



# Regular City Commission Meeting Minutes

July 11, 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 City Manager/Chief Financial Officer	Dallas Lee
Project Manager	Armon Lowrey
Director of Planning & Economic Development	Bryan Thomas
Principal Planner	Jean-Paul Perez
Assistant Director of Public Works & Utilities	Rance Green
Director of Parks & Recreation	Travis Parker
Assistant Director of Parks & Recreation	Ryan Young
Programs Coordinator	Anna Schutzler
Programs Coordinator	James Albright
City Clerk Staff Assistant	Sierra Nyberg
City Manager Executive Assistant	Ada Schmidt

## CALL TO ORDER

## APPROVAL OF AGENDA

Mayor Marlowe asked for Item 3, under presentations, to be heard first.

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

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

## **INVOCATION**

Pastor Ray Scott, Newberry First Baptist Church, provided the invocation.

## **PLEDGE OF ALLEGIANCE**

The 10U Babe Ruth Softball Team led the pledge.

## **PRESENTATIONS**

### **3. 10U Babe Ruth Softball State Champions**

Director Parker presented this item. The team received medals and Coaches were handed engraved bats.

### **1. Annual Recreation System Overview**

Director Parker presented this item.

### **2. Menthollee Norfleet Municipal Building Rental Overview**

Director Parker presented this item

A lengthy discussion ensued over Alachua County Sheriff's Department involvement, rental parameters, and rental fees.

## **PUBLIC ANNOUNCEMENTS**

Ms. Lisa Tate, citizen, commented on the Menthollee Norfleet Building Rental Overview

## **CONSENT AGENDA**

### **4. Support for Florida Job Growth Grant Application (Resolution 2022 – 40)**

### **5. Parks & Recreation Month Proclamation**

### **6. May 23, 2022, Joint Commission and Alachua BoCC Meeting Minutes**

### **7. June 27, 2022, Commission Meeting Minutes**

Mayor Marlowe asked for approval of consent agenda.

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

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

## **PUBLIC HEARINGS AND ORDINANCES**

### **8. Budget Update & Amendment**

Attorney Walker read Resolution 2022-42 by title only.

Assistant Manager Lee presented this item.

**Motion made by Commissioner Coleman to adopt Resolution 2022-42.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

**9. Second Public Hearing to Consider Applying to the Florida Department of Economic Opportunity for a Small Cities Community Development Block Grant**

Attorney Walker read Resolution 2022-38 by title only.

Project Manager Lowery introduced Mr. Scott Modesitt with Summit Professional Services. Mr. Modesitt presented this item.

**Motion made by Commissioner Mazon to adopt Resolution 2022-38.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

**10. Rezoning property from Residential, Single-Family to Planned Development on Parcel Numbers 02282-000-000 and 02235-000-000.**

**Quasi-Judicial Public Hearing, Second Reading: Ordinance 2022-28/LDR 22-08, an application by Tocknell Planning Services LLC, Agent for Morlynn Properties LLC, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Residential, Single-Family-2 (RSF-2) to Planned Development (PD) on 1.69 acres, located within the Economic Overlay and Historic Districts, and identified by Alachua County parcel numbers 02282-000-000 and 02235-000-000.**

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

Attorney Walker read Ordinance 2022-28 by title only on second reading.

Clerk Rice swore in Director Thomas.

Mayor Marlowe asked for ex parte.

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

No third-party intervenor was present. Applicant is present but has no presentation.

Director Thomas provided overview and report.

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 Coleman to enact Ordinance 2022-28 on second reading.**

**Seconded by Commissioner Mazon.**

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

**MOTION PASSED 5-0**

**11. Request by CHW to change the Future Land Use Map classification on ±220-acres from Agriculture to Planned Development**

**Quasi-Judicial Legislative Hearing First Reading: Ordinance 2022-36/CPA 22-10, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Tanglewood Properties of Gainesville, LLC, Owner, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the future Land Use Classification from Agriculture to Planned Development on ±220-acres, generally located on the south side of West Newberry Road/State Road 26, between Southwest 218 Street and Southwest 202 Street, and identified by Alachua County Parcel Numbers 01923-000-000, 01923-004-000, 01923-007-001, 01923-008-000, and 01923-009-000.**

Attorney Walker read Ordinance 2022-36 by title only on first reading.

Director Thomas provided staff overview and report.

Mr. Dedenbach provided applicant presentation.

A lengthy discussion ensued.

Mayor Marlowe asked for public comment.

Mr. Jim Fleming, Ms. Muriel Turner, Mr. Larry Turner, and Mr. Gary Weseman commented on the proposed development.

**Motion made by Commissioner Farnsworth to pass Ordinance 2022-36 on first reading.**

**Seconded by Commissioner Clark.**

**ROLL CALL**

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

**Voting Nay: Commissioner Mazon.**

**MOTION PASSED 4-1**

**12. Request by CHW to rezone ±220-acres from Agricultural (A) to Planned Development (PD)**

**Quasi-Judicial Hearing First Reading: Ordinance 2022-37/LDR 22-16, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for TANGLEWOOD PROPERTIES OF GAINESVILLE LLC, Owner, to amend amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Agricultural (A) to Planned Development (PD) on ±220-acres, located south of West Newberry Road/State Road 26 and west of Southwest 202 Street, identified by Alachua County Parcel Numbers 01923-000-000, 01923-004-000, 01923-007-001, 01923-008-000, and 01923-009-000. (This application is contingent upon approval of Application CPA 21-12.)**

This item was turned into a discussion at the request of staff and applicant.

Attorney Walker read Ordinance 2022-37 by title only on first reading.

**Motion made by Commissioner Farnsworth to postpone Ordinance 2022-37 until date certain Monday, August 22, 2022.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

A lengthy discussion ensued.

**13. Re-Plat approval Request of one existing lot to cure building setback line encroachment.**

**Quasi-Judicial Public Hearing, Resolution 2022-41/SD 22-10, a request by Brown & Shepphard/Bison Construction LLC, to re-plat Bartley Lane Lot 10, tax parcel number 02386-010-010. The effect of the re-platting is to resolve a building setback line encroachment.**

No new participants entered the room,

Director Thomas remained sworn.

Mayor Marlowe asked for ex parte.

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

Attorney Walker read Resolution 2022-41 by title only.

No applicant or third-party intervenor was present.

Director Thomas provided the staff overview and report.

No cross-examination or final argument.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Coleman adopt Resolution 2022-41.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

**14. Dylan's Grove Phase 2A Final Plat Approval Request**

**Quasi-Judicial Public Hearing, Resolution 2022-39/SD 22-07, Request by Michael Steinberg for approval of the Dylan's Grove Phase 2A Final Plat located south of SW 15<sup>th</sup> Ave and west of SW 188<sup>th</sup> St. Phase 2A is part of the Dylan's Grove Planned Rural Residential Development.**

Attorney Walker read Resolution 2022-39 by title only.

Director Thomas remained sworn.

Mayor Marlowe asked for ex parte.

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

No applicant or third-party intervenor was present.

Director Thomas provided the staff overview and report.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Marden to adopt Resolution 2022-39 conditioned upon receipt of fully executed surety device approved by Attorney.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

**15. Amendment to the Land Development Regulations to allow Agricultural Estate Subdivisions by Special Exception in the Agricultural Zoning District**

**Legislative Public Hearing: Ordinance 2022-27/LDR 22-11, an application by the City of Newberry to amend the City of Newberry Land Development Regulations, Section 4.2 and Subsection 4.4.5, to allow Small-Scale Rural Subdivisions as a Special Exception within the "A" Agricultural Zoning District.**

Attorney Walker read Ordinance 2022-27 by title only on first hearing.

Principal Planner Perez presented staff overview and report.

A lengthy discussion ensued.

**Motion made by Commissioner Clark to extend the meeting.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

Mayor Marlowe opened the floor to public comments.

Mr. Chris Topping, Mr. Dedenbach, Ms. Amber Beckham, Mr. Jeff Holcomb, and Mr. Fleming.

**Motion made by Commissioner Coleman to approve Ordinance 2022-27 on first reading.**

**Seconded by Commissioner Clark.**

Discussion ensued

**ROLL CALL**

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

**Voting Nay: Commissioner Farnsworth.**

**MOTION PASSED 4-1**

**16. Four requests for voluntary annexation into the City of Newberry (six parcels)**

**Quasi-Judicial Public Hearing ~~First~~ Second Reading: Ordinances 2022-29, -30, -31, and -32 of the City of Newberry, Florida, to voluntarily annex certain portions of unincorporated Alachua County regarding three requests: two contiguous Parcels 01859-001-000 and 01806-001-000 consisting of 22.75 acres ± (Ordinance 2022-29); Parcel 01928-005-000 consisting of 20.68 acres ± (Ordinance 2022-30); Parcels 01834-008-000 and 01834-012-00 consisting of 40 acres ± (Ordinance 2022-31); and Parcel 01887-010-000 consisting of 4.35 acres ±.**

No new participants entered the room,

Principal Planner Perez remained sworn.

Mayor Marlowe asked for ex parte.

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

No applicant or third-party intervenor was present.

Attorney Walker read Ordinance 2022-29 by title only on second reading.

Principal Planner Perez provided the staff overview and report.

No cross-examination or final argument.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Mazon to enact Ordinance 2022-29 on second reading.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

Attorney Walker read Ordinance 2022-30 by title only on second reading.



**Motion made by Commissioner Clark to enact Ordinance 2022-30 on second reading.**

**Seconded by Commissioner Coleman.**

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

**MOTION PASSED 5-0**

Attorney Walker read Ordinance 2022-31 by title only on second reading.

**Motion made by Commissioner Marden to enact Ordinance 2022-31 on second reading.**

**Seconded by Commissioner Mazon.**

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

**MOTION PASSED 5-0**

Attorney Walker read Ordinance 2022-32 by title only on second reading.

**Motion made by Commissioner Mazon to enact Ordinance 2022-32 on second reading.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

## **AGENDA ITEMS**

## **COMMENTS**

Manager New, Attorney Walker, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

## **MEETING ADJOURNMENT**

Meeting adjourned at 10:59 pm.

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Jordan Marlowe, Mayor

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Judy S. Rice, City Clerk