



City of Newberry Commission Meeting

November 09, 2020
7:00 p.m.

25440 West Newberry Road
Newberry, Florida 32669

MINUTES

CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda.

Motion made by Commissioner Coleman to approve the agenda.

Seconded by Commissioner Marden.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tim Marden

Paul Norfleet, virtual

City Attorney

Rich Maltby, virtual

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Director of Finance and Administration

Dallas Lee

Principal Planner

Wendy Kinser-Maxwell, virtual

INVOCATION

Chaplain Tyron Watson, American Legion Post 149, provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Marlowe led the pledge.

PRESENTATIONS

1. Arbor Day Presentation and Proclamation.

Planner Kinser-Maxwell provided a video presentation from the last 10 years of Newberry's Arbor Day Celebrations. Mayor Marlowe read the proclamation.

PUBLIC ANNOUNCEMENTS

Mr. Tyron Watson, citizen, made a public announcement concerning the American Legion Post 149.

CONSENT AGENDA

2. Payment Register.

3. October 26, 2020, Regular Commission Meeting Minutes.

Mayor Marlowe asked for approval of the consent agenda.

Motion made by Commissioner Marden to approve the consent agenda.

Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

4. Voluntary Annexations into the City of Newberry.

Quasi-Judicial Public Hearing: Ordinances 2020-27, 2020-28, and 2020-29, Second Reading and Enactment of Ordinances of the City of Newberry, Florida, to Voluntarily Annex Certain Portions of Unincorporated Alachua County.

Mayor Marlowe read through the process of the Quasi-Judicial hearing.

Attorney Maltby read Ordinance 2020-27 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

Clerk Rice swore in Planner Kinser-Maxwell. There was no applicant or third party intervenor present.

Mayor Marlowe explained the Quasi-Judicial Procedures.

OPEN PUBLIC HEARING

Planner Kinser-Maxwell provided the staff overview and report in a PowerPoint presentation. Staff recommendation is to enact Ordinance 2020-27 on second reading.

No applicant or third party intervenor present.

Mayor Marlowe asked for public comment. There was none.

CLOSE PUBLIC HEARING

Attorney Maltby reminded the Commission of substantial and competent evidence.

Motion made by Commissioner Marden to enact Ordinance 2020-27 on second reading.

Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

No new participants entered the meeting room in person or virtually.

Attorney Maltby read Ordinance 2020-28 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

Planner Kinser-Maxwell remained sworn. There was no applicant or third party intervenor present.

OPEN PUBLIC HEARING

Planner Kinser-Maxwell provided the staff overview and report in a PowerPoint presentation. Staff recommendation is to enact Ordinance 2020-28 on second reading.

No applicant or third party intervenor present.

Mayor Marlowe asked for public comment. There was none.

CLOSE PUBLIC HEARING

Attorney Maltby reminded the Commission of substantial and competent evidence.

Motion made by Commissioner Clark to enact Ordinance 2020-28 on second reading.

Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Norfleet

MOTION PASSED 5-0

No new participants entered the meeting room in person or virtually.

Attorney Maltby read Ordinance 2020-29 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

Planner Kinser-Maxwell remained sworn. There was no applicant or third party intervenor present.

OPEN PUBLIC HEARING

Planner Kinser-Maxwell provided the staff overview and report in a PowerPoint presentation. Staff recommendation is to enact Ordinance 2020-29 on second reading.

No applicant or third party intervenor present.

Mayor Marlowe asked for public comment. There was none.

CLOSE PUBLIC HEARING

Attorney Maltby reminded the Commission of substantial and competent evidence.

Motion made by Commissioner Coleman to enact Ordinance 2020-29 on second reading.

Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet

MOTION PASSED 5-0

AGENDA ITEMS

5. State Revolving Fund Loan Authorization.

To Fund the Planning of the Regional Wastewater System, The Florida Department of Environmental Protection Agreed to Provide the City of Newberry with \$137,500 Through the State Revolving Fund Loan Program.

Manager New presented this item. FDEP has agreed to fund 50% or \$137,500 through a grant program and the remaining 50% or \$137,500 through the State Revolving Fund (SRF) Loan Program. A lengthy discussion ensued.

Motion made by Commissioner Marden to:

- 1. Authorize the City Manager to update the terms and conditions of the existing SRF Grant/Loan agreement and execute all necessary documentation.**
- 2. Authorize the City Manager to execute a Task order with Woodard & Curran to perform all necessary planning and engineering reports to support a wastewater treatment plant expansion funding application.**

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

6. Oak Park Phase 2 Final Plat Approval.

M3 Newberry, LLC. Requests Approval of the Final Plat for Phase 2 of the Oak Park Subdivision.

Planner Kinser-Maxwell presented a PowerPoint presentation for this item. Discussion ensued.

Motion made by Commissioner Clark to approve final plat for Oak Park Phase 2.

Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

7. 2020 Charter Officer Annual Evaluations.

Mayor Marlowe reviewed the evaluations. If merit raises are to be awarded, Resolution 2020-47 will need to be adopted with the measure of increase. Discussion ensued.

Attorney Maltby read Resolution 2020-47 by title only.

Motion made by Commissioner Farnsworth to adopt Resolution 2020-47; awarding a merit raise based on the same way regular employees receive their merit increase.

Seconded by Commissioner Marden.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

Mayor Marlowe requested feedback from the Commission for the discontinuation evaluations at public meetings, and instead bring matters directly to the Charter Officers.

8. Remaining 2020 City Commission Meeting Schedule.

Manager New presented this item. Discussion ensued regarding the remaining meetings.

Motion made by Commissioner Farnsworth to cancel the December 28th meeting.

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

COMMENTS

City Manager announced the City of Newberry was awarded the Florida Municipal Electric Association Building Strong Communities award for the fifth year.

City Attorney litigation update: City of Alachua has a hearing scheduled for November 24th. The Attorney's Office served the County with a motion to consolidate for summary judgement.

Mayor the Growth Management Amendment to the County's Charter is having to be recounted and is proud of citizens who recognized the overreach and voted no.

MEETING ADJOURNMENT

Meeting adjourned at 8:32 p.m.

Signed and dated this 9th day of November 2020.

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk