

**October 15, 2013**

**Workshop Meeting  
Boat Ramp Fees  
5:00 p.m.**

**Regular Public Meeting  
6:00 p.m.**

**Commission Chamber  
City Hall  
Port St. Joe, Florida**



## City of Port St. Joe

Mel Magidson, Mayor-Commissioner  
William Thursbay, Commissioner, Group I  
Bo Patterson, Commissioner, Group II  
Phil McCroan, Commissioner, Group III  
Rex Buzzett, Commissioner, Group IV

[All persons are invited to attend these meetings. Any person who decides to appeal any decision made by the Commission with respect to any matter considered at said meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Board of City Commission of the City of Port St. Joe, Florida will not provide a verbatim record of this meeting.]

# BOARD OF CITY COMMISSION

Regular Public Meeting

**\*\*Amended\*\***

6:00 p.m.

City Hall

Commission Chamber

Tuesday October 15, 2013

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## Call to Order

## Consent Agenda

### Minutes

- Special Meeting 9/30/13 Pages 1
- Regular Meeting 10/1/13 Pages 2-5

### City Attorney

- Ordinance 494, Interment Fees
  - 2<sup>nd</sup> Reading & Consideration of Adoption Pages 6-9
  - Resolution 2013-05 Page 10
- Affordable Housing
  - Amended MOU Pages 11-12
  - FLUM Amendment

### Old Business

- Lighthouse- Update
- Workforce Board Lease Agreement Pages 13-15
- Roadside Pick-up Amnesty Month- Update
- Ghost on the Coast

### New Business

- Sign Ordinance- Comm. Thursday
- Animal Control Ordinance- Comm. Patterson Pages 16-23
- **Utility Deposits**
- RFP 2013-07 2012 CDBG Water System USDA MLK Sidewalks Page 24
- RFP 2013-08 Landscaping & Grounds Maintenance Bid Award Page 25

### Public Works

- Update

### Surface Water Plant

- Update

### Waste Water Plant

- Solar Aeration System- Request to Bid

### City Engineer

- Traffic Study- Update

- **Water Study- Update**
- **NWFWMD Grant Application- Update**

**Code Enforcement**

- **Update**

**Page 26**

**Police Department**

- **Update**

**PSJRA**

- **Status Update Request- Phase IV Landscape Project**

**City Clerk**

- **Update**

**Citizens to be Heard**

**Discussion Items by Commissioners**

**Motion to Adjourn**

ment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The plant manager may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(1) Bypass is prohibited, and the plant manager may take an enforcement action against a user for a bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The user submitted notices as required under subsection (c) of this section.

(2) The plant manager may approve an anticipated bypass, after considering its adverse effects, if the plant manager determines that it will meet the three conditions listed in subsection (d)(1) of this section.

(Ord. No. 272, § 13.2, 10-2-01; Ord. No. 403, § 2, 4-15-03)

Secs. 70-183—70-185. Reserved.

**ARTICLE IV. SERVICE RATES, CHARGES AND BILLING\***

**Sec. 70-186. Penalty for violation.**

Any person who connects or attempts to connect water service or tampers with the water meter after the water service has been disconnected for failure to pay a water bill, without paying all charges then due the city for arrearages in water charges, shall be punished as provided in section 1-15.

(Code 1969, § 18-48)

**Sec. 70-187. Application; deposit; connection and account transfer fees.**

(a) Before service of water and/or sewerage shall be installed or furnished by the city; the person desiring such service shall make written application to the city auditor and clerk for the service desired, and shall deposit with the city treasurer the sum of \$100.00, provided that in case of larger consumers, where the monthly consumption and the established rate will likely exceed the sum of \$100.00, the amount of the deposit to be required shall be such sum as in the judgment of the city auditor and clerk will be adequate to protect the city from loss.

(b) Upon receipt of the deposit provided for in this section, the city-treasurer shall issue receipt to the party paying the sum. All deposits made under the provisions of this section will be refunded on demand whenever the service is discontinued and all accrued bills for service have been paid. Any person changing residence or business location may withdraw any deposit made for service at such place, but before service is again furnished such person at a new location, written request therefore and deposit must be made for service at such new location as provided in this section.

(c) There shall be a charge of \$10.00 for each service connection and for transferring the utility account from the name of one person to the name of another, which shall be paid before service connection is made or account changed, provided

\*Cross reference—Public service tax on utilities, § 62-26 et seq.



ORDINANCE NO. : 488

**AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING ORDINANCE 311, AMENDING THE CHARGE FOR SERVICE CONNECTIONS; PROVIDING FOR CHARGES FOR TRANSFERRING ACCOUNTS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT ENACTED by the people of the City of Port St. Joe, Florida:

1. That portion of Ordinance 311 which reads:

There shall be a charge of \$10.00 for each service connection and for transferring the utility account from the name of one person to the name of another, which shall be paid before service connection is made or account changed, provided that there shall be no service connection charge or change account charge when a new service connection is made for which a tapping fee is paid.

Is hereby amended to read:

There shall be a charge of \$35.00 for each new service connection and a charge of \$10.00 for transferring the utility account from the name of one person to the name of another, which shall be paid before new service connection is made or account changed, provided that there shall be no new service connection charge or change account charge when a new service connection is made for which a tapping fee is paid.

2. REPEAL:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

3. SEVERABILITY:

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

4. EFFECTIVE DATE:

This Ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe,  
Florida this 4<sup>th</sup> day of December, 2012.

THE CITY OF PORT ST. JOE

By: 

MEL C. MAGIDSON, JR.  
MAYOR-COMMISSIONER

ATTEST:

  
CHARLOTTE M. PIERCE  
CITY CLERK

The following commissioners voted yea: *Mayor Magidson, Commissioners Buzzett and McCroan*  
The following commissioners voted nay: *0*