



# Ocala

## City Council

### Minutes

110 SE Watula Avenue  
Ocala, FL 34471

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**Tuesday, February 20, 2024**

**4:00 PM**

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**1. Call to Order**

- a. Opening Ceremony
  - 1. Invocation
  - 2. Pledge of Allegiance
- b. Welcome and 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, Planner II Divya Gocindaraju, Planning Director Aubrey Hale, Budget Director Tammi Haslam, Senior Planner Emily Johnson, HR/Risk Management Director Devan Kikendall, City Engineer & Director of Water Resources Sean Lanier, Senior Planner Endira Madraveren, 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.

- c. New Employees
  - Gustin Hilts, Electric
  - Gina Quintana, Electric
  - Blake Carpenter, Public Works
  - Andres Ladino, Public Works
  - Oscar Nunez, Public Works
  - Steve Sugamele, Public Works
  - Christopher Reid, Water Resources
  - Sean Sovers, Recreation & Parks
  - Aaron Vande Panne, Recreation & Parks
  - Bre Ximenes, Recreation & Parks

**2. Public Notice**

- **Public Notice for the February 20, 2024 City Council Regular Meeting was posted on January 3, 2024**

**3. Proclamations & Awards**

- 3a.** The Engineers Week Proclamation will be presented to Allan Garri, Florida Engineering Society, Forest Chapter State Director

Mayor Marciano presented a proclamation for Engineers Week. The City proclaims February 18, 2024 to February 24, 2024, as Engineers Week.

- 3b.** Service Award - Sergeant Aaron Messenger - Ocala Police Department - 15 Years of Service

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

- 3c.** Service Award - John Hettinger - Ocala Fire Rescue - 25 Years of Service

City Manager Pete Lee and Mayor Marciano presented a service award to John Hettinger in appreciation of his 25 years to the City of Ocala.

**4. Presentations****5. Public Comments**

- **John Ghannam, 2120 SE 3rd Place, requested Code Enforcement hearing extension**

John Ghannam, 2120 SE 3rd Place, stated he is a Realtor very recently hired to sell a house; the property owner has an open case with the City's Code Enforcement. He provided an overview of the property's history and challenges and noted the open Code Enforcement case is scheduled to be heard before the Special Magistrate on February 28, 2024. He explained he has received multiple offers on the home since listing it, and all the offers include an intent to clean up and fix the property to resell or rent. He requested Council consider granting an extension.

Growth Management Director Jeff Shrum stated he will discuss the matter with Mr. Ghannam.

- **Peggy Thomas, 1339 SW 2nd Street, requested the return of the badge belonging to her great-uncle, the first African American Marshal killed in the line of duty, and expressed concern over increases in her utility bills**

Peggy Thomas, 1339 SW 2nd Street, requested the return of the badge belonging to her great-uncle, Marshal Burrell Dawkins, the first African American Marshall killed in the line of duty. Furthermore, she spoke on financial hardships she faces due to utility bill increases.

Police Chief Mike Balken stated he will have the badge returned to Ms. Thomas.

**6. Public Hearings**

- 6a.** Open a public hearing to review and receive comments concerning SunTran's proposed budget for Fiscal Year 2023 which includes 5307 grant funding (\$2,945,359) 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 \$4,522,364)

City Attorney Sexton spoke on the public hearing procedures.

Council President Mansfield opened the public hearing.

City Projects Director Tye Chighizola introduced SunTran's proposed budget (totaling \$4,522,364) for Fiscal Year 2023. The budget includes 5307 grant funding totaling \$2,945,359, from the Federal Transit Administration (FTA), along with matches from the County and City of a total of approximately \$563,000. To note, the budget includes several allocations of revenue from grants, credits, and local matches.

No public comment.

**RESULT:** OPENED A PUBLIC HEARING

**7. Second and Final Reading of Ordinances**

(All are Public Hearings)

- 7a.** Adopt Ordinance 2024-15 to rezone to B-5, Wholesale Business District, for a portion of the property located at the northwest corner of the intersection at State Road 40 and NW 46th Avenue (Parcel 22854-000-00); approximately 0.28 acres (Case ZON23-45470) (Quasi-Judicial)

**Introduced By:** Jay A. Musleh

Senior Planner Endira Madraveren discussed adoption of Ordinance 2024-15. The applicant is requesting to rezone the subject property to B-5, Wholesale Business District, to allow a gas station use. Staff determined the requested zoning is consistent with the existing employment center future land use classification and underlying future land use designation. The Planning & Zoning Commission and staff recommend approval.

Anthony Kachuck, Solid Rock Property Group, 4803 George Road, Tampa, FL, stated he is available to answer any questions.

No public comment.

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

**RESULT:** ADOPTED

**MOVER:** Jay A. Musleh

**SECONDER:** Kristen M. Dreyer

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

- 7b.** Adopt Ordinance 2024-16 to rezone from B-2, Community Business District, to B-4, General Business District, for property located at the southwest corner of State Road 200 and SW 48th Court, parcel 23894+002-00 and a portion of 23894-002-00, approximately 12.3 acres (Case ZON23-45399) (Quasi-Judicial)

**Introduced By:** James P. Hilty Sr

Growth Management Emily Johnson discussed adoption of Ordinance 2024-16. The applicant is requesting to rezone the subject property from B-2, Community Business District, to B-4, General Business District, to allow for automobile sales use. Staff determined the requested zoning is consistent with the existing Low Intensity Future Land Use classification and surrounding area. The Planning & Zoning Commission and staff recommend approval.

Chris Roper, an attorney with Akerman Law Firm, 420 S Orange Avenue, Orlando, FL, stated the applicant is requesting to change the zoning to allow auto sales. To note, half of the parcel will be dedicated to auto sales, and the other half to master infrastructure to benefit road improvements including a frontage road with access to the fire station.

No public comment.

There being no further 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

- 7c.** Adopt Ordinance 2024-17 to rezone from M-1, Light Industrial District, to M-2, Medium Industrial District, for property located at 410 SW 52nd Avenue, parcel 2318-005-010, approximately 5.43 acres (Case ZON23-45463) (Quasi-Judicial)

**Introduced By:** Ire J. Bethea Sr

Growth Management Emily Johnson discussed adoption of Ordinance 2024-17. The applicant is requesting to rezone the subject property from M-1, Light Industrial District, to M-2, Medium Industrial District, to allow a warehouse use. Staff determined the requested zoning is consistent with the existing employment center future land use classification and surrounding area. The Planning & Zoning Commission and staff recommend approval.

Allison Gray, Lowndes, 215 N Eola Drive, Orlando, FL, stated she is representing the applicant. She requested Council consider approving the rezoning request.

No public comment.

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

**RESULT:** ADOPTED

**MOVER:** Ire J. Bethea Sr

**SECONDER:** Kristen M. Dreyer

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

- 7d.** Adopt Ordinance 2024-18 revising the requirements for the Ocala Planning and Zoning Commission and Ocala Zoning Board of Adjustment

**Introduced By:** Kristen M. Dreyer

MOTION ADMENDED: Adopt Ordinance 2024 18 revising the requirements for the Ocala Planning and Zoning Commission and Ocala Zoning Board of Adjustment to remove the property ownership requirement, as well as the prohibition from serving on other boards

City Projects Director Tye Chighizola discussed adoption of Ordinance 2024-18. The proposed ordinance revises the requirements for the Ocala Planning & Zoning Commission and Ocala Zoning Board of Adjustment. The ordinance includes the following changes: reduces size of Board/Commission from seven to five, removes qualification criteria (owning real estate in the City), and Members can serve on multiple Boards/Commissions. It is expected reducing the size of the boards would allow for fewer conflicts of interest, as well as improve training for board members.

Council Member Dreyer spoke in opposition of the proposed ordinance. She anticipates the size reduction will cause problems in the future for the Planning & Zoning Commission. She suggested the City actively recruit to fill the two outstanding vacancies. As well, the qualification criteria should require real estate ownership in the City.

Mr. Chighizola noted to run for City Council, an individual must be a qualified voter; there is no real estate ownership requirement.

Council Member Hilty spoke in support of the qualification criteria changes. Currently, citizens are renting, not owning. The changes will increase opportunities for interested citizens who do not own real estate property.

Council Member Musleh stated he favors the proposed ordinance. He noted City Council is the final authority of approval for planning and zoning matters.

Mr. Chighizola spoke on the current state of the Planning & Zoning Commission and Ocala Zoning Board of Adjustment.

City Attorney Sexton and Mr. Chighizola explained the quorum requirements and challenges.

City Manager Pete Lee read an email the City received from attorney Fred Roberts. Mr. Roberts' email expressed opposition in reducing the size of the Planning & Zoning Commission and Ocala Zoning Board of Adjustment, citing a concern over consolidating too much authority on a single board.

Council Members Dreyer and Hilty favor waiting to reduce the size since the qualification criteria is being removed to increase the number of interested citizens.

Mayor Marciano asked how the board vacancies are promoted. City Clerk Angel Jacobs spoke on the City's solicitation efforts, which include the City's website and social media platforms. Mr. Chighizola also stated there is departmental outreach. Council Member Musleh noted word of mouth is valuable as well.

Council Member Bethea questioned allowing citizens to serve on multiple boards.

Council agreed to amend the motion to allow the following: qualified citizens within the City limits, and Members can serve on multiple Boards or Commissions.

Council Member Bethea spoke in opposition of allowing Members to serve on multiple Boards or Commissions.

City Attorney Sexton confirmed reducing the size of Board/Commission will be stricken from the ordinance.

No public comment.

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

**RESULT:** ADOPTED AS AMENDED

**MOVER:** Kristen M. Dreyer

**SECONDER:** Jay A. Musleh

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

## **8. General Business**

- 8a.** Approve a two-year contract with Insituform Technologies, LLC for stormwater pipeline inspection, maintenance, and cleaning services with a not to exceed amount of \$200,000

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

**RESULT:** APPROVED

**MOVER:** Ire J. Bethea Sr

**SECONDER:** Kristen M. Dreyer

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

- 8b.** Approve a two-year contract with Pure Cuts Lawn and Maintenance, LLC for the provision of grounds maintenance services in the northeast quadrant with an aggregate

expenditure of \$106,856

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

**RESULT:** APPROVED

**MOVER:** James P. Hilty Sr

**SECONDER:** Ire J. Bethea Sr

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

- 8c.** Approve a two-year contract with Pure Cuts Lawn and Maintenance, LLC for the provision of grounds maintenance services in the northwest quadrant with an aggregate expenditure of \$178,268

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

**RESULT:** APPROVED

**MOVER:** Ire J. Bethea Sr

**SECONDER:** Kristen M. Dreyer

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

- 8d.** Approve the award of a contract to ComStruct Services, Inc. for the remediation of the Ocala Pistol Range Communication Tower in the amount of \$246,487, plus a 10 percent contingency of \$24,649, for a total expenditure not to exceed \$271,136

City Engineer & Director of Water Resources Sean Lanier clarified the 10% contingency clause with Council Member Hilty. The contingency clause prevents the need to submit multiple change orders and expedites the process.

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

- 8e.** Approve a two-year agreement with Art Walker Construction, Inc. for lime sludge hauling services at Water Treatment Plant No. 1 with an aggregate expenditure not to exceed \$146,700.

City Engineer & Director of Water Resources explained the process for hauling lime sludge with Council President Mansfield.

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

**RESULT:** APPROVED

**MOVER:** Kristen M. Dreyer

**SECONDER:** Ire J. Bethea Sr

- AYE:** Dreyer, Bethea Sr, Hilty Sr, Musleh, and Mansfield
- 8f.** Approve one-year renewal of ENG/211092 with C.W. Roberts Contracting, Inc. for the Parking Lot Improvement Program with an aggregate expenditure amount not to exceed of \$500,000

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

**RESULT:** APPROVED  
**MOVER:** Kristen M. Dreyer  
**SECONDER:** Jay A. Musleh

- AYE:** Dreyer, Bethea Sr, Hilty Sr, Musleh, and Mansfield
- 8g.** Approve interlocal agreement with Marion County for water and wastewater purchase and sale for Golden Holiday MHP subdivision

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
- 8h.** Approve the First Amendment to the renewal of the Cooperative Purchasing Agreement for Water Meters and Water Meter Parts with Badger Meter

There being no 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

## **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:** Jay A. Musleh

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

- 9a.** Approve the Contract for Sale and Purchase of a Surplus Parcel to Marilyn Laye
- 9b.** Approve the Contract for Sale and Purchase of a Surplus Parcel to Robert and Evella Maxwell
- 9c.** Approve the Satisfaction of Mortgage on Marion County Parcel #2856-004-008



- 9d. Approve the award of a piggyback agreement to Precision Sidewalk Safety Corp., for the provision of trip hazard mitigation services for sidewalks with an estimated expenditure of \$75,000
- 9e. Approve one-year renewal with Sunshine Enterprise USA, LLC for temporary sanitation labor services with an aggregate expenditure amount not to exceed \$84,240
- 9f. January 2024 outside counsel invoices for general city business legal services in the amount of \$757.50 and for risk management-related legal services in the amount of \$2,569.67
- 9g. Approve the release of the restrictive covenants for the Industrial Park of the City of Ocala subdivision
- 9h. Approve Task Work Order #32 with Kimley-Horn & Associates, Inc., for SW 43rd Court at SW 40th Street signalization design in the amount of \$53,822
- 9i. Adopt Budget Resolution 2024-124 amending the Fiscal Year 2023-24 budget to transfer funds from the General Liability fund for the purchase of three replacement vehicles for the Ocala Police Department, in the amount of \$94,496
- 9j. Approve Circle Fore II at SW 48th Ave Conceptual Subdivision Plan, SUB23-45265
- 9k. Approve reappointment of Tito Comas and Van Akin to the East Ocala Redevelopment Advisory Committee for new four-year terms ending March 1, 2028
- 9l. Approve reappointment of Rhella Murdaugh and TaMara York to the Downtown Ocala Redevelopment Advisory Committee for new four-year terms ending March 1, 2028
- 9m. Approve reappointment of Mike Needham to the North Magnolia Redevelopment Advisory Committee for a new four-year term ending March 1, 2028
- 9n. Approve reappointment of Dwan Thomas to the West Ocala Redevelopment Advisory Committee for a new four-year term ending March 1, 2028
- 9o. Approve reappointment of LaToria Francis to the Ocala Housing Authority Board for a new four-year term ending March 3, 2028
- 9p. Approve reappointment of Randolph Klein to the Airport Advisory Board for a new four-year term ending February 18, 2028
- 9q. Approve reappointment of Lyn Cole and Arnold Hersh to the General Employee Retirement System Board of Trustees for new three-year terms ending March 1, 2027
- 9r. Approve reappointment of Mike Gartner to the Municipal Code Enforcement Board for a new three-year term ending March 1, 2027
- 9s. Approve appointment of Melissa Townsend to the Ocala Historic Preservation Advisory Board for a new three-year term ending March 1, 2027
- 9t. Approve appointment of Leo Blum to the Planning & Zoning Commission for a new three-year term ending March 1, 2027
- 9u. Approve reappointment of Jaye Baillie, Dr. Leslie Hammond, and Pedro (Tito) Comas to the Ocala Municipal Arts Commission for new four-year terms ending March 1, 2028, and Natalie McComb to an unexpired four-year term ending March 1, 2027
- 9v. Approve minutes from February 6, 2024 City Council meeting

**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****12a. Informational Update — Interlocal Agreement – Animal Control Services - Review of Data Provided by Marion County**

Internal Auditor Randall Bridgeman discussed the Interlocal Agreement for animal control services. The City is verifying data submitted by Marion County, and will schedule a future meeting with the County to address data questions. The City is requesting clarification for a bill received from the County for \$207,000, noting it is a \$26,000 increase over the previous year with no explanation.

Council President Mansfield recounted a recent experience calling Animal Control and praised them for their quick response.

Mr. Bridgeman noted the City has not received any complaints from the public regarding animal control services.

**13. City Manager's Report****- Strategic score card**

City Manager Pete Lee provided a brief overview of the items listed on the strategic score card. He encouraged Council to provide feedback.

Council Member Hilty questioned the Affordable Housing measurement. City Manager Pete Lee explained it is a new measurement so there is no historical data to compare it to yet; it is currently being tracked to decide on a benchmark goal in the future.

**- Downtown Town Hall meeting scheduled for March 7, 2024, at 12:00 pm and 5:30 pm at IHMC**

City Manager Pete Lee reported the Downtown Town Hall meeting will discuss the following topics: parking, underground garbage, lighting, and upcoming projects.

**- 2050 Vision Plan**

City Manager Pete Lee reported City staff hosted a successful information event, with over 60 attendees. Upcoming meetings will be scheduled at Fort King and Citizen Circle.

**- Florida Lineman Competition**

City Manager Pete Lee reported the competition will take place this upcoming Saturday and Sunday, at Metropolitan Park in Jacksonville. The City was very successful in the

competition last year.

#### **14. Police and Fire Department Report**

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

Police Chief Mike Balken discussed the public safety Opioid response efforts for February 5, 2024 to February 18, 2024. The Police Departments Opioid response efforts 3, overdose deaths 0, Narcan leave behind 1, and Amnesty participation 0. The department will be actively recruiting staff to fill vacancies.

- **Fire Chief Clint Welborn – Public Safety Opioid Response Efforts & Community Paramedicine**

Fire Chief Clint Welborn discussed the public safety Opioid response efforts and community paramedicine program, for February 5, 2024 to February 18, 2024. The overdose response efforts 2, overdose deaths 0, Narcan leave behind 0, emergency calls 2,181, structural fires 7, and motor vehicle accidents 130. Year-to-date community paramedicine graduates 242, and OD2A calls 443. He provided a brief overview of the Vision 2020 symposium scheduled for tomorrow. To note, Captain Jessie Blair will be presenting at the Vision 2020 symposium.

#### **15. Mayor's Report**

- **City Departments visits**

Mayor Marciano shared his wonderful experience visiting City departments.

- **Proclamation for Coach Farmer at Vanguard High School**

Mayor Marciano stated he conducted a proclamation today for Coach Farmer at Vanguard High School. Coach Framer is known for his community support efforts.

- **Press Conference with Florida Attorney General Ashley Moody**

Mayor Marciano reported on the press conference held with Florida Attorney General Ashley Moody regarding the state- and country-wide drug overdose issue.

- **Mayor's Town Hall meeting scheduled for March 6, 2024 at Mary Sue Rich Center at 6:00pm**

#### **16. City Attorney's Report**

#### **17. Informational Items**

17a. Calendaring Items

17b. Comments by Mayor

17c. Comments by Council Members

- **Council Member Bethea commented on the 2050 Vision Planning meeting**

Council Member Bethea stated he was impressed by the presentation and information provided at the 2050 Vision planning meeting.

- **Council Member Musleh commented on East SR 40 road improvements**

Council Member Musleh requested an update regarding the East SR 40 road improvements.

City Manager Pete Lee reported the City met with FDOT to discuss planned improvements. He provided a brief overview of the following: planned changes, halted projects, and pedestrian safety. To note, the project's progress is compliant with the specified timelines.

Council Member Musleh requested the City monitor the project for compliance.

Mr. Lee spoke on the matters the City has addressed during the project.

- **Council President Mansfield requested challenge coins for council members to hand out**

Council President Mansfield requested the City order challenge coins for Council Members to hand out to City employees.

17d. Informational

**17d1. Executed Contracts Under \$50,000**

**18. Adjournment**

**Adjourned at 5:40 pm**

**Minutes**

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Barry Mansfield  
Council President

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Angel B. Jacobs  
City Clerk