



Commission Meeting Minutes

July 24, 2023
7:00 PM

25440 West Newberry Road
Newberry, Florida 32669

QUORUM CHECK

Mayor	Jordan Marlowe
Commissioners	Mark Clark Rick Coleman Monty Farnsworth Tim Marden Tony Mazon
City Manager	Mike New
City Clerk	Judy Rice
City Attorney	Scott Walker
Staff:	
Assistant City Manager, Chief Financial Officer	Dallas Lee
Assistant City Manager for Public Works and Utilities	Jamie Jones
Director of Parks & Recreation	Travis Parker
Director of Planning & Economic Development	Bryan Thomas
Assistant Director of Parks & Recreation	Ryan Young
Assistant Director of Finance	Amanda Hagan
Principal Planner	Jean-Paul Perez
Executive Assistant	Randa Paul

CALL TO ORDER

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

APPROVAL OF AGENDA

Motion to approve agenda, swapping Items 1 and 2 and changing Item 13 to a First Reading of Ordinance 2023-14, was made by Commissioner Marden. Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

INVOCATION

Minister Sheron Cheesborough, Gateway Christian Church, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

1. ~~2~~—Public Works and Utilities Director / Assistant City Manager receives APPA Award

Mayor Marlowe and Manager New recognized Jamie Jones, Assistant City Manager for Public Works and Utilities, for receiving the American Public Power Association's Larry Hobart Seven Hats Award. This prestigious recognition honors managers of smaller utilities that serve fewer than 2,500 meters. It acknowledges these managers' unique multi-role responsibilities, encapsulating planning and design, administration, public relations, field supervision, accounting, human resources, and community leadership.

Commissioner Mazon entered the room and joined the dais at 7:30 PM.

2. ~~1~~—City of Newberry Comprehensive Plan overhaul.

Bryan Thomas, AICP, CPM, Director, Planning & Economic Development, introduced Gerry Dedenbach, AICP LEED AP, Executive Vice President, CHW, Inc. Mr. Dedenbach gave a presentation on the City of Newberry Comprehensive Plan update.

3. Annual Comprehensive Financial Report for Fiscal Year Ended September 30, 2022

Dallas Lee, CGFO, CPM, Assistant City Manager/CFO, introduced Barbara Boyd, CPA, Partner, Purvis, Gray & Co., who presented a summary of the Fiscal Year 2022 Audit with a PowerPoint.

4. Recreation Update

Mayor Marlowe read the Parks & Recreation Month Proclamation.

Travis Parker, CPRP, CPM, Director of Parks and Recreation, presented an update on the Parks and Recreation Department with a PowerPoint.

5. City Hall Design Update

Travis Parker, CPRP, CPM, Director of Parks and Recreation introduced Barnett Chenault, Monarch Design Group, and Chris Gregory, Preconstruction Services Manager, Scorpio Construction Company.

Mr. Chenault presented an update on the design of the new City Hall with a PowerPoint.

PUBLIC ANNOUNCEMENTS

Marcus Tucker expressed his dissatisfaction with the changing utility payment due dates.

Christy Ortiz asked about the number of chickens allowed in Half Moon Station. Bryan Thomas took her contact information for follow-up.

CONSENT AGENDA

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

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

MOTION PASSED 5-0

- 6. A request for approval for construction plans for a stormwater basin 1 of the Avalon Woods Mixed Use Development.**

Resolution 2023-39/SD 23-03, an application by JBPro, Agent for M3 Newberry, LLC, Owner, for approval of a stormwater basin located in Phase 6 of the Avalon Woods Mixed Use Development.

- 7. Amendment to Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT)**
- 8. June 26, 2023, Regular Commission Meeting Minutes**
- 9. June 29, 2023, Capital Improvement Plan Workshop Minutes**
- 10. July 12, 2023, Budget Workshop (Governmental Funds) Minutes**

PUBLIC HEARINGS AND ORDINANCES

- 11. Request for waiver of surety requirements and approval of the final plat for the Cedar Estates Addition, a replat of the Cedar Estates of Newberry subdivision.**

Quasi-Judicial Public Hearing: Resolution 2023-43/SD 23-07, a request by Turnsole Builders, LLC, Owner, for approval of the Cedar Estates Addition final plat on a site consisting of approximately 2.4 acres generally located southeast of the intersection Southwest 246 Terrace and Southwest 2 Avenue including the unimproved right-of-way known as Kissel Court; Alachua County Tax Parcels 01951-005-014, 01951-005-015, 01951-005-016, 01951-005-017, 01951-005-018, and 01951-005-019 including the unimproved right-of-way known as Kissel Court.

Attorney Walker read Resolution 2023-43 by title only.

Clerk Rice swore in Principal Planner Perez and Joshua Blackford, Turnsole Builders, LLC.

Attorney Walker asked for ex parte communication.

Voting Nay: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe none, non-voting.

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

order.

There was no third-party intervenor present.

Principal Planner Perez provided the staff overview with a PowerPoint.

There was no cross-examination by either party.

Joshua Blackford spoke to the Commission.

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

Motion to approve waiver for bonding requirements for infrastructure improvements in lieu of construction pursuant to Appendix B, Article 5, Section 5.39 of the City of Newberry Code of Ordinances was made by Commissioner Marden, Seconded by Commissioner Coleman.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

Motion to approve Resolution 2023-43 granting waiver of surety requirements for a final plat entitled Cedar Estates Addition was made by Commissioner Coleman, Seconded by Commissioner Marden.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

Commissioner Mazon left the room at 8:42 PM.

- 12. Resolution 2023-02 of the City of Newberry, Florida, Relating To The Provision Of Fire Rescue Services, Facilities And Programs In The City Of Newberry, Florida; Establishing The Estimated Assessment Rate For Fire Rescue Assessments For The Fiscal Year Beginning October 1, 2023; Directing The Preparation Of An Assessment Roll; Providing For Hardship Assistance; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; And Providing An Effective Date.**

Attorney Walker read Resolution 2023-02 by title only.

Dallas Lee, CGFO, CPM, Assistant City Manager/CFO, presented the staff report with a PowerPoint.

**Motion made by Commissioner Coleman to
Approve Resolution 2023-02, Seconded by
Commissioner Marden.**

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

Voting Nay: Commissioner Farnsworth

MOTION PASSED 3-1

Mazon reentered the room at 8:52 PM.

13. ~~Second~~ First Reading Impact Fee Ordinance 2023-14

AN ORDINANCE OF THE COMMISSION OF CITY COMMISSIONERS OF CITY OF NEWBERRY, FLORIDA, REGARDING IMPACT FEES; CREATING A NEW CHAPTER 87 OF THE CITY OF NEWBERRY CODE OF ORDINANCES ENTITLED IMPACT FEES; PROVIDING GENERAL DEFINITIONS; PROVIDING RULES OF CONSTRUCTION AND GENERAL LEGISLATIVE FINDINGS; PROVIDING ADMINISTRATIVE PROVISIONS RELATED TO THE IMPOSITION, COLLECTION, AND USE OF IMPACT FEES; PROVIDING FOR EXEMPTIONS, ALTERNATIVE IMPACT FEES, AND DEVELOPER CONTRIBUTION CREDITS; PROVIDING FOR IMPACT FEE REVIEW HEARINGS AND NOTICE REQUIREMENTS GOVERNING THE ADOPTION OF IMPACT FEES OR INCREASE OF IMPACT FEE RATES; PROVIDING FOR THE REVIEW OF IMPACT FEES AND FOR ADMINISTRATIVE COSTS; PROVIDING DEFINITIONS AND LEGISLATIVE FINDINGS RELATED TO TRANSPORTATION IMPACT FEES; PROVIDING FOR THE IMPOSITION, COLLECTION, AND USE OF TRANSPORTATION IMPACT FEES; PROVIDING DEFINITIONS AND LEGISLATIVE FINDINGS RELATED TO PUBLIC BUILDING IMPACT FEES; PROVIDING FOR THE IMPOSITION, COLLECTION, AND USE OF PUBLIC BUILDING IMPACT FEES; PROVIDING FOR NOTICE OF IMPACT FEE RATES; PROVIDING FOR SEVERABILITY, CODIFICATION, LIBERAL CONSTRUCTION, AND PROVIDING AN EFFECTIVE DATE.

Attorney Walker read Ordinance 2023-14 by title only. Mayor Marlowe noted that the Commission changed this to the first reading.

Dallas Lee, CGFO, CPM, Assistant City Manager/CFO, presented the staff report with a PowerPoint.

**Motion to approve Ordinance 2023-14 on First
Reading and schedule the Second Reading for the
next Commission Meeting was made by
Commissioner Farnsworth, Seconded by
Commissioner Mazon.**

Mayor Marlowe asked for public comment. There was none.

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

Voting Nay: Commissioner Marden

MOTION PASSED 4-1

AGENDA ITEMS

14. Impact Fee Economic Development Incentive Program Resolution

Scott Walker, City Attorney, led discussion regarding the missing terms for Resolution 2023-48.

Discussion ensued. Attorney Walker noted the Commission's input for finalizing the Resolution.

15. Resolution 2023-04 Determining and Setting the Proposed Millage Rate

Attorney Walker read Resolution 2023-04 by title only.

Dallas Lee, CGFO, CPM, Assistant City Manager/CFO, presented the staff report with a PowerPoint.

Motion to approve Resolution 2023-04, Setting the Preliminary Millage rate at 5.9999 made by Commissioner Marden, Seconded by Commissioner Clark.

Mayor Marlowe asked for public comment. There was none.

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

MOTION PASSED 5-0

COMMENTS

City Manager New, Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

MEETING ADJOURNMENT

The meeting was adjourned at 10:07 PM.

Signed and approved on this 14th day of August 2023.

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk