

Commission Meeting Minutes

November 28, 2022

7:00 PM

25440 West Newberry Road

Newberry, Florida 32669

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:

Assistant Manager, Chief Financial Officer

Dallas Lee

Assistant Director Finance and Administration

Amanda Hagan

Director of Planning & Economic Development

Bryan Thomas

Principal Planner

Jean-Paul Perez

Director of Parks & Recreation

Travis Parker

Executive Assistant, City Manager

Ada Schmidt

CALL TO ORDER

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

APPROVAL OF AGENDA

Mayor Marlowe noted the scrivener's error on item 9. It should read CR235 not CR236.

Motion made by Commissioner Coleman to approve the agenda.

Seconded by Commissioner Marden.

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

MOTION PASSED 5-0

INVOCATION

Pastor Armon Lowrey, Freshwind at Mt. Zura Baptist Church, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

1. Proclamation Recognizing Deborah Starr's Retirement

Manager New presented this item. Mayor Marlowe presented the proclamation to Ms. Deborah Starr, Retired Director of Human Resources.

Ms. Starr spoke briefly.

2. Children's Trust of Alachua County

Mayor Marlowe introduced Ms. Marsha Kiner, Alachua County Children's Trust Executive Director.

Ms. Kiner spoke briefly.

PUBLIC ANNOUNCEMENTS

Director Lee introduced the new Assistant Director of Finance and Administration Amanda Hagan.

CONSENT AGENDA

3. November 14, 2022, Regular Commission Meeting Minutes

4. FDOT/Newtown 1895 Sidewalk Resolution

5. Charter Officer Annual Evaluations - Resolution 2022-76

6. Appointment to PRM Board

Mayor Marlowe asked for approval of the consent agenda.

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

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

7. Fiscal Year 2021-2022 Final Budget Amendment (Resolution 2022 – 78)

Attorney Walker read Resolution 2022-78 by title only.

Assistant Manager Lee presented this item.

**Motion made by Commissioner Clark to adopt
Resolution 2022-78.**

Seconded by Commissioner Coleman.

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

MOTION PASSED 5-0

**8. CR337 Watermain Project Funding - Resolution 2022-77 – Water and Sewer Revenue Bond
Resolution**

Attorney Walker read Resolution 2022-77 by title only.

Assistant Manager Lee presented this item.

**Motion made by Commissioner Clark to adopt
Resolution 2022-77**

Seconded by Commissioner Coleman.

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

MOTION PASSED 5-0

Recessed to sign the documents. Reconvened at 7:50 pm.

**9. Request by eda consultants, inc. to change the Future Land Use Map classification on
±123.9 acres from (County) Rural/Agriculture to (City) Mining**

**Quasi-Judicial Hearing: Second Reading of Ordinance 2022-39/CPA 22-08, an application
by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership,
Owner, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive
Plan by changing the Future Land Use Classification from (County) Rural/Agriculture to
(City) Mining on ±123.9 acres, generally located on the east side of Northwest County Road
236, between Northwest 22 Avenue and Northwest 46 Avenue, and identified by Alachua
County Parcel Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000,
and 01862-000-000.**

Mayor Marlowe read the procedures and presentation order for quasi-judicial hearings. If
no one new enters the chambers, he will not read through these again.

Attorney Walker read Ordinance 2022-39 by title only on second reading.

Clerk Rice swore in Principal Planner Perez, and Mr. Clay Sweger, EDA Consultants.

Mayor Marlowe asked for ex parte

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

No third-party intervenor present.

Planner Perez presented the staff overview, report, and recommendation.

Mr. Sweger provided a brief presentation for applicant.

Mayor Marlowe asked for public comment. There was none.

A very brief discussion ensued between Dais and staff.

No cross-examination or final argument.

Attorney Walker reminded the Commission of Applicable Law.

Motion made by Commissioner Coleman to enact Ordinance 2022-39 on second reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 5-0

- 10. Rezoning property from (County) Agriculture to (City) Agricultural (A) on Alachua County Parcel Identification Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.**

Quasi-Judicial Public Hearing: Second Reading of Ordinance 2022-40/LDR 22-15, an application by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from (County) Agriculture to (City) Agricultural (A) on approximately 124 acres identified by Alachua County parcel number 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.

No new participants entered the room.

Attorney Walker read Ordinance 2022-40 by title only on second reading.

Principal Planner Perez, and Mr. Clay Sweger, EDA Consultants, remained sworn.

Mayor Marlowe asked for ex parte

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

No third-party intervenor present.

Planner Perez presented the staff overview, report, and recommendation.

No presentation provided by applicant representative.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument.

Attorney Walker reminded the Commission of Applicable Law.

Motion made by Commissioner Mazon to enact Ordinance 2022-40 on second reading.

Seconded by Commissioner Marden.

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

MOTION PASSED 5-0

11. Public Hearing for a Special Use Permit for proposed mining activities.

Quasi-Judicial Public Hearing: Resolution 2022-66/SUP 22-01, an application by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership, Owners, for a Special Use Permit for mining activities on approximately 124 acres identified by Alachua County Parcel Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.

No new participants entered the room.

Attorney Walker read Resolution 2022-66 by title only.

Clerk Rice swore in Mr. Paul Stoke, Limestone Products.

Principal Planner Perez, and Mr. Clay Sweger, EDA Consultants, remained sworn.

Mayor Marlowe asked for ex parte

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

No third-party intervenor present.

Planner Perez presented the staff overview, report, and recommendation.

No presentation provided by applicant representative.

Mayor Marlowe asked for public comment. There was none.

No cross-examination

A short discussion ensued between Dais, staff, and applicant.

No final argument.

Attorney Walker reminded the Commission of Applicable Law.

Motion made by Commissioner Coleman to adopt Resolution 2022-66.

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

- 12. A report of the City's Comprehensive Plan's amendment needs. The Florida Department of Economic Opportunity requires this report be completed every seven years.**

Legislative, Second Reading: Ordinance 2022-38/CPA 22-11, Amending the Future Land Use Element, Newberry Visions Sub Element, of the City of Newberry Comprehensive Plan

Attorney Walker read Ordinance 2022-38 by title only on second reading.

Director Thomas presented this item.

Motion made by Commissioner Clark to enact Ordinance 2022-38.

Seconded by Commissioner Coleman.

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

MOTION PASSED 5-0

AGENDA ITEMS

- 13. SW 15th Avenue Road Reconstruction Project Update: State Road 26 west to SW 260 Street**

Manager New presented this item. He then introduced Mr. Sweger and Ms. Claudia Vega with EDA Consultants who are working on this project.

Mr. Sweger provided a presentation reviewing conceptual designs.

- 14. Construction Manager At Risk**

Director Parker presented this item.

A lengthy discussion ensued.

Consensus of Commission to direct staff to prepare documents and wait for the impact

fee workshop before taking any more steps forward.

15. Historic Power Plant Re-Roof

Director Parker presented this item.

Motion made by Commissioner Farnsworth to:

1. Authorize the City Manager to execute a contract with Rogers Roofing Corp. DBA Professional Roof Systems in the amount of \$34,000 for the project.
2. Authorize the City Manager to approve change orders not to exceed twenty-five percent (25%) of the contract amount

Seconded by Commissioner Coleman.

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

MOTION PASSED 5-0

COMMENTS

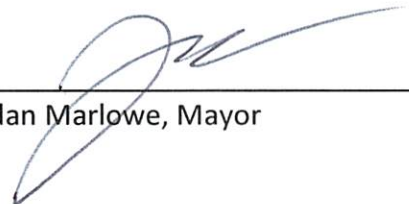
Comments made by Manager New, Attorney Walker, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe.

Ms. Peggy Loy made a comment.


MEETING ADJOURNMENT

Meeting adjourned at 9:31 pm.

Signed and approved on this 12th day of December 2022



Jordan Marlowe, Mayor



Judy S. Rice, City Clerk