

**MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING HELD ON NOVEMBER 29, 2000
Interviews with Town Manager Candidates**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Jack McDonald at 9:30 a.m. On roll call, the following Elected Officials were found to be in attendance: Mayor Lesly Smith; President Jack McDonald; President Pro-Tem Sam McLendon; Councilman William Brooks; Councilman Norman Goldblum; and Councilman Allen Wyett. Also attending the meeting were Human Resources Director William Crouse; Town Attorney John Randolph; and Town Clerk Mary Pollitt.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Town Clerk Pollitt. The Pledge of Allegiance was led by President McDonald.

III. APPROVAL OF AGENDA

Councilman Wyett made a motion to approve the agenda. The motion was seconded by Councilman Brooks and carried 5-0 on roll call.

IV. INTERVIEW PANEL ORIENTATION. Mike Casey - DMG - Maximus

Mike Casey from DMG-Maximus reviewed the materials that were handed out to the Mayor and Town Council regarding questions to ask the Town Manager candidates. He suggested each candidate should be told to be concise with their answers, and each one has approximately one hour to supply the necessary information. Mr. Casey said the information handed out contained brief evaluation reports for each of the candidates including references.

Mr. Casey mentioned internal candidate Robert L. Moore's information did not include references, because he had been with the Town for so many years. He added that provided information regarding education, financial and criminal records has been verified.

President McDonald outlined the procedure that would be used for each candidate and that would be he would start by asking two general questions to every applicant; then Councilman Brooks will ask one question followed by President Pro-Tem McLendon, Councilman Goldblum, Councilman Wyett and Mayor Smith in that order. That order will be repeated until the questions are exhausted. President McDonald said the candidates will have an opportunity at the end of the interview to ask questions.

President McDonald said it was his hope at the end of Mr. Casey's debriefing that the Mayor and the Town Council would be in a position to make a selection using a ballot and with each Town Council member voting for only one person. The candidate with a majority would be the selection.

While waiting for the interviews to begin, Councilman Brooks requested Florida Department of Transportation be contacted regarding meeting the December 23rd deadline for the completion of the South County Road project which appears to be behind schedule.

V. INTERVIEW OF TOWN MANAGER CANDIDATES AND ASSOCIATED SCHEDULE

The following Town Manager candidates were interviewed during the noted times.

1. Thomas G. Bradford - 9:15 a.m. to 10:30 a.m.
2. Robert L. Moore - 10:45 a.m. to 11:45 a.m.
3. Lunch Break - 12:00 p.m.
4. J. Scott Miller - 12:30 p.m. to 1:30 p.m.
5. Ralph "Bud" Bentley - 1:45 p.m. to 2:35 p.m.

6. Peter B. Elwell - 3:00 p.m. to 3:40 p.m.

President McDonald asked for public comment regarding any of the candidates who were interviewed at the meeting.

There was none.

Mike Casey said one way to determine the choice was to do balloting.

Mayor Smith asked Attorney Randolph how long he anticipated it would take to negotiate a contract with a chosen candidate?

Attorney Randolph replied the contract could be concluded within a week or two.

Mayor Smith asked what current salary the Town was willing to offer?

Human Resources Director Crouse responded the top of the range is \$120,000 and the starting point is somewhere around \$80,000.

Mayor Smith asked why there was such a wide spread?

Mr. Crouse replied that a wide range is generally acceptable, and the Town has a pay for performance schedule which encourages and recognizes performance. The wide range allows for the ability to recognize performance with incentive pay; a short range provides a lesser ability to do that.

Councilman Wyett asked Mr. Crouse to project the maximum amount a Town Manager could expect to receive within a one year period at a salary of \$100,000 with the highest recommendations.

Mr. Crouse replied if this person were treated as another employee, the individual would be evaluated after six months of employment and be eligible under the current system to a 4% increase in pay. At the end of another six months, another evaluation would be done and they would be eligible for another 4% increase.

President McDonald asked Mr. Casey if the candidate were selected would it then be prudent to discuss issues as salary, etc.?

Mr. Casey responded it would, and the five candidates interviewed represent various levels of experience and that is the other reason to have a range. He said he did not think the Town would bring someone in at the top, but the offer for the number one candidate might be higher than it would be for number two or number three. Mr. Casey added that the elements of the contract agreement can usually be negotiated in a reasonable length of time. Any applicant will usually give at least a 30 day notice to his employer, and some of the employment agreements might call for as much as 90 or 100 days. Also, the employer can waive or shorten that length of time.

Mr. Casey said he believed Scott Miller had an employment agreement that called for 60 day notification of his employer, and he would not be surprised if Peter Elwell did not also have a similar requirement.

Councilman Goldblum asked if moving expenses should be part of any offer?

Mr. Casey replied that was the Town's option and his experience was that the employer does pay to move personal belongings.

President Pro-Tem McLendon asked what the magnitude of those expenses was?

Mr. Casey suggested a ceiling should be put on it based on estimates, etc. He said Peter Elwell lives the furthest away.

President McDonald suggested the decision be made by the Mayor and Town Council at this meeting, by ballot with all five names being listed, but each Town Council member would only select one person which would be his first choice.

Councilman Brooks questioned why all five names should be listed on the ballot?

President Pro-Tem McLendon said he agreed with President McDonald's procedure.

Councilman Goldblum said it was fine with him.

Councilman Wyett stated he was concerned about unanimously selecting a candidate and having that candidate not accept the position. He suggested naming a first and second choice.

President McDonald replied there was merit to that argument, but in this particular situation, he did not think it likely that any applicant will not accept the position. He said if a deal could not be worked out with the first choice, the Council members could then make a second choice.

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Mr. Casey commented that most of his clients do make a first and second choice although the Town may have a special situation.

President McDonald asked the Mayor and Town Council if they wished to discuss any special merits of the candidates or were they in a position to vote?

Attorney Randolph said he understood the Town Council would mark the ballot and after tabulation, the candidate would be nominated and a roll call vote would be taken as required by the Charter.

President McDonald said if that is the correct way, that is the way it will be done.

President Pro-Tem McLendon ascertained that if one candidate received three votes or more, he would be the winning candidate.

President McDonald stated that was correct. The majority would make the decision.

President McDonald said that Mr. Crouse will pass out the ballots and directed each Council member to mark the ballot and sign his name.

After the Council members voted and the votes were tabulated, Attorney Randolph announced that Peter Elwell was the successful candidate with three votes. Thomas Bradford had two votes.

Councilman Brooks made a motion to appoint Peter Elwell as Town Manager and authorize Attorney Randolph to negotiate a contract with Mr. Elwell. The motion was seconded by President Pro-Tem McLendon and carried 5-0 on roll call.

President McDonald asked if a discussion should take place regarding the terms of the contract?

Councilman Brooks said he recommended that the Town negotiate with Mr. Elwell for a salary of \$105,000 plus moving expenses. He said the bonus he would receive would be the percentage that he currently pays in New Jersey State Income Taxes.

Mayor Smith asked Mr. Casey if there were other items to consider beside salary and moving expenses.

Mr. Casey replied that Mr. Elwell knew the benefits and unless there was a specific item the Council wanted to recommend, he suggested Mr. Elwell would let them know what that may be.

President McDonald suggested leaving the offer with the salary plus moving expenses and questioned if a cap should be put on the moving expenses.

Attorney Randolph suggested reviewing Mr. Elwell's contract with Roxbury, New Jersey, because they provided moving expenses when he moved from Florida to New Jersey.

President McDonald said that would be left to the negotiations.

Councilman Wyett said he would like to recognize the fine service that Acting Town Manager Bradford has rendered to the Town, and since his salary is very low, and in as much as the Town would like to retain his services, Councilman Wyett suggested a motion be made to increase Mr. Bradford's salary, substantially, at least to the level of other department heads.

President McDonald said it would be his preference to give a bonus to Mr. Bradford and when Mr. Bradford received his review that his salary be adjusted at that time.

Councilman Wyett replied that a six month review is often done under the Town Manager's discretion and he would like to see consideration given to Mr. Bradford although he may not receive a full salary increase. Councilman Wyett thought that something ought to be done to show Mr. Bradford that the Council does not want him to start looking.

Mayor Smith suggested adding the issue to the December 12th agenda.

President McDonald said it should be decided if Mr. Bradford should receive a bonus or a salary increase.

Councilman Goldblum said he thought the bonus/salary increase should be done at the same time Mr. Elwell's appointment is announced.

President McDonald said he agreed with Councilman Goldblum. He said he would prefer a bonus but would go either way.

Councilman Brooks said there was nothing wrong with doing both.

After discussion of the amounts, **Councilman Brooks made a motion to approve a \$10,000 bonus for Acting Town Manager Bradford and a salary increase to \$90,000 per year effective November 29, 2000. The motion**

was seconded by Councilman Goldblum and carried 5-0 on roll call.

VI. ANY OTHER MATTERS

The following item was heard before No. 6 above (Interview with Peter B. Elwell).

Discussion of Action to be taken by the Mayor and Town Council as a Result of Interruption of Telephone Service to 500 Town Residents Resulting from the Severing of a Cable Located Under the Intracoastal Waterway

Acting Town Manager Tom Bradford explained BellSouth had informed him that a barge had dropped anchor in the Intracoastal between 4:00 p.m. and 5:00 p.m. on November 28th and had cut the sub-aqueous crossing that serves up to 600 homes on the north end of the Island. The crews at BellSouth were called out as soon as possible and were able to lift the cable and determine that it was cut totally. He said Mr. Jakubiak met with Town Engineer Bowser and BellSouth's Sid Poe at the site the morning of November 29th.

Sid Poe from BellSouth addressed the Mayor and Town Council. He said BellSouth was at a point where they had a solution to begin restoring service to the customers whose service was interrupted. He said the severed cable in the water was cut completely in two, and BellSouth needs to run new cable in.

Assistant to the Town Manager Jakubiak reported that he and Town Engineer Bowser looked at the situation on site. He said there are two existing boxes in the Town's rights-of-way at Onondaga and North Lake Way. Residential property is north and south of the right-of-way.

An existing 6' x 3.5' box is presently located in the right-of-way with a cross connection box of approximately the same size. He said BellSouth is proposing to install a new box in the right-of-way to handle fiber optic cable. Copper cable was used to cross the Intracoastal that dated back to 1957 and cannot be repaired. BellSouth would run a new fiber cable across the Intracoastal that would connect to the new box and to the cross connection box.

Mr. Jakubiak said BellSouth stated to Town Engineer Bowser and himself that eventually BellSouth would no longer have a need for the 400 line capacity box. The two old boxes together had a capacity of 1,000 lines. A new box would allow them to install 1400 lines. Mr. Jakubiak said BellSouth agreed to remove the old box (400 line capacity), and Mr. Jakubiak would like to have that agreement in writing although BellSouth would rather not have this in writing.

Mr. Jakubiak requested wording be added to any approval today as follows:

By accepting this Permit, the Permittee promises and agrees to remove the structure defined as BellSouth 400 line feeder box and located in the Town's right-of-way at Onondaga Avenue and North Lake Way as expeditiously as possible.

Further, Permittee quit claims any property interest held by the Permittee at the location of the 400 line feeder box.

Mr. Jakubiak noted that the Town did not request a time-certain for the removal of the box but indicated the old box should be removed as expeditiously as possible. He said that once the new box was installed, BellSouth would have time to switch the users over to the new box causing a temporary disruption in service. He expressed the concern that the right-of-way is limited and the old boxes may stay permanently and never be removed.

President McDonald asked Attorney Randolph if he agreed with the proposed wording in the condition? Attorney Randolph replied affirmatively.

Councilman Wyett made a motion to approve BellSouth's request to install a new box for connection to the new fiber cable with the condition as stated previously (in italics on page 7). The motion was seconded by Councilman Goldblum and carried 5-0 on roll call.

Mayor Smith asked Mr. Poe when service would be available for the residents who were affected? She also wanted to know if there were alternate solutions for those residents who were left without telephones.

Mr. Poe responded BellSouth was working quickly to get the materials in place to begin restoration of the services. He said he was not sure what steps had been taken for emergency situations, but he would make every effort to be available and help in any way he possibly could on behalf of BellSouth.

Councilman Goldblum asked if cellular phones could be made available for emergency service for affected residents?

Mr. Poe said he had not heard of any need but would double-check again when he left the meeting and asked to be notified if the Town knew of any resident who needed a cell phone.

VII. ADJOURNMENT

The meeting was adjourned at 4:00 p.m.

Mary Pollitt, Town Clerk