

# Commission Meeting Minutes

April 10, 2023  
7:00 PM

25440 West Newberry Road  
Newberry, Florida 32669

## QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Mark Clark  
Ricky Coleman  
Monty Farnsworth  
Tim Marden  
Tony Mazon

City Manager

Mike New

City Attorney

Scott Walker

Staff:

Assistant Manager, Chief Financial Officer  
Assistant Manager, Public Works/Utilities  
Assistant Director, Finance & Administration  
Assistant Director, Public Works/Utilities  
Director of Planning & Economic Development  
Director of Human Resources  
Principal Planner  
Grants Manager  
Project Manager  
Executive Assistant  
Executive Assistant  
Staff Assistant  
Staff Assistant

Dallas Lee  
Jamie Jones  
Amanda Hagan  
Rance Green  
Bryan Thomas  
Tracy Fair  
Jean-Paul Perez  
Morgan French  
Armon Lowery  
Ada Schmidt  
Randa Paul  
Jeannene Mironack  
Sierra Nyberg

Absent:

City Clerk

Judy Rice

## CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:05 PM.

## APPROVAL OF AGENDA

**Motion made by Commissioner Coleman to approve the agenda with three changes: move Item 1, Professional Municipal Clerks Week presentation to April 24th; Item 3, correct the presentation title to Alachua Soil & Water Conservation District, and**

**Item 10, change from Second Reading to Discussion with no votes to be cast. Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

## **INVOCATION**

Pastor Armon Lowery provided the invocation.

## **PLEDGE OF ALLEGIANCE**

Commissioner Clark led the Pledge of Allegiance.

## **PRESENTATIONS**

1. ~~Municipal Clerks Week Proclamation~~
2. **Proclamation Declaring April 28, 2023 as “The Great American Cleanup” Day in Newberry**  
Assistant Manager Jones presented The Great American Cleanup information, including that it is only for Residential Waste.  
Mayor Marlowe read the Proclamation.
3. **Alachua Soil & Water Conservation District**  
Walt Boyer, Alachua Soil & Water Conservation District (ASWCD) Chair, presented an overview of the District’s responsibilities and goals. He introduced fellow ASWCD Supervisors Archie Matthews, Treasurer and Patrick Sell, who were present.
4. **Certificate of Achievement for Excellence in Financial Reporting**  
Assistant Manager Lee presented an overview of the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada, which the City earned for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2021.  
Mayor Marlowe received the award.

## **PUBLIC ANNOUNCEMENTS**

The Oak View Middle School Robotics Team explained their competitions to date, including winning 20th Place at Nationals. They are invited to an international competition in Texas. Fundraising is ongoing for that trip’s expenses.

Frank Stankunas, Silverback Concrete, and Zeke Norfleet, Norfleet Construction, spoke regarding the proposed Impact Fees.

Ken Hicks, Willy Bartley, & Lisa Darling spoke about areas needing Codes Enforcement's attention. City Manager New provided each of them with contact information.

#### **CONSENT AGENDA**

- 5. March 27, 2023, Regular Commission Meeting Minutes**
- 6. National Library Week**
- 7. Newberry Advanced Wastewater Treatment Facility Upgrade Grant Agreement (WG087)**
- 8. Final Plat approval for Phase 3 of the Avalon Woods Mixed Use Development**

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

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

#### **PUBLIC HEARINGS AND ORDINANCES**

- 9. Newberry Drinking Water Facility Plan Adoption - Resolution (DW010810)**  
Jamie Jones and Justin deMello, P.E., Project Manager and Principal, Woodard & Curran, presented the Drinking Water Facility Plan.

Discussion ensued.

Attorney Walker read Resolution 2023-29 by title only.

**Motion made by Commissioner Mazon to approve  
Resolution 2023-29, Seconded by Commissioner  
Marden.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

- 10. Impact Fee Ordinance - ~~Second Reading~~ Discussion**

Mayor Marlowe reminded everyone that this was a discussion item, with no votes on Ordinance 2023-14 to be cast during this meeting. He asked that the Board give direction to staff.

Assistant Manager Lee presented. Discussion ensued. City Manager New and Director Thomas responded to questions from the Board.

Mayor Marlowe asked for Public Comment. Lee Smith, Billy Beltz, Christianna Norfleet, Bobby Prevatt, Ken Hicks, Tripp Norfleet, and Ken Metcalf, Stearns Weaver, representing Lexington Park II spoke.

Discussion ensued.

Staff was directed to edit Ordinance 2023-14 to implement the Study's recommended Residential Impact Fees at 70% for the first year with a 10% increase for each of the next 3 years, and to implement the Study's recommended Commercial Impact Fees at 0% for the first year with a 5% increase for each of the next 4 years.

**11. FFY 2022 Community Development Block Grant (CDBG) Florida Department of Economic Opportunity for a Small Cities**

Attorney Walker read Resolution 2023-30 by Title only.

Project Manager Lowery presented the Community Development Block Grant (CDBG) application.

**Motion made by Commissioner Farnsworth to  
approve Resolution 2023-30, Seconded by  
Commissioner Coleman.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

**12. Rezoning from Commercial General (CG) to Commercial, Intensive (CI) on 8.28 Acres  
(parcel 01924-010-004)**

Quasi-Judicial Public Hearing: First reading of Ordinance 2023-12/LDR 23-05, an application by eda consultants, Inc., Agent for Tibbetts Land Holdings, LLC, Owners, to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from COMMERCIAL GENERAL (CG) to COMMERCIAL, INTENSIVE (CI) on approximately 8.28 Acres, identified by Alachua County Parcel number 01924-010-004.

Mayor Marlowe read the quasi-judicial procedures and presentation order.

Attorney Walker read Ordinance 2023-12 by title only.

Jeannene Mironack swore in Director Thomas; Billy Beltz, co-owner, Tibbetts Land Holdings, LLC; and Clay Sweger, AICP, LEED AP, Principal & Director of Planning, eda consultants, inc.

Mayor Marlowe asked for ex parte. There was none.

No third-party intervenor.

Director Thomas stated that the applicant and their agent were present and sworn-in to answer questions. He then presented the staff report and recommendation.

Mayor asked for public comment, there was none.

Mayor asked if the members of the Commission had any questions, there were none.

There was no cross-examination or final arguments by staff or the applicant.

Discussion ensued.

Attorney Walker advised the Commission of Applicable Law.

**Motion made by Commissioner Marden to approve Ordinance 2023-12, Seconded by Commissioner Clark.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

**13. An Ordinance assigning the Mayor as the Chair of the Board of Adjustment.**

Legislative Public Hearing: Ordinance 2023-19, an Ordinance amending the Newberry Code of Ordinances to assign the Mayor as the Chair of the Board of Adjustment

Attorney Walker read Ordinance 2023-19 by Title only.

Director Thomas presented the staff report and recommendation.

**Motion made by Commissioner Farnsworth to approve Ordinance 2023-19, Seconded by Commissioner Mazon.**

Mayor Marlowe asked for public comment. There was none.

**ROLL CALL**

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

**Voting Nay: Commissioner Marden**

**MOTION PASSED 4-1**

**14. Assigning Planning & Zoning Board/Historic Architectural Review Board appointments to Commission seat election schedule and designate the Mayor as the Chair of both boards.**

Legislative Public Hearing: Ordinance 2023-20, changing the terms of office for Planning & Zoning Board and Historic Architectural Review Board appointments to mirror the schedule of the City Commission and designating the Mayor as the Chair of the Planning & Zoning Board and the Historic Architectural Review Board.

Attorney Walker read Ordinance 2023-20 by Title only.

Director Thomas presented the staff report and recommendation.

Discussion ensued.

**Motion made by Commissioner Farnsworth to  
approve Ordinance 2023-20, Seconded by  
Commissioner Clark.**

Mayor Marlowe asked for public comment. There was none.

**ROLL CALL**

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

**Voting Nay: Commissioner Marden**

**MOTION PASSED 4-1**


**COMMENTS**

City Manager New, Commissioner Coleman, Commissioner Clark, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

**MEETING ADJOURNMENT**

The meeting was adjourned at 10:00 PM.

Signed and approved on this 24th day of April 2023.

  
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Jordan Marlowe, Mayor

  
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Judy S. Rice, City Clerk