

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 11:00 A.M. ON FRIDAY, **AUGUST 24, 2018.**

1. CALL TO ORDER

Mayor Hudson called the meeting to order at 11:00 a.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

Staff Present: St. Lucie County Attorney acting as City Attorney, Dan McIntyre
City Clerk Linda Cox
City Manager Nicholas Mimms

4. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. 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.

No public comments.

5. NEW BUSINESS

a. Discussion and Update on employment status of James Messer, City Attorney

Mayor Hudson welcomed Dan McIntyre, St. Lucie County Attorney who agreed to set in as City Attorney for this meeting. Mayor Hudson read a memo dated August 20, 2018 from James Messer offering his resignation without cause in accordance with paragraph 6 of his employment contract.

Ms. Becky Vose, Esq., the investigator of the complaints against Mr. Messer, appeared to answer questions and to outline her findings and the options for the City Commission which included as follows: Option 1, termination with cause resulting in no severance; Option 2, termination without cause; Option 3, formal offer to accept resignation; and Option 4, the City Attorney resigns before any action by the City Commission.

The City Commission called a fifteen minute recess at 11:39 so that Mr. McIntyre could call Mr. Messer. The meeting reconvened at 11:54 a.m. Mr. Messer emailed a resignation with no conditions effective August 24, 2018.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to accept the resignation of James Messer with no conditions.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

b. Discussion on the future of Legal Services for the City of Fort Pierce

Mayor Hudson suggested that the Commission consider naming Judge Buck Bryan to serve as Interim City Attorney. Commissioner Sessions also suggested either Rob Schwerer or Jim Walker. In response to Commissioner Alexander's inquiry about existing employees, Mr. Mimms indicated that all employees will be back at work on Monday.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to contract with Buck Bryan to serve as Interim City Attorney and direct staff to draft such a contract with the assistance of Dan McIntyre.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

After discussion, Mr. Mimms indicated that Colin Baenziger & Associates assisted the city with the prior search and he should be available to assist again.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to direct staff to engage the services of Colin Baenziger & Associates to assist in the search for a new City Attorney.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

6. ADJOURNMENT

The meeting adjourned at 12:17 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER