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# CITY COMMISSION MEETING MINUTES

**March 8, 2016**

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## REPORTS - CONTINUED

Mr. Berman indicated, as discussed previously, this is a lawsuit challenging the City's sign code. The discussions will be out of the Sunshine per statute. They are limited to settlement negotiations or strategy sessions related to litigation expenditures. Therefore, staff is requesting a date of March 22, 2016 and will be working to make a convenient time certain for everybody.

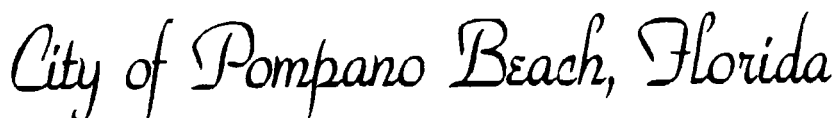
**City Clerk** – No Report.

**Commissioner Barry J. Dockswell** – No Report.

**Commissioner Rex Hardin – Waste Management Garbage Issues** – Comr. Hardin requested City Manager Beach to be sure to point out to Public Works Director Rob McCaughan, and Solid Waste Manager Russ Ketchem the discussions that the Commission had with Waste Management at this meeting.

**Commissioner Barry Moss – Vandalized Car** – Comr. Moss reported that last week his car was broken into and his briefcase stolen. However, he thanked Major Hale and his team for showing up quickly and checking for fingerprints. Hopefully, they will be able to find the culprits. Unfortunately, all his documents relating to the Commission were stolen. Therefore, he will be requesting people to generate new documents. For example, business cards with email address and phone numbers are all gone, so he will be requesting those again from employees.

**Removal of Advisory Board Members** – Comr. Moss indicated that there was a Memo from the Parks and Recreation Advisory Board asking the Commission to remove two (2) of the people from that Board. They established their own rules about attendance and two of the members namely; Mr. Bechert and Ms. Almonord who are alternates are requested to be removed. Therefore, he suggested that City Manager Beach comes up with a process whereby people who are not showing up for meetings can be removed. He is unsure what the city code allows, but this is a big inconvenience for those people who show up and there is no work.

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Additionally, Comr. Moss noted that again, the Budget Review Committee has failed to meet for lack of a quorum, which is another Board that he has a problem with their lack of meetings. These members are either going to participate, get off the Board, or the board should be terminated.

Mayor Fisher indicated that he has had extensive discussions with City Attorney Berman and City Clerk Hammond and unfortunately, there is no mechanism to remove physically those two members. However, the City Clerk could ask the Commissioner who appointed them to ask for their resignation, which would be the best way to resolve their attendance issue.

Mark E. Berman, City Attorney confirmed that would be the best way. Mr. Berman added that there are sections in the Code for various boards for removal but not a general section. Therefore, the most fair and reasonable way is to contact them to determine their interest to serve on the board.

Comr. Hardin said that he thought the Memo under discussion was interesting because the Parks and Recreation Advisory Board on their own decided that their alternate members are required to attend all the meetings. While he does not have a problem with that; however, that is not how it is spelled out in the ordinance.

Thereafter, a discussion followed among the Commission and the City Attorney on how alternate members are perceived in attending the meetings and the process involved.

Comr. Hardin indicated that the process where a Board decides that alternates must attend all meetings and if not, they should be taken off the board is not a fair process.

Mr. Berman indicated that he questioned the process for alternate members because normally those members are not held to the same requirements of attendance as the regular board members.

Comr. Moss suggested that this information is communicated to the Boards so that they have a better understanding of it.

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Mayor Fisher requested Ms. Hammond to provide the Commission minutes to the Boards.

Comr. Dockswell recalled having a discussion with the previous City Attorney regarding this issue. He thought since the Commission appoints people to the Boards they should be able to remove them from the Boards with a motion.

Mr. Berman responded that there should be a reason for removal. Usually, most Board appointments are, unless there is maleficence or they have done something wrong there is no reason to remove them from the board. Currently, there is no process in place. Therefore, a general process needs to be considered that will apply to all boards, potentially for failure to attend or failure to be available if a person is an alternate over a period of time, in essence something that is fair. It should not dissuade volunteers that the City relies upon from participating on these boards.

Comr. Dockswell desires a clear process that the Commission should either be able to remove someone by motion or by what other means that is in place.

Mr. Berman explained that the concern at this time is what the City has or does not have in place. To remove someone, discuss someone or undermine a Commissioners' appointment and letting them know that this person appointed has been a problem, and can it be looked into. At this point, there is no mandate for removal, but it warrants investigation, communication and a determination of a desire to serve and then staff could look into fine tuning it, which he agrees needs to be done.

Comr. Dockswell indicated that he had intentionally not appointed someone for quite some time since the previous person he had appointed resigned. Actually, when he became commissioner, the Budget Review Committee was terminated and he advocated to get it reinstated, which it was. However, his experience is that it has become a hotbed of non-productive dissention. People who had a more positive intention over time have since resigned.

Additionally, Comr. Dockswell indicated that he would be open to disbanding it again, as twice it has not worked.

Names of Commrs.	M	S	V	V
			Y	N
<b>VOICE VOTE</b>				
Dockswell	x		x	
Hardin			x	
Moss			x	
Phillips			x	
Burrie		x	x	
Fisher			x	