



City of Newberry

Regular Commission Meeting

July 12, 2021
7:00 p.m.

25440 West Newberry Road
Newberry, Florida 32669

MINUTES

CALL TO ORDER

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

APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda with the amendment to move Item 18 to Item 10 for applicants in attendance.

Motion made by Commissioner Coleman to approve the amended agenda.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Fire Chief

Ben Buckner

Director of Finance and Administration

Dallas Lee

Director of Planning and Economic Development

Bryan Thomas

Principal Planner

Wendy Kinser-Maxwell

Absent:

Commissioner

Tim Marden

INVOCATION

Minister Joy Glanzer provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Clark led the pledge.

PRESENTATIONS

1. Quint Apparatus Replacement Alternatives.

Chief Buckner presented a PowerPoint presentation that outlines the alternatives and their cost.

Discussion ensued.

PUBLIC ANNOUNCEMENTS

Mr. Keith Ross, citizen, commented on Special Temporary Use Permits for events.

CONSENT AGENDA

2. Payment Register.

3. June 14, 2021, Regular Commission Meeting Minutes.

4. June 22, 2021, Budget Workshop Minutes.

5. Ratify Local State of Emergency for Hurricane Elsa (Resolution 2021 - 26).

Mayor Marlowe asked for approval of the consent agenda.

Motion made by Commissioner Clark to approve the consent agenda.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

PUBLIC HEARINGS AND ORDINANCES

6. A request to amend the boundary of the City of Newberry's Economic Development Overlay Area (EDA).

Quasi-Judicial Hearing, Second Reading: Ordinance 2021-11/CPA 21-04, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Lexington Parke of Gainesville, LLC, Owners, to amend the Economic Development Overlay Area (EDA) boundary of the City of Newberry Comprehensive Plan.

Mayor Marlowe reviewed the process of Quasi-Judicial Hearings and read the procedures.

Attorney Walker read Ordinance 2021-11 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Clerk Rice swore in Director Thomas.

No third-party intervenor was present.

Mayor Marlowe read through the presentation order. If no one new has entered the Chambers at Items 7 and 8, the procedures and process will not be read again.

PUBLIC HEARING OPEN

Director Thomas presented the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-11 on second reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Clark to enact Ordinance 2021-11 on second reading.

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

- 7. An application to amend the previously approved Planned Development (PD) known as "Sandia Town Parc."**

Quasi-Judicial Hearing, Second Reading: Ordinance 2021-12/LDR 21-08, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Lexington Parke of Gainesville, LLC, Owners, to amend the City of Newberry Land Development Regulations by amending the Planned Development (PD) zoning on ±148.85 acres identified by Alachua County Parcel Numbers 02570-000-000, 02572-000-000, and a portion of 02571-000-000.

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-12 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Director Thomas remained sworn.

No third-party intervenor was present.

PUBLIC HEARING OPEN

Director Thomas presented the staff overview, report, and recommendation.
Recommendation is to enact Ordinance 2021-12 on second reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Farnsworth to enact Ordinance 2021-12 on second reading.

Seconded by Commissioner Clark.

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

MOTION PASSED 4-0

8. **An application to rezone ±311.81 acres, identified by Alachua County Parcel Numbers 02571-001-000 and a portion of 02571-000-000, from Agricultural (A) to Planned Development (PD) to be known as "Sandia Town Parc Phase II."**

Quasi-Judicial Hearing, Second Reading: Ordinance 2021-13/LDR 21-09, an application by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Lexington Parke of Gainesville, LLC and the City of Newberry, FL, Owners, 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 ±311.81 acres, identified by Alachua County Parcel Numbers 02571-001-000 and a portion of 02571-000-000. (This application is contingent upon approval of Application CPA 21-04.)

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-13 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Director Thomas remained sworn.

No third-party intervenor was present.

PUBLIC HEARING OPEN

Director Thomas presented the staff overview, report, and recommendation.
Recommendation is to enact Ordinance 2021-13 on second reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Clark to enact Ordinance 2021-13 on second reading.

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

9. Request to allow an outdoor carnival and concert event August 20-22, 2021.

Quasi-judicial Public Hearing: Resolution 2021-21/STUP 21-02, an application for a special permit for a temporary use to allow an outdoor carnival and concert, as provided in "Section 14.10.1. Temporary use permits issued by City Commission" of the City of Newberry Land Development Regulations, to be held August 20-22, 2021, on 8.59 acres +/- within 216-acres +/- of property, located on the south side of West Newberry Road, approximately .55 mile east of SW 298th Street (Gilchrist County Road 2085/SE 90th Avenue).

Mayor Marlowe reviewed the process for Quasi-Judicial Hearings and read the procedures.

Attorney Walker read Resolution 2021-21 by title only.

Mayor Marlowe asked for ex parte communication.

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

Clerk Rice swore in Principal Planner Kinser-Maxwell and Mr. Eric Lenasbunt, applicant.

Mayor Marlowe read through the presentation order.

No third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview.

Mr. Lenasbunt presented.

Principal Planner Kinser-Maxwell reviewed the report and recommendation.

Recommendation is to approve Resolution 2021-21 with conditions provided by the Planning and Zoning Board.

Mayor Marlowe asked for public comment. There was none.

The decision-making body asked questions through the chair, Mayor Marlowe. Discussion ensued.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Farnsworth to
adopt Resolution 2021-21 with conditions provided
by the Planning and Zoning Board.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

10. **Two requests for voluntary annexation into the City of Newberry (one for parcels 01834-003-000, 01834-006-000, and one for parcel 04265-007-000)**

Quasi-Judicial Public Hearing First Reading: Ordinances 2021-27 and 2021-28 of the City of Newberry, Florida, to voluntarily annex certain portions of unincorporated Alachua County regarding two requests: two contiguous tax parcels, 01834-003-000 and 01834-006-000 consisting of 40.3 Acres ±, (Ordinance 2021-27) and one tax parcel 04265-007-000 consisting of 7.66 Acres ±, (Ordinance 2021-28)

This was Item 18 on the posted agenda.

Mayor Marlowe reviewed the process for Quasi-Judicial Hearings and read the procedures.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

Mayor Marlowe read through the presentation order.

No third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and the recommendation. Recommendation is to pass Ordinances 2021-27 and 2021-28 on first reading and to establish July 26, 2021, as the date of the enactment hearing.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Attorney Walker read Ordinance 2021-27 by title only on first reading.

Motion made by Commissioner Clark to pass Ordinance 2021-27 on first reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

Attorney Walker read Ordinance 2021-28 by title only on first reading.

Motion made by Commissioner Coleman to pass Ordinance 2021-28 on first reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

Motion made by Commissioner Mazon to establish July 26, 2021, as the date of the enactment hearing.

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

- 11. Changing the Future Land Use Map classification of previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agriculture on 19.4 acres (parcel 02610-000-000).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-17/CPA 21-05, an application by the City of Newberry 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 previously voluntarily annexed to the City and identified by Alachua County Parcel Number: 02610-000-000.

Mayor Marlowe reviewed the process of Quasi-Judicial Hearings and read the procedures.

Attorney Walker read Ordinance 2021-17 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Mayor Marlowe read through the presentation order. If no one new has entered the Chambers for Items 12 through 16, the procedures and process will not be read again.

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-17.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Coleman to enact Ordinance 2021-17 on second reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

- 12. Changing the Future Land Use Map classification of previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agriculture on 13.7 acres (parcels 01926-005-000 and 01926-010-015).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-18/CPA 21-06, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use from Alachua County RURAL/AGRICULTURE to City of Newberry AGRICULTURE, on property previously voluntarily annexed to the City and identified by Alachua County Parcel Numbers: 01926-005-000 and 01926-010-015.

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-18 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-18.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Farnsworth to enact Ordinance 2021-18 on second reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

- 13. Changing the Future Land Use Map classification of previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agriculture on 80.87 acres (parcel 04270-000-000).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-19/ CPA 21-07, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use from Alachua County RURAL/AGRICULTURE to City of Newberry AGRICULTURE, on property previously voluntarily annexed to the City and identified by Alachua County Parcel Number 04270-000-000.

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-19 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-19.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Mazon to enact Ordinance 2021-19 on second reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

- 14. Rezoning previously annexed property from Alachua County Agriculture to City of Newberry Agriculture on 19.4 acres (parcel 02610-000-000).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-20/LDR 21-15, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Number 02610-000-000. (This application is contingent upon approval of Application CPA 21-05.)

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-20 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-20.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Clark to enact Ordinance 2021-20 on second reading.

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

- 15. Rezoning previously annexed property from Alachua County Agriculture to City of Newberry Agriculture on 13.7 acres (parcels 01926-005-000 and 01926-010-015).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-21/LDR 21-16, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Numbers: 01926-005-000 and 01926-010-015. (This application is contingent upon approval of Application CPA 21-06.)

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-21 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-21.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Farnsworth to enact Ordinance 2021-21 on second reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

- 16. Rezoning previously annexed property from Alachua County Agriculture to City of Newberry Agriculture on 80.87 acres (parcel 04270-000-000).**

Quasi-Judicial Public Hearing Second Reading: Ordinance 2021-22/LDR 21-17, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Number: 04270-000-000. (This application is contingent upon approval of Application CPA 21-07.)

No new participants entered the Chambers.

Attorney Walker read Ordinance 2021-22 by title only on second reading.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to enact Ordinance 2021-22.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Clark to enact Ordinance 2021-22 on second reading.

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

17. Changing Future Land Use Map from Low-Density Residential to Medium Density Residential on 2.08 acres (parcel 01943-000-000).

Quasi-Judicial Public Hearing: Ordinance 2021-26/CPA 21-08, an application by Herb & Jeanie Marlowe, Owners, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the Future Land Use classification from LOW-DENSITY RESIDENTIAL (1-4 DU/Acre) to MEDIUM DENSITY RESIDENTIAL (less than or equal to 8 DU/

Acre) on 2.08 acres located at 24916 SW 4th Avenue, 24928 SW 4th Avenue, and 24902 SW 4th Avenue, identified by Alachua County Parcel Number 01943-000-000.

Mayor Marlowe reviewed the process and procedures for Quasi-Judicial Hearings.

Attorney Walker read Ordinance 2021-26 by title only on first hearing.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn

Mayor Marlowe reviewed the presentation order. If no one new enters the Chambers for Item 18, he will not read them again.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to pass Ordinance 2021-26 on first reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Mazon to pass Ordinance 2021-26 on first reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASS 4-0

- 18. Rezoning from Residential, Single Family (RSF-1) to Residential, Multiple-Family (RMF-1) on 2.08 acres (parcel 01943-000-000)**

Quasi-Judicial Public Hearing First Reading: Ordinance 2021-16/LDR 21-13, an application by Herb & Jeanie Marlowe, Owners, to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from Residential, Single Family (RSF-1) to Residential, Multiple-Family (RMF-1) on 2.08 acres located at 24916 SW 4th Avenue, 24928 SW 4th Avenue, and 24902 SW 4th Avenue, identified by Alachua County Parcel Number 01943-

000-000. (This application is contingent upon approval of Application CPA 21-08.)

No new participants entered the chambers.

Attorney Walker read Ordinance 2021-16 by title only on first hearing.

Mayor Marlowe asked for ex parte communication.

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

Principal Planner Kinser-Maxwell remained sworn

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

Principal Planner Kinser-Maxwell provided the staff overview, report, and recommendation. Recommendation is to pass Ordinance 2021-16 on first reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

Motion made by Commissioner Coleman to enact pass Ordinance 2021-16 on first reading.

Seconded by Commissioner Farnsworth.

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

MOTION PASSED 4-0

- 19. De-annexation of a Parcel that the City has found is not substantially contiguous to the municipal boundary.**

Quasi-Judicial Public Hearing First Reading: Ordinance 2021-33 of the City of Newberry, Florida, for the de-annexation of Parcel 04152-001-000 from the City of Newberry, Florida.

Mayor Marlowe reviewed the process and procedures for Quasi-Judicial Hearings.

Attorney Walker read Ordinance 2021-33 by title only on first hearing.

Mayor Marlowe asked for ex parte communication.

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

Director Thomas remained sworn

Mayor Marlowe reviewed the presentation order.

No applicant or third-party intervenor was present.

PUBLIC HEARING OPEN

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

Recommendation is to pass Ordinance 2021-33 on first reading.

Mayor Marlowe asked for public comment. There was none.

No cross examination or final argument.

PUBLIC HEARING CLOSED

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Clark to pass
Ordinance 2021-33 on first reading.**

Seconded by Commissioner Mazon.

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

MOTION PASSED 4-0

- 20. Petition to vacate a portion of NW 2nd Avenue between NW 254th Street and Seaboard Coast Line Railroad.**

Legislative Public Hearing: Second Reading of Ordinance 2021-25, Petition to Vacate the Portion of NW 2nd Avenue between Seaboard Coast Line Railroad and NW 254th Street.

Attorney Walker read Ordinance 2021-25 by title only on second reading.

Manager New presented this item and a small discussion ensued.

**Motion made by Commissioner Clark to enact
Ordinance 2021-25 on second reading.**

Seconded by Commissioner Coleman.

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

Voting Nay: Commissioner Farnsworth.

MOTION PASSED 3-1

AGENDA ITEMS

- 21. Construction plans for Phase 1 of Country Way South subdivision.**

Resolution 2021-25/SD 21-04, Country Way South Phase 1 Construction Plan Approval.

Director Thomas presented this item. A lengthy discussion ensued.

Ms. Alison Fetner, Applicant Representative, answered questions.

**Motion made by Commissioner Coleman to adopt
Resolution 2021-25.**

Seconded by Commissioner Clark.

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

Voting Nay: Commissioner Mazon.

MOTION PASSED 3-1

22. Preliminary Fire Assessment Rate for Fiscal Year 2022 (Resolution 2021 - 23).

Director Lee presented this item.

Discussion ensued about the rate.

**Motion made by Commissioner Coleman to adopt
Resolution 2021-23.**

Seconded by Commissioner Clark.

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

Voting Nay: Commissioner Farnsworth

MOTION PASSED 3-1

23. Florida League of Cities 95th Annual Conference Voting Delegate.

Mayor Marlowe presented this item.

**Motion made by Commissioner Farnsworth to
appoint Commissioner Clark as the voting delegate.**

Seconded by Commissioner Coleman.

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

MOTION PASSED 4-0

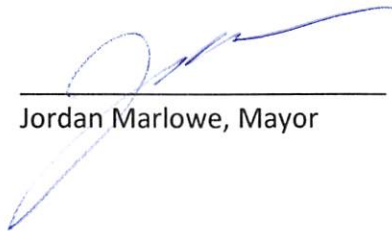
COMMENTS

Manager New and Mayor Marlowe made comments.

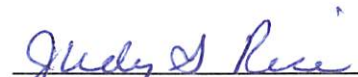
MEETING ADJOURNMENT

Meeting adjourned at 10:23 p.m.

Signed and dated this 9th day of August 2021.



Jordan Marlowe, Mayor



Judy S. Rice, City Clerk