

Palmetto City Council  
June 21, 2004 4:00 PM

Elected Officials present:

Larry Bustle, Mayor  
Tamara Cornwell, Vice Mayor  
Eric Ball, Council Member  
Shirley Bryant, Council Member  
Mary Lancaster, Council Member  
Brian Williams, Council Member

Staff and others present:

Attorney Richard Groff  
J. E. Free, Jr., City Clerk  
Captain Clyde Hedrick  
Chris Lukowiak, Public Works Director  
Diane Ponder, Administrative Assistant

Mayor Bustle called the meeting to order at 4:00 pm. Diane Ponder gave an invocation, followed by the pledge of allegiance to the United States Flag.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Ms. Cornwell moved, Ms. Bryant seconded, and motion carried 4-0 to approve the June 21, 2004, 4:00 agenda.

2. WATER, SEWER & REUSE RATE STUDY PRESENTATION

Mike Burton of Burton & Associates updated Council on the preliminary results of the Water, Sewer & Reuse Rate Study being performed for the City. The City's issues being analyzed by Burton & Associates are revenue sufficiency, allocation of costs to services and the utilities' rate structure. While a ten year period is being looked at by Burton & Associates, the firm will provide a five year plan structure.

Preliminary results of the revenue sufficiency analysis indicate the City should consider a rate structure change to lower the self-supporting water utility and increase the non-supporting sewer utility, so that each utility may become self-sustaining; elimination of the minimum charge beginning at 3,000 gallons and implement an inclining block conservation rate to encourage water conservation; and capping sewer billings for single family residents. Preliminary results indicate a 2.6% to 2.7% increase in the water and sewer rate plan over the next five years.

Mr. Burton stated a complete rate design will be brought to City Council at the August 2, 2004, Council workshop meeting, where the alternative rate comparisons will be presented in actual billing formats. He advised that the City must inform utility customers of the proposed rates public hearing scheduled for

September in the August utility billings. Council concurred the public hearing notices must be included in the July utility billings, to notify the public of when the proposed rate schedule will be presented to Council for review. Council also requested that Burton & Associates conduct a utility rate survey of surrounding communities to accompany the August 2, 2004, presentation.

Mr. Burton confirmed that the rate study will not address any change in the City's impact fees. Additionally, any adopted rate increases will not include any pass through rate increases levied by Manatee County for the purchase of water.

### 3. CRA WATERFRONT DEVELOPMENT PLAN

Tanya Lukowiak, CRA Executive Director, discussed the scope of services contained in the request for proposals CRA developed for a Waterfront Master Plan and how the review committee ranked the submitted proposals. Of the three short-listed firms that made a presentation to the CRA Board, Wallace Roberts & Todd was chosen to develop the Plan. Ms. Lukowiak stated the CRA Board is requesting City Council's consensus of their selection, as the proposal will result in the CRA expending \$145,620.

John Fernsler, a principle of Wallace Roberts & Todd and Sylvia Vargas, who will be the project director, presented Council with an overview of the company.

Mr. Fernsler stated the plan would provide guidelines that will help the City direct the waterfront/downtown growth in a manner that is consistent with the character of the City and the desires of the residents. He discussed how guidelines and recommendations will be developed through input from the public and market analysis information and economic feasibility. The plan will contain strategies to connect pedestrian and vehicular traffic and will address parking issues.

Ms. Lukowiak advised Council the waterfront area contained in the CRA district is the only area that will be studied. She stated there have been previous plans developed but none of them have recommended how to implement their findings. Wallace Roberts & Todd's plan will provide the City with data necessary to implement the plan and replicate the findings throughout the City. Because the plan will address much more than the waterfront area and given the City's location, Mr. Williams suggested it should be called a Waterfront Community Plan.

Council concurred with the CRA Board's decision to select Wallace Roberts & Todd as the firm to develop the Waterfront Master Plan.

### 4. BLACKSTONE PARK FRDAP GRANT APPLICATION

Ms. Lukowiak distributed Manatee County's plan for Blackstone Park. Phase I will be the aquatic center containing an Olympic size pool, diving area, and splash park. Phase I also contains a recreational trail that will be extended as

determined by the School Board, to allow for pedestrian access by Palmetto High School students. The entire project will cost approximately \$4.5 million.

Ms. Lukowiak informed Council Manatee County has requested the City apply for a \$200,000 FRDAP Grant to contribute to the development of Blackstone Park. Ms. Lukowiak stated her belief the application would be funded because of the City, Manatee County and the School Board working in concert on the project.

Council granted permission for the City to apply for the \$200,000 FRDAP Grant.

#### 5. CITY FACILITY RENTAL APPLICATION AND PARK RENTAL RULES AND REGULATIONS

Public Works Director Chris Lukowiak informed Council Parks & Rec Supervisor Geoff Seger had been assigned the duty of surveying surrounding communities regarding fee structures for use of city facilities. Council reviewed the proposed City Facility Rental Application and Rules and Regulations developed by Mr. Seger.

Council suggested the following changes to the documents:

- Minimum rental fee should be consistent in both documents, with the minimum three-hour fee fully disclosed.
- Language pertaining to recreational vehicles contained in the City's ordinance should be incorporated into the Rules and Regulations document.
- "Restrooms" should be deleted from the rental application because they are open to the public during daylight hours.

Ms. Bryant inquired about existing reciprocal use agreements. Ms. Bryant also cautioned the City must take care when waiving fees for facility usage, suggesting the attorney should provide input on the topic.

Staff will address areas of concern noted by Council, make recommended changes and bring the documents back to Council for approval at a subsequent date.

#### 6. LITIGATION ASSESSMENT

Attorney Groff asked for direction on how Council wishes to proceed in recovering expenses caused by the well drilled into the City's sewer pipe. Attorney Groff stated the issue may be resolvable through contact with the attorneys representing the parties involved. Council concurred he should exhaust efforts to resolve the issue prior to entering litigation. Attorney Groff will keep Council apprised of the situation.

When questioned about the City's inability to collect attorney fees, Attorney Groff explained the suit would be a common law suit for damaged property. The City would only be entitled to recover attorney fees if provided for by statute, ordinance or by a contract. He informed Council the provision could be added to the City's ordinance.

Mr. Free advised Council that in addition to the \$15,000 repair expenditure, an additional \$15,000 in clean up costs was incurred by the City.

Meeting adjourned at 6:05 pm.

Minutes approved: August 2, 2004



J. E. Free, Jr.  
City Clerk