

Patrons tack dollars onto Marco restaurant wall to protest utility fee

By KELLY FARRELL

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MARCO ISLAND — Customers are plastering dollar bills on a restaurant's entrance to help the family-owned business survive an expansion that came with an unexpected \$64,000 fee from Marco Island officials.

The plight of Chefs' Express was first heard when co-owner Anne Feinman pleaded with Marco Island City Council members in October to make utility impact fees reasonable. Defining reasonable seems to be the challenge and the answer depends on who you ask.

Several other Marco Island restaurant owners and business leaders are standing behind the Feinmans in hopes the council will choose next week to implement at least a temporary reprieve from utility impact fees at a meeting scheduled for 5:30 p.m. Monday.

Fairness is at the crux of the issue, according to city leaders.

Joe Oliverio, president of the Marco Island Restaurant Association and owner of Joey's Pizza, is just as heated about impact fees as the Feinmans. He expanded his restaurant earlier this year and, after initially paying \$25,000, he said he received another shocking bill of nearly \$20,000 from the city.

He's making payments, but he wants a retroactive reduction and refund because he said his water usage has decreased — not increased — since five years ago, because of green practices and upgraded appliances.

"If you can prove you're not making an impact above and beyond what you've paid into it, you should get your money back," Oliverio said.

It's only fair, he argued.

Rony Joel, general manager of Marco Island's water and sewer department, shared a different perspective.

Marco can set up payment plans for Chefs' Express as it has other restaurants, Joel said.

"There appears to be one restaurant that thinks it should be handled separately, to have a competitive advantage over other restaurants on the island," Joel said.

Utility impact fees are paid to cover the cost of growth and expanding the water and sewer service capacity. Marco Island's utility is suffering financially and all customers

are looking at three consecutive years of an approximate 10 percent average increase each October.

If restaurants don't pay for the expansion requirements for use of the system, then other customers will pay through even larger rate hikes, Joel said.

"In everything we do, we work on a fairness doctrine. One group should not be working on an advantage over another group," he said.

Chefs' Express owners Rick and Anne Feinman, along with their daughter Lauren, argue that they aren't the same as all the other restaurants on the island. Nonetheless, all deserve a reduction in impact fees to stimulate growth, they said.

Marco Island attorney Craig Woodward, who also is affiliated with North Marco Utility, agrees with the Feinmans.

They have cited the following as reasons for their deserved reprieve from the fees, including:

- The restaurant's utility service is provided by North Marco Utility, not the city.
- The restaurant won't be increasing its demand for service.
- The shopping plaza has hosted a restaurant since the late 1960s, thus there is no change in use.
- The city is just now attempting to charge for outside seats that were added four years ago.

"If they think we're paying \$65,000, I'm closing the doors and going out of business," Anne Feinman said. "We'll be going to Naples or somewhere else. We're not going to make that kind of money serving a few eggs."



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