

**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON MAY 20, 1999**

**I. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 9:07 a.m. by President Lesly Smith. On roll call, the following Elected Officials were found to be in attendance: Mayor Paul R. Ilyinsky; President Lesly S. Smith, Councilman Jack McDonald; and Councilman Leslie A. Shaw. President Pro-Tem Allen S. Wyett and Councilman Samuel C. McLendon were absent from the meeting. Also attending the meeting were: Town Manager Robert J. Doney; Town Attorney John C. Randolph; Assistant Town Manager Peter Elwell; Personnel Director William C. Crouse; and Town Clerk Mary A. Pollitt.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**III. APPROVAL OF AGENDA**

A motion was made by Councilman Shaw to approve the agenda. The motion was seconded by Councilman McDonald and carried 3-0 as President Pro-Tem Wyett and Councilman McLendon were absent from the meeting.

**IV. CONSIDERATION OF CONTRACT WITH THE STATE OF FLORIDA DEPARTMENT OF ADMINISTRATIVE HEARINGS (DOAH) REGARDING DINEHART AND GORMAN GRIEVANCES**

President Smith requested Attorney Randolph address the Mayor and Council.

Attorney Randolph said the Town had received on April 21, 1999, written grievances regarding whistle blower complaints from Mary Dinehart and Lisa Gorman. He continued that on April 23, 1999, in response to those grievances, the Town's Personnel Department advised Ms. Dinehart and Ms. Gorman of their right to a hearing regarding their grievances, either at their choice before the Town's Administrative Personnel Committee or the Town's Resolution Board. Mr. Randolph said that on May 3, 1999, the attorney for Dinehart and Gorman forwarded a letter to the Town disputing the impartiality of the boards established by the Town for the purpose of hearing grievances.

Mr. Randolph said the staff believed that the boards established to hear the grievances are impartial. The staff believes that what is set up is appropriate to hear the grievances; however, to avoid any question of the boards being impartial, the staff recommends the Council approve a Contract with the State Division of Administrative Hearings so that an Administrative Hearing Officer or an Administrative Judge could be appointed to hear these grievances. This would be a totally independent officer.

Councilman Shaw made a motion to approve a Contract with the state Division of Administrative Hearings.

The motion was seconded by Councilman McDonald and carried 3-0 with President Pro-Tem Wyett and Councilman McLendon being absent from the meeting.

**V. ANY OTHER MATTERS**

There were no other matters.

**VI. ADJOURNMENT**

The meeting was adjourned at 9:10 a.m.

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Mary A. Pollitt  
Town Clerk