



# Commission Meeting Minutes

October 09, 2023  
7:00 PM

25440 W Newberry Road  
Newberry, FL 32669

## QUORUM CHECK

Mayor	Jordan Marlowe
Commissioners	Mark Clark Rick Coleman Monty Farnsworth Tony Mazon
City Manager	Mike New
City Clerk	Judy Rice
City Attorneys	Scott Walker Danielle Adams
Staff:	
Assistant City Manager for Utilities and Public Works	Jamie Jones
Director of Planning & Economic Development	Bryan Thomas
Principal Planner	Jean-Paul Perez
Senior Planner	Uma Sarmistha
Executive Assistant	Randa Paul
Absent:	
Commissioner	Tim Marden

## CALL TO ORDER

Mayor Marlowe called the meeting to order at 7:00 PM. Mayor Marlowe noted Commissioner Marden is absent.

## APPROVAL OF AGENDA

**Motion to approve the Agenda was made by Commissioner Coleman, Seconded by Commissioner Farnsworth.**

Mayor Marlowe asked for public comment. There was none.

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

## **MOTION PASSED 4-0**

### **INVOCATION**

Pastor Cameron Diamon provided the Invocation.

### **PLEDGE OF ALLEGIANCE**

Commissioner Clark led the pledge.

### **PRESENTATIONS**

#### **1. American Pharmacist Month Proclamation**

Mayor Marlowe presented a Proclamation declaring October 2023 as American Pharmacist Month in the City of Newberry, Florida, to Cecilia Njeru, West End Pharmacy, and Tim Rogers, Grace Pharmacy and Past President, Florida Pharmacy Association.

#### **2. National Community Planning Month Proclamation**

Mayor Marlowe presented a Proclamation declaring October 2023 as National Community Planning Month in the City of Newberry, Florida, to Bryan Thomas, Director of Planning & Economic Development; Jean-Paul Perez, Principal Planner; and Uma Sarmistha, Senior Planner.

### **PUBLIC ANNOUNCEMENTS**

Chad Johnson (R) announced his candidacy for the Florida House of Representatives District 22 seat.

### **CONSENT AGENDA**

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

Mayor Marlowe asked for public comment. There was none.

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

## **MOTION PASSED 4-0**

#### **3. September 25, 2023, Commission Meeting Minutes**

#### **4. LS# 10 Relocation Site Parcel Acceptance**

#### **5. Annual Lion's Club Rodeo Special Temporary Use Permit Application**

STUP 23-01, an application by the Newberry Lion's Club for a Special Temporary Use Permit to hold their annual Rodeo.

## **PUBLIC HEARINGS AND ORDINANCES**

### **6. Local Business Impact Estimate Ordinance**

Legislative, First Reading of Ordinance 2023-31, An Ordinance Of The City Of Newberry, Florida; Implementing The State's Statutory Mandate To Prepare Business Impact Estimates Prior To The Adoption Of Proposed Ordinances Pursuant To Section 166.041(4), Florida Statutes; Providing Findings; Adopting Business Impact Estimate Procedures, Requirements, & Exemptions; Providing For Severability, Conflicts, And An Effective Date.

Attorney Walker read Ordinance 2023-31 by title only.

Attorney Adams presented a PowerPoint outlining the need to create a Local Business Impact Estimate Ordinance in compliance with the new §166.041, Florida Statutes.

**Motion to approve Ordinance 2023-31 on First Reading was made by Commissioner Farnsworth, Seconded by Commissioner Clark.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 4-0**

### **7. Westone Development: Future Land Use Amendment Changing From Agriculture to Planned Development**

Legislative Public Hearing: Second Reading of Ordinance 2023-29/CPA 22-06, an application by JBrown Professional Group, Inc., dba JBPro Group, Inc., Agent, on behalf of Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan from Agriculture to Residential Low Density on ±250 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street; identified by Alachua County Parcel Numbers 02508-002-000, 02514-000-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-000-000, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002.

Attorney Walker read Ordinance 2023-29/CPA 22-06 by title only.

Principal Planner Perez presented a PowerPoint on this request by JBPro Group, Inc., agent, to amend the Future Land Use Map classification on ±250 acres from Agriculture to Residential Low Density.

Christopher Potts, PE, JBPro Group, and Dave McDaniel, M3 Development, responded to questions.

Discussion ensued.

**Motion made by Commissioner Coleman, Seconded by  
Commissioner Clark.**

Mayor Marlowe asked for public comment. Paul Hornby, Kevin Coleman, Bryony Pullin, and Don Willis spoke.

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

**MOTION PASSED 4-0**

**8. Westone Development: Rezoning From Agriculture to Planned Development**

Quasi-Judicial Hearing: Second reading of Ordinance 2023-30/LDR 22-10, an application by JBrown Professional Group, Inc. dba JBPro Group, Inc., Agent for Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD) on ±258.3 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street, identified by Alachua County Parcel Numbers 02514-000-000, 02508-002-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002, and a portion of 01981-001-001. (This application is dependent upon adoption of Ordinance 2022-46/CPA 22-06.)

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

Attorney Walker read Ordinance 2023-30/LDR 22-10 by title only.

Clerk Rice swore in Principal Planner Jean-Paul Perez; City Manager Mike New, PE; Director Bryan Thomas; Chris Potts PE, JBPro Group; Dave McDaniel, M3 Development; James Coleman; Kevin Coleman; Paul Hornby; Gary Walton; Marsha Walton; and Bryony Pullin.

Mayor Marlowe asked for ex parte communication.

**ROLL CALL**

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

Principal Planner Perez presented a PowerPoint on this request by JBPro Group, Inc., agent, to rezone ±258.3 acres from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD).

There was no third-party intervenor present.

Discussion ensued.

Mike New; Paul Hornby; and Bryony Pullin spoke.

Attorney Walker defined Quasi-Judicial for attendees.

**Motion made by Commissioner Mazon, Seconded by Commissioner Clark.**

Mayor Marlowe asked for public comment. Don Willis spoke.

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

**MOTION PASSED 4-0**

The meeting was suspended at 9:08 PM and resumed at 9:16 PM.

## **AGENDA ITEMS**

### **9. Solid Waste Collection Services Agreement**

City Manager Mike New presented the item.

Dayna Miller, Director of Government Affairs, Waste Pro USA, Inc., spoke.

Discussion ensued.

Peggy Loy spoke.

**Motion to table Commission discussion on this item and to direct City Manager New to continue negotiations with Waste Pro USA, Inc. was made by Commissioner Clark, Seconded by Commissioner Farnsworth.**

Mayor Marlowe asked for public comment. There was none.

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

**MOTION PASSED 4-0**

### **10. 2024 State Legislative Agenda**

City Manager New presented the item.

Discussion ensued.

The Commission provided direction on the City's 2024 state legislative agenda.

### **11. Legal Services**

Mayor Marlowe introduced the item.

By consensus the Board directed staff to bring item back to discuss at future meeting.

## **12. Charter Officer Annual Evaluations**

Mayor Marlowe introduced the item.

By consensus the Board directed staff to bring item back to discuss at future meeting.

### **COMMENTS**

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

Mayor Marlowe noted that the audio equipment is not transmitting sound outside the meeting room. He suggested developing a method to inform the public of technical issues during future meetings.

### **MEETING ADJOURNMENT**

The meeting was adjourned at 11:03 PM.

Signed and approved on this 23rd day of October 2023.

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Jordan Marlowe, Mayor

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Judy S. Rice, City Clerk