



## Ocala City Council AGENDA Tuesday, November 3, 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 3, Public Comments, 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. Public Comments**

**4. Presentations**

**5. Public Hearings**

- a. Approve Case No. 43250 for an alcoholic beverage location permit for on and off premise consumption and on premise consumption outside of enclosed building for Cuvée Wine and Bistro, LLC, located at 2237 S.W. 19th Ave Rd # 102  
*Staff Presentation by John Zabler*
- b. Approve Case No. 43441 for an alcoholic beverage location permit for off-premise consumption at Publix Super Markets Inc. located at 3516 N.E. Silver Springs Blvd.  
*Staff Presentation by John Zabler*
- c. Approve request to operate a One-chair Beauty Shop as a home occupation with staff recommended conditions.  
*Staff Presentation by John Zabler*

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

(All are Public Hearings)

- a. Adopt Ordinance 2010-2 amending Chapter 70 Utilities, new service extensions (Introduced on October 20, 2009 by Council member Guinn)  
*Staff Presentation by Matthew J. Brower*
- b. Adopt Ordinance 2009-6018 amended version of City Ordinance Sec. 70-683 utility security deposits (Introduced on September 15, 2009 by Council member Ruse, tabled on October 6 & 20, 2009)  
*Staff Presentation by Matthew J. Brower*
- c. Adopt Ordinance 2010-3 to rezone approximately .15 acres from R-2, Two-Family Residential, to R-1AA, Single-Family Residential (Introduced on October 20, 2009 by Council member Rich)  
*Staff Presentation by John Zabler*
- d. Adopt Ordinance 2010-4 to revise the Concurrency Management System of the Land Development Regulations (Introduced on October 20, 2009 by Council member Guinn)  
*Staff Presentation by John Zabler*

- e. Adopt Ordinance 2010-5 concerning contracting boundaries of BAYI Community Development District (Introduced on October 20, 2009 by Council member Rich)  
*Staff Presentation by Marc Mondell*

## **7. 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 Change Order No. 2 to American Infrastructure Technologies Corporation in the amount of \$481,720.00 for the Sewer Main Rehab Phase III.  
*Staff Presentation by Bruce Phillips*
- b. Approve bid award for the 2009 Miscellaneous Water and Sewer Facility Coating Project to Worth Contracting Inc. in the amount of \$372,497.23.  
*Staff Presentation by Bruce Phillips*
- c. Approve bid award for the S.E. Maricamp Water Main Loop to GWP Construction in the amount of \$199,375.50.  
*Staff Presentation by Bruce Phillips*
- d. Approve Change Order No. 4 in the amount of \$79,204.15 for the E-10 Site Improvements to Brady Construction, Inc.  
*Staff Presentation by Bruce Phillips*
- e. Approve recommendation to City Council approving \$8,000 to support the services provided by Marion County Veterans helping Veterans, Inc.  
*Staff Presentation by Catherine Cameron*
- f. Adopt Resolution 2010-8 setting collection fee equal to 23.5% on all collected unpaid or delinquent utility bills submitted to it for collection.  
*Staff Presentation by Matthew J. Brower*
- g. Adopt Budget Resolution 2010-5 amending the fiscal year 2010 budget to accept and appropriate \$273,095 from the U.S. Department of Justice (DOJ) Byrne JAG grant program for the Ocala Police Department (Introduced on October 20, 2009 by Council member Guinn)

## **8. Consent Agenda Items Held for Discussion**

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

## **9. Introduction and First Reading of Ordinances/Introduction of Resolutions**

(Second and Final Reading will be November 17, 2009)

- a. Introduce Ordinance 2010-6 to rezone approximately 4 acres from B-1, Neighborhood Business (County) to O-1, Office (City) (Case No. ZON09-0016)  
*Staff Presentation by John Zabler*

- b. Introduce Ordinance 2010-7 to rezone approximately 5 acres from the B-1, Neighborhood Business (County), to O-1, Office (City) (Case No. ZON09-0018)  
*Staff Presentation by John Zabler*
- c. Introduce Ordinance 2010-8 amending the land use designation on approximately 4 acres from Urban Neighborhood District (County) to Professional Services (City) (Case No. LUC09-0015)  
*Staff Presentation by John Zabler*
- d. Introduce Ordinance 2010-9 to repeal Chapter 14, Animals, of the Code of Ordinances  
*Staff Presentation by John Zabler*
- e. Introduce Ordinance 2010-10 concerning amending City code Sec. 70-475 (Prior Indebtedness)  
*Staff Presentation by Matthew J. Brower*
- f. Introduce Ordinance 2010-11 amending City code Sec. 70-693 Restoration of Service following discontinuance for non-payment  
*Staff Presentation by Matthew J. Brower*
- g. Introduce Ordinance 2010-12 concerning Enterprise Zones
- h. Introduce Budget Resolution 2010-9 amending FY2010 Budget to appropriate the Florida Department of Transportation (FDOT) DUI Suppression Program Grant in the Amount of \$26,052.00.

## **10. Other Business**

## **11. Utility Report**

## **12. City Manager's Report**

- a. Professional Urban Planning Consultant Services

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

- a. Approve agreement Concerning Credit and Deposit with Fluid Routing Solutions, Inc.
- b. Approve request for guidance concerning Water and Sewer Impact Fees and Connection Charges, and Alternatives Concerning Suspension of Same
- c. Approve agreement concerning Termination of Lease for Marion Theater

## **14. Informational Items**

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

## **15. Adjournment**