

MINUTES OF A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE SECOND FLOOR CONFERENCE ROOM OF CITY HALL, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 9:00 A.M. ON WEDNESDAY, AUGUST 1, 2018.

1. CALL TO ORDER

Mayor Hudson called the meeting to order at 9:00 a.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Commissioner Reginald Sessions

Absent: Commissioner Rufus Alexander

Staff Present: City Attorney James Messer
City Clerk Linda Cox
City Manager Nicholas Mimms

4. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

Mike Perri

5. NEW BUSINESS

- a. Special Meeting called by Mayor Linda Hudson to discuss the City Attorney's Office

Mayor Hudson invited City Attorney Jim Messer to start off. Mr. Messer indicated that there have been allegations of a hostile work environment made against him. He recommends that the City Commission direct the City Manager to procure the services of an outside agency with experience to investigate the matter.

Mr. Mimms indicated that staff has not contacted the insurance carrier with the details of the situation because an investigation has not yet been conducted however staff has notified our carrier that an issue has been raised.

Mr. Messer indicated that under his contract, the City is obligated to provide him with an attorney in the event a claim is made; accordingly, he is asking that the City Commission authorize Ms. Morris to pay any invoices for these services.

Finally, in an effort to provide uninterrupted legal services to the City, Mr. Messer asked that the City Commission direct the City Manager to consult with him on the best way to provide the services.

Commissioner Perona inquired with Human Resources as to what the process is and how we should proceed. Mr. Kevin Browning, Human Resources Manager, indicated that typically a complaint would be given to the appointing authority or the Human Resources Manager and the appointing authority would direct the Human Resources Manager to conduct an investigation. Because Mr. Messer is a charter officer, the process would be the same except the Commission would direct the investigation typically through an outside agency, or however else you may direct the process.

Mayor Hudson indicated that an investigation should be conducted and should be done through an outside source. Commissioner Sessions indicated he feels uncomfortable directing this matter without legal counsel and without notifying our insurance carrier. Consensus was that it is important that an investigation is conducted, guidance and representation through the process is provided by our insurance carrier, Mr. Messer should remain in his position as the investigation is conducted and to protect those claiming a hostile work environment.

Following discussion, the Commission directed the City Manager as follows: the City Manager and City Attorney work out a plan for the continuation of city business; contact the insurance carrier and Florida League of Cities for investigative coverage and recommendations; and approve Mr. Messer's request for legal representation at the city's expense.

6. ADJOURNMENT

Meeting was adjourned at 9:36 a.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER