



City of Newberry Commission Meeting

November 25, 2019
7:00 P.M.

25440 West Newberry Road
Newberry, Florida 32669

MINUTES

CALL TO ORDER

Mayor Marlowe called meeting to order at 7:00 p.m.

APPROVAL OF AGENDA

Mayor Marlowe asked to separate item 7 into two different items: amend item 7 to *Charter Review Committee Recommendation*, amend item 8 to *Date of Referendum Election*, and add item 9 (formerly item 8) *Remaining 2019 City Commission Meeting Schedule*.

Motion made by Commissioner Marden to approve the agenda with the amended item.

Seconded by Commissioner Hersom.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

QUORUM CHECK

| | |
|-------------------------|---|
| Mayor | Jordan Marlowe |
| Commissioners | Ricky Coleman Matt Hersom Monty Farnsworth Tim Marden Paul Norfleet |
| City Attorney | Scott Walker |
| Assistant City Attorney | Rich Maltby |
| Assistant City Attorney | Andrea Parker |
| City Clerk | Judy Rice |
| City Manager | Mike New |
| Staff: | |

Director of Utilities and Public Works
Director of Finance and Administration

Jamie Jones
Dallas Lee

INVOCATION

Paul Norfleet, Deacon of Newberry Baptist Church, provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Marlowe led the Pledge of Allegiance.

PRESENTATIONS

Please limit presentations to 15 minutes

1. Thanksgiving Food Drive

Manager New presented this item.

With the help of the community, the City of Newberry was able to raise \$735.00 and collected 552 lbs. of food donations which included 25 turkeys donated by ARGOS employees for the Blessed Hope Foundation.

Mayor Marlowe presented the check to Ms. LeaNecia Montgomery with the Blessed Hope Foundation.

Ms. Montgomery expressed her gratitude for the generous donations made by the community and the City of Newberry.

PUBLIC ANNOUNCEMENTS

Please limit announcements to 2 minutes

Ms. Lisa Tate, Newberry Main Street Organization, talked about the Main Street Fall Festival and the Quasquicentennial Art Competition.

Mr. Marlin Day, Alachua County Library Newberry Branch, spoke about library programs coming up in the month of December.

Mr. Day also commented about the Newberry Lions Club Rodeo.

Mr. James Thompson, Alachua County Charter Review Board Member, spoke about the Alachua County Charter Review Board and encouraged citizens to participate.

CONSENT AGENDA

2. November 12, 2019, Meeting Minutes

3. Power Cost Adjustment

Motion made by Commissioner Farnsworth to approve consent agenda.

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

4. Fiscal Year 2018-2019 Final Budget Amendment (Resolution 2019-40)

Attorney Maltby read Resolution 2019-40 by title only.

Director Lee presented this item and reported there were not any budget and/or expenditure variances requiring corrective action.

Motion made by Commissioner Marden to adopt Resolution 2019-40.

Seconded by Commissioner Hersom.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

5. Fiscal Year 2019-2020 Budget Amendment (Resolution 2019-41)

Attorney Maltby read Resolution 2019-41 by title only.

Director Lee presented this item and stated during the budget process, the Commission indicated it wished to appropriate funding to three projects. Those projects include striping SW 46th Avenue (\$20,000), repairing road subsidence on SW 46th Avenue (\$60,000), and installation of fencing around retention ponds in Newberry Oaks (\$20,000). Additionally, staff requests \$26,500 for recoating of fire hydrants within the City. Appropriations requests total \$126,500, and leaves a balance of \$23,500 for the Commission to appropriate or place into reserves.

Discussion ensued regarding the Maronda Homes Agreement and the SW 4th Avenue Sidewalk Project.

Motion made by Commissioner Norfleet to adopt Resolution 2019-41 and bring back the Fire Hydrant Recoating Project for consideration along with other capital improvement projects to be discussed at the December 9th Commission Meeting.

Seconded by Commissioner Hersom.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

Mayor Marlowe asked staff to provide the Capital Improvement Project (CIP) list to the Commission for prioritizing projects to be discussed at the next meeting.

AGENDA ITEMS

6. Disaster Debris Removal and Disposal Services Contracts Award

Director Jones presented this item.

Discussion ensued.

Motion made by Commissioner Farnsworth to authorize the City Manager to execute pre-event FEMA compliant five-year contracts with Disaster Debris Removal and Disposal Contractors for hurricane or disaster cleanup services.

Seconded by Commissioner Hersom.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, and Commissioner Norfleet.

Voting Nay: Commissioner Marden.

MOTION PASSED 4-1

7. Charter Review Committee Recommendation/~~Date of Referendum Election~~

Amended.

Attorney Parker presented this item.

1. Article IV – City Commission, Sec. 10: regarding when a commissioner should take office following an election
 - The board proposed changing the date that a commissioner takes office
 - Current language: [commissioner] shall take office immediately upon the official canvas of votes within three days after election
 - Proposed language: [commissioner] shall take office on the tenth calendar day after the election, or as soon as practicable thereafter, but no later than thirty (30) days following his/her election
 - FS 102.168(2) provides that a complaint contesting election shall be filed within 10 days after midnight of the date the last board responsible for certifying the results officially certifies the results of the election being contested.
2. Article IV – City Commission, Sec. 11: regarding minimum age to qualify for candidacy
 - Current minimum age is 21
 - Commission discussion on whether the minimum age should be 18
 - There is no state statute mandating a minimum age of 21

3. Article IV – City Commission, Sec. 16: regarding who is permitted to call **Special meetings**
 - Current language allows the Mayor or any two members of the City Commission to call a special meeting
 - The Board proposed the language be changed so that the Mayor, any member of the City Commission, or the City Manager may call a special meeting
 - Charter review workshop suggestion to consider: Special meetings may be called by the Mayor and a member of the City Commission or by the City Manager
4. Article IV – City Commission, Sec. 16: regarding who is permitted to call **Emergency meetings**
 - Current language allows the Mayor or a City Commissioner to call a special meeting
 - Charter review workshop suggestion to consider: Emergency meetings may be called by the Mayor and a member of the City Commission or by the City Manager
5. Article IV – City Commission, Sec. 16: regarding notice requirements for Conference Session Meetings
 - The Board proposed adding Conference Session Meetings as a type of Commission meeting
 - Charter review workshop suggestion to consider: Including a notice requirement of 48 hours
6. Article VI – Executive Officers, Sec. 24: regarding minimum age for City Manager
 - Current minimum age is 21
 - Commission discussion on whether the minimum age should be 18
 - There is no state statute mandating a minimum age of 21
7. Article VII – City Elections, Sec. 27: regarding whether terms limits should be modified to three-year staggered terms
 - The current Charter sets 2-year terms for office
 - The Board proposed a separate ballot question address whether term lengths should continue as two-year terms or be modified to staggered three-year terms.

Motion made by Commissioner Marden to approve the Charter Committee's recommendation with the additional changes below:

1. Keep the 10 day waiting period before a newly elected official takes office.
2. Pull out the minimum age requirement for elected officials and executive officers.
3. Change the language for special and emergency meetings to allow the City Manager, the Mayor, or any two members of the City Commission to call a special or emergency meeting.
4. 48 hour notice requirement for conference meetings.
5. Change the start year for 3-year staggered terms, if voted in by citizens, to 2021.

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

8. Date of Referendum Election

Amended (formerly included in Item 7).

Attorney Parker presented this item.

Discussion ensued about the different dates for the Referendum Election.

Motion made by Commissioner Hersom to hold the Referendum Election piggybacked with the City's General Election in April.

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Marden, and Commissioner Norfleet.

Voting Nay: Commissioner Farnsworth.

MOTION PASSED 4-1

9. Remaining 2019 City Commission Meeting Schedule

Added (formerly Item 8).

Manager New presented this item.

Discussion ensued about the last meeting in December.

Motion made by Commissioner Coleman to cancel the December 23rd meeting.

Seconded by Commissioner Norfleet.

Voting Yea: Commissioner Coleman, Commissioner Hersom, Commissioner Farnsworth, Commissioner Marden, and Commissioner Norfleet.

MOTION PASSED 5-0

COMMENTS

City Manager

Provided updates on City business.

City Attorney

City Attorney's office will be holding an ethics training on December 5th from 4-8 pm.

City Clerk

Commission

Commissioner Coleman spoke on the opt out option for the 5-day waiting period to purchase guns and consideration of a Second Amendment sanctuary city resolution for the City of Newberry.

Mayor

Extended great thanks to Newberry Main Street Organization for the fall festival and to Newberry Lions Club for hosting the rodeo.

Downtown Barry Park will be turned into a Christmas tree park. Everyone is invited to bring a decorated Christmas tree and place it in the designated area.

Church of Christ will be providing Thanksgiving dinner for citizens.

Citizens

Please limit your comments to 5 minutes

Ms. Lisa Tate, Newberry Main Street Organization, spoke on the Quasquicentennial Art Competition winner being announced Friday, December 6th at the Tree Lighting event.

Ms. Linda Woodcock, citizen, thanked the Commission and City staff for all that they do around the City of Newberry for different holidays.

MEETING ADJOURNMENT

The meeting adjourned at 8:50 p.m.

Signed and approved this 9th day of December 2019.

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk