

CITY OF MELBOURNE, FLORIDA
MINUTES – SPECIAL MEETING BEFORE CITY COUNCIL
DECEMBER 10, 2002

A special meeting of the City Council was held in the City Hall Council Chamber, 900 E. Strawbridge Avenue, and was called to order to 5:10 p.m. by Mayor John A. Buckley.

1. Pledge of Allegiance.
2. Roll call.

Present:	John A. Buckley	Mayor
	Richard Contreras	Vice Mayor, District 1
	Ed Palmer	Council Member, District 2
	Pat Poole	Council Member, District 3
	Grace Walker	Council Member, District 4
	Cheryl Palmer	Council Member, District 5
	Loretta Isenberg-Hand	Council Member, District 6
	Henry J. Hill	City Manager
	Paul R. Gougelman, III	City Attorney
	Cathleen A. Wysor	City Clerk

3. COUNCIL ACTION RE: Selection of City Manager.

Mayor Buckley said that previously Council discussed ranking the candidates one through five, with five being the highest. He noted that the consultant has an alternative method, which is to eliminate the low three and select the new manager from the remaining two.

Following a brief discussion, Council asked Mr. Freijo to elaborate on the alternative. Mr. Freijo explained that each Council Member has been provided a ranking form. Each member will rank the candidates, one through five, with five being given to the preferred candidate. Each member will submit his/her form to the City Clerk, who will read the rankings and indicate the low three candidates to be removed from consideration. When the two candidates have been identified, Council will have a discussion, not to exceed 15 minutes, and then vote on the two candidates. The person receiving the majority would be designated as Council's choice for City Manager and the next person would be designated as the alternate. The Mayor and City Attorney would then immediately enter negotiations with the person selected.

Mr. Freijo stressed that all five candidates are interested in having the position; therefore, he does not believe that the negotiations will be difficult. He added that everyone understands that this is not an issue of who is most worthy – rather, it is a matter of who fits best with the city.

Mrs. Walker asked if the same ranking can be given to two candidates. Mr. Freijo said each number, one through five, may only be used once.

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Following a brief discussion, each member completed his/her ranking form and submitted same to the City Clerk. Mrs. Wysor read the ranking assigned by each member and Attorney Gougelman tallied the scores:

CANDIDATE	E. PALMER	*POOLE		WALKER	C. PALMER	HAND	CONTRERAS	BUCKLEY	TOTAL SCORE
		Original Vote	Corrected Vote						
Chinault	1	2	4	2	3	2	1	1	14
Elliott	3	1	5	3	2	3	3	3	22
O'Connor	4	3	2	5	5	4	4	5	29
Ryan	2	5	1	1	1	1	2	2	10
Schluckebier	5	4	3	4	4	5	5	4	30

*Mrs. Poole said she ranked the candidates one through five with one being the highest. She changed her scores to reflect her intent. Later in the meeting, she changed her scores to reflect her intent.

Attorney Gougelman announced that Jack Schluckebier received a score of 31 and James O'Connor received a score of 30. (Totals prior to Mrs. Poole changing her scores.)

Mayor Buckley asked each Council Member to discuss why they ranked a particular candidate "five."

Mr. Contreras stated that all the candidates are outstanding; however, in his opinion, Mr. Schluckebier rose to the top. He has a doctorate in public administration and a belief in management by objectives. He indicated that he puts together a team and does not interfere; his role is to implement policy.

Continuing, Mr. Contreras said he likes that Mr. Schluckebier meets with the Mayor every two weeks. He fosters citizen participation and volunteerism and is interested in the City of Melbourne because of the types of programs that we currently have underway. His strengths include the ability to convey the issues at hand. He promotes team excellence, has been successful at annexation, and recognizes the need to work and play well with the Airport.

Mr. Contreras said that Mr. Schluckebier believes in using an outside facilitator on issues. He has stated the city's financial situation rather bluntly; however, sometimes blunt is the only way. He recognizes the amount of unfunded needs in the budget and that our revenues are not keeping up with our expenditures/required services. He concluded by saying it appears as if Jack Schluckebier fits the bill for our next City Manager.

Mr. Palmer said that all five candidates presented a well-informed presentation with regard to ability to perform the job. He noted that he selected Jack Schluckebier because

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of his poise, neatness and maturity. Mr. Palmer added that Mr. Schluckebier has a quality of education that surpasses the other candidates. He has tremendous communications skills and provided clear and direct responses during the interview. He possesses the ability to select, organize and present ideas. Mr. Palmer pointed out that he got his attention with the problems the city has with its current budget.

Mr. Palmer stated that he is firmly convinced that Jack Schluckebier has the ability to perform the duties of the job; is dependable and has initiative; the ability to deal effectively with people; and the ability to lead, direct and coordinate the work of others. He concluded by noting that Mr. Schluckebier understands the political process and will make an outstanding City Manager for the City of Melbourne.

Mrs. Poole said that neither Jack Schluckebier nor James O'Connor was her top choice. She added that she would not render an opinion at this time, except that Jack Schluckebier has a Ph.D. and should be teaching college instead of working as a City Manager.

Mayor Buckley said that O'Connor was his first choice and Schluckebier was his second choice. He explained that Mr. O'Connor has the best applicable experience. He is currently in a city with a population of 65,000, which is close to Melbourne. Mayor Buckley said he feels Mr. O'Connor has the best experience. He added that Mr. Schluckebier did a very good job; however, some of his comments indicate that he could be abrasive and outspoken. This may antagonize the City Council.

Mrs. Walker said that one thing that influenced her about Jack Schluckebier is that he said the city's reserves need to be increased. As a retired banker, Mrs. Walker said that she probably looks at dollar signs more than most. She concluded by saying that she rated Schluckebier the highest and then O'Connor next.

Mrs. Palmer commented that she has not taken this responsibility lightly. She stated that Mr. O'Connor is her first choice. She noted that when he spoke to Council, the descriptive words that came to her mind were experience, enthusiasm – a motivator. As she looks through his accomplishments, he has a broad base experience with a city similar in population and number of employees.

Mrs. Palmer said that Mr. O'Connor has new and alternative ideas for revenue sources. He does see challenges ahead with the budget and she is sure that he will be fearless in that regard. She ranked him above Jack Schluckebier because of his broad experience and personality. She added that she feels he would be more effective working with staff, Council, the County Commissioners and the people in the City of Melbourne.

Continuing, Mrs. Palmer said that Mr. Schluckebier has an excellent education, experience and background. However, she noted that there is a perception from some staff that he is an authoritarian and has an abrasive attitude. She concluded by saying she believes that Mr. O'Connor is a better match for the city.

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Mrs. Hand thanked all the candidates and stated they are excellent; she found them all to be qualified. She noted that prayer was involved with her decision. Mrs. Hand announced that her first choice is Mr. Schluckebier and her second choice is Mr. O'Connor. She added that Amy Elliott would be a wonderful City Manager if she had more time under her belt. She reported that she selected Mr. Schluckebier because he is well qualified with a Ph.D. in public administration. Mr. Schluckebier explained the "15-minute rule" to her, which allows Council Members to go to Department Heads. She said that she felt this circumvented the City Manager, but Jack Schluckebier explained that she should not worry because the Department Heads would inform him about the conversations.

She continued and noted that Mr. Schluckebier is willing to meet with community leaders and citizens to share information. He will be accessible to Council and is knowledgeable about capital improvements and annexation issues. She added that he did not come across as abrasive to her. He hit the nail on the head when it came to the city's budget and she felt like he was acting in the capacity of a consultant. He pointed out that we need to make improvements; he has done his homework. He has identified definite needs in the Police and Fire Departments. He has also cautioned against Community Redevelopment Areas capturing all the tax growth. She concluded by stating Jack Schluckebier is the man for the job.

Mrs. Poole said that Amy Elliott was her choice because she has been a dedicated employee for the past 21 years. She has worked for two City Managers and she sets the highest goals for herself and those she works with. The Department Heads like and respect her. Mrs. Poole noted that Ms. Elliott has earned awards for the city and is respected by bond counsel and auditors. She has worked with the budgets from the airport and the city. Mrs. Poole concluded by saying she knows someday Ms. Elliott will be the City Manager, but unfortunately she won't be on Council at that time.

Mayor Buckley pointed out that Mrs. Poole gave Ms. Elliott the lowest vote. Following a brief discussion, Mrs. Poole said her scores are backwards. Mrs. Hand encouraged Mrs. Poole to correct her ranking sheet.

*At this point Mrs. Poole revised her ranking sheet. (The new scores are reflected in the table listed above. Mrs. Poole's first scores are in the shaded column.)

Attorney Gougelman announced that following Mrs. Poole's revision, O'Connor has a score of 29 and Schluckebier has a score of 30. Mayor Buckley polled Council.

O'Connor: C. Palmer and Buckley

Schluckebier: E. Palmer, Poole, Walker, Hand and Contreras

Mayor Buckley asked the members if they would consider a unanimous decision on Mr. Schluckebier. All members indicated yes.

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Moved by Contreras/Walker to rank Schluckebier number one and O'Connor number two. If negotiations do not work out with Schluckebier, negotiations will begin with O'Connor. Motion carried unanimously.

Mr. Freijo asked Council to engage in a discussion regarding salary. Mayor Buckley said that Mr. Schluckebier has indicated a salary of \$110,000 - \$115,000. Mrs. Poole and Mrs. Palmer said they support \$110,000. Mrs. Palmer asked if Mr. Schluckebier is the candidate that asked for an increase after a probationary period.

Mr. Freijo pointed out that his current salary, including the education supplement, is \$108,400. He recommended that rather than entering into a probationary concept, that Council offer Mr. Schluckebier a reasonable starting salary for someone who is currently making \$108,400.

Mayor Buckley said that he feels \$110,000 is too low. He would like to consider \$115,000 as a minimum. Mr. Palmer agreed. Mrs. Poole said she would like to start with \$110,000. That would allow Mr. Schluckebier to look forward to increases. Mr. Contreras said \$115,000 would be more adequate to start. Following that, appropriate raises should be based on merit and performance – not what other city employees are paid.

The Mayor polled Council.

\$115,000: E. Palmer, Hand, Contreras and Buckley

\$112,000: Poole, Walker and C. Palmer

Mr. Freijo pointed out that Council has selected an outstanding individual. There are not a lot of City Managers with doctorate degrees or who are acknowledged experts in the area of annexation. He added that when Council set the range from \$110,000 - \$135,000, the idea was that salary would be based on qualifications. The person selected is extremely qualified. He begged Council to consider an adjustment if Mr. Schluckebier's response is that \$115,000 is not adequate.

Mrs. Poole said that Mr. Schluckebier is the one that listed \$110,000 - \$115,000. Mr. Freijo recommended that Council not turn him away if he asks for \$120,000. Mayor Buckley asked for authorization from Council to increase the salary by another \$5,000 during the negotiations. Mr. Palmer said we don't need to cross that bridge until we get there.

Mayor Buckley pointed out that if Mr. Schluckebier asks for more, without authorization to negotiate, a special meeting would need to be conducted Thursday. Council did not offer authorization for the Mayor. Following discussion, Council decided to discuss benefits.

Following discussion, Council reached consensus on the following items:

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Automobile: Provide \$300 per month automobile allowance.

Cellular Telephone: Provide Mr. Schluckebier with a city issued Nextel phone.

Dues and Subscriptions: Provide an amount that is consistent with the amount available in the budget.

Professional Development: Same. Set a reasonable amount or an amount within the budget.

General Reimbursement: \$100 per month. Mr. Hill said he never used this portion of his contract. If he incurred a direct expense, he simply processed a reimbursement.

Deferred Compensation: Mr. Freijo recommended that Council leave this open; this will allow some level of flexibility to negotiate with the candidate.

Mrs. Poole questioned the City Attorney and Mayor conducting negotiations. Mr. Freijo clarified that the contract would have to return to Council for ratification. Mr. Hill added that we expect the contract to appear on the December 17 agenda for approval.

Discussion followed regarding whether the Mayor has the flexibility to negotiate with Mr. Schluckebier. Attorney Gougelman agreed that Council needs to move expeditiously with finalizing the contract. Mrs. Poole questioned why the Mayor has the authority to make decisions.

Moving and relocation expenses: Council authorized \$7,500.

Vice Mayor Contreras expressed a willingness to provide the Mayor with authorization to negotiate with Mr. Schluckebier relative to salary and pension issues. Mayor Buckley said he asked for authorization; however, it has not been granted. Attorney Gougelman said that he and the Mayor will meet with Mr. Schluckebier and try to negotiate. Mr. Schluckebier understands that whatever is decided will require Council approval. Council concurred. Mayor Buckley said if there is quite a bit of difference, there will probably be a special meeting. If not, the agreement will be presented on December 17.

At this point, the candidates entered the Council Chamber. Mayor Buckley announced that Council selected Mr. Schluckebier with Mr. O'Connor as the alternate.

Recessed: 6:29 p.m.
Reconvened: 6:39 p.m.

Assistant City Manager Amy Elliott returned to the staff table.

4. ADJOURNMENT

Moved by Poole/E. Palmer to adjourn. Motion carried unanimously.

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The meeting adjourned at 6:39 p.m.

City Clerk – 12/17/2002

Approved by Council: 1/14/2003