



Ocala

City Council

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.org

Tuesday, May 16, 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

- c. New Employees
 - Jeffery Bailey, Public Works
 - Tyson Dallas, Recreation & Parks
 - Steven Hill, Recreation & Parks
 - Samantha Mormile, Recreation & Parks
 - Tyson Powell, Recreation & Parks
 - Chandler Reeder, Recreation & Parks
 - Kyle Richardson, Recreation & Parks
 - Rafeal Wagner, Recreation & Parks

2. Public Notice

Public Notice for the May 16, 2023 City Council Regular Meeting was posted on April 4, 2023

3. Proclamations & Awards

- 3a.** National Public Works Week Proclamation will be presented to Darren Park, Director of Public Works; Dwayne Drake, Sanitation Division Head; and to Tom Casey, Infrastructure Division Head

Mayor Guinn presented a proclamation for National Public Works Week. The City proclaims May 21, 2023 to May 23, 2023, as National Public Works Week.

Director of Public Works Darren Park thanked Mayor Guinn for the proclamation.

- 3b.** Older Americans' Month Proclamation will be presented to Phyllis Silverman, Founder and President of Senior Resource Foundation of Ocala, and to Herb Silverman,

Marketing and Webmaster to Senior Resource Foundation of Ocala

Mayor Guinn presented a proclamation for Older Americans' Month. The City proclaims the month of May 2023, as Older Americans' Month.

Phyllis Silverman, Founder & President of Senior Resource Foundation of Ocala, thanked Mayor Guinn for the proclamation.

- 3c.** Motorcycle Safety Awareness Month Proclamation will be presented to Bridgette Pace, ABATE of Florida, Inc., Forest Chapter President; Joseph Kremer; Greg Smale; John Melin; and Russell J. Pace

Mayor Guinn presented a proclamation for Motorcycle Safety Awareness Month. The City proclaims the month of May 2023, as Motorcycle Safety Awareness Month.

Bridgette Pace, ABATE of Florida, Inc., thanked Mayor Guinn for the proclamation. She shared driving safety tips and encouraged the public to attend motorcycle safety classes.

- 3d.** Service Award - Sergeant John Hilton - Ocala Police Department - 15 Years of Service

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

- 3e.** Service Award - Jeffrey Kerley - Recreation and Parks - 25 Years of Service

City Manager Pete Lee and Mayor Guinn presented a service award to Jeffrey Kerley in appreciation of his 25 years of service to the City of Ocala.

4. Presentations

5. Public Comments

6. Public Hearings

- 6a.** Open a public hearing to receive comments concerning SunTran's proposed budget for FY 2022 which includes 5307 grant funding from the Federal Transit Administration, Florida Department of Transportation Block Grant funding, toll road revenue credits, and local matches from the City and County (total budget of \$3,352,854)

Council President Hilty opened the public hearing at 4:22 pm.

Growth Management Director Tye Chighizola provided a brief overview of the proposed budget for SunTran. The budget totals \$3,352,854, and the FTA grant totals \$1.891 million. Furthermore, the budget includes matches from DOT and local. The budget will be used for operating expenses; and the City will be presenting a \$6.3 million grant for capital items at a future meeting; staff recommends approval.

- 6b.** Adopt 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

Council President Hilty opened items 6b and 6c.

Growth Management Director Tye Chighizola provided a brief history of the requested relief and development project. The applicant will not start construction until road improvements are completed by the City.

Attorney Fred Roberts, 40 SE 11th Avenue, confirmed the applicant agreed to not start construction until road improvements are completed.

Council President Hilty asked if materials will be stored/delivered in a separate location. Mr. Roberts responded no; nothing shall commence until road improvements are completed.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 6c.** Approve 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 second of two public hearings. The first public hearing was held on May 2, 2023

There being no further 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

- 6d.** Approve the sale of beer and wine for on-premise consumption for BWO Investment, LLC, d/b/a Best Western Ocala at 3701 SW 38th Ave. (Quasi Judicial)

Growth Management Director Tye Chighizola commented BWO Investment, LLC submitted a new application for an alcohol license, at the Best Western hotel; staff recommends approval.

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

7. Second and Final Reading of Ordinances

(All are Public Hearings)

- 7a.** Adopt 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

HR & Risk Management Director Devan Kikendall commented on January 17, 2023, City Council approved increasing the benefit multiplier from 1.0% to 1.3%, for the variable plan; will go into effect on October 1, 2023.

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

8. General Business

- 8a.** Approve direct supply purchase of traffic signal equipment with awarded vendors utilizing an approved Florida Department of Transportation contract in the amount of \$454,010

Mayor Guinn asked how the City utilizes removed lights/poles. Director of Public Works Darren Park responded the poles are scrapped, and the equipment is added to inventory. He explained the pole removal process.

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 a three-year contract with Clarke Environmental Mosquito Management, Inc. for mosquito control services with an aggregate expenditure amount not to exceed \$240,000

There being no 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
- 8c.** Approve Task Work Order with Kimley-Horn and Associates, Inc. for engineering services related to the wastewater force main upgrade from Lift Station No. 5 to No. 17 in the amount of \$198,832

There being no 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
- 8d.** Approve First Amendment to Miller Pipeline's Services Agreement for Water Resources Improvement Projects with an aggregate expenditure amount not to exceed \$7,500,000

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 the purchase of a John Deere 5105M Utility Tractor with attachments for the Ocala International Airport in the amount of \$113,763

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
- 8f.** Approve the purchase of a Toyota Model 50-8FG80U forklift from Southern States Toyotalift in the amount of \$117,990

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
- 8g.** Approve the All-Requirements Project - Solar III Energy Participation Agreement for up to three megawatts of solar energy generation with the Florida Municipal Power Agency

Council Member Musleh requested the City clarify the request. Deputy Director of Electric Chad Lynch explained the remaining three megawatts, not completed in Phase 1, will be carried over to Phase 3.

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

- 8h.** Adopt Resolution 2023-27 approving the FMPA All-Requirements Power Supply Project - Solar III Energy Participation Agreement and the three megawatts solar transfer from the Solar I to Solar III Participant Project

Council Member Mansfield asked where the solar field is located. Deputy Director of Electric Chad Lynch responded the solar fields are located throughout the State of Florida.

Council President Hilty stated the City will be buying a share of the power supply to comply with the FMPA.

Mayor Guinn requested more information regarding megawatts usage. Mr. Lynch responded the summer peak totals 320-megawatts, which amounts to 54,000 customers (commercial, industrial and residential).

Rock Gibboney, 597 NE 45th Terrace, spoke in opposition of utilizing solar energy. He questioned why land is being destroyed to create solar farms. Furthermore, he noted the City can opt out of solar energy.

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

RESULT: ADOPTED

MOVER: Kristen M. Dreyer

SECONDER: Barry Mansfield

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

- 8i.** Approve a one-year renewal of the contract with Florida Transformer, Inc. to refurbish, repair and dispose of transformers with an annual expenditure not to exceed \$75,000

There being no 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

- 8j.** Approve My 3 Rose Commercial Conceptual Subdivision Plan SUB21-44610

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
- 8k.** Approve a three-year contract with Cogent Communications, Inc. for the purchase of 20 Gigabit of internet bandwidth for a fourth diverse route and IPV4 addresses in the amount of \$314,600

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
- 8l.** Approve five-year renewal with CenturyLink Communications, LLC d/b/a Lumen Technologies Group for leasing dark fibers in the amount of \$121,950

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, Musleh, and Hilty Sr
- 8m.** Approve Fixed Base Operator Lease Amendment No. 2 with Sheltair Ocala, LLC to accommodate hangar development expansion at the Ocala International Airport

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
- 8n.** Approve the purchase of a new SWAT transport vehicle for the Ocala Police Department for \$154,785

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
- 8o.** Approve a two-year contract for professional concert production services with Oniram Productions, Inc. in an amount not to exceed \$142,350

Mayor Guinn asked if the City has any events scheduled at Citizen Circle this year. He encouraged the City to utilize the location for future events. Interim Division Head for Cultural Arts Leslie Nottingham confirmed the City has no events scheduled at Citizen Circle this year.

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

- 8p.** Approve an easement agreement and a special warranty deed from the Hidden Village Homeowners' Association conveying SE 27th Loop and SE 27th Street to the City

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

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: Kristen M. Dreyer

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

- 9a.** Approve the Ocala Community Redevelopment Agency Fiscal Year 2022 Annual Report
- 9b.** Adopt Budget Resolution 2023-140 amending the Fiscal Year 2022-2023 budget to transfer funds from airport reserve for contingencies for the purchase of a John Deere utility tractor in the amount of \$113,763
- 9c.** Adopt Budget Resolution 2023-141 amending the Fiscal Year 2022-2023 budget to transfer funds from the gas tax reserve for fund balance for the purchase of traffic signal cabinets in the amount of \$254,010
- 9d.** Adopt Budget Resolution 2023-142 accepting a donation from Ocala Main Street to the Ocala-Marion Mentorship Program in the amount of \$8,453
- 9e.** Approve a one-year renewal with Brian Bombassei, Inc. for miscellaneous pavement striping services with an expenditure not to exceed \$30,000
- 9f.** Approve three-year contract with Thompson Consulting Services, LLC for the provision of primary emergency debris removal monitoring services

- 9g. Approve three-year contract with Tetra Tech, Inc., for the provision of secondary emergency debris removal monitoring services.
- 9h. Approve Labor Attorney invoices for the month of March 2023 in the amount of \$78.00
- 9i. Approve agreement with the School Board of Marion County, Florida for rental of buses for the City's summer programs in the amount of \$800
- 9j. Approve the release of a Right to Cross Easement granted by Jake Jacobs
- 9k. Approve contract with R&R Builders, LLC, for the rehabilitation of the Nelson residence located at 1018 West Silver Springs Place for a total project cost not to exceed \$59,465
- 9l. Approve contract with R&R Builders, LLC, for the rehabilitation of the Hampton residence located at 1324 SE 18th Place for a total project cost not to exceed \$84,050
- 9m. Approve Memorandum of Lease for PRP Hangars, LLC
- 9n. Approve First Amendment to Commercial Contract for Purchase and Sale of seven acres at the Ocala International Airport by Boyd-Mox Development LLC
- 9o. Approve the Third Amendment to the Cooperative Purchasing Agreement for the Provision of Building Inspection and Plan Review Services with M.T. Causley, LLC
- 9p. Outside Counsel Invoices - April 2023
- 9q. Approve Regular Meeting City Council minutes from May 2, 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

Animal Control Ordinance Update

City Manager Pete Lee reported the County approved the Animal Control Ordinance on May 16, 2023.

Opening of Pools Update

City Manager Pete Lee reported the City is preparing to open swimming pools for the Summer season. To note, the slide at Jervey Gantt will be out of service this year, due to high repair costs. The City is working on securing a low bid to repair the slide's platform/stairs.

Council President Hilty asked if the City pays separate insurance for the slide's platform/stairs. Director of Parks & Recreation Preston Pooser responded they will follow-up with Risk Management.

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 May 1, 2023 to May 14, 2023. The Police Department's Opioid response efforts 7, overdose deaths 1, Narcan leave behind 1, and Amnesty participation 1. The department is working on filling six vacancies; and the Fallen Officer Memorial Service is scheduled on Thursday, May 18, 2023, at 9 am, location McPherson Campus.

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 8, overdose deaths 0, Narcan leave behind 1, and calls for service 1,103. Year to date, 352 OD2A Program participants, and 269 community paramedicine graduates. Furthermore, next week is National EMS Week; and the department responded to investigate a 3,000-gallon gas bill.

15. Mayor's Report**FAFO Symphony Under the Stars Mother's Day Event Concerns**

Mayor Guinn expressed concern regarding no singing performance of The Star-Spangled Banner or Pledge of Allegiance at the past FAFO event. To note, the FAFO President acknowledged the presented concerns.

City Manager Pete Lee stated the City will facilitate the pledge to the flag at future events.

Golf Course Update

Director of Facilities & Fleet Management John King confirmed the project is 90% complete. The carpet will be installed next week; and the City will finish the kitchen build-out.

Courthouse Therapy Dogs

Mayor Guinn requested the City research the costs associated with the Courthouse Therapy Dog Program.

House Bill 1369 Passed

Mayor Guinn reported House Bill 1359 will go into effect on October 1, 2023. Furthermore, the Police Department recently made an arrest for 28-grams of fentanyl; future offenses involving fentanyl will result in enhanced penalties and a minimum mandatory term of imprisonment under the House bill.

Title 42 Expiration Immigration Concerns

City Manager Pete Lee confirmed the City has no plans to house immigrants at this time.

16. City Attorney's Report

17. Informational Items

17a. Calendaring Items

- Monday, May 29 - Memorial Day Holiday - City Offices Closed
- Monday, June 19 - Juneteenth Holiday - City Offices Closed
- Tuesday, July 4 - Fourth of July Holiday - Council Meeting Cancelled, City Offices Closed

17b. Comments by Mayor

17c. Comments by Council Members

17d. Informational

17d1. T-Ball field usage at Jervey Gantt**17d2.** Executed Contracts under \$50,000**18. Adjournment****Adjourned at 5:14 pm****Minutes**

James P. Hilty Sr.
Council President

Angel B. Jacobs
City Clerk