

# Commission Meeting

October 24, 2022  
7:00 PM

25440 West Newberry Road  
Newberry, Florida 32669

## QUORUM CHECK

Mayor

Mayor Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Assistant Manager, Chief Financial Officer

Dallas Lee

Project Manager

Armon Lowery

Assistant Manager, Public Works & Utilities

Jamie Jones

Staff Assistant, Public Works & Utilities

Marina Hull

Staff Assistant, Public Works & Utilities

Tamano Dean

Director of Planning & Economic Development

Bryan Thomas

Principal Planner

Jean-Paul Perez

Executive Assistant, City Manager

Ada Schmidt

Absent:

Commissioner

Tim Marden

## CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:35 pm.

## APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda. He noted the scrivener errors in the October 10<sup>th</sup> minutes regarding the ex parte communication has been fixed.

**Motion made by Commissioner Clark to approve the agenda.**

**Seconded by Commissioner Coleman.**

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

## **MOTION PASSED 4-0**

### **INVOCATION – Pastor Stephen Wilson, Newberry First Baptist Church**

Pastor Wilson provided the invocation.

### **PLEDGE OF ALLEGIANCE**

Commissioner Clark led the pledge.

### **PRESENTATIONS**

#### **1. Teenswork Alachua County**

Project Manager Lowery provided a presentation for this item.

#### **2. Cemify – Cloud based cemetery software**

Assistant Manager Jones introduced Staff Assistants Tamano Dean and Marina Hull. Staff Assistant Hull provided the presentation.

### **PUBLIC ANNOUNCEMENTS**

Ms. Lisa Darling thanked city staff for coming to the community event to discuss electric bills.

### **CONSENT AGENDA**

#### **3. IT Managed Services Provider Agreement**

#### **4. Declare Certain Equipment and Vehicles as Surplus**

#### **5. October 10, 2022, Regular Commission Meeting Minutes**

Mayor Marlowe asked for approval of the consent agenda.

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

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 4-0**

### **PUBLIC HEARINGS AND ORDINANCES**

#### **6. Request for approval of Developer's Agreement between the City of Newberry and M3 Avalon Woods LLC for Phase 2 of the Avalon Woods Mixed Use Development.**

**Quasi-Judicial Public Hearing, Second Hearing: DA-SD 22-02, a developer's agreement proposed to be entered into between the City of Newberry and M3 Avalon Land 2 LLC,**

**Owner.** The land which is the subject of the Developer's Agreement is located to the east of State Road 45 and on the north side of NW 16th Avenue, and identified as Alachua County Parcel Number 01874-001-005, consisting of ±26.59 acres. The Developer's Agreement addresses implementation of the adopted Avalon Woods Mixed Use Development Approval Ordinance 2021-14 (LDR 21-10), specifically the development of the Residential Phase 2 portion of Avalon Woods. The proposed population density of Phase 2 is approximately 10 persons per acre, with a building density of 4 per acre. The maximum building height is 35 feet.

Mayor Marlowe read through the procedures for a quasi-judicial hearing. He reviewed the presentation order.

Clerk Rice swore in Director Thomas.

Mayor Marlowe asked for ex parte.

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

No third-party intervenor was present.

Director Thomas presented staff overview, report, and recommendation.

Applicant did not present.

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 Clark to approve DA-SD 22-02.**

**Seconded by Commissioner Mazon.**

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

**MOTION PASSED 4-0**

## **7. Construction Plans for Avalon Woods Phase 2**

**Resolution 2022-73/SD 22-02, an application by JBPro Group, Inc., agent for M3 Avalon Land 2, LLC, owner, for approval of construction plans related to a plat entitled Avalon Woods Phase 2.**

Attorney Walker read Resolution 2022-73 by title only.

Director Thomas provided staff overview, report, and recommendation. The legal description was updated in the Resolution from the entirety of the project to just Phase 2.

**Motion made by Commissioner Clark to adopt Resolution 2022-73 with updated legal description for Phase 2.**

**Seconded by Commissioner Mazon.**

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

**MOTION PASSED 4-0**

**8. Public Hearing on a petition requesting approval of a Major Subdivision, Preliminary Plat, known as Lakota.**

**Request by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Jilanne Belcher, Owner, to request approval of a Major Subdivision, Preliminary Plat. The project is approximately 45.53 acres containing 15 lots generally located northwest of the intersection of Southwest 15 Avenue and Southwest 170 Street, Alachua County Parcel Numbers 04371-001-001 and 04379-000-000.**

**Attorney Walker read Resolution 2022-26 by title only.**

**Principal Planner Perez provided staff overview, report, and recommendation. Discussion ensued.**

**Motion made by Commissioner Mazon to adopt Resolution 2022-26.**

**Seconded by Commissioner Coleman.**

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

**MOTION PASSED 4-0**

**9. Request by JBPro Group, Inc. to amend the Future Land Use Map classification on ±258.3 acres from Agriculture to Residential Low Density.**

**Quasi-Judicial Hearing: First Reading of Ordinance 2022-46/CPA 22-06, an application by JBrown Professional Group, Inc., dba JBPro Group, Inc., Agent for Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan from Agriculture to Residential Low Density on ±258.3 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street; identified by Alachua County Parcel Numbers 02508-002-000, 02514-000-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-000-000, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002, and a portion of 01981-001-001.**

**No new participants entered the room.**

Attorney Walker read Ordinance 2022-46 by title only on first reading.

Director Thomas remained sworn.

Clerk Rice swore in Principal Planner Perez, Mr. Chris Potts with JBPro, Mr. Paul Hornby, Ms. Martha Waltman, and Mr. Don Willis.

Mayor Marlowe asked for ex parte.

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

No third-party intervenor was present.

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

Mr. Potts presented overview of project.

Mayor Marlowe asked for public comment.

Mr. Hornby, Ms. Waltman, and Mr. Willis made comments in opposition.

Mr. Potts responded to public comments.

Discussion ensued between Commission, Staff, and Mr. Potts.

Attorney Walker addressed Commissioner Coleman's relationship to the applicant and the rules about recusing.

No final arguments.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Clark to pass Ordinance 2022-46 on first reading.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 4-0**

**Motion made by Commissioner Farnsworth to authorize LDR Administrator to transmit to FDEO.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 4-0**

**10. Request by JBPro Group, Inc. to rezone ±258.3 acres from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD).**

**Quasi-Judicial Hearing: First Reading of Ordinance 2022-47/LDR 22-10, an application by JBrown Professional Group, Inc. dba JBPro Group, Inc., Agent for Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD) on ±258.3 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street, identified by Alachua County Parcel Numbers 02514-000-000, 02508-002-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002, and a portion of 01981-001-001. (This application is dependent upon adoption of Ordinance 2022-46/CPA 22-06.)**

No new participants entered the room.

Attorney Walker read Ordinance 2022-47 by title only on first reading.

Clerk Rice swore in Manager New.

Director Thomas, Principal Planner Perez, Mr. Chris Potts with JBPro, and Mr. Paul Hornby remained sworn.

Mayor Marlowe asked for ex parte.

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

No third-party intervenor was present.

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

No applicant presentation.

Mayor Marlowe asked for public comment.

Mr. Hornby made comments

Mr. Potts and Staff responded to public comments.

Discussion ensued between Commission, Staff, and Mr. Potts.

Attorney Walker addressed Commissioner Coleman's relationship to the applicant and the rules about recusing.

No final arguments.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-47 on first reading.**

**Seconded by Commissioner Clark.**

**ROLL CALL**

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

**Voting Nay: Commissioner Mazon.**

**MOTION PASSED 3-1**

**11. Public Hearing to consider a petition for vacation of a portion of Southwest 2 Avenue.**

**Quasi-Judicial Public Hearing: First Reading of Ordinance 2022-26, an application by Mark L. and Betty D. Clark to vacate a portion of a 50-foot public right-of-way known as Southwest 2 Avenue, between the CSX Railroad right-of-way and Southwest 252 Street, as dedicated on the Original Newberry Plat (Plat Book A, Page 129) on lands lying in the corporate limits of the City of Newberry.**

Commissioner Clark recused himself from voting as he one of the applicants. He stepped down from the Dais.

No new participants entered the room.

Attorney Walker read Ordinance 2022-26 by title only on first reading.

Director Thomas, Principal Planner Perez, and Manager New.

Mayor Marlowe asked for ex parte.

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

No third-party intervenor was present.

Director Thomas presented staff overview, report, and recommendation.

No applicant presentation.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument was made.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Mazon to pass Ordinance 2022-26 on first reading.**

**Seconded by Commissioner Coleman.**

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

**MOTION PASSED 3-0**

Commissioner Clark rejoined the Dais.

**AGENDA ITEMS**

**12. Gateway Signage**

Project Manager Lowery presented this item. Three sign options<sup>1</sup> were presented to the Commission. A discussion ensued.

Ms. Joy Glanzer commented.

**Motion made by Commissioner Clark for Option 1 at  
County Road 202.**

**Seconded by Commissioner Mazon.**

Ms. Peggy Loy commented.

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

**MOTION PASSED 4-0**

**13. Remaining 2022 City Commission Meeting Schedule**

Manager New presented this item. Discussion ensued.

**Motion made by Commissioner Farnsworth to  
cancel the Monday, December 26<sup>th</sup> meeting.**

**Seconded by Commissioner Coleman.**

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

**MOTION PASSED 4-0**

**COMMENTS**

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

**MEETING ADJOURNMENT**

Meeting adjourned at 10:35 pm.

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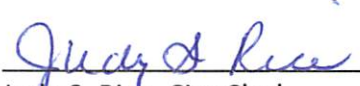
**1 Exhibit A**





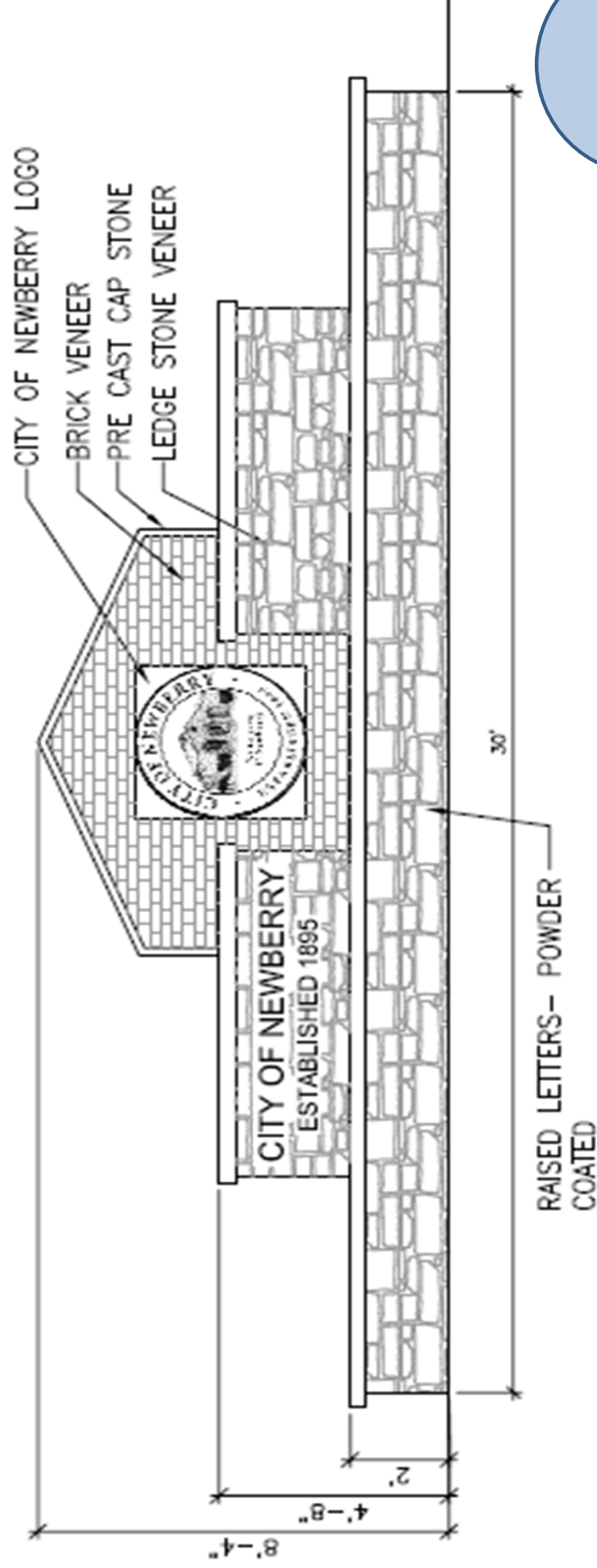
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Jordan Marlowe, Mayor



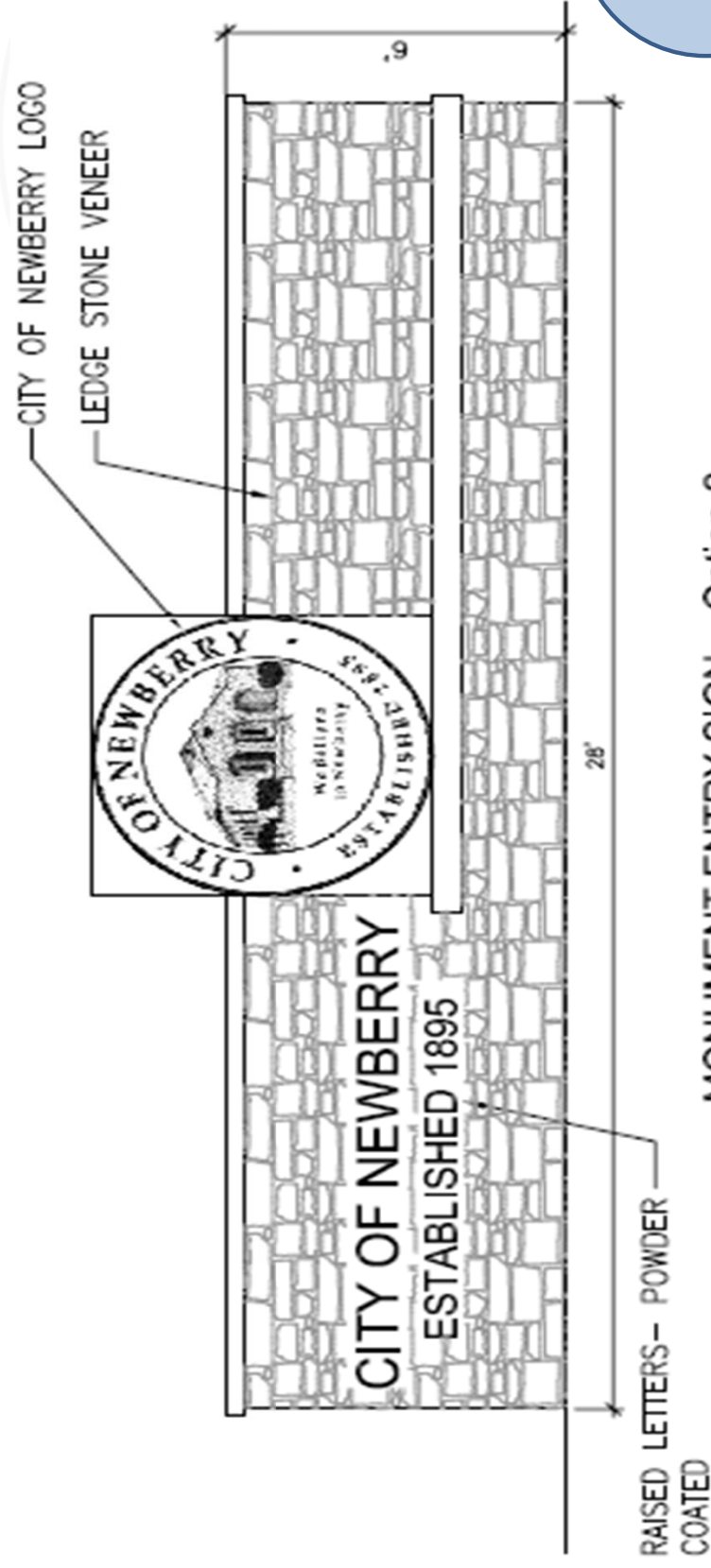
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Judy S. Rice, City Clerk



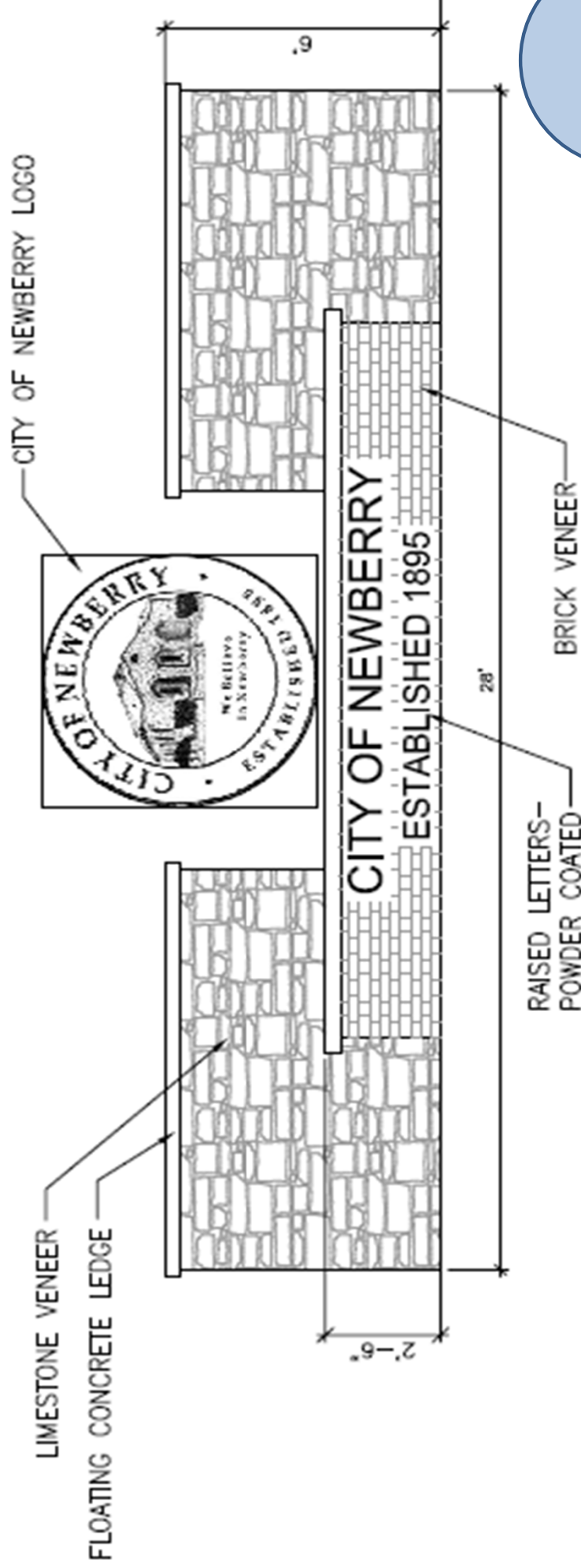
MONUMENT ENTRY SIGN - Option-1

SCALE: 1/2" = 1'-0"



MONUMENT ENTRY SIGN - Option-2

SCALE: 1/2" = 1'-0"



### MONUMENT ENTRY SIGN - Option-5

SCALE: 1/2" = 1'-0"