

VILLAGE OF PALMETTO BAY
Minutes of the Special Council Meeting of January 28, 2015
Village Hall Chambers
9705 East Hibiscus Street

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Mayor Eugene Flinn
Vice Mayor John DuBois
Council Member Karyn Cunningham
Council Member Larissa Siegel Lara

Staff present:
Village Manager Ron E. Williams
Village Attorney Dexter W. Lehtinen
Village Clerk Meighan J. Alexander

Mayor Flinn called the meeting to order at 6:15 p.m. He led the pledge of allegiance.

2. DECORUM STATEMENT: Mayor Flinn announced that the Decorum Statement is printed on the Agenda.

Mayor Flinn announced that the Council had received an email from Manager Williams stating that he will be officially retiring on March 31, 2015.

3. REQUESTS, PETITIONS AND PUBLIC COMMENTS: The following individuals addressed the Council: Anthony Gorman, 14140 SW 72 Avenue; Chet England, 15300 SW 80 Avenue; Michael Kesti, 8161 SW 170 Terrace; Peter England, 7620 SW 171 Street; and, Bev Gerald, 14271 SW 74 Court.

4. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE MANAGER; APPOINTING ED SILVA TO SERVE AS THE INTERIM VILLAGE MANAGER, EFFECTIVE APRIL 1ST, UNDER CONDITIONS PROVIDED THEREIN; PROVIDING AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois.)

Vice Mayor DuBois moved this item forward. Seconded by Councilwoman Cunningham.

Vice Mayor DuBois explained that he had discussed this matter with Mr. Silva and felt that Mr. Silva was the logical and best person to be appointed interim manager. He stated that the prohibition of allowing the interim manager to apply for the permanent position allows the Village to receive applications from the best in the field, as the position will be an open position. He added that allowing Mr. Silva to serve in this capacity will also provide Mr. Silva an

opportunity to holistically address issues within the Building Department concerning complaints Vice Mayor DuBois had received concerning permitting cost and permitting difficulties.

Councilwoman Cunningham remarked that she was in favor of having an internal interim manager, as it allows for continuity. She stated that a time certain period would be appropriate, which could be extended, if needed.

Councilwoman Siegel Lara stated that she is pleased that Mr. Silva is amenable to not being part of the applicant pool, as this would insure the viability of the process. She stated that while she is in favor of time period, and feels that six months is reasonable, it is difficult to set an exact time. She suggested reviewing the state of progress of the selection on a monthly basis.

Mayor Flinn remarked that he disagrees with the prohibition of having Mr. Silva apply and all should be given the opportunity to apply. He reminded the Council that with the village attorney search, the interim didn't make the finalist round. He asked Councilwoman Siegel Lara to continue to assist with her experience in a "top level" search. Mayor Flinn noted that he had asked Clerk Alexander to prepare a memo on the past Council actions with regard to the hiring of the Manager and he is interested in a flexible process; however, a search will take time. He asked Vice Mayor DuBois to consider amending the Resolution to remove the prohibition.

Vice Mayor DuBois stated that he prefers the prohibition to remain, as it creates the perception that the process will be open. He explained that if the Council wishes Mr. Silva to apply, then the Council should consider appointing a different director to serve as interim. He stated that he agrees with a time certain, but not in terms of the termination of the interim manager position; rather, he is in favor of providing an impromptu evaluation of the interim and offering constructive criticism.

Councilwoman Cunningham moved to amend the Resolution to include a statement that the position would be "for a period of five months." Seconded by Vice Mayor DuBois.

Following brief comment, the motion failed on a tie (Mayor Flinn and Councilwoman Siegel Lara opposed.)

Mayor Flinn remarked that we are appointing Mr. Silva by resolution and can remove him at any time.

Vice Mayor DuBois moved to approve the Resolution, as drafted. Seconded by Councilwoman Siegel Lara. The Resolution was approved unanimously (4-0.)

- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO EMPLOYMENT; PROVIDING FOR A TEMPORARY VILLAGE EMPLOYEE HIRING FREEZE; PROVIDING AN EFFECTIVE DATE. (Sponsored by Vice Mayor John DuBois.)

Vice Mayor DuBois moved this item forward. Seconded by Councilwoman Siegel Lara.

Vice Mayor DuBois remarked that the permanent manager should have the opportunity to fill any open positions.

Manager Williams stated that the majority of positions open are within the Village's Parks and Recreation Department. He explained that the Village will shortly be hiring for the summer camp program, normally employing college students for the summer positions. He stated that each of the vacant positions are funded and include part-time positions in Parks and some full-time positions. He stated that the part-time camera operator is also included in those positions.

Vice Mayor DuBois stated that he recalled there were significant positions to be filled, such as a position in the finance department. Manager Williams replied that the significant, higher level positions would not be filled in consideration of the intent to hire a permanent manager.

Following brief comment, Councilwoman Cunningham stated that she would not want to impede the authority of the interim manager. Manager Williams stated that it would be incumbent upon a supervisor or department director to justify the dismissal of an employee; and, in his opinion, that authority should not be removed from the interim manager. Mayor Flinn remarked that a charter position allows the Council to approve the selection of any department directors. Manager Williams added that there are no vacancies at that level.

Following brief discussion, Vice Mayor DuBois withdrew the Resolution; the Council concurred.

- C. Discussion concerning the process by which the Village Council will select the next Village Manager.

Mayor Flinn remarked that the Clerk's memorandum has been provided.

Councilwoman Cunningham stated that the candidate should be local; and, she does not believe a recruiting firm is necessary.

Approved by the Village Council on this 2nd day of March, 2015.



Eugene Flinn, Mayor

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