



# Ocala City Council Minutes

Tuesday, July 16, 2019

## Regular Meeting

110 SE Watula Avenue  
Ocala, FL 34471  
www.ocalafl.org

Angel B. Jacobs  
(352) 629-8266

### 1. Call to Order

The Ocala City Council held a meeting at the Ocala City Hall on Tuesday, July 16, 2019 at 4:00 PM.

#### a. Opening Ceremony

1. Invocation - Chaplain Doug Green

2. Pledge of Allegiance

#### b. Welcome and Roll Call

| Attendee Name     | Title             | Status  | Arrived |
|-------------------|-------------------|---------|---------|
| Reuben Kent Guinn | Mayor             | Present |         |
| Jay A. Musleh     | Pro Tem           | Present |         |
| Justin Grabelle   | Council Member    | Present |         |
| Brent R. Malever  | Council Member    | Present |         |
| Matthew Wardell   | Council Member    | Present |         |
| Mary S. Rich      | Council President | Present |         |

Municipal Officers/Others Present: City Manager John Zabler, City Attorney Patrick Gilligan, Assistant City Manager Bill Kauffman, Assistant City Manager Ken Whitehead, City Clerk Angel Jacobs, Deputy City Clerk Roseann Fusco, Fire Chief Shane Alexander, Senior Planner/GIS Analyst David Boston, Internal Auditor Randall Bridgeman, Growth Management Director Tye Chighizola, Director of Parks & Recreation Kathy Crile, Director of Facilities Maintenance Chris Dobbs, Division Head - Sanitation Dwayne Drake, Deputy Director of Procurement/Contracts Corrin Fitsemons, Director of Revitalization Strategies Melanie Gaboardi, Chief of Police Greg Graham, Budget Manager Tammi Haslam, Manager Planning & Zoning Patricia Hitchcock, Assistant Director Recreation & Parks Julie Johnson, Contracting Officer Tiffany Kimball, Director of Fleet Management John King, Multimedia & Communication Coordinator Lee Kramer, City Engineer/Director Water Resources Sean Lanier, Planning Director Pete Lee, Civil Engineer III Payal Pandya, Director Public Works Darren Park, Director of Telecommunications Mel Poole, Strategic Business Administrator Jeannine Robbins, Director of Finance Emory Roberts, Director of Human Resources & Risk Management Jared Sorenson, Real Estate Project Manager II Tracy Taylor, Civil Engineer III Oscar Tovar, Cultural Arts & Sciences Division Head Laura Walker, Community Engagement Coordinator Ramona Williams, Urban Design Coordinator Aubrey Hale, Deputy Director Electric Utility Eric Weaver, Ocala Police Department Representative, IT Representative, the news media and other interested parties.

**c. New Employees**

**Robert Andrews - Procurement Department**

**Daphne Robinson - Procurement Department**

**2. Public Notice**

**Public Notice for the July 16th, 2019 City Council Regular Meeting was posted on June 5, 2019**

**3. Proclamations & Awards**

**a. Presentation of Plaque to 14U Ocala Elite Baseball Club - USSSA Global World Series Champions**

Mayor Guinn presented plaques to the 14U Ocala Elite Baseball Club recognizing them as USSSA Global World Series Champions.

**b. Service Award - Jason Rhodes - 20 Years**

City Manager John Zabler and Mayor Guinn presented a service award to Jason Rhodes in appreciation of his 20 years of service to the City of Ocala.

**c. Service Award - Bryon Hart - 30 Years**

City Manager John Zabler and Mayor Guinn presented a service award to Bryon Hart in appreciation of his 30 years of service to the City of Ocala.

**d. Presentation of the Distinguished Budget Award – Tammi Haslam**

Budget Manager Tammi Haslam read a portion of the press release provided by the Government Finance Officers Association that was included with the award presented to the City to Ocala's Office of Budget and Management.

**e. FEMA NFIP CRS 2018 Award of Excellence Presentation - Sean Lanier**

Roy McClure with FEMA presented the FEMA NFIP CRS 2018 Award of Excellence to City Engineer/Director Water Resources Sean Lanier.

Mr. Lanier thanked staff for their continued efforts.

**4. Presentations**

**5. Public Comments**

**Kashif Shabazz 1303 SW 15th Avenue apologized to the Ocala Police Department and Chief Graham for his past comments.**

Mayor Guinn welcomed Mr. Shabazz to his office at any time.

## 6. Public Hearings

- a. **Approved** transmittal to the Florida Department of Economic Opportunity (DEO) a letter regarding an evaluation and appraisal review of the Comprehensive Plan as required per Rule Chapter 73C-49 of the Florida Administrative Code

Presentation by David Boston

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Matthew Wardell, Council Member          |
| <b>SECONDER:</b> | Brent R. Malever, Council Member         |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- b. **Adopted Resolution 2019-34** to rescind Resolution 2017-58 which abrogated a portion of NE 7th Terrace lying south of NE 4th Street (PHR 19-0004) (Quasi Judicial)

Presentation by Patricia Hitchcock

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

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jay A. Musleh, Pro Tem                   |
| <b>SECONDER:</b> | Brent R. Malever, Council Member         |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- c. **Approved** alcoholic beverage location permit for the sale of beer and wine for off-premise consumption for RaceTrac Petroleum Inc d/b/a RaceTrac #2516 (Quasi Judicial)

Presentation by Patricia Hitchcock

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Justin Grabelle, Council Member          |
| <b>SECONDER:</b> | Matthew Wardell, Council Member          |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- d. **Approved** alcoholic beverage location permit for the sale of beer and wine for off-premise consumption for RaceTrac Petroleum, INC. d/b/a RaceTrac #2518 (Quasi Judicial)

Presentation by Patricia Hitchcock

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

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Matthew Wardell, Council Member  
**SECONDER:** Jay A. Musleh, Pro Tem  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- e. **Approved** Transportation Franchise for Pronto Limousine Service, Inc (Limousine) located at 3331 SW 9th AVE, Ocala, Florida (License 1000717) (Quasi Judicial)

Presentation by Patricia Hitchcock

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

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jay A. Musleh, Pro Tem  
**SECONDER:** Matthew Wardell, Council Member  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

## 7. Second and Final Reading of Ordinances

(All are Public Hearings)

## 8. General Business

- a. **Approved** adopting the Fiscal Year 2019-2020 tentative millage rates: Basic City - 6.6177; District A - 1.7185; District B - 1.6332; District C – 1.5091

Presentation by Tammi Haslam

Council Member Wardell stated property appraisers are expecting values to be higher and asked if the revenue numbers reflect this. Ms. Haslam responded in the affirmative.

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

Council agreed to tentatively schedule the public hearings for the millage rate on Tuesday September 3rd and Tuesday September 17th.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Justin Grabelle, Council Member  
**SECONDER:** Jay A. Musleh, Pro Tem  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- b. **Adopted Budget Resolution 2019-152** to accept funds from St. Johns River Water Management District for the Southwood Villas and surrounding area waste water expansion project in the amount of \$704,288

Presentation by Tammi Haslam

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

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Justin Grabelle, Council Member  
**SECONDER:** Brent R. Malever, Council Member  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- c. **Adopted Budget Resolution 2019-153** amending the Fiscal Year 2019 Budget to accept and appropriate funds from St. Johns River Water Management District, cost share No. 33953, for Lower Floridan Aquifer Conversion Phase I project with grant funds of \$795,713

Presentation by Tammi Haslam

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

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay A. Musleh, Pro Tem  
**SECONDER:** Brent R. Malever, Council Member  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- d. **Approved** Task Work Order #19 for Kimley-Horn and Associates, Inc. to conduct a water system condition assessment at a cost of \$141,055.63

Presentation by Sean Lanier

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

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Matthew Wardell, Council Member  
**SECONDER:** Justin Grabelle, Council Member  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- e. **Approved** Task Work Order #20 for Kimley-Horn and Associates, Inc. to conduct a wastewater system condition assessment at a cost of \$154,073.22

Presentation by Sean Lanier

Council Member Grabelle questioned how the assessment is performed. Mr. Lanier explained Kimley-Horn and Associates will verify materials in place in the field and using GIS to validate systems are reaching end of life. Based on their findings they will provide recommendations.

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

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Brent R. Malever, Council Member  
**SECONDER:** Jay A. Musleh, Pro Tem  
**AYES:** Musleh, Grabelle, Malever, Wardell, Rich

- f. **Approved** Federal Transit Administration (FTA) award of Section 5307 funding for the purchase of seven new transit buses and two cutaway vehicles in the amount of \$3,600,000

**Presentation by Tye Chighizola**

Council President Rich commented they will not be available until 2021. Mr. Chighizola confirmed and explained that the process will take approximately 18 months to complete. The busses are replacing older vehicles in the fleet.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Matthew Wardell, Council Member          |
| <b>SECONDER:</b> | Brent R. Malever, Council Member         |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- g. Approved** a one-year contract for Harvest Fest production and event management with AEG Presents, LLC.

**Presentation by Kathy Crile**

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Jay A. Musleh, Pro Tem                   |
| <b>SECONDER:</b> | Justin Grabelle, Council Member          |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- h. Ocala's solar power project commitment with FMPA of 20 megawatts**

**Presentation by Eric Weaver**

Council Member Grabelle feels this helps diversify the fuel mix. He spoke about concern of the Advisory Board Members about the uncertainty in the wording, along with negotiating the \$25 number.

Mayor Guinn asked what a good mix would be. Mr. Weaver replied the Citizens of Ocala were polled, and there were 12,000 respondents. This was diversified by about 50% or 6,000 people that would be interested in purchasing solar power.

Mayor Guinn asked if FMPA has a percentage they are targeting. Mr. Weaver stated he does not know their target.

Mayor Guinn pointed out Duke Energy was looking to get to 25% of their energy coming from solar.

Mr. Weaver stated with this pricing, in a few years they could get a credit on their bill.

Council Member Wardell commented IOU's are investing in solar as well.

Council Member Wardell asked if the tariffs on the Chinese solar panel imports are affecting current negotiations. Mr. Weaver is not aware of this being an impact.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Brent R. Malever, Council Member         |
| <b>SECONDER:</b> | Jay A. Musleh, Pro Tem                   |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

## 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.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jay A. Musleh, Pro Tem                   |
| <b>SECONDER:</b> | Brent R. Malever, Council Member         |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

- a. Adopted Budget Resolution 2019-154** to accept Federal Transit Administration (FTA) award of Section 5307 funding to purchase seven new transit buses and two cutaway vehicles in the amount of \$3,600,000

Presentation by Tammi Haslam

- b. Adopted Budget Resolution 2019-155** appropriate funds from the North Magnolia Sub-Area CRA to pay for post design engineering services for the NE 9th Street Pedestrian Improvements and Beautification Project in the amount of \$24,583

Presentation by Tammi Haslam

- c. Approved** one-year renewal with Pace Analytical Services, LLC for environmental water testing in the amount of \$25,000

Presentation by Sean Lanier

- d. Approved** one-year renewal lease agreement with Back to Basics Holdings LLC, for Cultural Arts office space in the amount of \$55,980

Presentation by Laura Walker

- e. Approved** June 2019 City Attorney invoices for general city business legal services in the amount of \$41,300.16, and for risk management-related legal services in the amount of \$21,963.94

Presentation by Patrick G. Gilligan

- f. Approved** Labor Attorney invoices for the month of April/May 2019 in the amount of \$9,739.65

Presentation by Jared Sorensen

- g. Approved** appointment of Jared Sorensen to the General Employee Pension Board of Trustees for an unexpired three-year term ending March 1, 2021

Presentation by Angel Jacobs

- h. Approved** appointment of Sadie Smith to the Ocala Police Officers' Retirement System Board of Trustees for an unexpired two-year term ending August 6, 2020

Presentation by Angel Jacobs

- i. Approved** Regular Meeting City Council Minutes for Tuesday, July 02, 2019

Presentation by Angel Jacobs

## 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 6, 2019)

- a. Introduced Ordinance 2019-54** amending the General Employees' Retirement System

**Introduced by Council Member, Jay A. Musleh**

|                |                   |                               |
|----------------|-------------------|-------------------------------|
| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
|----------------|-------------------|-------------------------------|

- b. Introduced Ordinance 2019-55** amending the General Employees' Retirement System concerning beneficiaries

**Introduced by Council Member, Brent Malever**

|                |                   |                               |
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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- c. Introduced Ordinance 2019-56** amending the Police Officers' Retirement System

**Introduced by Council Member, Justin Grabelle**

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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- d. Introduced Ordinance 2019-57** amending Chapter 30, Emergency Services, Article III, Emergency Fire Service User Fee; and amending Sections 30-51 and 30-52 to amend findings and background and institute a revised fire user fee schedule



**Introduced by Council Member, Matthew Wardell**

|                |                   |                               |
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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- e. **Introduced Ordinance 2019-58** a future land use amendment from Low Intensity to Employment Center for approximately 52.83 acres of property located at in the 4700 to 4800 block of South Pine Avenue (Case LUC19-0003)

**Introduced by Council Member, Jay A. Musleh**

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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- f. **Introduced Ordinance 2019-59** amend the Comprehensive Plan, Future Land Use Element, by the addition of Future Land Use Policy 18.37 for property located in the 4700 and 4800 blocks of South Pine Avenue (Case FLUP19-0001)

**Introduced by Council Member, Brent Malever**

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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- g. **Introduced Ordinance 2019-60** a zoning classification of B-5, Wholesale Business, for approximately 52.83 acres of property located at in the 4700 to 4800 block of South Pine Avenue (Case ZON19-0012) (Quasi Judicial)

**Introduced by Council Member, Matthew Wardell**

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| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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- h. **Introduced Ordinance 2019-61** a future land use amendment from Public to Medium Intensity/Special District for approximately 217.54 acres of property located south of NW 35th Street, east of NW 27th Avenue, north of NW 21st Street and west of railroad (Case LUC19-0001)

**Introduced by Council Member, Justin Grabelle**

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|----------------|-------------------|-------------------------------|
| <b>RESULT:</b> | <b>INTRODUCED</b> | <b>Next: 8/6/2019 4:00 PM</b> |
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**12. Internal Auditor's Report - None****13. City Manager's Report**

- a. Request to enter into negotiations to sell surplus land at Ocala Business Park

City Manager Zobler discussed the investments the City has made in the Ocala Business Park. He spoke about Insurance Auto Auctions, who is interested in purchasing 75 acres, and an option within 12 months to purchase an additional 75 acres.

Council Member Wardell asked if the price per acre is in line with recent appraisals. City Manager Zobler feels the price is consistent and has ordered an appraisal to be completed within 14 days. The offer price is \$35,000 per acre.

Council Member Grabelle questioned if there is an impact to the airport for future expansion. City Manager Zobler explained the airport parcels will not be impacted by this development. This would give the airport money to work on other projects.

Council Member Grabelle inquired about Insurance Auto Auctions. City Manager Zobler provided background on their other locations and how they are managed.

Mayor Guinn asked if this would prohibit other companies from coming to the area. City Manager Zobler responded in the negative and discussed the buffering around the area.

Mayor Guinn questioned the timeline. City Manager Zobler stated this is a new discussion.

Mayor Guinn commented on the new airport terminal and if there may be other companies who want to be here. City Manager Zobler explained it's similar to Orlando Airport Area.

Council Member Musleh also commented on this property, which has been developed since 2010 and has been on the market with zero closings. He expressed his support with heading to negotiation.

City Manager Zobler displayed a video on Insurance Auto Auctions.

Council Member Rich asked what happens to vehicles they sell parts off of. City Manager Zobler explained they must purchase the whole car; they will not sell just parts.

Council Member Malever stated Manheim has 8 auction companies in the State of Florida which are kept very nicely. He also expressed the need to sell the property.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Brent R. Malever, Council Member         |
| <b>SECONDER:</b> | Jay A. Musleh, Pro Tem                   |
| <b>AYES:</b>     | Musleh, Grabelle, Malever, Wardell, Rich |

### **Strategic Retreat - Proposed Agenda**

City Manager Zobler provided a proposed agenda for the mid-year Strategic Retreat and requested Council review and provide feedback.

### **Eat Street Ocala Downtown Market**

Eat Street Ocala Downtown Market will hold an event on Thursday, July 18th, 2019. Chamber and Economic Partnership (CEP) has committed to the next 6 Thursdays with many different events and activities.

**Fire Bell Unveiling will be held on Wednesday July 24th, 2019**

**City Council Work Session on Wednesday July 24th**

**The TPO house will move on either August 4th or August 11th.**

**City Manager Zobler will be out of office on Monday July 22nd and July 29th through August 2nd.**

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

### **Police Chief Graham – Opioid Report**

There have been 86 overdoses, 14 deaths 25 saved with Narcan. To date, there have been 115 people that have participated in the Amnesty Program.

The Hospital District started their new program at the old centers and will start helping with the Amnesty Program.

Chief Graham also spoke about the opioid litigation going on throughout the nation, and Council potentially joining in. Any settlement will go towards treatment, which is where the city needs funding.

Council Member Grabelle would be interested in learning more.

Council President Rich commented on a company mixing something with Narcan. Mr. Graham recalled reading the same thing but couldn't recall the details.

Council would like to hear more about the opioid litigations.

### **Fire Chief Shane Alexander – Opioid Report**

In July 2019, there were 5 overdoses and 1 Narcan leave behind.

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

**Mayor Guinn commented on the need to recognize youth in the City of Ocala**

**Mayor Guinn spoke about working with Chewy on a designation of recognizing Ocala as a pet friendly City**

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

1. City Council Work Session - Wednesday, July 24, 2019 - 12:00 pm - Golf Cart Ordinance and review of Master Plans - City Hall - Second Floor - Council Chamber

**b. Comments by Mayor****c. Comments by Council Members**

**Council Member Wardell is looking forward to continuing serving the City of Ocala. He requested Council consider regular meetings beginning on 4:30 p.m.**

**Council Member Musleh discussed his concern of Ransomware and the importance of cyber security. City Manager Zobler stated that he would have staff prepare a security update presentation for Council.**

**d. Informational**

1. Monthly Budget to Actual Report as of May 31, 2019 and Capital Improvement Project Status Report

**18. Adjournment**

**Adjourned at 5:44 p.m.**

**Minutes**

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Mary S. Rich

Council President

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Angel B. Jacobs

City Clerk