

**Palmetto City Council
Administrative Meeting
August 3, 2000 7:00 PM**

Elected Officials Present:

**Pat Whitesel, Mayor
Tamara Cornwell, Vice Mayor
Shirley Groover Bryant, Council Member
Donna Keefer, Council Member
Mary Lancaster, Council Member
Brian Williams, Council Member**

Staff and others present:

**Alan Prather, Attorney
Patricia Petruff, Attorney
Chief Ken Bright, Palmetto Police Department
David Meng, City Clerk/Finance Director
Don Patterson, Interim Public Works Director/PSG
Allen Tusing, Public Works Department Supervisor
Whitney Ewing, Customer Service Manager
Mary Jean Forrester, Deputy Clerk
Diane Ponder, Administrative Assistant**

Mayor Whitesel called the meeting to order at 4:05 p.m.

1. DEP CONSENT ORDER

Ms. Petruff addressed Council on the final DEP Consent Order, reviewing the significant revisions made by DEP, stating the final date to avoid fines of \$1,000 per day is December 31, 2004. Ms. Petruff advised Council, once the document is executed the City would have a 60-day deadline to submit a list of in-kind services if the City elects not to pay the total fine of \$51,900. The additional deadline dates the City is already following for the mixing zone permit modification was discussed. A discussion of possible in-kind services was held with Mr. Patterson.

Mr. Williams suggested setting a date for a workshop on reviewing Mr. Patterson's suggestions and selecting the projects to be submitted to DEP for approval.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to authorize the mayor to sign and pass forward the Consent Order as presented by the attorney.

Ms. Petruff informed Council she had received the Lease Agreement for the Regatta Pointe Marina. The details pertaining to the lease have now been completed, i.e. a new survey of the submerged land areas and titles to the upland parcels. Ms.

Petruff advised Council the Lease Agreement was in substantially the same form as when it went before the Board last year.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to authorize the Mayor to execute the lease with the State of Florida regarding the Regatta Pointe Marina.

2. DISCUSSION – UTILITY RATE ORDINANCE

Mr. Williams reviewed a history of how the ordinance has developed to this point in time. Ms. Ewing was also asked for her input when reviewing the points of discussion. The following items of the ordinance were individually discussed with Council, suggesting the changes be made to the ordinance:

Section 29-13. Responsibility for Damage

A new appeal clause is needed in this section, with the resolution decision to be made by the Customer Service Manager. Willful damage will be due and payable before the water is reconnected, damage over \$100 will be payable in three monthly installments, and damage under \$100 will be due and payable at time of repair.

Section 29-17. Use Assumed if Premises Connected

The issue is whether this responsibility falls on the landlord. Currently the obligated party is the customer. If the tenant made the deposit the tenant remains responsible. A discussion was held as to who was responsible for the “right-to-serve” charge. Mr. Prather suggested a clause in the ordinance stating that in the case of non-tenanted or customer properties the owner is responsible for the “right-to-serve” clause. Mr. Williams suggested making this type of statement, monitoring it for a year. Mr. Williams also suggested the back-flow preventers should also be included in this wording.

Section 29-26. Individual Private Sewage Treatment Facilities

Delete “upon approval of the City Council” replacing with “upon approval of the Public Works Department”.

Section 29-27. Private Wells

Delete “upon approval of the City Council” replacing with “upon approval of the Public Works Department”.

Section 29-29. Security Deposits – Schedule

A discussion was held as to the feasibility of paying interest on customer’s utility deposits. Mrs. Keefer recommended the deposit be returned to the customer at a predetermined time. Mr. Prather will research to determine what is mandated when paying interest on utility deposits. If the City elects to return the deposits paragraph (e) and section (1) under paragraph (f) will be deleted.

Section 29-30. Effect of Transfer, Moving

Transfer of accounts with good credit will be allowed.

Section 29-32. Fire Systems

Will be changed to reflect that newly installed fire system connections shall have a minimum fee of \$3,500. Add, "Inspection of existing fire system connections shall have a fee of \$1,500."

Section 29-33. Monthly Rates

Water Rates shall be changed as follows:

First 3,000 gallons	\$14.47
All over 3,000 gallons	3.07

Paragraph 2:

Delete "Docking spaces for live-aboard vessels shall pay a unit charge of \$3.75."

Paragraph 4:

Delete "This fee shall not be charged for turning on service for newly constructed building or new accounts".

Sewer Rate Schedule

Update number of gallons over 3,000 to \$1.47.

Paragraph (a):

Delete "duplex, condominium and apartment buildings" and replace with "each customer".

Delete (b), (c), and (d)

Section 29-34. Same-Determination for Non-connected Structure

Paragraph (a):

Replace "7,000" with "10,000".

Section 29-35. Mandatory Connection to System

Paragraph (c):

Add, "per Subdivision Ordinance 365" as a parenthetical item.

Section 29.36 – Fire Sprinkler Systems

Delete

Section 29-38. Payment Due

Paragraph (b):

Change "20/45" to "45".

Paragraph (c):

Mr. Prather to reword the paragraph after a discussion with Mrs. Ewing.

Section 29-39. Enforcement & Penalties

Paragraph (a)

Change "20/45" to "45".

A discussion will be held to determine necessity of notifying delinquent accounts by certified mail, return receipt requested.

3. PROFESSIONAL AUDIT SERVICE PRESENTATIONS

Representatives from Hacker, Johnson & Grieb, PA, CPA Associates, PA, and Purvis Gray & Company addressed Council regarding the qualification of their firms to provide professional audit services to the City.

Council Members rated the three firms. CPA Associates, PA was unanimously awarded the three-year contract beginning fiscal year 2000.

4. TELEPHONE SYSTEM – VOICE MAIL

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried unanimously to approve the expenditure to Inter-Tel, Inc. not to exceed \$5,864 to install a telephone voice mail system.

5. MUNICIPAL LOAN PROGRAM

Mr. Patterson presented a snap shot map of the projected re-use lines throughout the City and the associated total cost of \$2.5 million. A discussion was held regarding taking the line up to US 41, excluding Lincoln Park which will eventually revert to Manatee County. Mr. Patterson discussed different scenarios available to the City regarding the time frame to install the project. Council also discussed the projected monthly fee associated with the project and the possible revenue stream.

Ms. Bryant asked Public Works to finalize the re-use installation on paper for presentation August 7, 2000. She also asked for projected revenue streams and time frames of the projected completion dates.

Ms. Cornwell departed the meeting at 6:45 p.m.

6. AGENDA – AUGUST 7, 2000

Mr. Williams reminded Council the CRA had not fulfilled its commitment to put funds aside for the buy-out program for Ms. Hartman's contract when considering the Budget Resolution on the August 7, 2000 agenda.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the August 7, 2000 agenda with modifications.

7. UPDATE FOR CDBG-ED GRANT

Ms. Hartman reviewed the CDBG-ED Grant, stating Council's approval was needed to move forward with the application. Mr. Hartman requested approval of a \$450,000 grant to Riviera Dunes and \$300,000 for Mr. Waters, explaining the application was facing a deadline. A discussion ensued relating to the split of the grant application.

Mike Fernandez, developer for Riviera Dunes addressed Council regarding the grant being split. Ms. Svenson stated the planned development under the grant would include a marina, service station and convenience store, with 75 to 100 projected employees.

Ms. Hartman recommended that one application of \$750,000 to Riviera Dunes be submitted, rather than splitting the application.

MOTION: Mr. Williams moved, Ms. Bryant seconded and motion carried unanimously to approve one CDBG Grant application of \$750,000 to Riviera Dunes.

8. MAYOR'S REPORT

MOTION: Ms. Cornwell moved, Mrs. Keefer seconded and motion carried unanimously to approve the expenditure to Orler's Tree Service not to exceed \$1,500.

9. INDIVIDUAL COMMENTS

Ms. Bryant

Ms. Bryant reported citizens on Snead Island were interested in having the Palmetto Police Department provide police protection. Chief Bright is to contact the Sheriff's Department to see if that department may be interested in contracting these services to the City of Palmetto.

Ms. Bryant inquired as to the completion of the Zoller Najar contract with the City. Mayor Whitesel reported the attorney is working on it.

Ms. Bryant reported she had reviewed the contracts with Smith and Gillespie covering storm water and wastewater projects and the fact it appeared the contract was open-ended. She suggested that the attorney reviewing contracts should initial future contracts.

Ms. Bryant asked that departmental organizational charts be corrected to reflect that citizens are at the top of the charts.

Ms. Bryant thanked staff for their efforts in completing the paving of 17th Street, stating the project looked very good.

Mrs. Keefer

Mrs. Keefer requested that all agenda revisions be dated and timed.

Mrs. Keefer departed the meeting at 7:45 p.m.

Mrs. Lancaster

Mrs. Lancaster announced a clean up sponsored by Keep Manatee Beautiful would be held September 16, 2000 in Ward 1.

Mrs. Lancaster asked why Mr. Meng had included a raise for Ms. Hartman in the CRA's proposed budget. Mr. Meng responded he had sent Ms. Hartman a draft budget, including a cost-of-living raise, and it was up to the CRA Board to determine if a raise should be granted Ms. Hartman.

Mr. Williams

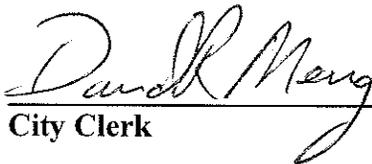
Mr. Williams stated the city wide clean up, in conjunction with Keep Manatee Beautiful, may have to be held over a two-weekend period because of the necessity of additional dumpsters and their locations. It may also be necessary to have some city employees available to assist

Mr. Williams stated the City needed to cease in its practice of using city employees for purposes other than City business.

Mr. Williams stated he thought Mr. Meng should research, and the attorney be consulted, as to what steps the City should take to protect itself concerning the item on the Budget Resolution on the August 7, 2000 agenda.

Meeting adjourned at 7:30 p.m.

Approved: August 21, 2000



City Clerk

Audio tapes of the meeting are available in the city clerk's office.