

MAYOR
THOMAS F. SLATER

VICE MAYOR
MICHAEL B. OCHSNER

COUNCIL:
ROBERT F. AUWAETER
RICHARD M. HAVERLAND
DEBORAH H. PENISTON



TOWN MANAGER
ROBERT H. STABE, JR.

TOWN CLERK
LAURA ALDRICH

TOWN ATTORNEY
CHESTER CLEM

**MINUTES
SPECIAL CALLED MEETING
TOWN MANAGER SELECTION**

Thursday, August 23, 2018
Immediately following 9 a.m. meeting (Appx. 11:00 a.m.)
6001 N. SR A1A, Indian River Shores, FL 32963

1. **Call to Order** 11:22

- a. Invocation & Pledge of Allegiance were foregone as they were recited at the Regular Town Council meeting immediately preceding this.
- b. Roll Call. Those present are listed as **TOWN COUNCIL** Mayor Slater, Vice Mayor Ochsner, and Councilmembers Auwaeter, Peniston and Haverland; **STAFF:** Town Manager Stabe, Town Attorney Clem, Town Clerk Aldrich, Town Treasurer Christmas, Chief Rosell, Building Official Perry, and Executive Assistant Fentress; **OTHER** guests were Amy Adams, Cape Canaveral Scientific.

2. **Council Discussion**

Mayor Slater said they went through a process of interviewing candidates from around the country by phone and in person, following a process to fill this very important position. They are now down to two potential candidates, Ben Newhouse and Tim Day.

Council discussed that there were two good candidates to choose from, mentioning differences between the two as Mr. Day bringing local (Melbourne Beach) experience and a familiarity with our type of community. Other helpful experience included dealing with FEMA and storms, as a former police officer and councilman/mayor who knew Florida and sunshine laws to his benefit. His personality traits noted included "uncommon common sense," a very measured and reasonable style, and an overall maturity and experience level that fits in this Town very well. The staff was unanimously favorably impressed. Mr. Newhouse's range of experience in West Virginia was vast, although one elected official thought his resume was one-sided towards housing and not so much on managing. His particular skill set may not be needed here, and possibly there is not enough challenge in this job for him. While Mr. Newhouse left the impression of being very intelligent and creative in his position, the overall consensus was that the fit would not be satisfactory to him in the long run.

The Town Manager, department heads and Grant Manager Amy Adams also were asked to share their opinions of the two, which were all very favorable to Mr. Day.

3. **Audience Questions**

4. **Dismiss Candidates (if present) During Determination**

5. **Council Final Consideration and Recommendation**

- a. Candidate Selection. A **motion to hire Tim Day as new town manager** was made by Vice Mayor Ochsner with a second from Councilmember Peniston, which **passed 5 -0**. Travel reimbursement was not necessary, as there were no other candidates present to interview today, and Mr. Newhouse had already been reimbursed, Mrs. Christmas reported.

This is a Public Meeting. The Town of Indian River Shores does not transcribe verbatim minutes. Should any interested party seek to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

b. Employment Agreement

A proposed agreement was provided. The Council briefly discussed a commitment for Mr. Day to live here with his family within 3 months of employment date, a moving or temporary living allowance Councilman Haverland suggested be set at \$10,000, the current and recommended salary of \$125,000 with IRS mileage reimbursement for personal use of his vehicle. Severance pay was briefly discussed, and benefits available to all employees. Health insurance and availability to use the 4-week's vacation as it accrued quarterly during the first year were also discussed.

A motion to offer \$125,000 starting salary, a maximum of \$10,000 moving and temporary lodging allowance, no vehicle provided but Town reimbursement at the IRS standard mileage rate for Town-related business will be made, and a requirement to relocate within 3 months of employment date was made by Councilman Auwaerter with a second by Councilman Haverland, which **passed 5-0**.

Designate Lead Negotiator. The Mayor suggested that Mr. Clem and Vice Mayor Ochsner be the ones to review the contract provisions with Mr. Day. After more discussion, it was determined to try to settle the offer at this meeting.

Mr. Day was brought back into the room at 11:55, and the Mayor said subject to him accepting the employment agreement, offered Mr. Day the job as Town Manager. He accepted, and mentioned that he was impressed with the Council's commitment to the citizens and the quality of life issue that was discussed regarding the sidewalk issue and FDoT earlier in the day at the Council meeting.

They discussed a starting date of September 17, unless a disastrous storm was impending sooner whereby he would be here immediately. They reviewed the terms for residency, starting salary, vehicle use, moving/temporary living expenses, benefits, incremental vacation, termination/severance and other details as will be stipulated in the final agreement and as stated in the above motion. Mr. Day was very appreciative of the offer.

Mr. Clem asked for a **motion with the specifics that were reviewed with Mr. Day**, which was made by the Vice Mayor with support from Councilman Auwaerter that **passed 5-0**.

6. **Adjournment** 12:04 p.m.

Respectfully submitted,

/s _____
Laura Aldrich, Town Clerk

Approved by Town Council September 20, 2018