

**MINUTES  
CITY COMMISSION WORKSHOP  
HAINES CITY, FLORIDA**

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**January 17, 2019**

**6:30 PM**

**Commission Chambers**

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**1. CALL TO ORDER**

At 6:30 p.m., Mayor Morris West called the City Commission Workshop to order in the City Commission Chambers located in City Hall, at 620 E. Main Street, Haines City, Florida.

Mayor Morris West, Vice Mayor Don Mason, Commissioner Roy Tyler, Commissioner Horace West and Commissioner Anne Huffman were in attendance.

Also in attendance were the following staff members: City Manager Deric Feacher, City Attorney Fred Reilly, and City Clerk Linda Bourgeois.

**2. WORKSHOP ITEMS**

**2.1. CITY CLERK EVALUATION DISCUSSION**

*Staff Contact: Auburn Taylor, Human Resources Director*

Human Resources Director Taylor presented on the City Clerk's evaluation. She said this was the time set aside to discuss the City Clerk's evaluation.

Commissioner Tyler said the same comments applied to the City Clerk's evaluation as with the City Manager's evaluation. He went on to say he went with a score of four in two areas because he had no way of identifying the duties. He recommended for staff to review the form in the future. He said any further comments he had he would direct them to the City Clerk.

Mayor West concurred. He said it was not fair to the City Manager or the City Clerk when they do not have a solid evaluation form. He recommended researching the Florida League of Cities and other cities forms.

Commissioner West shared he had some suggestions to communicate with everyone at the evaluation process workshop.

Commissioner Huffman said her comments were what they were. She said the only area she was not familiar with on the evaluation form was what responsibilities the City Manager might be asking the City Clerk to do. She reviewed the categories and said she was very familiar with what the City Clerk did with the cemeteries and the election process. She said she knew what her team did with the advisory boards she participates in, and the minutes. She said the City Clerk did a great job in cultivating the team and empowering them. She agrees the performance evaluation form needs to be revised.

She congratulated the City Clerk on her score and said she did a great job this past fiscal year. She went on to say she had enjoyed working with her and looks forward to working

with her in the future. She requested for her to share with her team that she thinks they do an outstanding job. She said from the Receptionists to the Deputy City Clerk, they are doing an outstanding job with taking the minutes and organizing the advisory boards.

Commissioner West said he agreed with Commissioner Tyler. He said he gave the City Clerk all fives because he did not want to take anything away from her. He concluded by saying, she does a great job and if she has any questions we can talk individually.

Vice Mayor Mason agreed with the need to revise the evaluation form. He said as a whole, the City Clerk does a fantastic job and is always responsive. If you have a question or have something that needs a reply, she does so with a smile.

Mayor West concurred with the comments of the City Commission. He said the City Clerk does an outstanding job. He is a firm believer that in order to build a good team you have to have a good leader, so she's a good leader to have a great team. He said to the City Clerk to keep doing what you are doing and mentioned several projects that were recently completed. He thanked her and said to continue doing what she was doing for the City of Haines City.

Commissioner Tyler said he was reviewing the staffing and allocation of salaries and he said it did not appear to him that the City Clerk's position was a department head. He said maybe we need to chew on this, but I see her as a department head. He went on to say the employees that work for her, should be accountable to her. He believes the City Clerk should be the person making their termination and hiring decisions. He continued and said in the past, someone other than the City Clerk always handled the employees. He said he did not know if it was the right way to do that, when what she does is so vital to this city staying away from potential litigation. He continued and said if the City Clerk needed assistance from the rest of the staff then she would seek that. He said based on what he sees on the organizational chart, it does not recognize that position as a department head. He requested the Human Resources Department to look into amending the organizational chart and have the Deputy City Clerk and others under her to answer to her. He concluded by saying the accountability should have the authority to go with it.

Mayor West said Commissioner Tyler had brought up an interesting point. He said he thought she was a department head.

Commissioner Huffman said she did too.

Commissioner West said if you have a department budget, there should be a department head over that budget. He said sometime along the way, and it was not Deric, she had become just an employee. Being an employee was not the intent of the City Clerk's position. He said he applauds Commissioner Tyler for what he just said, and he thinks the City Clerk should be a department head and be recognized as such. He said he finds it hard to believe you have employees that answer to you and you cannot control their destiny. He said she answers to the City Commission and the employees should answer to her. He is with Commissioner Tyler 100%.

Human Resources Director Taylor said the employees do answer to the City Clerk. She continued and said it was about three or four years ago when her position shifted, but the

employees still answer to her. She continued and said they were going to be bringing forward a request to have the City Clerk's position reclassified to the City Manager's level with the pay scale to be determined by the City Commission. This will put her on the executive level five with the other individuals that report to the City Commission. She said that would be the recommendation with the salaries negotiated by the City Commission.

Vice Mayor Mason said the salaries were negotiated by the City Commission anyway.

Human Resources Taylor said that was correct and that was why the positions were not typically on a pay plan.

City Manager Feacher said in many cities the City Manager, the City Attorney, and City Clerk were on the executive level and their salaries were not mentioned on the pay scale. It states the salaries are at the discretion of the elected officials. He went on to say then the department directors levels come in. He continued and said that when the City Clerk said something to him, he did not actually know she was not on the executive level. He said it was at the discretion of the elected officials because the City Commission gets to decide on the salary based on the size of the city.

Commissioner West requested clarification and asked the Human Resources Director if the City Clerk wanted to terminate an employee, does she at present have to get the City Manager's approval?

Human Resources Director Taylor replied yes.

Commissioner West said and that was where there was a disconnect, and where he was going.

A discussion ensued and it was shared all department directors go through the city manager and they do not have the final authority to hire and fire employees. That is a function of the City Manager.

Commissioner West said if she was an executive, she should be able to make that decision because the Department Directors answer to the City Manager and she does not. He continued and said for legal reasons, the City Clerk should always go through Human Resources but the Department Heads should always go through the City Manager. He said if we are going to make her an executive five, then she should have the ability to control the outcome of her own employees.

Vice Mayor Mason said even if you were an executive level five, you should still need to go to Human Resources before you fire someone.

Commissioner West said that was exactly what he said and she should go through Fred. You have to be sure you are legal, and if I am the City Clerk, I am going to run it through the City Manager anyway.

Human Resources Director Taylor said the City Clerk would be on an executive level five where the department heads are on an executive level two. Any hiring and firing

from the executive level has the oversight from the city manager.

Mayor West asked what the Human Resources Director needed from the City Commission in order to get the City Clerk back to the executive level.

Human Resources Director Taylor said they could bring it back to them later.

Mayor West said to bring it back as soon as possible so we can come to some type of agreement.

City Attorney Reilly said the City Commission should discuss the options in detail, and provide direction to the Human Resources Director.

Mayor West said the City Commission should have another workshop.

Human Resources Director Taylor said they would bring it back, and thanked the City Commission.

City Clerk Bourgeois thanked the City Commission.

<b>RESULT:        DISCUSSED</b>
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## **2.2. UPDATE ON FOOTBALL PROGRAM**

*Staff Contact:            Terrell Griffin, Parks and Recreation Director*

Parks and Recreation Director Griffin presented the update on the football program.

He said on January 7, 2019 the City Manager, himself, and the league President's met to see if there was a potential for the two teams to merge. He said he thinks that both sides are willing to merge. There were several items to discuss such as who will the President be of whatever league. He continued and said perhaps the City Manager or himself could serve as the President for a year or two as a neutral party and maybe an individual from the Parks and Recreation Board as Vice President. He went on to say if the recommendation came through, he would suggest for both Mr. Penick and Mr. Raggs become Athletic Directors. Other discussion included colors, which league would they play under, financials, and how to decide on the coaches. He concluded and said both sides were receptive about coming together.

City Commission discussion surrounded that the City cannot choose a President and the President should not be an employee of the city. The deadline for an agreement to be in place is March 1, 2019 and there were a lot of unknowns.

City Attorney Reilly asked for clarification and wanted to know if this was an entirely new football entity where the two existing leagues would go away. He went on to say the new entity would have a difficult time obtaining a non-profit status in a reasonable amount of time if the deadline were March 1, 2019. It usually takes about six weeks.

Commissioner West stated he no longer had a conflict of interest. He wanted to know if the board members have been told they will no longer be board members.

City Attorney Reilly said the City Commission should not be dictating to the leagues as to what they are to do. They are two private organizations and if they want to merge, the City will work with the merged entity. If they do not merge, the City Commission can continue to work with both leagues but the City Commission should not dictate the two leagues.

Commissioner Tyler shared a concern that one of the leagues did not successfully fulfill the contractual obligations. He said last year was the second year the obligations were not fulfilled.

Commissioner West said it would be a sad day to see one of the most successful organization in the history of Haines City dismantled.

Mayor West said maybe that it is time for the City Commission to make a decision as to whether or not the city was going to go with one or two teams.

Commissioner Huffman said she thinks the City Commission is ignoring exactly what the Parks and Recreation Director said that we accept them as a merger. The City Attorney is saying we only need to decide if we want one contract or another.

Vice Mayor Mason corrected her and said no that is not his understanding.

Due to time limitations, the continuation of the discussion was moved, by consensus, to the end of the regular City Commission meeting agenda.

<b>RESULT:      DISCUSSED</b>
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**3.      AGENDA REVIEW**

The City Commission did not discuss any items on the January 17, 2019 agenda.

**4.      ADJOURNMENT**

At 6:59 p.m., the City Commission Workshop was adjourned.

APPROVED: \_\_\_\_\_

BY: \_\_\_\_\_

ATTEST:

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Linda Bourgeois  
City Clerk