

MINUTES
CITY COMMISSION MEETING

May 29, 2012

The City Commission met this date in special session in the Commission Chambers. A quorum being present, the meeting was called to order at 6:00 PM with the following in attendance.

Mayor	:	John B. Arnold, Jr.
Commissioners	:	Heyward H. Strong, Jr.
	:	Joe Morgan
	:	Diane Kelley
	:	Kay Hamilton
City Clerk	:	Tammy Johnson
Police Chief	:	Joe Hart
Recorder	:	Lois Davis

Others in attendance: James Butler (Cameraman), Mike Griffith (Bay Beacon)

Mayor Arnold read the notice of special meeting and executive session. Pursuant to Section 286.011(8), Florida Statutes, the Valparaiso City Commission will hold a Special Meeting in order to adjourn and meet in Executive Session in the Valparaiso Commission Chambers, 450 Valparaiso Parkway, Valparaiso, Florida 32580 on May 29, 2012, at 6:00 PM, or as soon thereafter as the issues may be heard, to provide advice to counsel concerning pending litigation in Bradley vs. City of Valparaiso, Case No. 2009-CA-001965.

Executive
Session
Bradley
Case

Mayor John B. Arnold, Jr., City Commissioners Kay Hamilton, Diane Kelley, Joe Morgan, Heyward H. Strong, Jr., and City Attorneys Hayward Dykes and Frederick L. Aschauer, Jr. will be attending the Executive Session.

The Mayor stated that the Executive Session should begin in approximately thirty to forty minutes. The special meeting was temporarily adjourned at 6:01 PM.

The special meeting reconvened at 6:45 PM.

SPECIAL MEETING - Bradley Case No. 2009-CA-001965

Mayor Arnold stated that the Commission has heard the discussion with Mr. Aschauer concerning Mr. Bradley's Case No. 2009-CA-001965. COMM. HAMILTON MADE A MOTION TO SETTLE THE BRADLEY CASE NO. 2009-CA-001965 FOR \$37,500. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 - 0 VOTE OF THE COMMISSION.

Bradley
Case

SPECIAL MEETING - Attorney Selection

Mayor Arnold stated there were eight applicants for City Attorney and that the Commission felt that three that were appropriate. He stated that they felt the five did not qualify and were nonresponsive. Comm. Strong concurred with the Mayor. Mayor Arnold stated that everyone was familiar with Mr. Aschauer, Mr. Dykes, and Mr. Hall, who was the City Attorney about ten years ago. He asked the Commission if they were ready to vote a preference selection tonight, or did they want to interview. Mayor Arnold stated that they usually have a preference of 3, 2, 1. Comm. Morgan asked if the applicants had been interviewed in the past for this position. Mayor Arnold stated that they have done interviews when necessary. He stated that he is not sure without an interview what could be determined. The fees charged by all three attorneys are comparable. Comm. Strong stated that they usually use the negotiation process with them. Comm. Morgan stated that they have not discussed openly the issue of sole attorney or having other attorneys represent the City. Mayor Arnold stated that they would have a contract, but Comm. Morgan stated that they have not notified anyone about a contract. Comm. Strong asked if they wanted an interview by the entire Commission or just one or two.

Attorney
Selection

Ms. Johnson distributed the preference sheets and the tabulations were made. COMM. HAMILTON MADE A MOTION TO SELECT MR. HAWYARD DYKES, WHO RECEIVED 13 VOTES, AS CITY ATTORNEY. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 - 0 VOTE OF THE COMMISSION. Mr. Aschauer received 8 votes, and Mr. Hall received 9 votes.

COMM. HAMILTON MADE A MOTION TO NEGOTIATE WITH MR. DYKES. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 - 0 VOTE OF THE COMMISSION.

Attorney Aschauer stated that even though he had not worked with Mr. Dykes a long time, he felt that he would do a good job. He further stated that he had enjoyed his association with the City.

POLICE DEPARTMENT

Mayor Arnold stated that he has authorized Chief Hart to hire two part time temporary employees due to sickness and operations he has four employees that are going to be out.

WEBSITE - Email Clarification

Mayor Arnold stated that he wanted to ask Comm. Kelley about a little clarification on her emails concerning the website. She stated that she was trying to be fair and trying to shield Mr. Shipley. Comm. Kelley stated that it was an extra duty for him. She stated that she just wanted everyone to know that Ms. Branscome stated that she updates the schools website it was never a burdensome to her. Mayor Arnold stated that he was more concerned with the overall

Police Dept.
Temporary
Hire

City
Website

website than how they were going to take care of it. Comm. Kelley stated that she had not received all the responses, and Mayor Arnold stated that he did not know how to respond. Comm. Kelley stated that she wants to be fair to Mr. Shipley he had asked for 3 to \$4,000 for supplement and offer him half an amount or \$2,500 or \$1000 as the Mayor suggested. The general consensus was to go with Niceville High School to do the maintenance for the website for six months. Comm. Kelley stated that she hopes that Mr. Shipley has not turned down a position thinking that he was going to get this job with the website. Comm. Strong stated that he was impressed with Niceville High School's presentation.

LETTER OF RESIGNATION - Ms. Davis

Resignat
ion
Ms.
Davis

Mayor Arnold read a letter of resignation from Ms. Lois Davis, to be effective July 1, 2012, as the recorder for the City of Valparaiso. Mayor Arnold stated that our hearts go out to Ms. Davis and we wish you the best in the future if there is anything we can help you do in your time of need, we are family, we are a team, and we are together. Comm. Kelley stated that when she became a Commissioner, Ms Davis really made her feel welcome. She stated that she epitomizes the true gentle spirit of a southern lady.

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 7:02 PM.

Mayor
John B. Arnold, Jr.

Heyward H. Strong, Jr.
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

May 29, 2012

The DVD labeled May 29, 2012 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.