



# CITY OF NEWBERRY

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MINUTES FOR THE REGULAR CITY COMMISSION MEETING  
JANUARY 26, 2009 AT 7:00 PM  
HELD AT THE CITY HALL  
25440 WEST NEWBERRY ROAD  
NEWBERRY, FLORIDA

Mayor Glanzer opened the meeting at 7:07 p.m. and reviewed the agenda

## I. APPROVAL OF AGENDA

Continue Resolution 02-09; Make verbiage changes to Resolution 04-09 in reference to "or designee" concerning Council for Economic Outreach, School Board Member, and Chamber of Commerce

## MOTION

Commissioner Forte made a motion to approve the agenda with changes  
Commissioner Farnsworth seconded the motion with changes

MOTION PASSED 5-0

## QUORUM CHECK

## PRESENT:

Mayor	John Glanzer
Commissioners:	Alena Lawson Monty Farnsworth Joe Hoffman Bill Conrad Lois Forte
City Attorney:	S. Scott Walker
Staff:	Keith Ashby Gayle Pons Lowell Garrett Blaine Suggs

II. INVOCATION - PASTOR BATSELL SPIVEY NEWBERRY CHURCH OF CHRIST  
Pastor Terry Fulton, Christian Life Fellowship Church provided the invocation.

III. PLEDGE OF ALLEGIANCE  
Mayor Glanzer led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES  
A. REGULAR COMMISSION MEETING HELD JANUARY 12, 2009

MOTION

Commissioner Hoffman made a motion to approve the minutes of the Regular City Commission Meeting with the addition of Commissioner Lawson's comments to be added on page 5 concerning the utility rates adjustment

Commissioner Lawson seconded the motion with the addition

MOTION PASSED 5-0

V. WELCOME NEW BUSINESSES

A. NEWBERRY'S DELI AND GRILL

City Manager Keith Ashby introduced Mr. Gary Kuminka and Mr. Billy Carman- owners who provided information about Newberry's Deli and Grill. They have been open three weeks and served over 10,000 people. The restaurant is open for breakfast, lunch, and dinner. The hours are 6 a.m. to 10 p.m. They look forward to meeting everyone.

VI. GUEST SPEAKERS

A. ANNIE PAIS- DIRECTOR OF FLORIDA'S EDEN CONCERNING THE DUDLEY FARM PAINT OUT

Mayor Glanzer introduced Ms. Annie Pais- Executive Director of Florida's Eden. Ms. Pais presented information about their major programs: 1. The Heart of Florida Scenic Trail Guide and CD; 2. PaintOuts. Through annual PaintOuts this year they are focusing on Dudley Farm. The Historic PaintOut is scheduled for March 12-15, 2009. 3. Working with many agencies to adequately protect Florida's water resources; and 4. There is an educational component called ARTT/Artists Reaching Through Teaching. Commissioner Farnsworth requested a letter of support of Dudley Farm remaining open.

VII. OLD BUSINESS

A. PLANNING

1. QUASI-JUDICIAL PUBLIC HEARING AND SECOND READING OF ORDINANCE 01-09

**CPA 08-02**, an application by Causseaux, Hewett, & Walpole, Inc., agent for Norfleet Properties, LLLP (owners) to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan by changing the land use from "Agriculture" to "Residential Low Density" on approximately 23.4 acres. The property is located on the west side of US 27/SR 45, approximately ¾ mile south of downtown Newberry.

PUBLIC HEARING CLOSED

QUASI JUDICIAL HEARING OPENED

Mayor Glanzer reviewed the Quasi Judicial Procedures.

City Attorney Scott Walker read the above ordinance by title only upon its second reading

MOTION

Commissioner Farnsworth made a motion to approve the above item as read by title only

Commissioner Hoffman seconded the motion

Applicant's previous presentation upon first reading stands (copied from January 12, 2009 approved minutes: Gerry Diedenbach of Causseaux, Hewitt & Walpole for the applicant remained sworn. He presented a power point presentation and received questions from the Commission. Tripp Norfleet was sworn by City Clerk Gayle Pons. He responded to Commission questions concerning line size and capacity for water and sewer. City Manager Keith Ashby brought forward City Planner Lowell Garrett who remained sworn. He pointed out some clarifications concerning the second reading if passed tonight. He also placed the Planning and Zoning recommendations as well as the staff recommendations. There is a fire flow problem which needs to be addressed. School concurrency has not been reserved.)

No Rebuttal

No public comment

QUASI JUDICIAL HEARING CLOSED  
PUBLIC HEARING OPENED

No further discussion

MOTION PASSED 5-0

2. QUASI-JUDICIAL PUBLIC HEARING AND SECOND READING OF  
ORDINANCE 02-09

**LDR 08-11** an application by Oak View Village, LLC, to request approval of a preliminary master plan to rezone the site from General Industrial (I) and Residential Multiple Family-1 (RMF-1) to Planned Development (PD) on approximately 14.72 acres which is the site of the old JM Manufacturing plant.

PUBLIC HEARING CLOSED  
QUASI JUDICIAL HEARING OPENED

Mayor Glanzer stated the Quasi Judicial Procedures still stand

City Attorney Scott Walker read the above ordinance by title only upon its second reading

MOTION

Commissioner Lawson made a motion to approve the above item as read by title only

Commissioner Forte seconded the motion

Applicant's previous presentation upon first reading stands (copied from January 12, 2009 approved minutes: Clay Swagger of Eng, Denman and Associates for the applicant was sworn by City Clerk Gayle Pons. He presented a power point presentation with a rezoning request. He then received questions from the Commission. Ms. Susan Parker was sworn by City Clerk Gayle Pons. She commented that this is beautiful and the local realtor and developers are to be commended. City Manager Keith Ashby brought forward City Planner Lowell Garrett who remained sworn. He reviewed the Master Plan, the Development Agreement as well as the Development Order. He provided the Planning and Zoning, and the staff recommendations. School concurrency is not reserved) City Manager Keith Ashby called forward City Planner Lowell Garrett who was sworn in by City Clerk Gayle Pons. He reviewed the project for the purpose of citizens. Discussion ensued. Approval is contingent upon approval of DOT as well as any changes required by DOT. Ms. Claudia Vega - Engineer was sworn in by City Clerk Gayle Pons. She explained the mechanical shell (beams) will be maintained for the future building.

No Public Comment  
No Rebuttal

QUASI JUDICIAL HEARING CLOSED  
PUBLIC HEARING OPENED

No further discussion

MOTION PASSED 5-0

B. CITY ATTORNEY

1. LEGISLATIVE PUBLIC HEARING AND SECOND READING OF  
ORDINANCE 03-09

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING ORDINANCE 09-08 PROVIDING CONSENT FOR THE ENTIRE CORPORATE LIMITS OF THE CITY OF NEWBERRY, FLORIDA, TO BE INCLUDED IN A MUNICIPAL SERVICES TAXING UNIT CREATED BY ALACHUA COUNTY FOR THE PROVISION OF LAW ENFORCEMENT SERVICES FOR THE 2009 TAX YEAR, PROVIDING CONDITIONS FOR THE CONSENT, PROVIDING THAT THE CONSENT IS FOR A ONE-YEAR PERIOD; PROVIDING AN EFFECTIVE DATE.

Attorney Walker read the above ordinance by title only upon its second reading

MOTION

Commissioner Forte made a motion to approve the above item  
Commissioner Farnsworth seconded the motion

Discussion ensued with the City Attorney verifying that January 1, 2009 is the appropriate date.  
Commissioner Conrad would like to see a deputy at meetings, and an occasional appearance from the Sheriff.

MOTION PASSED 5-0

VIII. NEW BUSINESS

A. UTILITIES

1. POWER COST ADJUSTMENT (PCA) UPDATE

City Manager Keith Ashby provided the PCA update. The PCA will remain 0.0600 with an under recovery of \$5,889 and a cumulative under recovery of \$63,880.

B. RECREATION

1. STRATEGIC RECREATION PLANNING

City Manager Keith Ashby called forward Richard Blalock, Recreation Director who introduced intern Dena Xavier who presented a power point presentation which included direction for the Sales tax projects. Before the next meeting the Commissioners will meet at the Sports Complex at 6:30 p.m. and review the site. Mr. Harry Nichols had questions concerning a community center at Martin Luther King Jr. Park. Mr. Blalock explained the property next to the park had been sold.

C. CITY CLERK

1. APPROVAL OF RESOLUTION 02-09 APPOINTMENT TO THE BEAUTIFICATION COMMITTEE

CONTINUED

2. APPROVAL OF RESOLUTION 03-09 APPOINTMENT TO THE RECREATION ADVISORY BOARD

City Attorney Scott Walker read the above Resolution in its entirety

MOTION

Commissioner Forte made a motion to approve the above item  
Commissioner Farnsworth seconded the motion

MOTION PASSED 5-0

3. APPROVAL OF RESOLUTION 04-09 APPOINTMENT TO THE ECONOMIC DEVELOPMENT COMMITTEE

City Attorney Scott Walker read the above Resolution in its entirety

MOTION

Commissioner Conrad made a motion to approve the above item with the additional language stating members must file a financial disclosure affidavit.  
Commissioner Hoffman seconded the motion

MOTION PASSED 5-0

4. APPROVAL OF RESOLUTION 05-09 APPOINTMENT TO THE PLANNING AND ZONING REVIEW BOARD

City Attorney Scott Walker read the above Resolution in its entirety

MOTION

Commissioner Hoffman made a motion to approve the above item  
Commissioner Lawson seconded the motion

Discussion - City Attorney is tasked to review the Charter for the Mayoral position to the Planning and Zoning Board.

MOTION PASSED 5-0

5. APPROVAL OF RESOLUTION 06-09 APPOINTMENT TO THE CODE ENFORCEMENT BOARD

City Attorney Scott Walker read the above Resolution in its entirety

MOTION

Commissioner Lawson made a motion to approve the above item  
Commissioner Hoffman seconded the motion

MOTION PASSED 5-0

6. APPROVAL OF RESOLUTION 07-09 APPOINTMENT TO THE CEMETERY COMMITTEE

City Attorney Scott Walker read the above Resolution in its entirety

MOTION

Commissioner Forte made a motion to approve the above item  
Commissioner Farnsworth seconded the motion

MOTIONS WITHDRAWN Commissioner Conrad made a motion to table to the next meeting

MOTION PASSED

IX. COMMENTS

A. CITY MANAGER

City Manager Keith Ashby asked the Commission if they would like staff to pursue a 25% match grant to place hurricane shutters on city hall. The general consensus of the Commission was to not pursue this item.

B. MAYOR

Mayor Glanzer announced this Wednesday there will be a meeting concerning the Boundary Adjustment Act. The meetings concerning the Municipal Fire Authority have been continued. He also informed Citizens if they were having trouble with the website to try [www.ci.newberry.fl.us](http://www.ci.newberry.fl.us).

C. COMMISSION

Commissioner Lois Forte asked about the \$500.00 employee incentive discussed during budget time. City Manager Keith Ashby explained they would look at it in April.

D. CITIZENS  
NONE

X. MEETING ADJOURNMENT

Commissioner Lawson made a motion to adjourn

MEETING ADJOURNED 8:45 P.M.

Signed as approved this 9th day of February, 2009

  
Mayor John Glanzer

  
Gayle B. Pons, City Clerk