



OCALA CITY COUNCIL AGENDA

Tuesday, October 6, 2009

Meeting Information

Location

Ocala Police Department
Community Room
402 South Pine Avenue
Ocala, Florida

Time

4:00 p.m.

Council Members

Kyle A. Kay, President
Reuben Kent Guinn, Pro Tem
Daniel Owen
Mary Sue Rich
Charles Ruse, Jr.

Mayor

Randall Ewers

City Manager

Ricky A. Horst

Assistant City Managers

Matthew J. Brower
Bruce Phillips
John Zobler

Chief of Staff, Support Services

Catherine Cameron

Interim City Clerk

Angel B. Jacobs

City Attorney

Patrick G. Gilligan

WELCOME!

We are very glad you have joined us for today's Council meeting. If you are commenting on an agenda item, when you are recognized state your name and address and speak into the microphone. The Council is pleased to hear relevant comments; however a general time limit of three minutes is set. Citizen groups are asked to name a spokesperson.

If you wish to comment on any item **not** on the agenda you may address Council during Item **3a** by stepping to the microphone and giving your name and address for the record. Speaker cards should be filled out in advance and given to the City Clerk. Comments should be limited to three minutes, unless additional time is authorized by City Council. Citizen groups are asked to name a spokesperson. Items brought forward to the attention of City Council will be turned over to staff to provide a response outside of the City Council meeting. In rare cases where it is determined appropriate to address items raised from citizen comments, these items will be noted and brought back at the conclusion of the printed agenda.

Cellular phones and pagers must be turned off, or set to vibrate only upon entering the Council Chamber.

The order of agenda items may be changed if deemed appropriate by City Council.

Thank you for participating in your City Government.

APPEALS

Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is made.

ADA COMPLIANCE

If reasonable accommodations are needed for you to participate in this meeting, please call the City Manager's Office at 352-629-8401 at least 48 hours in advance so arrangements can be made.

1. General Business

- a. Welcome and Roll Call
- b. Opening Ceremony
 1. Invocation
 2. Pledge of Allegiance

2. Awards**3. Presentations**

- a. Citizen comments on items not scheduled on agenda
- b. Presentation – Marc Mondell

4. Public Hearings

- a. Approve an alcoholic beverage location permit for on-premise consumption for Cabana's Catering, LLC, doing business as the Mojo Grill located at 103 SE 1st Avenue (Case No. 43271)
(Staff presentation by John Zobler)
- b. Approve an alcoholic beverage location permit for on-premise consumption at Booze, Food & Entertainment restaurant located at 18 SW Broadway Street (Case No. 43199)
(Staff presentation by John Zobler)

5. Second and Final Reading of Ordinances (All are public hearings)

- a. Adopt Ordinance No. 6015 to repeal Sections 30-50 through 30-54 of Chapter 30, Article III (Introduced on September 1, 2009 by Council member Ruse) (Postponed from September 15, 2009)
(Staff presentation by Patrick G. Gilligan)
- b. Adopt Ordinance No. 6016 amending Section 42-9, Public Indecency (Introduced on September 15, 2009 by Council member Rich)
(Staff presentation by Patrick G. Gilligan)
- c. Adopt Ordinance No. 6017 to rezone approximately 1.23 acres from B-4, General Business, to B-5, Wholesale Business (Case No. ZON09-0011) (Introduced on September 15, 2009 by Council member Guinn)
(Staff Presentation by John Zobler)
- d. Table Ordinance No. 6018 to October 20, 2009 to amend Section 70-683 Utility Security Deposits (Introduced on September 15, 2009 by Council member Ruse)
(Staff Presentation by Matt Brower)

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 be removed for separate discussion and action.

- a. Approve Work Order No. 04 to Reynolds, Smith and Hills, Inc. (RS&H) for the Development of a Wildlife Hazard Management Plan for the Ocala International Airport for \$63,700.00
(Staff Presentation by Bruce Phillips)
- b. Approve the final release of retainage and final payment for the Lake Weir Avenue Reconstruction – Phase I Project Bid No. B-3099 to Counts Construction, Inc. for \$210,390.96 and accept the one (1) year maintenance bond
(Staff Presentation by Bruce Phillips)
- c. Approve Change Order No. 13 deducting \$627.10 from the contract with GWP Construction for the Water Main Replacement Phase II Project Bid No. ITB-08016
(Staff Presentation by Bruce Phillips)
- d. Approve release of retainage for \$54,105.95 for final payment to Steven Counts, Inc. (SCI) Bid No. ITB-08037 and accept the one (1) year maintenance bond for the Airport Apron Expansion
(Staff Presentation by Bruce Phillips)
- e. Approve Change Orders No. 3, 4, 5, 6 to G.M. Building Services, Inc. for \$19,348.81 for Renovations to the Municipal Golf Course Clubhouse Bid No. ITB-09075
(Staff Presentation by Bruce Phillips)
- f. Award contract for Bid No. ITB-09079 – 2009 Special Resurfacing Project NW Martin Luther King Jr. Avenue to Counts Construction, Inc. for \$139,255.50
(Staff Presentation by Bruce Phillips)
- g. Award contract for Bid No. ITB-09081 – 2009 Special Resurfacing Project SE 18th Avenue to Counts Construction, Inc. for \$97,671.75
(Staff Presentation by Bruce Phillips)
- h. Award contract for Bid No. ITB-09082 – 2009 Special Resurfacing Project NE 25th Avenue to Counts Construction, Inc. for \$47,970.70
(Staff Presentation by Bruce Phillips)
- i. Award contract for Bid No. ITB-09083 – 2009 Special Resurfacing Project NE 36th Avenue (North of NE 14th Street) to Counts Construction, Inc. for \$335,281.20
(Staff Presentation by Bruce Phillips)
- j. Award contract for Bid No. ITB-09085 – 2009 Special Resurfacing Project SE/NE 36th Avenue (South of NE 14th Street) to Counts Construction, Inc. for \$988,939.00
(Staff Presentation by Bruce Phillips)

- k. Approve Interlocal Agreement for Transfer of Animal Control Services to Marion County
(Staff Presentation by John Zobler)
- l. Approve a \$500 cash sponsorship and a \$1,169.75 fee waiver sponsorship from the Community Event Fund to the Children’s Home Society of Florida for Celebrate Adoption
(Staff Presentation by John Zobler)
- m. Approve a \$2,000 cash sponsorship from the Community Sponsorship Fund to Fine Arts of Ocala for the Ocala Arts Festival
(Staff Presentation by John Zobler)
- n. Approve a \$2,000 cash sponsorship and a \$392 fee waiver sponsorship from the Community Sponsorship Fund for the SportsAbility Community Event Fund held on October 2 & 3, 2009
(Staff Presentation by John Zobler)
- o. Approve Second Hand Dealer License #A39159 for Toy’s for Tot’s Thrift Store located at 1713 East Silver Springs Boulevard
(Staff Presentation by John Zobler)
- p. Adopt Resolution 2010-01 concerning development of former Magna Property
(Staff Presentation by Marc Mondell)
- q. Accept the donation of three “48” Plasma Televisions, including installation from Robert Tillander to be used at the Ocala Golf Club Snack Bar
(Staff Presentation by John Zobler)

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.

Item No. _____ Item No. _____ Item No. _____

Item No. _____ Item No. _____ Item No. _____

Item No. _____ Item No. _____ Item No. _____

**8. Introduction and First Reading of Ordinances/Introduction of Resolutions
(Second and Final Reading will be October 20, 2009)**

- a. Introduce Ordinance No. 2010-01 amending Section 22-2 concerning local vendor preference
(Staff presentation by Patrick G. Gilligan)

- b. Introduce Resolution No. 2010-02 to Amend Budget for Monies Awarded Under COPS Hiring Recovery Program
(Staff presentation by Chief Samuel Williams)
- c. Introduce Resolution No. 2010-03 to Accept and Appropriate a Victims of Crime Act (VOCA) Grant from the State of Florida, Office of Attorney General to Hire One Full-Time Victim Witness Advocate FY2009
(Staff presentation by Chief Samuel Williams)
- d. Introduce Resolution No. 2010-04 to Accept and Appropriate the U. S. Department of Justice Bulletproof Vest Grant FY2009
(Staff presentation by Chief Samuel Williams)

9. Other Business

10. Utility Report

11. City Manager's Report

12. City Attorney's Report

- a. Approve agreement concerning adequate assurance with Taylor, Bean & Whitaker Mortgage Corporation
- b. Schedule Attorney Client Session for Tuesday, October 20, 2009 at 3:00
- c. Schedule Attorney Client Session for Tuesday, October 20, 2009 at 3:30

13. Informational Items and Other Business

- a. Calendaring Items
- b. Comments by Mayor
- c. Comments by Council Members
- d. Informational

14. Adjournment