special Services Division Head

Mayor Marciano presented a proclamation for Arbor Day. The City proclaims April 16, 2024, as Arbor Day.

Rachel Fautsch, Growth Management Community Outreach Manager, announced the City is celebrating its thirty-fourth year as a Tree City.

Amy Casaletto, Recreation and Parks Special Services Division Head, encouraged the public to participate in the Earthfest: Celebrate Arbor Day this weekend at Tusawilla Park.

4d. Child Abuse Prevention Month Proclamation will be presented to Mr. Seawolf, President, Paynes Prairie Chapter, Bikers Against Child Abuse

Mayor Marciano presented a proclamation for Child Abuse Prevention Month. The City proclaims the month of April 2024, as Child Abuse Prevention Month.

5. Presentations**5a. Earned Media Update**

Marketing & Communications Manager Ashley Dobbs presented an earned media update. She provided a brief overview of the following: earned media definition, media coverage examples, and October 2023 to March 2024 media data (620 articles/mentions and 207 packages/mentions).

5b. Jaye Baillie, Executive Director of Marion Cultural Alliance (MCA) at Brick City Center for the Arts, will give the Annual MCA Presentation

Jaye Baillie, Executive Director of Marion Cultural Alliance (MCA), presented the Annual MCA Presentation. She provided a brief overview of the following: MCA's mission in the community, partnerships, economic growth, public survey, and grant funding. Furthermore, she encouraged the public to attend upcoming events.

6. 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: James P. Hilty Sr

SECONDER: Kristen M. Dreyer

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

- 6a. Approve Cooperative Agreement with the School Board of Marion County for bus rentals for the City's summer youth programs in the amount of \$800
- 6b. Approve agreement with AC Signs, LLC d/b/a Decamil for the fabrication and installation of wayfinding parking signs for Parking Garage One for \$69,220, plus a ten percent contingency, for a total expenditure of \$76,142.
- 6c. Adopt Budget Resolution 2024-128 amending the Fiscal Year 2023-24 budget to accept and appropriate a Tourism Enhancement grant from the Marion County Tourist Development Council for the Fourth of July drone show event in the amount of \$20,000

RESULT: PULLED

- 6d. Approve Interlocal Agreement for Reimbursement of Logging Recorder System Annual Maintenance Costs with Marion County in the amount of \$94,811
- 6e. Approve settlement in the matter of Kellee Reza, as Parent and Natural Guardian of P.H., a minor, v. City of Ocala, Florida with a proposed settlement amount of \$100,000
- 6f. Approve settlement in the matter of James David Day and Joann Day, personally and as Trustees of the Day Family Trust v. City of Ocala, Florida with a proposed settlement amount of \$75,050
- 6g. March 2024 outside counsel invoices for general city business legal services in the amount of \$2,687.50 and for risk management-related legal services in the amount of \$3,999.46
- 6h. Approve minutes from April 2, 2024 City Council meeting

7. Consent Agenda Items Held for Discussion

Should any items be removed from the Consent Agenda for discussion, they will be discussed at this time.

8. Introduction and First Readings of Ordinances - None

9. Public Hearings / Second and Final Readings / Adoption of Ordinances

(All are Public Hearings)

- 9a. Adopt Ordinance 2024-14 to amend the Future Land Use Element of the Comprehensive Plan by deleting Policy 18.7 relating to development conditions for property located southwest of the intersection of NE 24th Street and NE 36th Avenue, Parcel No. 24272-001-00, approximately 11.61 acres (Case FLUP23-45444)

Introduced By: Ire J. Bethea Sr

City Attorney Sexton spoke on the public hearing procedures.

Council President Mansfield opened the public hearing at 5:37 pm.

Senior Planner Endira Madraveren discussed the adoption of Ordinance 2024-14. The

applicant is requesting approval to delete Policy 18.7, to allow the property to be developed in a manner consistent with the present-day employment center land use designation. She provided a brief overview of the transmittal history. To note, the Department of Commerce issued a letter of no comment. Staff finds that the proposed deletion would allow for future development consistent with the employment center land use designation and compatible with the surrounding area. The Planning & Zoning Commission and staff recommend approval.

John Harvey, Tillman & Associates, 1720 SE 16th Avenue, Building 100, Ocala, FL 34471, stated the plan is to convert the property back to an M-1 zoning use, to be consistent with the surrounding uses.

No public comment.

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

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

SECONDER: James P. Hilty Sr

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

- 9b.** Adopt Ordinance 2024-23 annexing property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres (ANX24-45512) (Quasi-Judicial) - Request to postpone to the May 7th, 2024 City Council meeting

Introduced By: Kristen M. Dreyer

RESULT: POSTPONED

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 9c.** Adopt Ordinance 2024-24 change the Future Land Use designation from Commercial (County) to Low Intensity (City), for a property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and 23174-000-00); approximately 2.56 acres (LUC24-45513) (Quasi-Judicial) - Request to postpone to the May 7, 2024 City Council Meeting

Introduced By: Jay A. Musleh

RESULT: POSTPONED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

- 9d.** Adopt Ordinance 2024-25 rezone from B-2 Community Business (County) to B-2, Community Business (City), for a property located at the northeast corner of NW 60th Avenue and W Highway 40 (Parcel 2303-013-001, 2303-012-067, 2303-012-072 and

23174-000-00); approximately 2.56 acres. (ZON24-45514) (Quasi-Judicial) - Request to postpone to the May 7, 2024 City Council Meeting

Introduced By: James P. Hilty Sr

RESULT: POSTPONED

MOVER: James P. Hilty Sr

SECONDER: Ire J. Bethea Sr

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

- 9e. Adopt Ordinance 2024-26 rezoning from PUD-09, Planned Unit Development, to M-1, Light Industrial, for property located in the 3400 block of NE 36th Avenue, in proximity to the southwest corner of NE 36th Avenue and NE 24th Street, north of the CSX Railroad (Parcel 24272-001-00); approximately 11.61 acres (ZON23-45443) (Quasi-Judicial)

Introduced By: Ire J. Bethea Sr

Senior Planner Endira Madraveren discussed the adoption of Ordinance 2024-26. The applicant is requesting to rezone the property from PUD-09 (Planned Unit Development) to M-1 (Light Industrial), to allow the development of a low impact industrial warehouse use. She provided a brief overview of the application history. Staff finds that the proposed rezoning would allow for future development consistent with the employment center land use designation. The Planning & Zoning Commission and staff recommend approval.

John Harvey, Tillman & Associates, 1720 SE 16th Avenue, Building 100, Ocala, FL 34471, stated the plan is to convert the property back to an M-1 zoning use, to be consistent with the surrounding uses.

No public comment.

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

RESULT: ADOPTED

MOVER: Ire J. Bethea Sr

SECONDER: James P. Hilty Sr

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

- 9f. Adopt Ordinance 2024-27 rezoning from RO, Residential-Office, to B-2, Community Business, for property located at 2405 NE 14th Street (Parcel 26428-000-00); approximately 0.81 acres (ZON24-45511) (Quasi-Judicial)

Introduced By: Kristen M. Dreyer

Planning Director Aubrey Hale discussed the adoption of Ordinance 2024-27. The applicant is requesting to rezone the property from RO (Residential Office) to B-2 (Community Business). He provided a brief overview of the property's history and surrounding uses. The Planning & Zoning Commission and staff recommend approval.

Fred Roberts, 40 SE 11th Avenue, spoke on how the proposed zoning is compatible with the surrounding uses. He confirmed the applicant has not determined a use for the property with Council Member Hilty. Furthermore, the applicant is evaluating possible uses.

No public comment.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 9g.** Adopt Ordinance 2024-28 to rezone from R-3, Multi-Family Residential, to PD, Planned Development, and approval of PD plan with Design Standards, for property located in the 1100 block of NW 14th Street (Parcel 25773-000-00), approximately 16.58 acres (Case PD23-45351) (Quasi-Judicial) - Request to postpone to the May 7, 2024 City Council Meeting

Introduced By: Jay A. Musleh

RESULT: POSTPONED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

- 9h.** Adopt Ordinance 2024-29 rezoning to PD, Planned Development, and approval of PD Plan with Design Standards, for property located at the northeast and southeast corners of SW 60th Avenue and SW 43rd Street Road (Parcel 23833-000-01 and 23833-000-02), approximately 10.02 acres (Case PD23-45260) (Quasi-Judicial) - Request to postpone until the May 7, 2024, City Council meeting

Introduced By: James P. Hilty Sr

RESULT: POSTPONED

MOVER: James P. Hilty Sr

SECONDER: Ire J. Bethea Sr

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

10. General Business

- 10a.** Approve three-year contract with SHI International Corp. for the citywide virtualization system, VMWare, and related ongoing maintenance and licensing costs with an estimated aggregate expenditure amount of \$302,586

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Jay A. Musleh

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

- 10b.** Approve a two-year contract with Grandview Landscaping Services, Inc. for street sweeping services with an aggregate expenditure of \$400,000

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

RESULT: APPROVED

MOVER: Ire J. Bethea Sr

SECONDER: James P. Hilty Sr

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

- 10c.** Approve a two-year contract with Lewis Steel Works, Inc. for the provision of front-loading steel waste containers with an aggregate expenditure not to exceed \$770,000

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Ire J. Bethea Sr

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

- 10d.** Approve agreement with Thomas F Amodeo d/b/a A & A Trucking & Excavating for the provision of demolition services for two Water Resources projects for \$338,994, plus a 10 percent contingency, for a total expenditure of \$372,894

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

RESULT: APPROVED

MOVER: Jay A. Musleh

SECONDER: Kristen M. Dreyer

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

- 10e.** Approve agreement with Uptown Services, LLC for consulting services for Ocala Fiber Network business plan and strategies in the amount of \$100,000

Director of Telecommunications Mel Poole clarified the bids with Mayor Marciano. He confirmed the goal is to save money and increase resources.

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

RESULT: APPROVED

MOVER: James P. Hilty Sr

SECONDER: Kristen M. Dreyer

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

- 10f.** Adopt Budget Resolution 2024-129 amending the Fiscal Year 2023-24 budget to provide a supplemental appropriation to reconcile cash balance forward accounts and for the continuation of projects not completed in Fiscal Year 2022-23 in the amount of \$122,933,979

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

- 10g.** Adopt Budget Resolution 2024-130 amending the Fiscal Year 2023-24 budget for the carry forward of prior fiscal year grant funds totaling \$26,004,733

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

RESULT: ADOPTED

MOVER: James P. Hilty Sr

SECONDER: Kristen M. Dreyer

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

- 10h.** Adopt Budget Resolution 2024-131 amending the Fiscal Year 2023-24 budget to accept and appropriate funding from the Federal Transit Administration in the amount of \$6,664,524

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

RESULT: ADOPTED

MOVER: James P. Hilty Sr

SECONDER: Ire J. Bethea Sr

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

- 10i.** Adopt Budget Resolution 2024-132 to accept and appropriate local matching funds in the amount of \$188,903 from Marion County and \$566,707 from the City of Ocala to support the Ocala/Marion County Public Transit System, SunTran, for a total of \$755,610

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

RESULT: ADOPTED

MOVER: Jay A. Musleh

SECONDER: Ire J. Bethea Sr

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

11. Internal Auditor's Report

12. City Manager's Report

- **EarthFest/Arbor Day Celebration scheduled for April 20, 2024, from 10:00 am to 2:00 pm, Tuscawilla Park**

- **Employee Fun Day Recap**

City Manager Pete Lee reported staff hosted a successful Employee Fun Day on April 6, 2024. Over three hundred people attended the event.

- **Community Development Services event on Fair Housing and Affordable Housing issues**

City Manager Pete Lee reported Community Development Services hosted a successful event on fair housing and affordable housing issues.

- **SE traffic study update**

City Manager Pete Lee reported the City hosted a successful SE traffic study public meeting on April 10, 2024. The plan is to schedule a workshop in May, to discuss recommendations. The public provided great feedback online. The City plans on installing traffic calming devices and signage to promote pedestrian safety.

13. Ocala Police Department Report

- **Police Chief Mike Balken – Public Safety Opioid Response Efforts**

Police Chief Mike Balken discussed the public safety Opioid response efforts for April 1, 2024 to April 14, 2024. The Police Department's Opioid response efforts 8, overdose deaths 1, Narcan leave behind 2, and Amnesty participation 0. Felony crimes have decreased, the State Attorney's Office finalized the prosecution of 84 cases, and the United States Attorney's Office indicted two drug traffickers.

14. Ocala Fire Rescue Department Report

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

Deputy Fire Chief Richard Lietz discussed the public safety Opioid response efforts and community paramedicine program, for April 1, 2024 to April 14, 2024. The overdose response efforts 3, overdose deaths 0, Narcan leave behind 0, community paramedicine calls 36, OD2A calls 30, emergency calls 1,030, and unit responses 1580. The department purchased a new rescue #6 truck.

15. City Attorney's Report**16. Public Comments**

- **Don Curran, spoke in support of Israel**

Donald Curran, 4734 SE 31st St., spoke in support of Israel. He provided a brief

overview of the ongoing war.

Council Member Hilty suggested making a motion to not sign a cease fire resolution. He explained how the Cease Fire and Peace Resolution matter is beyond the scope of City Council.

Council Member Musleh concurs with Council Member Hilty. He explained how the Cease Fire and Peace Resolution matter is beyond the scope of City Council.

Council Member Hilty shared his experience serving in the war.

Council President Mansfield and Council Member Dreyer concur with their fellow Council Members.

City Attorney Sexton explained the public comment forum and agenda item action process. Furthermore, he clarified how Council has the authority to take action on items of importance.

Council President Mansfield closed public comments regarding the Cease Fire and Peace Resolution matter.

Council Member Musleh spoke in support of the Council President's decision.

17. Informational Items and Calendaring Items

17a. Local Mitigation Strategy 2023 Annual Report

17b. Executed Contracts Under \$50,000

18. Comments by Mayor

- Step Challenge Update

Mayor Marciano provided a brief update on the successful step challenge. He recognized Council Member Hilty and staff members participating in the step challenge.

- Mayor's Spring Cleanup event on April 20, 2024 at 9am at Tusawilla Park

Mayor Marciano encouraged the public to participate in the Spring Cleanup event at Tusawilla Park. To note, 500 volunteers have signed up.

- Workout with the Mayor event

Mayor Marciano encouraged the public to attend the first Workout with the Mayor event on May 4, 2024. The workout events will be held on a monthly basis at the Mary Sue Rich Center.

- Recognition of Parks & Recreation staff

Mayor Marciano recognized Parks & Recreation staff for their community support

efforts.

19. Comments by City Council Members

- Council Member Bethea presented a PowerPoint for FDOT District 5 projects

Council Member Bethea presented a PowerPoint for FDOT District 5 projects. In District 5, \$7.98 billion will be spent in the Work Program. He provided a brief overview of the following: tentative Work Program, five projects, and project highlights.

- Council Member Dreyer encouraged Council to attend the TPO and 2050 Long Range Transportation Plan meeting next week

20. Adjournment

Adjourned at 5:26 pm

Minutes

Barry Mansfield
Council President

Angel B. Jacobs
City Clerk