

# Commission Meeting Minutes

September 12, 2022  
7:00 PM

25440 West Newberry Road  
Newberry, Florida 32669

## QUORUM CHECK

Mayor

Mayor Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tim Marden

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Assistant City Manager, Chief Financial Officer  
Director of Planning & Economic Development  
City Clerk Staff Assistant

Dallas Lee  
Bryan Thomas  
Sierra Nyberg

## CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:00 pm. He welcomed back Manager New.

## APPROVAL OF AGENDA

Mayor Marlowe asked for the approval of the agenda with the removal of Item 14; at the request of the applicant's time certain to the September 29, 2022 meeting.

**Motion made by Commissioner Marden to approve the amended agenda.**

**Seconded by Commissioner Mazon.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

## INVOCATION

Pastor Douglas Russell, Union Baptist, provided the invocation.

## **PLEDGE OF ALLEGIANCE**

Commissioner Clark led the pledge.

## **PRESENTATIONS**

## **PUBLIC ANNOUNCEMENTS**

## **CONSENT AGENDA**

1. **August 22, 2022, Commission Meeting Minutes**
2. **August 22, 2022, Economic Update/Forecast Workshop Minutes**
3. **August 29, 2022, Budget Wrap-up Workshop Minutes**
4. **Amending the City's Schedule of Fees, Charges, and Rates**

**Resolution 2022-59; Establishing Certain Fees by the Creation of A Schedule of Fees, Rates, and Charges; superseding the Fees Previously Established; Providing Authority to the City Manager.**

5. **Resolution 2022 - 60, Amending the Prior Adoption of a Compensation Program and Salary Schedules for City Of Newberry Employees, City Clerk, And Elected Officials; establishing a cost of living adjustment (COLA), and providing an effective date.**

Mayor Marlowe asked for approval of the consent agenda.

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

**Seconded by Commissioner Marden.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

## **PUBLIC HEARINGS AND ORDINANCES**

6. **Resolution 2022-57, A Resolution Determining and Adopting the Tentative Rate of Taxation on Real and Personal Property, and Making the Annual Levying of Ad Valorem Taxes for the City of Newberry, Florida, for the Fiscal Year 2022- 2023 at 5.9244 mills.**

Mayor Marlowe, Attorney Walker, Manager New, and Assistant Manager Lee, read a script that provided an explanation on the following tentative budget items:

1. **Notice of Proposed Property Taxes.**
2. **Proposed Operating Millage Rate.**
3. **Explanation of tentative and rolled back millage rates.**

Assistant Manager Lee gave an overview of Fiscal Year 2022-2023 tentative budget and adjustments made to the budget.

Mayor Marlowe asked for public comment. There was none. Public comment closed.

Assistant Manager Lee reminded the Commission that any additional adjustments to the tentative budget must be made by motion at this time.

The millage rate the Commission adopts with Resolution 2021-34 will be the highest rate the Commission can adopt at the final hearing.

- Tentative Millage Rate is 5.9244.
- Millage Rate reduction.
- Previous 5 years was 5.9999.
- Roll Back Rate is 5.9244.
- 0% more than Roll Back Rate

Attorney Walker read Resolution 2022-57 by title only.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Marden to adopt Resolution 2022-57 setting the Tentative Millage Rate at 5.9244.**

**Seconded by Commissioner Mazon.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

## **7. Establish a Tentative Budget.**

**Resolution 2022 - 58, Relating to the City's Budget for the 2022-2023 Fiscal Year; Providing for the Tentative Appropriation of Funds of the City of Newberry for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Approving a Proposed General City Budget; Setting a Public Hearing Date; Providing For Publication of Notice.**

Attorney Walker read Resolution 2022-58 by title only.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Coleman to adopt Resolution 2022-58.**

**Seconded by Commissioner Farnsworth.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

## **MOTION PASSED 5-0**

Director Lee announced the Final Budget Hearing will be held Monday, September 26, 2022 at 7:00 pm in the Commission Chambers at City Hall.

### **8. Amending Electric Rates.**

**Legislative Hearing: First Reading of Ordinance 2022 – 41, An Ordinance of the City of Newberry, Florida Pertaining to Electric Utility Services in the City of Newberry to Amend and Revise Section 98-63 Subsections 1, 2, 3, and 8 of the Code of Ordinances of the City of Newberry Pertaining to the Energy Charged, Providing for Codification of the Same.**

Assistant Manager Lee presented this item.

- Residential electric rates were adjusted by approximately 1.5% on the customer charge, for an average residential impact of \$1.55 per month.
- Non-residential rates are proposed to be adjusted in a similar fashion.
- Rate increase will not take effect until January 1<sup>st</sup>, 2023, to help mitigate the fuel cost increases

Attorney Walker read Ordinance 2022-41 by title only on first reading.

Mayor Marlowe asked for public comment.

Ms. Lisa Darling asked a question regarding notices of rate increases and Director Lee answered.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-41 on first reading.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

## **MOTION PASSED 5-0**

### **9. Amending Wastewater Rates.**

**Legislative Hearing: First Reading of Ordinance 2022 – 43, Amending the Prior Established Rates and Amending Sections 98 -155 of the Code of Ordinances of the City of Newberry; Amending Ordinance No. 2021 - 48.**

Assistant Manager Lee presented this item.

- These changes represent a 2.5% increase.
- After these rates increases, the City of Newberry will continue to offer the lowest residential water rates in our area.

Attorney Walker read Ordinance 2022-43 by title only on first reading.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-43 on first reading.**

**Seconded by Commissioner**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED**

#### **10. Amending Water Rates.**

**Legislative Hearing: First Reading of Ordinance 2022 – 42, Amending the Prior Established Rates and Amending Sections 98 -154 of the Code of Ordinances of the City of Newberry; Amending Ordinance No. 2020 - 25.**

Assistant Manager Lee presented this item.

- These changes represent a 4.5% increase.
- After these rates increases, the City of Newberry will continue to offer the lowest residential water rates in our area.

Attorney Walker read Ordinance 2022-42 by title only on first reading.

Mayor Marlowe asked for public comment.

Ms. Mary Gaffney spoke in opposition of the increase.

**Motion made by Commissioner Marden to pass Ordinance 2022-42 on first reading.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

#### **11. Development Fees Ordinance**

**An Ordinance Pertaining to Utilities Within the City Of Newberry; Amending Division 2 And Division 3 Of Article VI, Chapter 98 Of The Code Of Ordinances Of The City Of Newberry Pertaining To Water System Development Charges And Sewer System Development Charges; Repealing All Ordinances In Conflict And Providing An Effective Date.**

Assistant Manager Lee presented this item.

- State law restricts increase to 12.5% increase without formal study. Staff proposes increase by 12.5% and has identified funding in the budget for formal study.
- Water Development Fee increases by \$98.50
  - \$788.00 to \$886.50

- Wastewater Development Fee increases by \$462.00
  - \$3,696.00 to \$4,158.00

Attorney Walker read Ordinance 2022-44 by title only on first reading.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-44 on first reading.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

Assistant Manager Lee reviewed why bills are higher and how the AMI meters were paid for through the depreciation fund.

Ms. Darling asked about training for the new online portal.

Discussion ensued.

**12. Legislative Hearing: First Reading of Ordinance 2022 – 45, 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 (MSBU) Created by Alachua County for Solid Waste Management Costs.**

Assistant Manager Lee presented this item.

- No changes to the MSBU for Solid Waste Management costs.

Attorney Walker read Ordinance 2022-45 by title only on first reading.

Mayor Marlowe asked for public comment.

Ms. Gaffney commented.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-45 on first reading.**

**Seconded by Commissioner Mazon.**

**ROLL CALL**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, and Commissioner Mazon.**

**Voting Nay: Commissioner Marden.**

**MOTION PASSED 4-1**

- 13. A report of the City's Comprehensive Plan's amendment needs. The Florida Department of Economic Opportunity requires this report be completed every seven years.**

**Ordinance 2022-38/CPA 22-11, Amending the Future Land Use Element, Newberry Visions Sub Element, of the City of Newberry Comprehensive Plan**

Attorney Walker read Ordinance 2022-38 by title only on first reading.

Director Thomas presented this item.

- Every seven years the City of Newberry is required to file an Evaluation and Appraisal Report (EAR) with the Florida Department of Economic Opportunity.
- CPA 22-11 represents the first phase in a series of Comprehensive Plan amendments that will be coming over the next six months. This phase concentrates on amending the Newberry Visions Sub Element, and the Specific Locations Sub Element
  - The Specific Locations in the Sub Element are the following:
    - CPA 03-10, Newtown 1894, fully developed
    - CPA 04-01, Newberry Oaks Phases 6-9, fully developed
    - CPA 06-01, Newberry Corners, fully developed
    - CPA 06-04, Approx. 46-acres, currently undeveloped
    - CPA 06-06, Newberry Ridge (SW 30<sup>th</sup> Ave.), currently undeveloped
- Passage of these amendments will bring the City of Newberry Comprehensive Plan into compliance with the State's EAR requirements
- Future phases will focus on amendments to the remaining Elements:
  - Future Land Use Element
  - Traffic Circulation Element
  - Housing Element
  - Sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge Element
  - Conservation Element
  - Recreation and Open Space Element
  - Intergovernmental Coordination Element
  - Capital Improvements Element, and
  - Economic Development Element

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Marden to pass  
Ordinance 2022-38 on first reading.**

**Seconded by Commissioner Coleman.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

**MOTION PASSED 5-0**

**~~14. Rezoning property from Residential, Single Family to Planned Residential Development.~~**

~~Quasi-Judicial Public Hearing, Second Reading: Ordinance 2022-35/LDR 22-14, an application by JBPro Group, Inc, Agent for Joel and Sophie Lancaster, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Residential, Single Family (RSF-2) to Planned Residential Development (PRD) on 6.93 acres, more or less, identified by Alachua County Parcel Number 01919-003-004.~~

This item was pulled to time certain Monday, September 26<sup>th</sup>, 2022 at request of applicants.

**AGENDA ITEMS**

**15. National & Florida Opioid Settlement Participation Opportunities**

Manager New presented this item.

Discussion ensued regarding Newberry Opioid Task Force and RADKids program.

**16. Notify Commission of vacated seat on the Planning & Zoning Board and Historical Architectural Review Board.**

**Resolution 2022-62: Fill remainder of vacated term on the Planning & Zoning Board.**

**Resolution 2022-61: Fill remainder of vacated term on the Historic Architectural Review Board.**

Director Thomas presented this item. Ms. Linda Woodcock has resigned from her seat due to unforeseen reasons. The remainder of the term must be filled.

Director Thomas explained that the Commission can nominate someone tonight or wait until a later date.

Attorney Walker read Resolution 2022-62 by title only.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Coleman to adopt Resolution 2022-62; Kathryn Thomas selected to fill remainder of vacated term.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**



## **MOTION PASSED 5-0**

Attorney Walker read Resolution 2022-61 by title only.

Mayor Marlowe asked for public comment. There was none.

**Motion made by Commissioner Coleman to adopt Resolution 2022-62; Kathryn Thomas selected to fill remainder of vacated term.**

**Seconded by Commissioner Clark.**

**Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.**

## **MOTION PASSED 5-0**

### **COMMENTS**

Manager New expressed his gratitude and many thanks for all the support and love received.

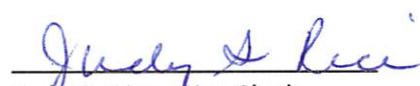
The Commissioners, Clerk Rice, Attorney Walker, and Mayor Marlowe welcomed Manager New back to work as he has been missed.

Manager New, Attorney Walker, Commissioner Mazon, and Mayor Marlowe made comments.

Ms. Peggy Loy commented.

### **MEETING ADJOURNMENT**

Meeting adjourned at 8:29 pm.

  
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Jordan Marlowe, Mayor  
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Judy S. Rice, City Clerk