

City of Newberry

Regular Commission Meeting

July 26, 2021
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 for approval of the agenda.

Motion made by Commissioner Clark to approve the agenda.

Seconded by Commissioner Coleman.

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

MOTION PASSED 5-0

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tim Marden

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Fire Chief

Ben Buckner

Director of Finance and Administration

Dallas Lee

Director of Planning and Economic Development

Bryan Thomas

Principal Planner

Wendy Kinser-Maxwell

INVOCATION

Mr. Tim Marden provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

There were no presentations.

PUBLIC ANNOUNCEMENTS

There were no public announcements.

CONSENT AGENDA

There was no consent agenda.

PUBLIC HEARINGS AND ORDINANCES

1. Resolution 2021-27 Determining and Setting the Proposed Millage Rate.

Director Lee presented this item. The proposed millage rate is 6.2807 mills, which is \$6.2807 per \$1,000.00 of assessed property within the City of Newberry.

Motion made by Commissioner Coleman to adopt Resolution 2021-27 with proposed millage rate of 6.2807 mills.

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

2. Changing Future Land Use Map from Low Density Residential to Medium Density Residential on 2.08 acres (parcel 01943-000-000).

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-26/CPA 21-08, an application by Herb & Jeanie Marlowe, Owners, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the Future Land Use classification from LOW DENSITY RESIDENTIAL (1-4 DU/Acre) to MEDIUM DENSITY RESIDENTIAL (less than or equal to 8 DU/ Acre) on 2.08 acres located at 24916 SW 4th Avenue, 24928 SW 4th Avenue, and 24902 SW 4th Avenue, identified by Alachua County Parcel Number 01943-000-000.

Mayor Marlowe reviewed the process and procedures of Quasi-Judicial Hearings. He read the presentation order. If no one new enters the Chambers on Item 3, he will not read them again.

Attorney Walker read Ordinance 2021-26 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Clerk Rice swore in Principal Planner Kinser-Maxwell.

There was no applicant or third-party intervenor present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell presented the staff overview and report. The staff recommendation is to enact Ordinance 2021-26 on second reading.

Mayor Marlowe asked for public comment. There was none.

There was no cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Clark to enact Ordinance 2021-26 on second reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 5-0

- 3. Rezoning from Residential, Single Family (RSF-1) to Residential, Multiple-Family (RMF-1) on 2.08 acres (parcel 01943-000-000)**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-16/LDR 21-13, an application by Herb & Jeanie Marlowe, Owners, to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Residential, Single Family (RSF-1) to Residential, Multiple-Family (RMF-1) on 2.08 acres located at 24916 SW 4th Avenue, 24928 SW 4th Avenue, and 24902 SW 4th Avenue, identified by Alachua County Parcel Number 01943-000-000. (This application is contingent upon approval of Application CPA 21-08.)

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-16 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

There was no applicant or third-party intervenor present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell presented the staff overview and report. The staff recommendation is to enact Ordinance 2021-16 on second reading.

Mayor Marlowe asked for public comment. There was none.

There was no cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Farnsworth to enact Ordinance 2021-16 on second reading.

Seconded by Commissioner Marden.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon
MOTION PASSED 5-0

- 4. Two requests for voluntary annexation into the City of Newberry (one for parcels 01834-003-000, 01834-006-000, and one for parcel 04265-007-000)**

Quasi-Judicial Public Hearing Second Reading: Ordinances 2021-27 and 2021-28 of the City of Newberry, Florida, to voluntarily annex certain portions of unincorporated Alachua County regarding two requests: two contiguous tax parcels, 01834-003-000 and 01834-006-000 consisting of 40.3 Acres ±, (Ordinance 2021-27) and one tax parcel 04265-007-000 consisting of 7.66 Acres ±, (Ordinance 2021-28)

Mayor Marlowe reviewed the process and procedures of Quasi-Judicial Hearings. He read the presentation order.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

There was no applicant or third-party intervenor present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell presented the staff overview and report. The staff recommendation is to enact Ordinance 2021-27 and Ordinance 2021-28 on second reading.

Mayor Marlowe asked for public comment. There was none.

There was no cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Attorney Walker read Ordinance 2021-27 by title only on second reading.

**Motion made by Commissioner Coleman to enact
Ordinance 2021-27 on second reading.**

Seconded by Commissioner Marden.

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

MOTION PASSED 5-0

Attorney Walker read Ordinance 2021-28 by title only on second reading.

**Motion made by Commissioner Farnsworth to enact
Ordinance 2021-28 on second reading.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 5-0

- 5. De-annexation of a Parcel that the City has found is not substantially contiguous to the municipal boundary.**

**Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-33 of the City of
Newberry, Florida, for the de-annexation of Parcel 04152-001-000 from the City of
Newberry, Florida.**

Mayor Marlowe reviewed the process and procedures of Quasi-Judicial Hearings. He read the presentation order.

Attorney Walker read Ordinance 2021-33 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Clerk Rice swore in Director Thomas.

There was no applicant or third-party intervenor present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell presented the staff overview and report. The staff recommendation is to enact Ordinance 2021-33 on second reading.

Mayor Marlowe asked for public comment. There was none.

There was no cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Marden to enact Ordinance 2021-33 on second reading.

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

AGENDA ITEMS

6. Fireworks.

Attorney Walker and Chief Buckner presented this item reviewing City Code and State requirements.

A lengthy discussion ensued.

Ms. Cheryl Coleman made comments against fireworks. Mr. Robert Miles made comments for fireworks.

7. Law Enforcement Funds.

Director Lee presented this item. The amended Law Enforcement contract resulted in a savings of \$136,000 in the current year's budget.

Staff seeks direction from the City Commission on how to appropriate these funds. Discussion ensued about following option.

- \$50,000 – Repair Historic Power Plant Roof
- \$85,000 – Repair and begin renovations of Historic Power Plant (tuck pointing)
- \$75,000 – Install Accessible Playground Equipment
- \$25,000 – Replace/Upgrade Cemetery Fencing and Gates
- \$60,000 – REO Storage Building at Fire Station
- \$55,000 – Replace City phone system (end of life)
- \$15,000 – Replace/Upgrade Holiday decorations
- \$15,000 – Install automatic locks at City parks
- \$85,000 – Resurface SW 5th Ave (SW 254th to railroad)
- \$85,000 – Survey, Design, and Engineering unpaved downtown roads
- Place fund into reserves for future projects (roads/city hall/etc.) or down payment on fire apparatus

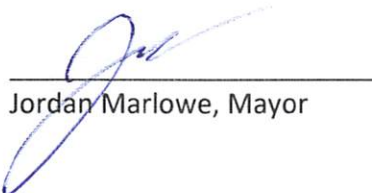
COMMENTS

Manager New, Commissioner Farnsworth, and Mayor Marlowe made comments.

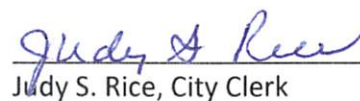
MEETING ADJOURNMENT

Meeting adjourned at 8:36 p.m.

Signed and dated this 9th day of August 2021.



Jordan Marlowe, Mayor



Judy S. Rice, City Clerk