

# Regular City Commission Meeting

June 27, 2022  
7:00 PM

25440 West Newberry Road  
Newberry, Florida 32669

## MINUTES

### CALL TO ORDER

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

### APPROVAL OF AGENDA

Mayor Marlowe asked for the approval of the agenda with the removal of Item 9. It is not ready to proceed.

**Motion made by Commissioner Marden to approve the amended agenda with the removal of Item 9.**

**Seconded by Commissioner Coleman.**

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

**MOTION PASSED 5-0**

### QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman

Mark Clark

Monty Farnsworth

Tim Marden

Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

Staff:

Fire Chief

Mike Vogel

Project Manager

Armon Lowrey

Director of Planning & Economic Development

Bryan Thomas

Principal Planner

Jean-Paul Perez

Assistant Director of Public Works & Utilities

Rance Green

Staff Assistant, Planning & Economic Development

Jeannene Mironack

Staff Assistant, City Clerk

Sierra Nyberg

Executive Assistant, City Manager

Ada Schmidt

## **INVOCATION**

Pastor Cameron Diamond, Jonesville Baptist Church, provided the invocation.

## **PLEDGE OF ALLEGIANCE**

Commissioner Clark led the pledge.

## **PRESENTATIONS**

### **PUBLIC ANNOUNCEMENTS**

Mr. Jeff Tate, citizen, made an announcement and thanked the Commission.

Mr. AuBroncee Martin, Circuit Court Judge Candidate, made a public announcement.

Ms. Lisa Darling, citizen, with MyTime and Concerned citizens made an announcement.

### **CONSENT AGENDA**

- 1. June 13, 2022, Commission Meeting Minutes**
- 2. June 13, 2022, Special Commission Meeting Minutes**
- 3. June 13, 2022, Budget Kick-off Workshop Minutes**

Mayor Marlowe asked for approval of the consent agenda.

**Motion made by Commissioner Marden to approve the consent agenda.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

### **PUBLIC HEARINGS AND ORDINANCES**

- 4. First Public Hearing to Consider Applying to the Florida Department of Economic Opportunity for a Small Cities Community Development Block Grant**

Mr. Scott Modesitt, Summit Professionals, presented this item.

Discussion ensued about the different categories that can be chosen from.

**Motion made by Commissioner Mazon to:**

**Authorize staff to prepare a grant application for the Fiscal Year 2021 – 2022 Florida Small Cities Community Development Block Grant (CDBG) in the following category: Neighborhood Revitalization (NR) Category**

**2) Authorize staff to prepare a Fiscal Year 2021 – 2022 Florida Small Cities Community Development Block Grant (CDBG) application in the Economic Development category should an eligible project be identified.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

- 5. Rezoning property from Residential, Single-Family to Planned Development on Parcel Numbers 02282-000-000 and 02235-000-000.**

**Quasi-Judicial Public Hearing: Ordinance 2022-28/LDR 22-08, an application by Tocknell Planning Services LLC, Agent for Morlynn Properties LLC, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Residential, Single-Family-2 (RSF-2) to Planned Development (PD) on 1.69 acres, located within the Economic Overlay and Historic Districts, and identified by Alachua County parcel numbers 02282-000-000 and 02235-000-000.**

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

Attorney Walker read Ordinance 2022-28 by title only on first hearing.

Mayor Marlowe asked for ex parte communication. Commissioner Coleman stated that he believed a company owned by his family, Coleman Plumbing, would be doing work for this project. He will not gain anything from this, and it will not affect his decision-making ability. Attorney Walker advised Commissioner Coleman that he can vote because he will not be gaining anything from this project.

**Voting Yea: Commissioner Coleman.**

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

Attorney Walker swore in Director Thomas, Mr. Steve Tocknell, applicant agent, and Mr. Lee Smith, applicant.

No third-party intervenor was present.

Director Thomas presented staff's overview and report.

There was no applicant presentation.

Mayor Marlowe asked for public comment. Mr. James Talbot voiced his concerns.

No cross-examination.

Discussion ensued between the Dais, Director Thomas, Mr. Tocknell, and Mr. Smith.

No final argument.

Attorney Walker reminded the Commission of the applicable law.

**Motion made by Commissioner Mazon to pass  
Ordinance 2022-28 on first reading.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

**6. Second Reading for Enactment of the Gateway Corridor Overlay District Standards**

**Legislative Public Hearing, Second Reading: Ordinance 2022-25/LDR22-03, Overlay  
District Standards.**

Director Thomas introduced Mr. Gerry Dedenbach with CHW Consultants, Inc.

Mr. Dedenbach spoke briefly and introduced Mr. Ryan Thompson.

Mr. Thompson provided a presentation.

A short discussion ensued.

Attorney Walker read Ordinance 2022-25 on second reading.

**Motion made by Commissioner Marden to enact  
Ordinance 2022-25 on second reading.**

**Seconded by Commissioner Clark.**

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

**Voting Nay: Commissioner Farnsworth.**

**MOTION PASSED 4-1**

**7. Construction Plans for Barrington**

**Resolution 2022-37/SD 22-09, an application by eda consultants, inc., agent for Hawley  
Family Holdings, LLC, owner, for approval of construction plans related to a plat entitled  
Barrington.**

Principal Planner Perez passed out the JBPro comments. He provided a presentation for this item.

Attorney Walker read Resolution 2022-37 by title only.

**Motion made by Commissioner Coleman to adopt Resolution 2022-37 on the condition that the applicant work with staff on comments provided by JBPro.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

**8. Barrington Final Plat Approval Request**

**Quasi-Judicial Public Hearing, Resolution 2022-35/SD 22-09, a request by eda consultants, inc., agent for Hawley Family Holdings, LLC, for approval of the Barrington Final Plat consisting of ±84 acres generally located on the northwest corner of Southwest 15 Avenue and Southwest 170 Street in the City of Newberry, Florida.**

No new participants had entered the chambers.

Attorney Walker read Resolution 2022-35 by title only.

Attorney Walker swore in Principal Planner Perez.

Mayor Marlowe asked for ex parte communication.

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

No third-party intervenor was present.

Principal Planner Perez provided staff overview and report.

Applicant did not present.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Mazon to adopt Resolution 2022-35.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

**~~9. Dylan's Grove Phase 2A Final Plat Approval Request~~**

~~Quasi-Judicial Public Hearing, Resolution 2022-39/SD 22-07, Request by Michael Steinberg for approval of the Dylan's Grove Phase 2A Final Plat located south of SW 15<sup>th</sup> Ave and west of SW 188<sup>th</sup> St. Phase 2A is part of the Dylan's Grove Planned Rural Residential Development.~~

This item was removed.

**10. Changing Future Land Use Map from Agriculture to Planned Development on 5.75 acres (parcel 02544-003-006).**

**Legislative Public Hearing, 2nd Reading: Ordinance 2022-23/CPA 22-02, an application by Christopher Potts, P.E., Agent for Norfleet Properties, LLLP, Owners, to amend the Future Land Use Map of the City of Newberry Comprehensive Plan from Agriculture to Planned Development on parcel number 02544-003-006.**

Director Thomas presented the staff overview and report.

Attorney Walker read Ordinance 2022-23 by title only on second reading.

**Motion made by Commissioner Marden to enact  
Ordinance 2022-23 on second reading.**

**Seconded by Commissioner Mazon.**

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

**MOTION PASSED 5-0**

**11. Changing Zoning from Agricultural to Planned Development on 5.75 acres (Parcel 02544-003-006).**

**Quasi-Judicial Public Hearing, Second Reading: Ordinance 2022-24/LDR 22-04, an application by Christopher Potts, P.E., Agent for Norfleet Properties, LLLP, Owners, to amend the zoning on ±5.75 acres, identified by Alachua County Parcel Number 02544-003-006 as shown on the location map below, adding said acreage to the Country Way at Newberry Town Square Planned Development, amending the Preliminary Master Plan and the associated Development Order and Developer's Agreement. (This application is contingent upon approval of Application CPA 22-02.)**

No new participants had entered the chambers.

Attorney Walker read Ordinance 2022-24 by title only on second reading.

Director Thomas remained sworn.

Mayor Marlowe asked for ex parte communication.

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

No third-party intervenor was present.

Director Thomas provided staff overview and report.

Applicant did not present.

Mayor Marlowe asked for public comment. There was none.

No cross-examination or final argument.

Attorney Walker reminded the Commission of applicable law.

**Motion made by Commissioner Mazon to enact Ordinance 2022-24 on second reading.**

**Seconded by Commissioner Marden.**

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

**MOTION PASSED 5-0**

## **AGENDA ITEMS**

### **12. Newberry Urban Services Area Boundary Amendment**

Director Thomas presented this item with Map 5<sup>1</sup> and Map 5 revised<sup>2</sup>.

Discussion ensued regarding the two maps and a potential new program Alachua County is developing.

**Motion made by Commissioner Mazon to table this item until more information is available about the County's new program.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

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**1 Exhibit A**

**2 Exhibit B**

### **13. Florida Local Support Grant Application**

Manager New presented this item.

Attorney Walker read Resolution 2022-36 by title only.

**Motion made by Commissioner Mazon to adopt Resolution 2022-36.**

**Seconded by Commissioner Clark.**

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

**MOTION PASSED 5-0**

### **14. Florida League of Cities Annual Conference Voting Delegate**

Manager New presented this item.

**Motion made by Commissioner Mazon to nominate Commissioner Coleman as voting delegate.**

**Seconded by Commissioner Farnsworth.**

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

**MOTION PASSED 5-0**

### **COMMENTS**

Manager New, Commissioner Coleman, Commissioner Mazon, and Mayor Marlowe made comments.

Ms. Lisa Tate, citizen, made comments in response to the event held at the Municipal Building.

### **MEETING ADJOURNMENT**

Meeting adjourned 8:33 pm.

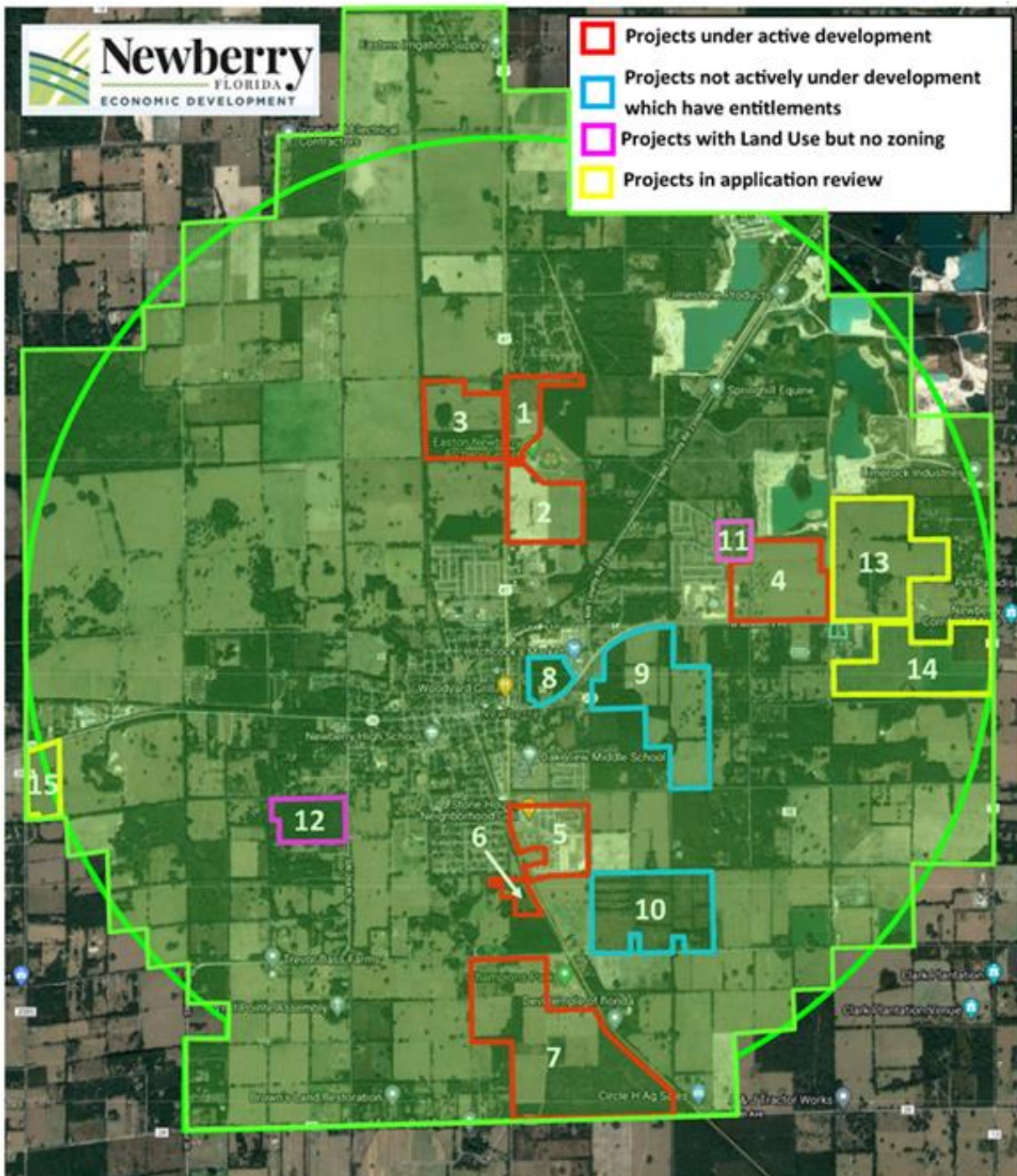
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Jordan Marlowe, Mayor

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Judy S. Rice, City Clerk

## EXHIBIT A: MAP 5 REVISED



## EXHIBIT B: MAP 5, REVISED

