



Commission Meeting Minutes

May 22, 2023
7:00 PM

25440 West Newberry Road
Newberry, Florida 32669

QUORUM CHECK

Mayor	Jordan Marlowe
Commissioners	Mark Clark Ricky Coleman Monty Farnsworth Tim Marden
City Manager	Mike New
City Clerk	Judy Rice
City Attorneys	Danielle Adams Scott Walker
Staff:	
Assistant City Manager, Chief Financial Officer	Dallas Lee
Assistant City Manager, Public Works & Utilities	Jamie Jones
Director of Planning & Economic Development	Bryan Thomas
Director of Parks & Recreation	Travis Parker
Principal Planner	Jean-Paul Perez
Executive Assistant	Randa Paul
Absent:	
Commissioner	Tony Mazon

CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:00 PM and announced Commissioner Mazon will not be attending tonight's meeting and Commissioner Marden will join us later.

APPROVAL OF AGENDA

Motion made by Commissioner Farnsworth to approve agenda as published, Seconded by Commissioner Clark.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth

MOTION PASSED 3-0

INVOCATION

Pastor Cameron Diamon, Jonesville Baptist Church, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

Mayor Marlowe announced that Blaine Roberson's Celebration of Life will be held at Destiny Community Church on Saturday, June 3, 2023, at 10 AM. He asked for a moment of silence in honor of Blaine.

PRESENTATIONS

1. City of Newberry Comprehensive Plan overhaul update.

Bryan Thomas, AICP, Director, Planning & Economic Development presented a PowerPoint regarding the City of Newberry Comprehensive Plan overhaul update project. The first public open house is on Tuesday, May 30, 2023, starting at 6:00 p.m. at the Municipal Building for feedback and comments.

2. Utility Billing Due Date Change

Dallas Lee, Assistant City Manager/CFO presented a PowerPoint regarding staff's plan to adjust the utility bill due dates over the next several months to reduce the period between when utility usage occurs and when the billing happens.

PUBLIC ANNOUNCEMENTS

CONSENT AGENDA

3. May 8, 2023, Regular Commission Meeting Minutes

Motion made by Commissioner Coleman to approve the Consent Agenda, Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth

MOTION PASSED 3-0

PUBLIC HEARINGS AND ORDINANCES

Commissioner Marden entered the room and joined the dais at 7:17 PM.

4. A request to rezone three (3) parcels from Commercial, General (CG) to Commercial, Central Business District (C-CBD) for the "Bounds Properties" consisting of ±0.9 acres.

Quasi-Judicial Public Hearing: First reading of Ordinance 2023-18/LDR 23-11, an application by Norfleet Construction Group, LLC on behalf of Bounds Properties, LLC to change the zoning designation from Commercial, General (CG) to Commercial, Central

Business District (C-CBD) for the “Bounds Properties” generally located at the southwest corner of State Road 26/West Newberry Road and Southwest 257 Street consisting of approximately 0.9 acres; identified by Alachua County Tax Parcel Numbers: 02231-000-000, 02232-000-000, and 02233-000-000.

Mayor Marlowe reviewed the quasi-judicial procedures and read through the presentation order.

Attorney Adams read Ordinance 2023-18 on first reading by title only.

Clerk Rice swore in Principal Planner Perez and Director Thomas.

Mayor Marlowe asked for ex parte communication.

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

There was no third-party intervenor present.

Principal Planner Perez provided the staff overview and report with a PowerPoint.

Discussion ensued.

Attorney Adams advised the Commission that their decision must be based upon substantial and competent evidence.

Motion made by Commissioner Coleman to approve Ordinance 2023-18/LDR 23-11 on first reading, Seconded by Commissioner Clark.

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

MOTION PASSED 4-0

- 5. A request for a large-scale Future Land Use Map Amendment from Agriculture to Public on ±93 acres**

Legislative Public Hearing: Second reading of Ordinance 2023-09/CPA 23-05, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Agriculture to Public on a site consisting of approximately 93 acres; identified by Alachua County Tax Parcel Numbers 02538-008-000 and 02538-009-001.

Attorney Adams read Ordinance 2023-09 on first reading by title only.

Principal Planner Perez provided the staff overview and report with a PowerPoint.

Discussion ensued.

Motion made by Commissioner Marden to enact Ordinance 2023-09/CPA 23-05 on second reading, Seconded by Commissioner Clark.

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

MOTION PASSED 4-0

- 6. A request to rezone the existing municipal cemetery, wastewater treatment facility, and future environmental park from Agricultural (A) and Residential, Single-Family (RSF-2) to Public Facilities (PF) consisting of ±217 acres.**

Quasi-Judicial Public Hearing: Second reading of Ordinance 2023-11/LDR 23-08, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning designation from Agricultural (A) and Residential, Single-Family (RSF-2) to Public Facilities (PF) on property generally located on the east side of County Road 337, between Southwest 15 Avenue and Southwest 30 Avenue, consisting of ±217 acres; identified by Alachua County Parcel Numbers: 02536-000-000, 02538-001-000, 02538-004-000, 02538-005-000, 02538-007-000, 02538-008-000, 02538-010-000, and 02538-009-001.

No new participants entered the room.

Attorney Adams read Ordinance 2023-11 on second reading by title only.

Mayor Marlowe asked for ex parte communication.

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

There was no third-party intervenor present.

Principal Planner Perez remained sworn. He provided the staff overview and report with a PowerPoint.

Attorney Adams advised the Commission that their decision must be based upon substantial and competent evidence.

Motion made by Commissioner Clark enact Ordinance 2023-11/ LDR 23-08 on second reading, Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

AGENDA ITEMS

7. Approval of Ranking and Authorization to Negotiate a Contract for Construction Manager at Risk Services for City Hall

Travis Parker, Director, Parks and Recreation presented the item with a PowerPoint.

In the interest of public disclosure, Commissioner Marden stated he has known Jennifer Denault, Scorpio Construction, Project Development & Marketing, for approximately 30 years. He and Ms. Denault discussed Scorpio applying for this project, but he had no influence on the ranking of applications for this project. Commissioner Marden stated he would be fair and impartial in this decision.

Matthew Marino, Oelrich Construction, and Jennifer Denault, Scorpio Construction, spoke.

Motion made by Commissioner Farnsworth to:

- 1) Accept the Ranking Committee's rankings.**
- 2) Authorize the City Manager, or designee, to begin negotiations with the top ranked firm to execute an agreement and other associated documents, for Construction Manager at Risk Services.**
- 3) Authorize that should the City Manager, or designee, fail to negotiate a satisfactory contract with the top ranked firm, the City Manager, or designee, shall begin negotiating with the 2nd ranked firm and continue to follow this process until a satisfactory agreement is reached.**

Seconded by Commissioner Clark.

Voting Yea: Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden

Voting Nay: Commissioner Clark

MOTION PASSED 3-1

8. Newberry Environmental Park Master Plan Task Order

Jamie Jones, Assistant City Manager, Public Works & Utilities presented the item with a PowerPoint.

Motion made by Commissioner Clark to:

- 1) Authorize the City Manager to execute a Task Order with CHW Professional Consultants for the Newberry**

Environmental Park Master Plan in the amount of \$220,000.

- 2) Authorize the City Manager to approve change orders up to 10% of the contract amount.**

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

9. Appointment of two Planning & Zoning/Historic Architectural Review Board and one HARB only member

Resolutions 2023-35 and 2023-36, appointing two Planning & Zoning Board and Historic Architectural Review Board members, and one Historic Architectural Review Board only member.

Bryan Thomas, AICP, Director, Planning & Economic Development presented the applications and their Planning staff rankings with a PowerPoint.

The Commissioners were polled on appointing to Planning and Zoning Board and Historic Architectural Review Board Seat 4, Naim Erched was selected. The Commissioners were then polled on appointing to Planning and Zoning Board and Historic Architectural Review Board Seat 5, Jordan Fairfield was selected. The Commissioners were then polled on appointing to Historic Architectural Review Board Seat 6, Paula Willis was selected.

Motion made by Commissioner Marden to approve Resolution 2023-35 appointing Naim Erched and Jordan Fairfield to the Planning & Zoning Board, Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

Motion made by Commissioner Marden Resolution 2023-36 appointing Paula Willis to the Historic Architectural Review Board, Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

10. RBDG Grant Award (Agri-Tech)

Dallas Lee, Assistant City Manager/CFO presented the item with a PowerPoint. The City of Newberry has been awarded a \$55,000 grant through the CDBG RBDG program to advance the Agri-Tech Innovation Park project. The funding will enable the engagement of a qualified consultant to create an incubator business plan and provide economic development consulting services. The grant and \$20,000 of supplemental funds from the City's Duke Energy Grant make up a total project cost of \$75,000.

Motion made by Commissioner Marden to authorize the City Manager and/or Mayor to execute required agreements and other documents for the RBDG grant program, Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

11. Power Cost Adjustment

Dallas Lee, Assistant City Manager/CFO presented the item with a PowerPoint. The city had a significant drop in wholesale power cost. As the Power Cost Adjustment (PCA) is directly linked to these costs, staff has been able to reduce the PCA. This reduction is particularly beneficial for our customers as we are heading into summer, a period of typically higher power usage. Moreover, this change allows the city to start rebuilding the rate stabilization fund.

Discussion ensued.

12. Fiscal Year 2024 Budget Calendar

Dallas Lee, Assistant City Manager/CFO presented the item with a PowerPoint.

Discussion ensued.

COMMENTS

City Manager New, City Clerk Rice, Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Mayor Marlowe made comments.

Jordan Fairfield, newly appointed member of the Planning & Zoning Board and Historic Architectural Review Board, introduced himself to the Commission.

Naim Erched, Chair, Newberry Opioid Task Force, spoke to the Commission.

MEETING ADJOURNMENT

The meeting was adjourned at 9:03 PM

Signed and approved on this 12th day of June 2023.

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk