



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

Special City Commission Meeting

Monday, April 29, 2024

5:30 PM

Deltona Commission Chambers

DECORUM POLICY: The City of Deltona has a significant interest in conducting orderly and efficient public meetings, which includes preventing disruption, promoting civility, and preserving decorum. To that end, behavior which disrupts or impedes the efficient and orderly conduct of any public meeting, as determined by the Mayor, or presiding officer, or a majority of the City Commission, is not permitted. The Mayor, or presiding officer, or a majority of the City Commission, may interrupt, warn, or terminate a speaker's statement when that statement is too lengthy, personally directed, abusive, obscene, irrelevant, or otherwise reasonably perceived to be a disruption to the fair and orderly progress of the discussion at hand. The Mayor, or presiding officer, or a majority of the City Commission, may also interrupt any part of the meeting to warn any individual that they are being disruptive or otherwise impeding the efficient and orderly conduct of the meeting. The Mayor, or presiding officer, or a majority of the City Commission, may require any individual to leave a public meeting for its duration if that individual is unable to observe this Policy after being warned. Should an individual be required to leave a meeting for violating this Policy, that person shall be escorted from Commission Chambers by a Volusia Sheriff's Deputy.

1. CALL TO ORDER:

The meeting was called to order at 5:30 p.m. by Mayor Avila.

2. ROLL CALL – CITY CLERK:

Present: 7 - Mayor Avila
Vice Mayor JodyLee
Commissioner Avila-Vazquez
Commissioner Colwell
Commissioner Heriot
Commissioner McCool
Commissioner Shimkus

3. PLEDGE TO THE FLAG:

4. PUBLIC FORUM: Public comments shall be limited to items on the agenda and shall not exceed four minutes. Please be courteous and respectful of the views of others. Personal attacks on Commission members, City staff or members of the public are not allowed, and will be ruled out of order by the Mayor.

5. BUSINESS:

A. Request approval to sunset the City Manager Selection Committee - Joyce Raftery, City Clerk Dept. (386) 878-8502.

Strategic Goal: Internal & External Communication

Motion by Commissioner Avila-Vazquez, seconded by Vice Mayor JodyLee, to approve sunsetting the City Manager Selection Committee effective immediately. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

B. Request for approval of Mr. Dale “Doc” Dougherty’s proposed City Manager employment agreement - Marsha Segal-George, City Attorney and Floris Johnson, Human Resources.

Strategic Goal: Internal and external communication

Commissioner Heriot entered the meeting at 5:33 p.m.

The City Attorney and Human Resources Director gave a brief explanation of the item.

Commissioner Heriot voted yes, to Item 5-A, sunsetting the City Manager Selection Committee.

The Commission, Human Resources Director and City Attorney discussed the insurance premiums and deductibles, employees' insurance coverage, insurance caps, the car allowance and the City vehicle, termination during an election season, the City Charter, significant negotiation process, finding commonalities, individual Commissioner concerns, cell phone stipend, benchmarks and evaluations, automatic raises, and special treatment.

Motion by Commissioner Avila-Vazquez, seconded by Commissioner Shimkus, to approve the City Manager employment agreement as presented.

The Commission and City Attorney discussed the vehicle allowance in lieu of the City vehicle, an FSA (Flexible Spending Account), the 45 days additional time off, Mr. Dougherty needing to agree to changes, and when Commission input was provided.

Mayor Avila opened the public comments and Robert Trombetta, Brandy White, Kathy Bryan, Courtney Cross-Burgos, Virgil Ford, Tara D'Errico, Rachel Amoroso, Katherine Gallagher, Terry Haines, and Elbert Bryan addressed the City Commission.

The motion failed by the following vote:

For: 4 - Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner McCool, and Commissioner Shimkus

Against: 3 - Mayor Avila, Vice Mayor JodyLee, and Commissioner Heriot

Motion by Mayor Avila, seconded by Vice Mayor JodyLee, to appoint Commissioner Heriot to help with the contract negotiations. The motion carried by the following vote:

Commissioner Heriot stated the only way he will be okay with the motion is if the Commission has an open discussion as to what changes they want to see in the contract.

The motion carried by the following vote:

For: 6 - Mayor Avila, Vice Mayor JodyLee, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

Against: 1 - Commissioner Avila-Vazquez

The Commission discussed the process, Commissioner concerns, putting it on the next meeting, grand standing, politics, social media, being disappointed, having another special meeting, and the salary.

Motion by Vice Mayor JodyLee, seconded by Commissioner McCool, to have a Special Commission Meeting 48 hours from now, Thursday night. The motion carried by the following vote:

For: 7 - Mayor Avila, Vice Mayor JodyLee, Commissioner Avila-Vazquez, Commissioner Colwell, Commissioner Heriot, Commissioner McCool, and Commissioner Shimkus

C. Discussion of Ordinance 11-2024 for a Temporary Moratorium Until January 1, 2025. Marsha Segal-George, City Attorney (386) 878-8872.

Strategic Goal: Internal/External Communication

The City Attorney gave a brief explanation of the item.

The Commission and the City Attorney discussed implications of hiring a City Manager, advertising requirements, previous moratoriums, having a plan, the consultant's schedule, filling staff vacancies, mitigation, accountability, and ordinance changes.

Mayor Avila opened the public comments and Jim Pescha, Tara D'Errico and Elbert Bryan addressed the City Commission.

Motion by Vice Mayor JodyLee, seconded by Commissioner Colwell, to make sure there is a plan in place prior to adoption of the ordinance.

The Commission and City Attorney discussed the Theresa Basin Study, Planning & Development Director, hiring a new City Manager, developer amendments, visioning session, Resolution vs. Ordinance, rubber stamping, the Strategic Plan, reviewing projects individually, flooding concerns, not recycling visions, and DRC (Development Review Committee).

Vice Mayor JodyLee withdrew his motion and Commissioner Colwell withdrew his second.

6. CITY MANAGER COMMENTS:

7. CITY COMMISSION COMMENTS:

Mayor Avila asked if Special Commission Meetings had "City Commission Comments" on the agenda.

Commissioner Heriot asked what each Commissioner would like to see in the City Manager contract.

Vice Mayor JodyLee stated he and another Commissioner requested to add "City Commission Comments" to this agenda.

Commissioner Shimkus stated he would like to revisit the mileage reimbursement, he would like a section by section cost of the contract, and to revisit the termination processes and which are tied to severance

Commissioner McCool spoke about the process, feeling invalidated, public comments, soliciting feedback, criticism and feedback, being disingenuous, not being heard, striking a balance, and insurance benefits.

Commissioner Colwell asked for clarification regarding the election termination.

Vice Mayor JodyLee spoke about everyone voicing their opinion, staying in their lane, the residents' wants, wanting Mr. Dougherty to come, seven different concerns, and making the best of the comments heard.

Mayor Avila asked to revisit the City vehicle vs. a stipend, insurance deductibles, insurance caps, 45 days additional vacation change to 20 days, having a vacation cap, and have citizen input on the evaluations.

8. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:30 p.m.

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK