



# Commission Meeting Minutes

January 08, 2024  
7:00 PM

25440 West Newberry Road  
Newberry, FL 32669

## QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Mark Clark  
Rick Coleman  
Monty Farnsworth  
Tim Marden  
Tony Mazon

City Manager

Mike New

City Clerk

Judy Rice

City Attorney

Danielle Adams

Staff:

Director of Planning & Economic Development  
Senior Planner  
Building Official  
Building Technician  
Staff Assistant

Bryan Thomas  
Uma Sarmistha  
Scott Thomason  
Nikki Keller  
Jeannene Mironack

## CALL TO ORDER

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

## APPROVAL OF AGENDA

**Motion to approve the agenda, removing Item 1 and adding a new Item presented by School Board of Alachua County (SBAC) Chair Diyonne McGraw, was made by Commissioner Marden, Seconded by Commissioner Mazon.**

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

**MOTION PASSED 5-0**

## INVOCATION

Pastor Ralph Williams provided the Invocation.

## PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

## PRESENTATIONS

*(Please limit presentations to 15 minutes)*

### ~~1. Proclamation Designating January 8, 2024 as James (Jim) Easton Day in Newberry, Florida~~

#### **New. School Board of Alachua County (SBAC) Chair Diyonne McGraw**

Diyonne McGraw, SBAC Chair, presented the recent Florida Department of Education school and district grades. She also announced the SBAC Meeting on school rezoning is on Thursday, January 11, 2024 at 6 PM at the Alachua County Public Schools' administration building in Gainesville.

### **2. 2023 Employee of the Year, Years of Service Awards.**

Mike New, PE, City Manager, presented Nikki Keller, 2023 Employee of the Year and the list of employees who reached 5-year longevity milestones in fiscal year 2023.

## PUBLIC ANNOUNCEMENTS

*(Please limit announcements to 2 minutes)*

## CONSENT AGENDA

- 3. Post Woods Planned Residential Development Request For Time Extension**
- 4. December 11, 2023, Commission Meeting Minutes**
- 5. December 12, 2023, Special Commission Meeting Minutes**

**Motion to approve the Consent Agenda was made by  
Commissioner Marden, Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

## PUBLIC HEARINGS AND ORDINANCES

### **6. Florida Building Code Amendment - *Second Reading***

A request by the City of Newberry Building Safety Department to amend the Code of Ordinances pursuant to the recently approved 8th Edition of the Florida Building Code and Chapter 1, effective January 1, 2024.

Legislative Public Hearing: Second reading of Ordinance 2023-37 by the City of Newberry amending Part II, Chapter 14, Article II, Section 14-35 and 14-36 in accordance with the 8th Edition of the Florida Building Code and Chapter 1, as amended.

Attorney Adams read Ordinance 2023-37 by title only.

Scott Thomason, Building Official presented the item with a PowerPoint.

**Motion to Enact Ordinance 2023-37 on Second Reading was made by Commissioner Coleman, Seconded by Commissioner Mazon.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

**7. Whitehurst Future Land Use Map Amendment - First Reading**

Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Number 02659-000-000).

Legislative Public Hearing: Ordinance 2024-02/ CPA 24-01, an application by CHW Professional Consultants, agent, on behalf of Whitehurst Cattle Company, owner, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on property voluntarily annexed to the City, identified by Alachua County Parcel Number 02659-000-000 consisting of approximately 161 acres more or less.

Attorney Adams read Ordinance 2024-02 by title only.

Uma Sarmistha, Senior Planner, presented the staff overview with a PowerPoint.

Margot Maurer, Project Planner, CHW Professional Consultants, presented the application with a PowerPoint.

Uma Sarmistha, Senior Planner, presented the staff findings and recommendation with a PowerPoint.

**Motion to approve Ordinance 2024-02/CPA 24-01 on first reading was made by Commissioner Marden, Seconded by Commissioner Mazon.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

## 8. Whitehurst Rezoning - First Reading

A request to Rezone “Agriculture” classification of Alachua County to City of Newberry “Agriculture” zoning on Whitehurst Co. annexed property (Parcel Number 02659-000-000).

Quasi-Judicial Public Hearing: Ordinance 2024-03/LDR 24-04, a petition by CHW Professional Consultants, agent, on behalf of Whitehurst Cattle Company, owner, to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua county Agriculture to city of Newberry on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 02659-000-000 consisting of approximately 161 acres more or less. (This application is contingent upon approval of Application CPA 24-01.)

Attorney Adams read Ordinance 2024-03 by title only.

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

Clerk Rice swore in Uma Sarmistha, Senior Planner; Margot Maurer, Project Planner, CHW Professional Consultants; and Gerry Dedenbach, AICP, LEED AP, Executive Vice President, and Principal Planner, CHW Professional Consultants.

Mayor Marlowe asked for ex parte communication on the application.

### ROLL CALL

**Voting Nay: Commissioner Clark, Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe, non-voting, none.**

Senior Planner Sarmistha presented a PowerPoint of the staff overview and recommendation for the application.

Margot Maurer, Project Planner, CHW Professional Consultants, asked that applicant’s PowerPoint presented for the prior item be considered for this item.

There was no third-party intervenor present.

Mayor Marlowe asked for public comment, there was none.

There was no cross examination or final arguments.

Attorney Adams advised the Commission that their decision must be based upon substantial and competent evidence that the application meets the City’s codes.

**Motion to Approve Ordinance 2024-03 on First Reading was made by Commissioner Mazon, Seconded by Commissioner Marden.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

**9. Marlowe Future Land Use Map Amendment - First Reading**

Amending the Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on an annexed property (Parcel Numbers 02579-005-000, 02579-006-000 and 02579-007-000).

Legislative Public Hearing: Ordinance 2024-04/CPA 24-02, an application by Herbert A. Marlowe, Jr., owner, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Alachua County Rural/Agriculture to City of Newberry Agriculture (A) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Numbers. 02579-005-000, 02579-006-000 and 02579-007-000 consisting of approximately 29 acres more or less.

Attorney Adams read Ordinance 2024-04 by title only.

Uma Sarmistha, Senior Planner, presented the staff findings and recommendation with a PowerPoint.

The applicant was not present.

**Motion to Approve Ordinance 2024-04 on First Reading  
made by Commissioner Marden, Seconded by  
Commissioner Clark.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

**10. Marlowe Rezoning - First Reading**

A request to rezone Agriculture classification from Alachua County to City of Newberry Agriculture (A) zoning on an annexed property (Parcel Numbers. 02579-005-000, 02579-006-000 and 02579-007-000.).

Quasi-Judicial Public Hearing: Ordinance 2024-05/LDR 24-05, a petition by Herbert A. Marlowe, Jr., owner, to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Alachua County Agricultural (A) to City of Newberry Agricultural (A) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Numbers. 02579-005-000, 02579-006-000 and 02579-

007-000 consisting of approximately 29 acres more or less. (This application is contingent upon approval of Application CPA 24-02).

No new participants had entered the room.

Attorney Adams read Ordinance 2024-05 by title only.

Uma Sarmistha, Senior Planner, remained sworn.

Mayor Marlowe asked for ex parte communication on the application.

### **ROLL CALL**

**Voting Nay: Commissioner Clark, Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe, non-voting, none.**

Senior Planner Sarmistha presented a PowerPoint of the staff overview and recommendation for the application.

The applicant was not present.

There was no third-party intervenor present.

Mayor Marlowe asked for public comment, there was none.

Attorney Adams advised the Commission that their decision must be based upon substantial and competent evidence that the application meets the City's codes.

**Motion to Approve Ordinance 2024-05/LDR 24-05 on First Reading was made by Commissioner Clark, Seconded by Commissioner Coleman.**

Mayor Marlowe asked for public comment. There was none.

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

### **MOTION PASSED 5-0**

#### **11. Planning & Zoning/Historic Architectural Review Board Member Appointment**

Resolutions 2024-01, and 2024-02, Appointing One Planning & Zoning/Historic Architectural Review Board Member.

Bryan S. Thomas, AICP, Director of Planning & Economic Development, presented the item with a PowerPoint.

**Motion to appoint Mellina Parker to fill the Planning & Zoning Board vacancy (Resolution 2024-01) and the resulting Historic Architectural Review Board vacancy**

**(Resolution 2024-02) was made by Commissioner Marden,  
Seconded by Commissioner Mazon.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 5-0**

## **AGENDA ITEMS**

### **12. Florida Commission on Ethics' Form 6 Financial Disclosure Process**

The financial disclosure form requirement for Mayors and Elected members of governing bodies of municipalities changed from a Form 1, Statement of Financial Interests, to a Form 6, Full and Public Disclosure of Financial Interests. Those officials serving as of December 31, 2023, file the Form 6 in 2024.

Danielle C. Adams, Esq., Folds Walker; Judy Rice, MMC, FCRM, CSM, CPM, City Clerk; and Jeannene Mironack, Staff Assistant, presented the item with a PowerPoint.

## **COMMENTS**

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

## **MEETING ADJOURNMENT**

The meeting was adjourned at 8:19 PM.

Signed and approved on this 22nd day of January 2024.

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Jordan Marlowe, Mayor

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Judy S. Rice, City Clerk