

CITY OF MELBOURNE, FLORIDA
MINUTES – SPECIAL MEETING BEFORE CITY COUNCIL
DECEMBER 12, 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 5:09 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
	Amy W. Elliott	Assistant City Manager

Also: Jack Schluckebier

3. COUNCIL ACTION RE: Contract negotiations with Jack Schluckebier for position of City Manager.

Mayor Buckley reported that he and the City Attorney met with Mr. Schluckebier on Tuesday evening regarding contract negotiations. He explained that a couple of items require Council discussion/action. He asked the City Attorney to summarize.

Attorney Gougelman referenced the draft employment agreement distributed to Council. He said that Dr. Schluckebier's starting date would be Monday, February 17. He has a 60-day notice provision with the City of Casselberry and will deliver his notice once a signed contract is in place with Melbourne. Attorney Gougelman outlined the following items regarding the contract:

Salary: Mr. Schluckebier has requested \$121,000. He feels he should be compensated similar to the new City Manager in Palm Bay. Additionally, Melbourne's operation is probably more complex than Palm Bay's.

Salary increases: The city's contract proposal did not include increases, other than to say that there would be an annual performance review. Dr. Schluckebier's position is that he should be compensated similar to what general employees would receive relative to cost of living and merit increases.

Automobile: Although this is not a major area of concern, Casselberry makes an automobile available to Mr. Schluckebier. Melbourne offered an allowance of \$300 per month, which is \$3,600 per year. Mr. Schluckebier is not looking for a brand new vehicle; he currently drives a vehicle that is five years old. Council could provide an automobile

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through purchase or lease or provide mileage allowance with the opportunity to revisit the issue in a year or two.

Attorney Gougelman said that staff received a request for additional information from Council Member Cheryl Palmer. A memorandum has been distributed providing additional information on purchase versus lease of a vehicle. Purchase by the city could cost \$4,162 annually and lease would cost \$5,896 annually. The purchase would involve making the vehicle available for two years to the City Manager and then rotating the vehicle into the fleet. At the end of six years it would be disposed of in the normal manner. The amortized cost over a five year period, including parts, labor, insurance and fuel would be \$4,162.

Mr. Gougelman confirmed for Mrs. Poole that if the city purchases a vehicle, Mr. Schluckebier would not receive mileage reimbursement. He agreed that if the City Manager drove less than 15,000 miles per year, the annual cost would be less.

Mr. Hill reminded Council that the purchase or lease of a vehicle has not been included in the budget; therefore, the city would incur the full cost the first year. Following that would be an average cost.

A brief discussion followed regarding the method of determining the amortized cost. Mr. Hill said this is a way to look at the cost of the vehicle to the city over the lifespan of the vehicle. Mrs. Palmer expressed concern that at the end of two years, the city would have to purchase a new vehicle. Following a brief discussion, Dr. Schluckebier indicated that he would have no problem with driving the vehicle more than two years.

Vacation: Attorney Gougelman explained that Mr. Schluckebier has asked for the vacation accrual rate given to senior employees (15-plus years of service), which is 22 days per year. He has asked for this in recognition of his long term employment with local government as a City Manager.

Additional leave: During the transition from Seminole County to Brevard County, Mr. Schluckebier would like to – every Wednesday or every other Wednesday – be available to the city by telephone during the period February through June 2003. This would allow him to address family issues. To accommodate his request, Dr. Schluckebier has asked for 15 days unpaid leave for the first year of employment. Thereafter, he would like the option to take five days unpaid leave per year. Dr. Schluckebier would advise the City Clerk of his absences.

Mayor Buckley pointed out that the first year, Mr. Schluckebier would be out up to 45 days (vacation, unpaid days and city holidays). He added that this concerns him. Vice Mayor Contreras questioned including city holidays in the amount of time Mr. Schluckebier would be out. He noted that this is a moot point since city offices would be closed on those days. Mr. Contreras said that he does not have a problem with the request. Mr. Palmer agreed and said he is okay with this. Mrs. Poole said this would be okay.

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Mrs. Walker asked for the year to be defined. Mr. Gougelman said the 15 unpaid days off would be February 17, 2003 – February 16, 2004.

Regarding the pay request, Mrs. Palmer said she is reluctant to offer someone more when Council has been so closed handed with Mr. Hill.

Mrs. Hand discussed the importance of Mr. Schluckebier being available to Council after hours.

Mayor Buckley asked Council to reach consensus on each item.

Salary: Mrs. Hand asked how the \$118,000 - \$119,000 would fit into the city's budget this year, in addition to moving expenses. Mr. Contreras said that this is low. Mr. Schluckebier should be paid \$120,000 - \$121,000. He referenced the survey distributed to Council and pointed out that \$121,000 is a bargain. Mr. Palmer said that Jack Schluckebier previously indicated a salary of \$110,000 - \$115,000. He has no problem adjusting to \$118,000; however, Council should not start with \$121,000 just because of Palm Bay's rate of pay. Mrs. Poole agreed with going to \$118,000 on the salary. Mayor Buckley pointed out that Mr. Schluckebier indicated a rate of pay with a 5 – 7% increase following a probationary period. This would put him in the range of \$120,000. Mrs. Poole stated that we do not have a probationary period for the City Manager; therefore, she did not consider this.

Mrs. Walker stated that she is not concerned about what Palm Bay pays its employees. She said she would go for \$118,000; however, it would be unfair to Mr. Hill to start Mr. Schluckebier off considerably more.

Mrs. Palmer said she would go with \$118,000. She added that she believes Mr. Schluckebier is a take charge person. Therefore, when the salary issue is addressed next year, he may be pleasantly surprised. At this point, Mrs. Hand said she would go with \$118,000.

Mayor Buckley announced that the consensus on salary is \$118,000.

Mr. Contreras asked Mr. Schluckebier to comment. Mr. Schluckebier said that currently he draws a higher level of deferred compensation; therefore, \$118,000 is an economic trade-out. He said he indicated \$118,000 because he felt that is what he needed and he expressed appreciation to Council for making the adjustment.

Automobile: Discussion followed regarding the purchase price and maintenance of a sport utility vehicle versus a Crown Victoria. Mr. Hill said that he believes the costs are about the same. Mrs. Palmer said that the \$4,162 annual cost seems reasonable. She added that she would prefer for the City Manager to keep the vehicle more than two years. Mr. Schluckebier said he would be happy to make that commitment.

Following a brief discussion, Mayor Buckley said the consensus of Council is to provide a sport utility vehicle to Mr. Schluckebier.

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Salary increase: By consensus, Council agreed that increases will be tied to an annual review and, at a minimum, the City Manager would receive what the majority of non-union employees receive.

Leave: Council agreed with the request for 15 days unpaid leave the first year and five days unpaid leave thereafter. Additionally, the City Manager shall accrue vacation at the senior employee rate, which is 22 days per year.

Moved by Poole/E. Palmer to approve the employment agreement with the changes noted by Council. Motion carried unanimously.

Mr. Schluckebier stated that he agrees with the amended contract. He expressed appreciation to Council for its consideration.

Moved by Poole/Hand to appoint Amy Elliott Acting City Manager from 12/28/2002 – 2/16/2003 with a 10% increase in pay during this period. Motion carried unanimously.

Moved by Hand/Contreras to approve the City Attorney's request for vacation during the period 12/23/2002 – 12/31/2002. Motion carried unanimously.

Mrs. Palmer announced that she has surgery scheduled January 24; therefore, she will not be at the second meeting in January.

4. ADJOURNMENT

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

The meeting adjourned at 6:00 p.m.

City Clerk – 12/18/2002

Approved by Council: 1/14/2003