



Commission Meeting Minutes

February 13, 2023
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 Attorneys	Scott Walker
City Manager	Mike New
City Clerk	Judy Rice
Staff:	
Assistant Manager	Dallas Lee
Assistant Director of Utilities & Public Works	Rance Green
Fire Chief	Mike Vogel
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 asked for approval of the agenda.

Motion made by Commissioner Marden to approve the agenda.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 5-0

INVOCATION

Pastor Stephen Wilson, First Baptist Church of Newberry, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

1. Newberry Christmas Heroes Proclamations

Mayor Marlowe read the proclamation in its entirety.

2. Honoring the Concerned Citizens of Newberry

Concerned Citizens of Newberry Day Proclamation

Mayor Marlowe read the proclamation in its entirety.

Mr. Jamal Cheesborough, Concerned Citizens Chair and Ms. Tammy Snyder, Customer Service & Billing Supervisor spoke.

PUBLIC ANNOUNCEMENTS

CONSENT AGENDA

3. January 23, 2023, Regular Commission Meeting Minutes

4. Resolution 2023-18

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, Commissioner Marden, and Commissioner Mazon.

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

5. First reading of Ordinance 2022-37 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 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 adoption of the related future land use map amendment application, Ordinance 2022-36/CPA 21-12.)

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

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

Clerk Rice swore in Principal Planner Perez, Director Thomas, Manager New, Mr. Jerry Dedenbach, CHW, Applicant representative; Mr. Gary Weseman, applicant; Mr. Larry Turner, citizen; Ms. Muriel Gravely Turner, citizen; Ms. Donna Roberson, citizen; Mr. Jim Fleming, citizen; and Ms. Marina Hunt Rojas.

Mayor Marlowe asked for ex parte communication.

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

There was no third-party intervenor present.

Principal Planner Perez provided staff overview and report.

Mr. Dedenbach presented.

Principal Planner Perez presented staff recommendation.

Mayor Marlowe asked for public comment.

Ms. Muriel Turner, Ms. Donna Robertson, Mr. Jim Fleming, and Ms. Marina Hunt made comments.

No cross examination.

A lengthy discussion ensued between the Dais, Staff, Mr. Dedenbach, and Mr. Weseman.

Final arguments were made.

Attorney Walker reminded the commission of applicable law.

Discussion ensued.

Motion made by Commissioner Marden to pass Ordinance 2022-37 on first reading; and directed CHW to work with staff on the following items:

- **Connectivity to adjacent (southern) parcels.**
- **Siting of the future water tower/impact on neighbors.**
- **Landscape buffering for Tropic Traditions property.**
- **Homeowner disclosures for adjacent uses (mining/agriculture/commercial nursery).**

- Timing/requiring commencement of commercial development.

Seconded by Commissioner Coleman.

ROLL CALL

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

Voting Nay: Commissioner Farnsworth and Commissioner Mazon.

MOTION PASSED 3-2

6. **Second reading of an ordinance to change the Future Land Use Map classification from Agriculture to Planned Development on approximately 220 acres.**

Legislative Hearing, Second 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 second reading.

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

Motion made by Commissioner Coleman to enact Ordinance 2022-36 on second reading.

Seconded by Commissioner Clark.

ROLL CALL

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

Voting Nay: Commissioner Farnsworth and Commissioner Mazon.

MOTION PASSED 3-2

7. **Second reading of amendment to the Land Development Regulations text establishing the Public Facilities zoning district.**

Legislative Public Hearing, Second Reading: Ordinance 2022-59/ LDR 22-20, and application by the City of Newberry to amend the Appendix B, Article 4 of the City of Newberry Code of Ordinances, and add Section 4.23 of same to establish the Public Facilities zoning district.

Attorney Walker read Ordinance 2022-59 by title only on second reading.

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

Motion made by Marden to enact Ordinance 2022-59 on second reading.

Seconded by Commissioner Clark.

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

MOTION PASSED 5-0

AGENDA ITEMS

8. Wastewater Treatment Plant Expansion Design Services Award

Assistant Manager Lee presented this item.

Discussion ensued.

Mr. Christopher Rader, PE, ENV SP, Atkins spoke.

Motion made by Commissioner Marden to

- 1. Accept the Ranking Committee's rankings.**
- 2. Authorize the City Manager, or designee, to begin negotiations with the top ranked firm to enter into an agreement for engineering design services.**
- 3. Authorize that should the City Manager, or designee, fail to negotiate a satisfactory contract with the top ranked firm, the City Manager, or designee, shall begin negotiating with the 2nd ranked firm and continue to follow this process until a satisfactory agreement is reached.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 5-0

9. Resolution 2023-14, Distribution of Alachua County WSPP Grant Funding

Attorney Walker read Resolution 2023-14 by title only.

Manager New presented this item.

Discussion ensued.

**Motion made by Commissioner Marden to adopt
Resolution 2023-14.**

Seconded by Clark.

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

MOTION PASSED 5-0

COMMENTS

Manager New, Clerk Rice, Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, Commissioner Mazon, and Mayor Marlowe made comments.

Ms. Peggy Loy made a comment.

MEETING ADJOURNMENT

Meeting adjourned at 9:46 pm.

Signed and approved on this 27th day of February 2023.

Jordan Marlowe, Mayor

Judy S. Rice, City Clerk