

Palmetto City Commission
October 4, 2004 4:00 PM

Elected Officials present:

Larry Bustle, Mayor
Tamara Cornwell, Vice Mayor
Eric Ball, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner
Brian Williams, Commissioner

Staff and others present:

Attorney Michele Hall
J. E. Free, Jr., City Clerk
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, Planner
Diane Ponder, Administrative Assistant

Mayor Bustle called the meeting to order at 4:07 pm. A moment of silence for overseas military personnel was observed, followed by the Pledge of Allegiance to the United States Flag.

Mayor Bustle recognized City Commission candidate Charles Smith.

1. AGENDA APPROVAL

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 5-0 to approve the October 4, 2004 4:00 agenda.

2. MASTER UTILITY ORDINANCE

Mayor Bustle stated there would be meetings on October 11, 2004 at Palmetto Youth Center and October 14, 2004 at City Hall where all interested parties would have a chance to speak regarding the Master Utility Ordinance.

Information distributed to Commission revealed Longboat Key as the only surrounding municipality that makes the owner responsible for delinquent accounts. Mr. Free suggested that if Commission desires not to make the owner the customer, staff can explore with the City Attorney the option of having a different deposit schedule for renters. He explained the City is now on a pro rata basis and during the time of vacancy, the readiness-to-serve fee (RTS) could be borne by the owner if a new deposit class is approved. Mayor Bustle also suggested looking at a system used by the power and telephone companies, or a system used by landlords requiring a first and last month's payment in advance.

Mrs. Lancaster stated she doesn't understand how the City can sustain a major loss when accounts are turned off at 45 days. Mr. Williams referred to distributed material showing a loss of \$13,253 for 2003 and \$12,000 to date in 2004. Mrs. Ewing informed the Commission the amounts include penalties (10% of the balance); turn off fees (\$20); and possibly tampering charges (\$50). Mr. Williams stated the amounts are less than one percent of what the City bills and the City will receive a portion back when a collection agency is used. Mr. Williams suggested leaving everything as is with the possibility of increasing a renter's deposit along with the owner being responsible for the RTS.

Customer Service Supervisor Whitney Ewing stated it would not be cost effective to take master-metered accounts and turn them back into single meters. She stated increasing the deposit and reaching agreement with the landlords regarding the RTS would be beneficial. Mrs. Ewing

informed the Commission the City now has the ability to track accounts that are habitually turned off and suggested those account holders could be charged a larger deposit.

Ms. Cornwell discussed a deposit earning interest. Mr. Free stated the City does not currently pay interest and is not required by statute to do so. Ms. Cornwell inquired if paying interest would be an incentive to encourage tenants to notice the City when vacating. Mr. Free stated the interest would be minimal. Mrs. Ewing stated the interest wouldn't help because people vacate knowing their deposit will not pay the accrued delinquent amount.

Ms. Varnadore expressed concern regarding the fee increase, as the action may make it unattractive to potential renters. She asked for feedback from some of the present landlords.

David English spoke to the Commission, suggesting the City should not allow a bill accrue to an amount that would exceed the deposit. He described the process a landlord has to observe when dealing with delinquent accounts. Mr. English stated there would be no impact to the landlords if the deposit was increased.

Mrs. Ewing spoke of the high use accounts and the fact those accounts will be targeted by the proposed rates to encourage conservation. Mayor Bustle inquired if the City could highlight the high use accounts and set an extra deposit. Mrs. Ewing stated she would rather approach the problem through education. She suggested that if a high use account was turned off delinquent, then the City could request an additional deposit.

Mayor Bustle asked the Commission to come to a consensus so staff could have direction on how to proceed with drafting the ordinance. Mrs. Lancaster opined a habitual turn off should be required to pay a higher deposit; Mrs. Ewing confirmed the charge could be placed on the bill.

Discussion revealed that Section 29-38(b) should be worded to reflect that "delinquent" actually means "turned off".

Allen Tusing, Public Works Superintendent, referred to the ordinance in place allowing approximately three months of water use before the City can turn off water. He suggested the schedule should be shortened and water turned off at the end of 45 days. Commission discussed turning the water off within five days of receipt of the second month's bill.

Staff will make a recommendation of whether or not a deposit should be increased.

Lou Eurice asked for the amount the City collected a year for water accounts. Mr. Free stated that excluding solid waste \$4.2 million was collected. Mr. Eurice stated the \$13,000 figure was less than one percent and he considered it "the price of doing business". He also discussed keeping the tenant's deposit. He complimented the City on how well the City performs its job.

Mayor Bustle recessed the meeting for five minutes.

Mr. Free highlighted the remainder of major changes made to the proposed ordinance as follows:

Section 29-8 - Discussed the education impact fee. Language will be finalized to reflect payment required for impact fees related to the provision of utility services. Language will also be added to require the payment of educational impact fees before the issuance of a certificate of occupancy. Voluntary annexation language will remain in the ordinance.

Section 29-18 added for new construction requiring a shut off valve

City Clerk or his designee shall be consistent throughout the ordinance.

Private wells. Attorney Hall is still researching the topic, but informed the Commission Section 29-35 allows the City the power to protect the citizens and environment through Code Enforcement. Currently the City does not issue permits for wells. Ordinances also prevent wells being used for irrigation once reclaimed water is available. Mr. Lukowiak stated he would converse with Manatee County to determine if an approval signature block could be added to permits for the City

Section 29-15 will be reworded.

Language allowing the retention of contractor's security deposits for use remains in the ordinance.

Deposits will be returned after twenty-four months.

Section 29-32 Fire Systems will be worded to clearly state the City will install only a connection.

Rates do not reflect the Manatee County pass through; they will increase three percent.

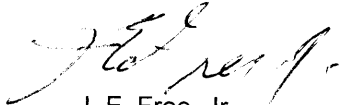
Owner bearing responsibility for the readiness-to-serve charge will be researched.

Staff will present a revised ordinance at a subsequent meeting.

The Personnel Policy review was scheduled for Monday, October 11, 2004 at 4:00 pm. Mayor Bustle suggested the Commissioners give their questions and comments to Mrs. Jones or Mrs. Lukowiak so staff can compile a master list of information prior to the meeting.

Meeting adjourned at 6:10 pm.

Minutes approved: October 18, 2004



J. E. Free, Jr.
City Clerk