

**Palmetto City Council
Work Shop
May 8, 2000 4: 00 PM**

Elected Officials Present:

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

Elected Officials Absent:

Pat Whitesel, Mayor

Staff and other present:

**Patricia Petruff, City Attorney
David Meng, City Clerk
Don Patterson, Interim Public Works Director/PSG
Diane Ponder, Administrative Assistant**

Vice Mayor Cornwell stated the reason for the workshop meeting was to discuss the DEP Consent Order and give direction for further negotiation to the city attorney. Ms. Petruff reviewed the document paragraph-by-paragraph with Council, advising the issues Council should address. Harold Bridges of Smith & Gillespie Engineering offered technical advice when needed. After discussing each paragraph of the Consent Order, it was the consensus of Council to change the following areas:

- 1. Paragraph 4: Check statutory reference Section 403.086(1). Ms. Petruff stated she believes the reference is incorrect.**
- 2. Paragraph 7: Add language which will provide for an extension of deadline date of December 31, 2001, should there be any delays caused by DEP in the review or issuance of the mixing zone.**
- 3. Paragraph 8: Add language, which will establish a deadline, based on the City's approved permit or project.**
- 4. Paragraph 9: Ms. Petruff asked Mr. Patterson or Mr. Bridges for updated language pertaining to events that may have happened since December 16, 1999.**
- 5. Paragraph 10 Ms. Petruff suggested we deal with toxicity by adding it to the mixing zone. If we were successful in obtaining a mixing zone other provisions in paragraph ten would go away.**

6. Paragraph 10a Ms. Petruff referenced the last sentence dealing with an invalid test, stating she was not familiar with what constitutes an invalid test. Council recommended obtaining clarification of this statement.
7. Paragraph 11 Ms. Petruff recommended applying for a chronic toxicity mixing zone, stating language would need to added stating if DEP failed to make a decision by the December 31, 2001 deadline, the City would be not in violation until a final resolution had been reached.
8. Paragraph 12 Add language of the City's commitment to eliminate all direct discharge of effluent into Terra Ceia Bay by December 31, 2004. Council further instructed Ms. Petruff to include non-binding language of the City's intention to further pursue every avenue available to get us out of the bay.
9. Paragraph 13 Eliminate or re-draft.
10. Paragraph 15 Ask DEP to eliminate the last sentence.

Ms. Bryant left the meeting at 5:30 due to a previous commitment.

11. Paragraph 17b Change language to argue for an approval date by project. Mr. Patterson was directed to develop a list of proposed projects.
12. Paragraph 17d Delete
13. Paragraph 17e Delete
14. Paragraph 17f Add language to receive a verification letter from the Department within 30 days.
15. Paragraph 18 Advise DEP the first order stated missed samples for nickel or copper would be \$500. This order states the fine at \$1,000. Also, ask the daily fine for effluent discharge into Terra Ceia Bay after December 31, 2003 is reduced to \$500, also asking that date be changed to December 31, 2004. Add language to the effect these fines shall not be required if DEP has failed to act in a timely manner regarding our applications.
16. Paragraph 19 Change wording to reflect seven business days in a written notification after an oral notification of any delay
17. Paragraph 22 Need clarification from DEP as to where all payments are to be mailed.
18. Paragraph 31 Delete
19. Respondent's address is to be the address of City Hall.

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Mr. Williams asked that the budget line item topic be added to the agenda for Monday, May 15, 2000.

Meeting ended at 5:45 PM.

Approved:

City Clerk

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