



City of Newberry Commission Meeting

September 14, 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.

APPROVAL OF AGENDA

Mayor Marlowe switched items 10 and 11. He added item 20 North Central Florida Regional Planning Council Representative.

Motion made by Commissioner Coleman to approve the amended agenda.

Seconded by Commissioner Norfleet.

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, virtual Paul Norfleet
City Attorney	Rich Maltby, virtual
City Manager	Mike New
City Clerk	Judy Rice
Staff:	
Director of Finance and Administration	Dallas Lee
Fire Chief	Ben Buckner
Code Enforcement Officer	Rick Wolf
Director of Public Works and Utilities	Jamie Jones, virtual
Director of Planning and Economic Development	Bryan Thomas, virtual

INVOCATION

Pastor Gary Bracewell, Christian Life Fellowship Church, provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Marlowe led the Pledge of Allegiance.

PUBLIC ANNOUNCEMENTS

Pastor Armon Lowery, Mt. Zura Full Gospel Baptist Church, announced the collaboration of local churches for Prayer on the Square Sunday, September 27th at 6:00 p.m.

Pastor Rocky McKinley, Destiny Community Church, announced the services being held Sunday, September 20 to celebrate Destiny's 14 years of service in Newberry.

Mr. Marlin Day, Alachua County Library, Newberry Branch Manager, announced September is library card sign up month. The library is offering curbside service.

PRESENTATIONS

1. Ms. Joy Glanzer, Alachua County Commission District 3 Candidate.

Ms. Joy Glanzer presented her platform.

2. Federal Railroad Administration's Quiet Zone Application Process

Code Enforcement Officer Wolf presented a PowerPoint presentation for this item. Discussion ensued.

CONSENT AGENDA

3. Florida Municipal Power Agency (FMPA) Liaison Report.

4. August 25, 2020, Special Meeting Minutes.

5. September 1, 2020, Budget Workshop.

6. August 24, 2020, Commission Meeting Minutes.

7. Payment Register.

Mayor Marlowe asked for approval of the consent agenda.

Motion made by Commissioner Clark 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

Discussion and Adoption (With Changes, if any) of the Proposed Operating Millage Rate for Fiscal Year 2020 - 2021.

OPEN PUBLIC HEARING

Mayor Marlowe, Attorney Maltby, Manager New, and Director 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.

Manager New asked for direction from the Commission for distribution of surplus funds. Discussion ensued about directing the funds towards merit increases.

It was the consensus of the Commission to direct the surplus funds towards merit increases.

Director Lee gave an overview of Fiscal Year 2020-2021 tentative budget and adjustments made to the budget.

Mayor Marlowe asked for public comment. There was none.

8. Adopt a Tentative Millage.

Resolution 2020 - 38, 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 2020- 2021.

Discussion and Adoption (With Changes, if any) of a Tentative Operating Budget, Debt Service Budget, and Budgets for Other Funds for the Fiscal Year 2020 - 2021.

Director 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 2020-38 will be the highest rate the Commission can adopt at the final hearing.

- Tentative Millage Rate is 5.9999.
- Roll Back Rate is 5.8930
- 1.81% more than Roll Back Rate

Attorney Maltby read Resolution 2020-38 by title only.

Motion made by Commissioner Farnsworth to adopt Resolution 2020-38 which established the tentative millage rate as 5.9999.

Seconded by Commissioner Coleman.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

9. Establish a Tentative Budget.

Relating to the City's Budget for the 2020-2021 Fiscal Year; Providing for the Tentative Appropriation of Funds of the City of Newberry for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Approving a Proposed General City Budget; Setting a Public Hearing Date; Providing For Publication of Notice.

Attorney Maltby read Resolution 2020-39 by title only.

Motion made by Commissioner Coleman to adopt Resolution 2020-39.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

~~11.~~ 10. Establishing Water Rates.

Legislative Hearing: First Reading of Ordinance 2020 – 25, Amending the Prior Established Rates and Amending Sections 98 -154 of the Code of Ordinances of the City of Newberry; Amending Ordinance No. 2019 - 23.

Attorney Maltby read Ordinance 2020-25 by title only on first reading.

Motion made by Commissioner Farnsworth to pass Ordinance 2020-25 by title only on first reading.

Seconded by Commissioner Clark.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

~~10.~~ 11. Establishing Electric Rates.

Legislative Hearing: First Reading of Ordinance 2020 – 24, 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.

Attorney Maltby read Ordinance 2020-24 by title only on first reading.

Motion made by Commissioner Norfleet to pass Ordinance 2020-24 by title only on first reading.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

12. Participating in Alachua County Solid Waste Municipal Service Business Unit.

Legislative Hearing: Second 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 (MSBU) Created by Alachua County for Solid Waste Management Costs.

Attorney Maltby read Ordinance 2020-22 by title only on second reading.

Motion made by Commissioner Farnsworth to enact Ordinance 2020-22 by title only on second reading.

Seconded by Commissioner Coleman.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

13. Confidential Reporting Procedure.

Legislative Hearing: Second 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 Maltby read Ordinance 2020-12 by title only on second reading.

Motion made by Commissioner Coleman to enact Ordinance 2020-12 by title only on second reading.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

14. Right of Way Use Policy and Manual.

Legislative Hearing: First Reading of Ordinance 2020 – 16, Pertaining To Right-Of-Way Use Permits Within The City Of Newberry, Florida; Amending Chapter 82 Of The Code Of Ordinances Of The City Of Newberry To Create Article III Related To Use Of Public Rights-Of-Way, Authorizing City Staff To Adopt Further Policies And Procedures For The Use Of Public Rights-Of-Way And Establishing Applicable Fees.

Attorney Maltby read Ordinance 2020-16 by title only on first reading.

Director Jones presented this item. By codifying this, it will allow citizens to easily search for the right of way use policy and manual.

Motion made by Commissioner Norfleet to pass Ordinance 2020-16 by title only on first reading.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

15. Cemetery Policy and Procedures.

Legislative Hearing: Second 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 Maltby read Ordinance 2020-15 by title only on second reading.

Discussion ensued for clarification on interment and the costs of lots.

Motion made by Commissioner Clark to enact Ordinance 2020-15 by title only on second reading.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

16. Water and Wastewater System Development Charge Ordinances Revision

Legislative Hearing: First Reading of Ordinance 2020 – 23. 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.

Attorney Maltby read Ordinance 2020-23 by title only on first reading.

Director Jones presented this item.

Motion made by Commissioner Farnsworth to enact Ordinance 2020-23 by title only on first reading.

Seconded by Commissioner Clark.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

AGENDA ITEMS

17. Fire Station Bay Roof Replacement Project Award.

Director Jones presented this item.

Motion made by Commissioner Norfleet to:

1) Authorize the City Manager to execute a contract with Perry Roofing Contractors in the amount of \$26,500.00 for the project.

2) Authorize the City Manager to approve change orders not to exceed 15% of the contract amount

Seconded by Commissioner Coleman.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

18. Compensation Program and Salary Schedules.

Resolution 2020 - 40, Amending the Prior Adoption of a Compensation Program and Salary Schedules for City of Newberry Employees, City Clerk, And Elected Officials.

Attorney Maltby read Resolution 2020-40 by title only. It is his recommendation that the fourth “whereas” be removed as the Charter has changed.

Director Lee presented this item.

Motion made by Commissioner Coleman to adopt Resolution 2020-40 by title only with Attorney’s amendment.

Seconded by Commissioner Farnsworth.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

19. Schedule of Fees, Charges, and Rates for services provided to residents and customers.

Resolution 2020 - 41, 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

Attorney Maltby read Resolution 2020-41 by title only.

Director Lee presented this item.

Motion made by Commissioner Coleman to adopt Resolution 2020-41.

Seconded by Commissioner Clark.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

20¹. Appoint North Central Florida Regional Planning Council (NCFRPC) Representative.

¹ This item was added.

Motion made by Commissioner Coleman to appoint Commission Clark as NCFRPC representative.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 5-0

COMMENTS

City Manager

Provided updates on City Business. Newberry 101/New Commissioner Orientation on Tuesday, September 15 at 2 p.m. in the Chambers. Spoke on the City Attorneys' work during the conflict resolution with Alachua County.

City Attorney

Quite a few municipalities have passed similar resolutions to the one Newberry passed regarding the proposed growth management change for the Alachua County Charter.

Commission

Commissioner Clark is proud to be here

Mayor

Recognized Clerk Rice for being re-appointed to the Florida League of Cities 2020-2021 Utilities, Natural Resources, and Public Works legislative policy committee. Thursday, September 17 the Commission has been invited to a ribbon cutting ceremony for A.O.T.C.

Citizens

There were no citizen comments.

MEETING ADJOURNMENT

Meeting adjourned at 9:11 p.m.

Signed and dated this 24th day of September 2020

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk