

M I N U T E S
SPECIAL COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
MARCH 17, 1994

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order in Council Chambers 1065 Daytona Avenue, Holly Hill, Fl. at 7:30 p.m..

Answering roll call were Mayor Wine, Councilman Arthur Byrnes, Councilman J. D. Mellette, Councilman Shirley Heyman and Councilman Jim Elliott.

Also attending were City Manager Ralph Hester, City Attorney Edward Simpson, and Deputy City Clerk Sue W. Blackwell.

Mayor Wine suggested doing the City Manager's Performance Evaluation at this time.

Councilman Byrnes said he was not prepared to do the evaluation tonight.

Councilman Mellette said he also was not prepared to do the evaluation.

Mayor Wine said the City Manager had asked for the evaluation to be done when his contract was renegotiated.

Councilman Mellette said he understood the memorandum from the City Manager to say he wanted the evaluation done after the Council renegotiated the contract.

Mayor Wine asked the other Council members how they felt.

Councilman Elliott said he had no problem with doing the evaluation tonight.

Councilman Heyman said it was up to the Council, whatever the majority wanted.

Mayor Wine said she just thought it would be easier to do it at this time and get it over with.

Mr. Hester said he had no objections. He stated it would be nice to put this matter to rest and get on with other affairs of the City.

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With Council consensus the City Manager's Evaluation was done at this time.

2. CITY MANAGER'S EVALUATION

Councilman Byrnes said during his tenure on the Council, while Mr. Hester has been the City Manager, Mr. Hester has done everything that the majority of the Council has asked him to do. Councilman Byrnes said he also believes Mr. Hester will continue to do so in the future. Councilman Byrnes said as far as he was concerned Mr. Hester gets and excellent review.

Councilman Mellette said since Mr. Hester has been here, Mr. Hester has tried to do everything a majority of the Council has asked him to do and has acted in a professional manner with the best interest of the City at heart, not just one select group. Councilman Mellette said, like Mr. Byrnes, he feels the City Manager has done an excellent job.

Councilman Heyman said the problem she has is that the newly elected officials have not worked with him long enough to really evaluate him. She said they have not worked with him a year.

Mayor Wine offered a suggestion stating a lot of his contract is based on what the other employees receive as benefits and under the agreement that the City has the employees have a 0-3% merit based on their evaluation. She said last year Mr. Hester only requested \$3,000 but he was given \$5,000.

Councilman Heyman said based on that, he got his raise already.

Councilman Byrnes said he got that in a lump sum, it was not a raise.

Mayor Wine said it was a lump sum merit.

Councilman Heyman said with all do respect, she feels like Mr. Hester received his raise last year.

Councilman Mellette said it does not mean he should receive \$5,000 this year.

Councilman Elliott said the \$5,000 he received last year was quite a substantial amount. He said this is a difficult situation for him also, just being here ten weeks. He said all he has to go by is what he has seen and what he has talked to Mr. Hester about. Councilman Elliott said as he understands it the other employees

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only received merit raises of 2% overall compared to \$5,000 the City Manager received.

Mr. Hester said the other employees received anywhere from 0-3%. He said the last time the employees raises were averaged as a whole it was about 2.6% City wide.

Councilman Elliott said the \$5,000 raise came out to almost 8%. He said he understood the situation with the \$3,000 and the \$5,000 but he did not understand why that happened. He said as far as he was concerned the City Manager has done a satisfactory job.

Mayor Wine said she did some computations and based on what the two experienced Councilman have said about his job performance in the past a 2.7% merit would be a fair figure. That would come to approximately \$1,712.

Councilman Byrnes moved to give the City Manager a 2.7% merit increase being seconded by Councilman Mellette.

The motion CARRIED 5-0 on roll call.

The City Manager thanked the Mayor and Council.

3. DISCUSSION OF THE CITY MANAGER'S CONTRACT

Mayor Wine said the City Manager had written a memo to the Council (see attached) and in the memo he said he would assume payment of his dependent health coverage which is about \$3,500. He also said he would agree to a severance pay agreement which would provide for a six month lump sum payment if the City Council terminated the contract. This also would include whatever vacation or sick leave time he has.

Councilman Heyman said she has a problem with the car allowance. She said the City should give Mr. Hester a car, the City Manager should drive a City vehicle.

Councilman Byrnes said the car cost about the same whether you give Mr. Hester a car allowance or the City supplies him with a vehicle.

Councilman Byrnes said in South Daytona they give the City Manager a \$725 car allowance and in Daytona Beach Shores a \$475 car allowance is given, so the \$500 Mr. Hester receives for a car allowance is not out of line.

Councilman Heyman said most of the other local Cities do not give a car allowance.

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Mayor Wine said three out of eight Cities in the area give a car allowance.

Councilman Byrnes said the other cities furnish a car.

Councilman Heyman said she has a problem with a \$500 car allowance.

Councilman Byrnes said he can understand how Councilman Heyman has a problem if she does not understand the number is the same whether you supply the City Manager a car or let the City Manager pay for his own car.

Mayor Wine said you can reduce the amount of a car allowance.

Councilman Heyman said she has a brand new car and it cost her \$305 per month which includes gas and insurance and she has a problem with \$500.

Councilman Byrnes said since a compromise has been made from the City Manager to pay his dependent health coverage then Councilman Heyman could make a compromise with the car allowance. He said the spirit of compromise is part of what this job entails.

Councilman Elliott asked Mr. Hester how many miles he puts on his vehicle for City use.

Mr. Hester said he did not really know because he has not kept up with that. Mr. Hester said the vehicle he drives is primarily used for City use since he has another vehicle the family uses when doing personal business.

Councilman Elliott said he personally can not understand why it would cost the City \$500 a month to furnish a car unless they plan on buying a new car.

Councilman Byrnes said a cost analysis has been done and it works out to almost the same either way it goes.

Councilman Elliott said he was in the City and saw some perfectly good used cars that the City could use for the City Manager that would not cost \$500 per month.

Mr. Hester said in most Cities when a contract is negotiated with a City Manager it is usual to provide a new car. He said he particularly likes the car allowance for a couple of reasons. He

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said that when a car is used for personal use and it is a city car then it is questioned by the citizens.

Mayor Wine said Mr. Hester's original car allowance was for \$300 and the previous Council gave him two hundred more dollars.

Councilman Heyman said she thought the car allowance should go back to \$300.

Councilman Mellette asked if the other Cities that furnish a car allow personal use of that vehicle.

Mr. Hester said yes the other Cities allow unrestricted use.

Councilman Mellette said the other Cities do not put their City Manager in the cheapest car they can find. He said \$500 might be too much but he really does not have a problem with it. If Council wants to lower the car allowance fine, but do not take it so low Mr. Hester can not afford to maintain his vehicle. He said if anything, go back to \$400.

Mayor Wine said she agreed it should not be lowered any lower than \$400 since he bought his vehicle based on what was given to him in his previous contract. She said it would be an imposition on Mr. Hester, at this time, to cut the car allowance any lower than \$400.

Mayor Wine said \$400 is a good compromise and Mr. Hester has compromised a great deal on the other parts of the contract.

Councilman Mellette said when you look at what he has already given up, then he is giving up a lot.

Councilman Heyman said Mr. Hester should have never been offered a years severance pay. That is ridiculous for a City this small.

Councilman Mellette said the object of offering the year's severance pay was to take the City Manager's job out of the "political arena" so if a new Council came in and just wanted to fire him because they did not like him it would make them stop and think.

Mayor Wine said come July if the family coverage goes up then that will also effect Mr. Hester.

Councilman Byrnes said the problem with dropping the car allowance to \$400 is that at the last Council meeting Council asked Mr. Hester to attend more meetings. Councilman Byrnes said Council is asking Mr. Hester to attend more meetings but giving him less money to do that with.

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Mayor Wine said traveling to different functions is part of the City Manager's job and Mr. Hester is aware of that fact.

Councilman Elliott asked Mr. Hester if he was comfortable with the \$400 car allowance.

Mr. Hester said if what has been discussed so far is as far as it is going to go then he could live with it. Mr. Hester said he would like to resolve the issue so the City can get on with more important issues.

Mayor Wine thanked Mr. Hester for his concessions.

Councilman Mellette moved to instruct the City Attorney to draw an addendum to the City Manager's Contract to reflect the City Manager will assume his dependent health coverage; agree to six months severance pay if terminated and reduce his car allowance to \$400 per month being seconded Councilman Elliott.

City Attorney Simpson asked when the addendum is to go into effect.

Councilman Mellette said he would like it to become effective with the new contract.

City Attorney Simpson said the present contract goes through April, 1995.

Mr. Hester said it was his intention to start the severance pay with the May 1, 1994 contract but the other two concessions would become effective May 1, 1995.

Councilman Mellette amended his motion to have the six month severance pay become effective the May 1, 1994 and the dependent health coverage and the car allowance become effective May, 1995 when the current contract ends.

The motion CARRIED 5-0 on roll call.

4. ADJOURNMENT

With nothing further to become before Council the meeting was adjourned at 8:00 p.m.

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Mayor

ATTEST:

City Manager/Clerk