



City of Newberry Commission Meeting

February 28, 2022
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 the agenda to be approved with the following amendments:

- Item 5 be deferred
- Item 16 be deferred
- Add new item 16 discussing letter to Representative Clemons.

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

Seconded by Commissioner Marden.

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

MOTION PASSED 3-0

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman
Monty Farnsworth
Tim Marden
Tony Mazon

City Attorney

Andrea Parker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Director of Planning & Economic Development

Bryan Thomas

Senior Planner

Wendy Kinser-Maxwell

Planner

Alayna Jackson

Director of Utilities & Public Works, Assistant Manager

Jamie Jones

Assistant Director of Utilities & Public Works

Rance Green

Director of Parks & Recreation

Travis Parker

Absent:

Commissioner

Mark Clark

INVOCATION

Mr. Tyrone Watson, Chaplain, American Legion Post 149, provided the invocation
Commissioner Mazon entered the chambers.

PLEDGE OF ALLEGIANCE

Mayor Marlowe led the pledge.

PRESENTATIONS

1. American Legion Post 149.

Mr. Leon Smith presented a plaque to the Mayor on behalf of the City for their support.

2. My Time.

Director Parker introduced this item. Ms. Annetta McCloud provided a small presentation
overviewing the My Time mission and achievements.

3. Florida Public Utilities Natural Gas System Expansion.

Manager New introduced Mr. Jim Hayhurst with Florida Public Utilities. Mr. Hayhurst
provided a detailed PowerPoint on natural gas. A short discussion ensued.

4. Retirement Proclamation – Wendy Kinser-Maxwell.

Manager New presented this item. Mayor Marlowe read the proclamation in its entirety
before presenting it to Wendy.

~~5. Certificate of Achievement for Excellence in Financial Reporting.~~

This item was pulled off the agenda.

PUBLIC ANNOUNCEMENTS

Clerk Rice announced the qualified candidates for the 2022 municipal election:

- Commissioner Group One
 - Ricky Coleman, incumbent – unopposed
- Commissioner Group Two
 - Mark Clark, incumbent – unopposed
- Commissioner Group Three
 - Mark Allen
 - Walt Boyer
 - Monty Farnsworth, incumbent.

Ms. Lisa Tate, Newberry Main Street Organization and Mr. Shawn Brewer, made public
announcements.

CONSENT AGENDA

6. February 15, 2022, Regular Meeting Minutes.

7. **January 10, 2022, Commission Workshop.**
8. **Professional Public Works and Utilities Engineering Services RFQ NO 2021-08.**

Mayor Marlowe asked for approval of the consent agenda.

Motion made by Commissioner Coleman to approve the consent agenda.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

PUBLIC HEARINGS AND ORDINANCES

9. **Changing Future Land Use Map classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 10 previously annexed properties and changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 1 previously voluntarily annexed property.**

Legislative Public Hearing Second Reading: Ordinance 2022-04/CPA 21-30, 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 ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04275-007-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000.

Attorney Parker read Ordinance 2022-04 by title only on second reading.

Planner Jackson presented a PowerPoint in staff overview and report. Recommendation is to enact Ordinance 2022-04 on second reading.

Motion made by Commissioner Marden to enact Ordinance 2022-04 on second reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

- 10. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).**

Legislative Public Hearing: Second Reading, Ordinance 2022-07/CPA 21-33, 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 ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001.

Attorney Parker read Ordinance 2022-07 by title only on second reading.

Planner Jackson presented the overview and report with a PowerPoint. Recommendation is to enact Ordinance 2022-07 on second reading.

**Motion made by Commissioner Marden to enact
Ordinance 2022-07 on second reading.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

- 11. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (A) and rezoning previously annexed property from Alachua County Agricultural-Rural Business (A-RB) and Alachua County Business, Retail Sales, and Services to City of Newberry Commercial, Neighborhood (CN), contingent up on approval of Application CPA 21-30.**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2022-11/LDR 21-38, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property annexed into the City and identified by Alachua County tax parcel numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the zoning from ALACHUA COUNTY AGRICULTURAL-RURAL BUSINESS (A-RB) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04275-007-000; and by changing the zoning from ALACHUA COUNTY BUSINESS, RETAIL SALES, AND SERVICES (BR) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County

Parcel Number 04369-002-000. (This application is contingent upon approval of Application CPA 21-30.)

Mayor Marlowe reviewed the process and procedures of quasi-judicial hearings. He read through the presentation order.

Attorney Parker read Ordinance 2022-11 by title only on second reading.

Clerk Rice swore in Planner Jackson and Director Thomas.

Mayor Marlowe asked for ex parte communication. There was none.

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

There was no third-party intervenor present.

Planner Jackson presented the overview and report with a PowerPoint. Recommendation is to enact Ordinance 2022-11 on second reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument was made.

Attorney Parker reminded the Commission of applicable law.

Motion made by Commissioner Coleman to enact Ordinance 2022-11 on second reading.

Seconded by Commissioner Marden.

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

MOTION PASSED 4-0

- 12. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).**

Quasi-Judicial Public Hearing: Second Reading, Ordinance 2022-14/LDR 21-41, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001. (This application is contingent upon approval of Application CPA 21-33.)

Mayor Marlowe reviewed the process and procedures of quasi-judicial hearings. He read through the presentation order.

Attorney Parker read Ordinance 2022-14 by title only on second reading.

Planner Jackson and Director Thomas remained sworn.

Mayor Marlowe asked for ex parte communication. There was none.

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

There was no third-party intervenor present.

Planner Jackson presented the overview and report with a PowerPoint. Recommendation is to enact Ordinance 2022-14 on second reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument was made.

Attorney Parker reminded the Commission of applicable law.

Motion made by Commissioner Mazon to enact Ordinance 2022-14 on second reading.

Seconded by Commissioner Marden.

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

MOTION PASSED 4-0

13. Amendment to the Land Development Regulations to allow electronic message signage at City Hall

Legislative Public Hearing, First Reading: Ordinance 2022-19/LDR 22-02, An application by the City of Newberry to amend the text of the Land Development Regulations of the City of Newberry, Florida Code of Ordinances, to provide for electronic message signage at city-owned facilities, specifically City Hall.

Attorney Parker read Ordinance 2022-19 by title only on first reading.

Senior Planner Kinser-Maxwell presented staff overview and report by PowerPoint. Recommendation is to pass Ordinance 2022-19 on first reading.

A lengthy discussion ensued regarding electronic signs for business vs municipal purposes, having two signs, and potential impact on historic district.

Motion made by Commissioner Mazon to pass Ordinance 2022-19 on first reading with amendment to include two signs.

Seconded by Commissioner Coleman.

Commissioner Marden and Ms. Lisa Tate made comments.

ROLL CALL

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

Voting Nay: Commissioner Marden.

MOTION PASSED 3-1

AGENDA ITEMS

14. Newberry Urban Services Area Boundary.

Director Thomas presented the citizen input maps¹. Staff is seeking direction from the Commission.

A lengthy discussion ensued regarding citizen input and the direction in which the Commission is leaning towards. Attorney Parker provided advice on citizen input map 4.

Motion made by Commissioner Mazon to table this item and keep citizen input maps 2, 3, and 5; removing maps 1 and 4.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

15. Property Taxing Policy Update.

Director Thomas presented this item.

~~**16. Amendments to the Personnel Policies – Resolution 2022-09.**~~

16. Letter in Support of Single Member Districts

Mayor Marlowe presented this item and discussion ensued about single member districts.

Ms. Peggy Loy and Mr. Walt Boyer made comments.

Motion made by Commissioner Farnsworth for the Mayor to send a letter to Representative Chuck Clemons in support of Single Member Districts.

Seconded by Commissioner Marden

1 Exhibit A

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

MOTION PASSED 4-0

17. Newberry Lane Forcemain and Watermain Project #2021 - 12.

Assistant Manager Jones presented this item and a short discussion ensued.

Motion made by Commissioner Mazon to

- 1. Authorize the City Manager to execute a contract including Owner Direct Purchasing terms/conditions in the amount of \$370,557.97 for the total of the Base bid and a Deductive Alternate in the amount of \$8,440 with Andrews Paving, Inc., for the Newberry Lane Forcemain and Watermain Project.**
- 2. Authorize the City Manager to approve change orders not to exceed ten percent (15%) of the contract amount.**

Seconded by Commissioner Marden.

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

MOTION PASSED 4-0

18. SR 26 Forcemain and Watermain Project #2021-13.

Assistant Manager Jones presented this item and a short discussion ensued.

Motion made by Commissioner Marden to

- 1. Authorize the City Manager to execute a contract including Owner Direct Purchasing terms/conditions in the amount of \$994,238.74 for the total of the Base bid with O'Steen Brothers, Inc. for the SR 26 Forcemain and Watermain Project. This authorization would be conditioned upon the completion of the land rights process.**
- 2. Authorize the City Manager to approve change orders not to exceed ten percent (10%) of the contract amount.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

19. SW 4th Ave Sidewalk Project #2022-01.

Assistant Manager Jones presented this item and a short discussion ensued.

Motion made by Commissioner Farnsworth to

- 1. Authorize the City Manager to execute a contract between Andrews Paving inc. including Owner Direct Purchasing terms/conditions, for the total of the base bid of \$48,757.17 with Andrews Paving, Inc., for the SW 4th Ave Sidewalk project.**
- 2. Authorize the City Manager to approve change orders not to exceed \$10,000.00, (Ten and 00/100 Thousand Dollars).**

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

COMMENTS

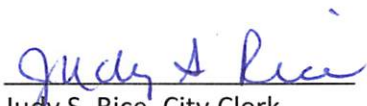
Manager New, Attorney Parker, Commissioner Coleman, Commissioner Mazon, and Mayor Marlowe all made comments.

Ms. Lou Kaster, Ms. Peggy Loy, and Mr. Walt Boyer made comments.

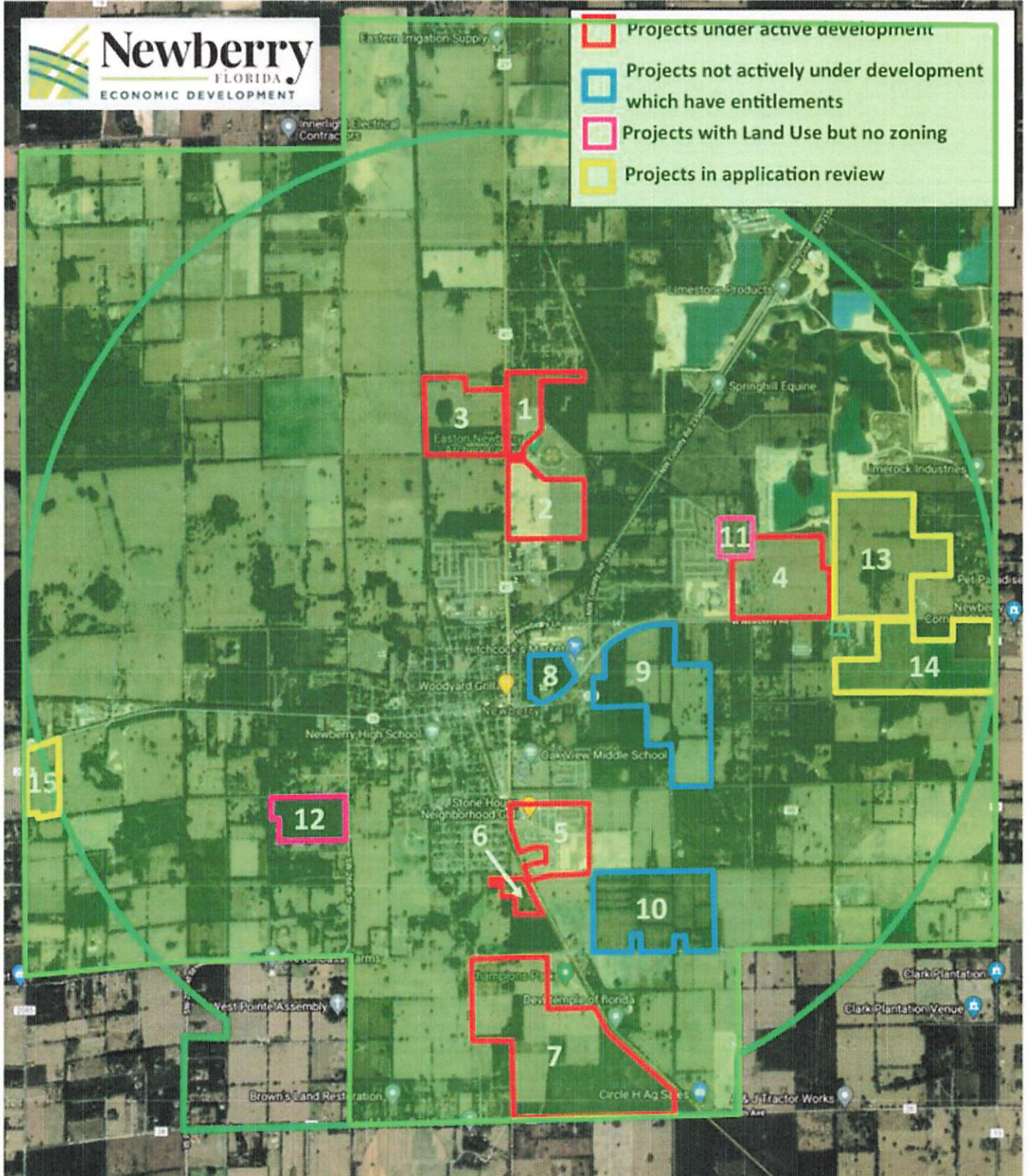
MEETING ADJOURNMENT

Meeting adjourned at 9:36 p.m.

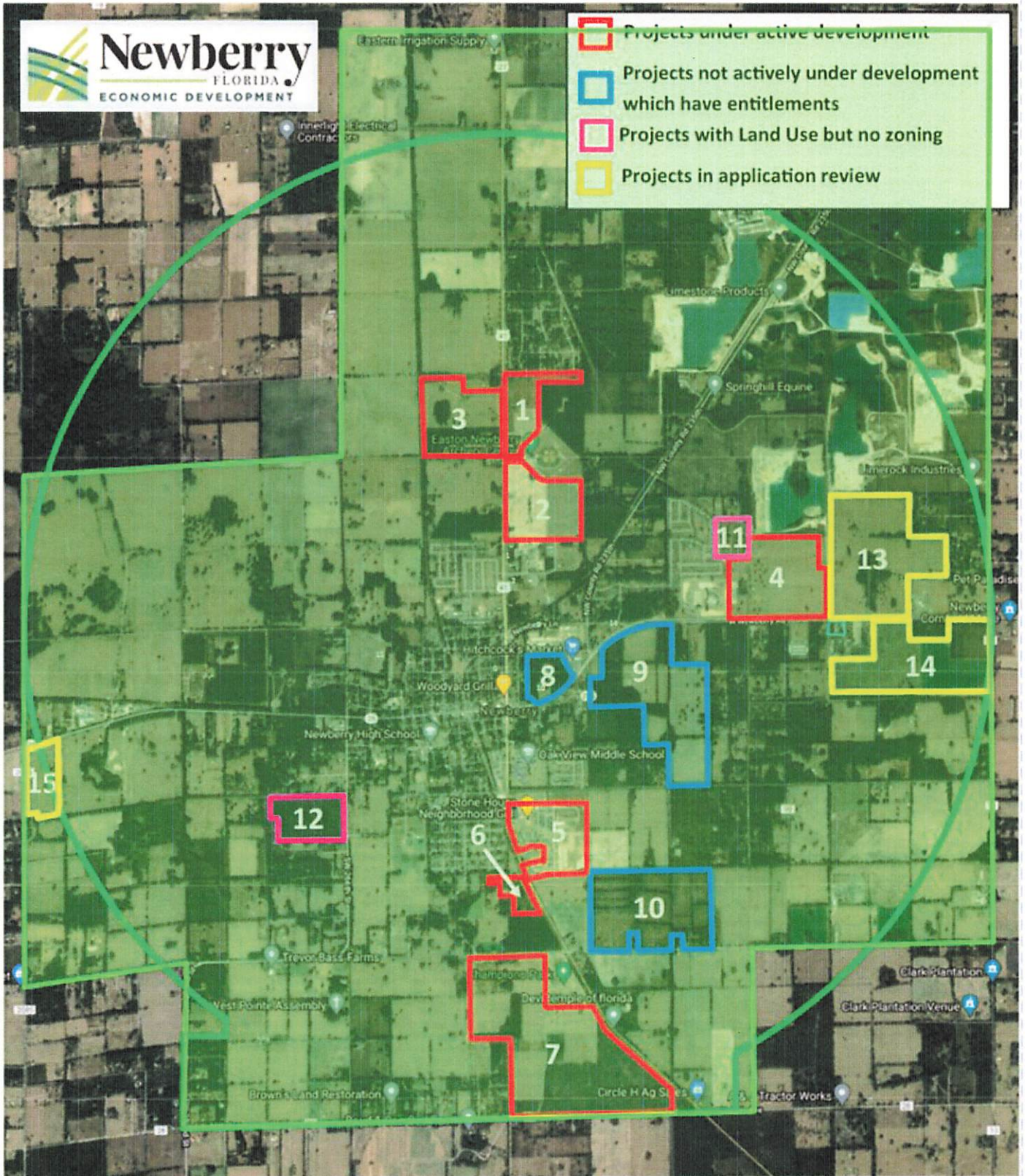

Jordan Marlowe, Mayor


Judy S. Rice, City Clerk

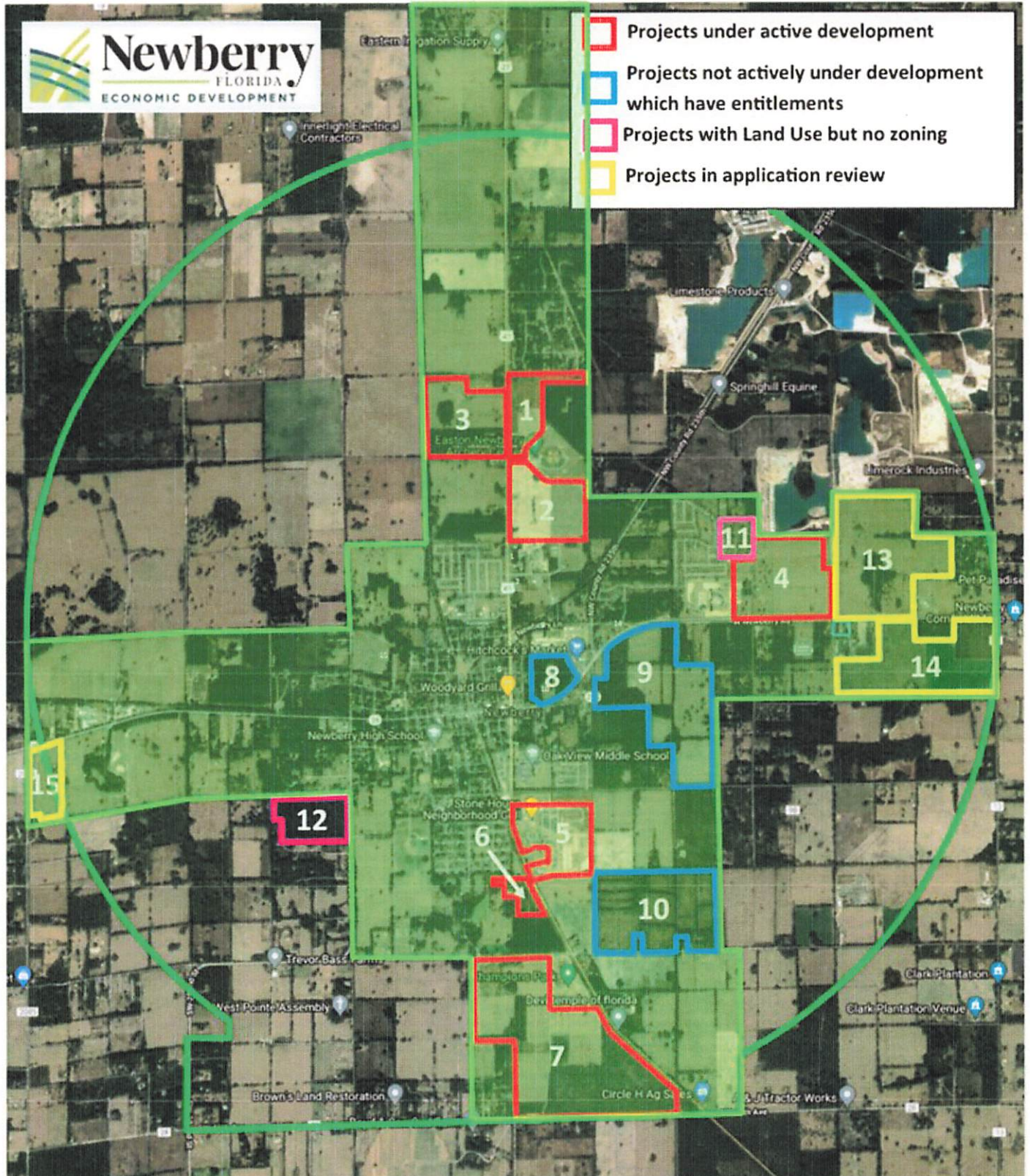
Citizen Input Map 1



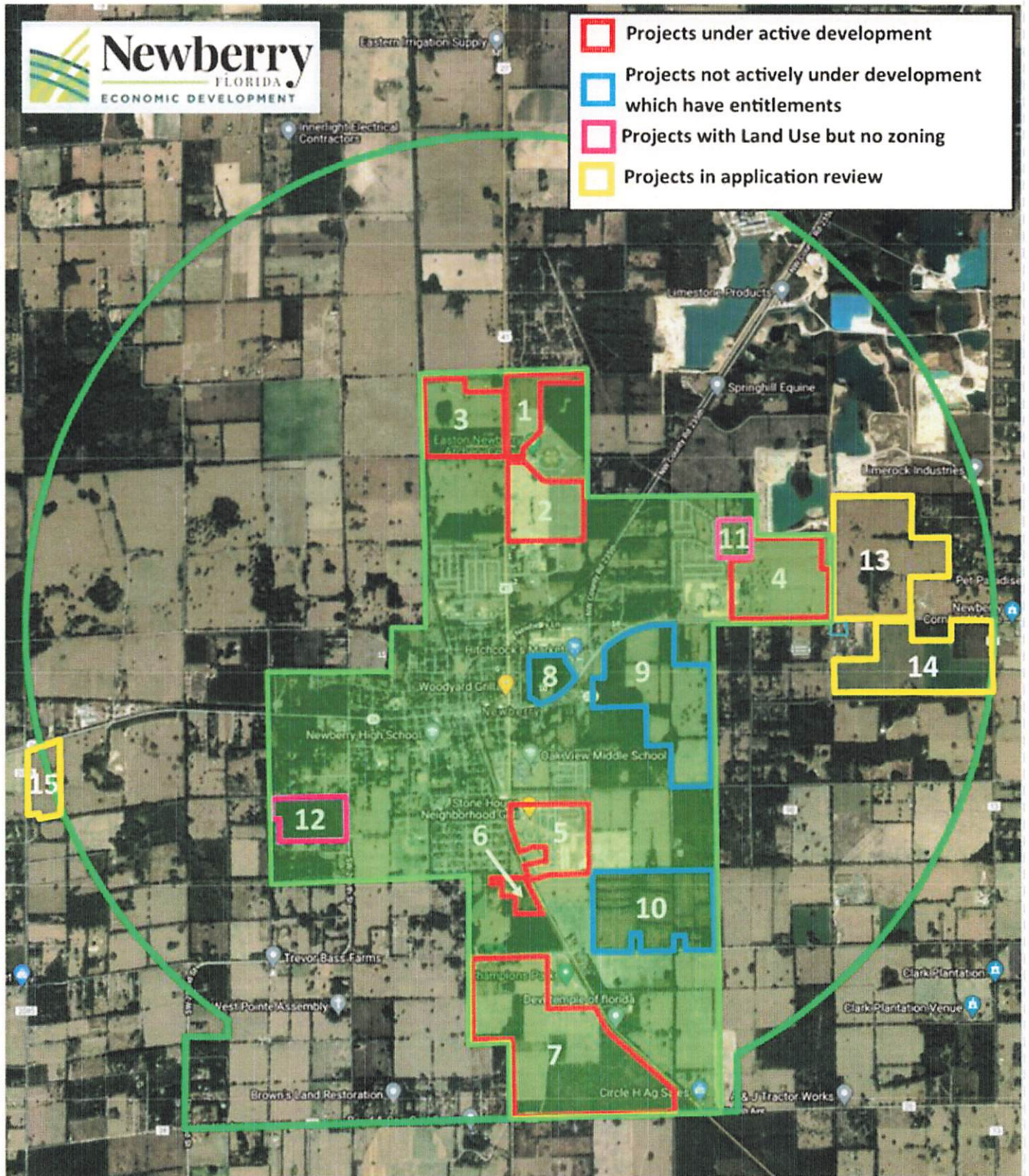
Citizen Input Map 2



Citizen Input Map 3



Citizen Input Map 4



Citizen Input Map 5

