



# City of Newberry Commission Meeting

August 24, 2020  
7:00 p.m.

25440 West Newberry Road  
Newberry, Florida 32669

## MINUTES

### CALL TO ORDER

Mayor Marlowe called the hybrid meeting to order at 7:00 p.m. This meeting was held at City Hall and virtually via Zoom.

### APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda.

**Motion made by Commissioner McKinley to approve the agenda as it was published.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

### QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman  
Rocky McKinley  
Monty Farnsworth  
Paul Norfleet

Commissioner Elect

Mark L. Clark

City Attorneys

Scott Walker  
Rich Maltby  
Andrea True Parker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Director of Finance and Administration  
Director of Planning and Economic Development  
Director of Public Works and Utilities

Dallas Lee  
Bryan Thomas  
Jamie Jones

Absent:  
Commissioner

Tim Marden

## **INVOCATION**

Reverend Joy Glanzer provided the invocation.

## **PLEDGE OF ALLEGIANCE**

Ms. Joy Glanzer led the Pledge of Allegiance, as requested by Mayor Marlowe.

## **PRESENTATIONS**

There were no presentations.

## **PUBLIC ANNOUNCEMENTS**

There were no public announcements.

## **CONSENT AGENDA**

1. **Suwannee River Water Management District and the Florida Department of Environmental Protection Fee Reduction program (Resolution 2020-35)**
2. **Power Cost Adjustment (PCA)**
3. **August 12, 2020, Capital Improvement Projects Workshop Minutes**
4. **August 19, 2020, General Funds Budget Workshop Minutes**
5. **August 10, 2020, Commission Meeting Minutes**

Mayor Marlowe asked for approval of the consent agenda.

**Motion made by Commissioner Coleman to approve the consent agenda.**

**Seconded by Commissioner Norfleet.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

## **PUBLIC HEARINGS AND ORDINANCES**

6. **Final Fire Assessment Rate for FY2021**

**Establishing the Rate of Assessment; Reimposing Fire Rescue Assessments against Assessed Property located in the City of Newberry for the Fiscal Year Beginning October 1, 2020; Approving the Assessment Roll; and Providing for Hardship Assistance (Resolution 2020 - 34)**

Attorney Walker read Resolution 2020-34 by title only. He also read the rates for the Fire Assessment.

Director Lee presented this item. The rate has stayed the same for the past four years.

**Motion made by Commissioner Farnsworth to adopt Resolution 2020-34.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet.**

**MOTION PASSED 4-0**

**7. Participating in Alachua County Solid Waste Municipal Service Business Unit**

**Legislative Hearing: First Reading of Ordinance 2020 – 22, providing consent for the entire corporate limits of the City of Newberry Florida, to be included in a Non-Ad Valorem assessment for municipal service benefit unit created by Alachua County for solid waste management costs.**

Attorney Walker read Ordinance 2020-22 by title only on first reading.

Director Lee presented this item. He reviewed the rates.

**Motion made by Commissioner Coleman to pass Ordinance 2020-22 on first reading, authorize staff to advertise the second and final reading, and direct staff to schedule second reading.**

**Seconded by Commissioner McKinley.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

**8. Confidential Reporting Procedure**

**Legislative hearing: First Reading of Ordinance 2020 -12, Establishing an administrative procedure for employees and other persons to report instances of illegality, mismanagement, malfeasance, waste, or fraud on the part of city employees, agents or contractors.**

Attorney Walker read Ordinance 2020-12 by title only on first reading. Legal has reviewed and approved.

Director Lee presented this item. This is already in our Personnel Policy, by writing the procedure into an ordinance, it provides extra protection to the City and any employee. Discussion ensued.

**Motion made by Commissioner Farnsworth to pass Ordinance 2020-12 on first reading and schedule second reading.**

**Seconded by Commissioner Norfleet.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

## **9. Cemetery Policy and Procedures**

**Legislative Hearing: First Reading of Ordinance 2020 - 15, Amending Chapter 22 of the Newberry Code of Ordinances to update the cost of lots, adopt policies and procedures, authorize city staff to no longer provide interment services.**

Attorney Walker read Ordinance 2020-15 by title only on first reading.

Director Jones presented this item. He explained the cost of lots will change and the City will no longer charge for interments; the funeral home will be responsible for that as they already include it in their prices.

Commission McKinley commented that not charging for interments is good due to funeral homes including that service in their charges.

**Motion made by Commissioner Norfleet to pass Ordinance 2020-15 on first reading.**

- 1. Amend Chapter 22 of the Code of Ordinance of the City of Newberry to remove the costs of lots and cemetery operational services and move these costs to the Fee and Fine Resolution that is adopted as part of the annual budget process.**
- 2. Authorize City Manager and/or his designee to adopt policies and procedures for the daily operation of the cemetery to include that internments are performed by presiding funeral home.**

**Seconded by Commissioner McKinley.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

**10. Interconnection and Net Metering of Customer-Owned Generation Equipment Ordinance Amendment.**

**Legislative Hearing: Second Reading of Ordinance 2020 - 19, Creating Section 98-69 And Section 98-70 Of the Code Of Ordinances; Providing For Definitions; Providing For Interconnection And Net Metering Of Customer-Owned Renewable Generation Systems To The City's Electric System**

Attorney Maltby read Ordinance 2020-19 by title only on second reading.

Manager New reviewed this item. Discussion ensued.

**Motion made by Commissioner McKinley to enact Ordinance 2020-19 on second reading.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, Commissioner Norfleet**

**MOTION PASSED 4-0**

**AGENDA ITEMS**

**11. Coronavirus Aid, Relief, and Economic Security (CARES) Act Subrecipient Grant Agreement**

Director Lee presented this item. The County has adopted a plan to distribute the funds. Staff is asking for direction from the Commission, because of resolution to follow the Governor's Executive Orders over the County's, the City could potentially be rejected.

Mayor Marlowe recommends the Commission directs Staff to submit the application.

A lengthy discussion ensued between the dais and Staff.

Attorney Walker spoke on the County being able to withhold funds retroactively.

**Motion made by Commissioner Coleman to stay with the Governor's mandates on COVID and direct Staff to put together an application for funds.**

**Seconded by Commissioner Norfleet.**

Discussion ensued between the Attorneys and Staff. Attorney Walker spoke on Section II. VI. and it is his judgement that the application will not pass.

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

**12. State Road 26 Side Street Layout**

Manager New provided a presentation reviewing side street layouts that could be brought to FDOT for consideration

A lengthy discussion on preference.

**13. Alachua County Charter Amendment Related to Growth Management Areas**

Manager New presented this item.

Mayor Marlowe read Resolution 2020-36 in its entirety. Attorney Walker stated that many other municipalities will place similar resolutions on their agendas to be passed.

**Motion made by Commissioner Coleman to adopt Resolution 2020-36 opposing Alachua County's Charter amendment related to growth management.**

**Seconded by Commissioner Norfleet.**

A lengthy discussion ensued on the opposition of the growth management amendment for the County's Charter.

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

**14. Lift Station #1 Relocation Project Contract Award**

Director Jones presented this item.

**Motion made by Commissioner McKinley:**

- 1. Authorize City Manager to execute a contract in the amount of \$726,004.47 for the combined total of the Base bid of \$637,727.47 and ADD Alternate 1 of \$88,277.00 with Andrews Paving, Inc. for the LS #1 Relocation Project.**
- 2. Authorize City Manager to approve change orders not to exceed 10% of contract amount.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner McKinley, Commissioner Farnsworth, and Commissioner Norfleet**

**MOTION PASSED 4-0**

## **COMMENTS**

### **City Manager**

Provided updates on City business. Extended condolences to Commissioner McKinley and family for their loss.

### **City Attorney**

Conflict Resolution meeting with the County regarding the annexations. Extended condolences to Commissioner McKinley and family for their loss.

### **City Clerk**

There will be a photographer at the swearing in ceremony Tuesday, August 25, 2020. Extended condolences to Commissioner McKinley and family for their loss.

### **Commission**

The Commissioners extended their condolences to Commissioner McKinley and family for their loss.

Commissioner McKinley expressed his gratitude towards the City of Newberry and the staff. It was a joy for him to serve the City.

### **Mayor**

Extended condolences to Commissioner McKinley and family for their loss.

Newberry had wonderful election results this year.

### **Citizens**

No public comment.

## **MEETING ADJOURNMENT**

Meeting adjourned at 8:52 p.m.

Signed and approved this 14<sup>th</sup> day of September 2020

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Jordan Marlowe, Mayor

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Judy S. Rice, City Clerk