

Commission Meeting Minutes

July 25, 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

Kiersten Ballou

City Clerk

Judy Rice

Staff:

Assistant City Manager/Chief Financial Officer

Dallas Lee

Assistant City Manager/Director of Public Works & Utilities

Jamie Jones

Fire Chief

Mike Vogel

Director of Planning & Economic Development

Bryan Thomas

Principal Planner

Jean-Paul Perez

City Clerk Staff Assistant

Sierra Nyberg

CALL TO ORDER

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

APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda.

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 Gary Bracewell with Christian Life Fellowship Church provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

1. Wholesale Power Overview

Mr. Jacob Williams, General Manager and CEO of the Florida Municipal Power Agency provided a presentation.

A discussion ensued.

PUBLIC ANNOUNCEMENTS

Pastor Gary Bracewell made an announcement.

CONSENT AGENDA

2. July 11, 2022, 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 Marden.

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

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

3. Preliminary Milage Rate – Resolution

Attorney Ballou read Resolution 2022-47 by title only.

Assistant Manager Lee explained the preliminary milage rate of 5.9999 is the cap and the final milage rate can be lower but not higher.

Motion made by Commissioner Farnsworth to adopt Resolution 2022-47.

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

4. Preliminary Fire Assessment Rate – Resolution

Attorney Ballou read Resolution 2022-43 by title only.

Assistant Manager Lee explained there is no proposed increase in the fire assessment.

**Motion made by Commissioner Clark to adopt
Resolution 2022-43.**

Seconded by Commissioner Marden.

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

MOTION PASSED 5-0

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

**Legislative Public Hearing, Second Reading: 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 Ballou read Ordinance 2022-27 by title only on second reading.

Planner Perez presented this item.

A lengthy discussion ensued regarding septic systems, dark sky compliance, dark sky like,
and lot sizes.

**Motion made by Commissioner Marden to enact
Ordinance 2022-27 on second reading.**

Seconded by Commissioner Clark.

Mr. Gerry Dedenbach with CHW made a comment.

ROLL CALL

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

Voting Nay: Commissioner Farnsworth.

MOTION PASSED 4-1

6. Rezoning property from Residential, Single Family to Planned Residential Development.

**Quasi-Judicial Public Hearing, First Reading: Ordinance 2022-35/LDR 22-14, an application
by JBPro Group, Inc, Agent for Joel and Sophie Lancaster, Owner, to amend the Official**

Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Residential, Single-Family (RSF-2) to Planned Residential Development (PRD) on 6.93 acres, more or less, identified by Alachua County parcel number 01919-003-004.

Mayor Marlowe reviewed the procedures for quasi-judicial hearings and the presentation order.

Attorney Ballou read Ordinance 2022-35 by title only on first reading.

Clerk Rice swore in:

- Director Thomas
- Planner Perez
- Fire Chief Vogel
- Mr. Chris Potts, JBPro Group
- Ms. Logan Peters, JBPro Group
- Ms. Sophie Lancaster, applicant
- Mr. Allen Evans, citizen
- Ms. Carlee Evans, citizen
- Ms. Connie Clark, citizen
- Ms. Katie Steakley, citizen
- Ms. Kristen Miller, citizen
- Mr. Nicholas Vilano
- Mr. Mike D.

Mayor Marlowe asked for ex parte information.

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

No third party intervenor was present.

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

Mr. Potts and Ms. Peters presented.

Mayor Marlowe asked for public comment.

Mr. Evans, Ms. Evans, Ms. Clark, Ms. Steakly, Ms. Miller, Mr. Vilano, Mr. Mike, and Ms. Lancaster commented.

Staff and Mr. Potts cross-examined comments.

The Commission, through the Chair, asked questions of Staff and Mr. Potts. A lengthy discussion ensued.

No final arguments were made.

Attorney Ballou reminded the Commission of applicable law.

A short discussion ensued.

Motion made by Commissioner Clark to deny Ordinance 2022-35.

Seconded by Commissioner Farnsworth.

Director Thomas and Planner Perez explained that denying the application would prevent the applicant from coming before the commission

**Amended Motion made by Commissioner Clark to
table Ordinance 2022-35.**

Seconded by Commissioner Mazon.

Mr. Evans, Ms. Clark, Mr. Potts, Mr. Bill, and Mr. Mike commented on the motion.

ROLL CALL

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

Voting Nay: Commissioner Farnsworth.

MOTION PASSED 4-1

Recessed at 9:34 pm. Reconvened at 9:36 pm.

7. Country Way of Newberry Phase 5 Final Plat Approval Request

**Quasi-Judicial Public Hearing, Resolution 2022-46/SD 22-08, Request by Norfleet Green
Construction, II, LLC, owner, for approval of the Country Way at Newberry Town Square
Phase 5 Final Plat located in the Country Way of Newberry Planned Development.**

No new participants entered the room.

Attorney Ballou read Resolution 2022-46 by title only.

Director Thomas remained sworn.

Applicant Representative was present but had no presentation.

Mayor Marlowe asked for ex parte information.

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

No third-party intervenor was present.

Director Thomas presented the staff overview, report, and recommendation.

Applicant Representative was present but had no presentation.

No cross-examination or final argument.

Attorney Ballou reminded the Commission of applicable law.

**Motion made by Commissioner Marden to adopt
Resolution 2022-46.**

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 5-0

AGENDA ITEMS

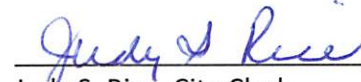
COMMENTS

Assistant Manager Lee, Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

MEETING ADJOURNMENT

Meeting adjourned at 9:52 pm.



Jordan Marlowe, Mayor

Judy S. Rice, City Clerk