

DeFuniak Springs City Council
Special Meeting
August 29, 2016

The following members were present: Mayor Bob Campbell, Mayor Pro-Tem Henry D Ennis, Sr., Councilwoman Janie Griffith, Councilmen Kermit Wright, Ron Kelley and Mac Carpenter, Interim City Manager Tilman Mears, Finance Director Joe Brown, City Attorney Clayton Adkinson and City Clerk Loretta Laird.

Mayor Campbell called the special meeting to order at 6 p.m. relating to the city manager internal applicant interview.

Mayor Campbell discussed the individual interviews for the applicant, Tilman Mears, as approved at the August 8, 2016, regular council meeting by each council member and himself. Mayor Campbell inquired of each council member for any additional questions. Councilman Kelley stated he had no additional questions and he spoke to Mears at length and further stated he was satisfied with Mears performance as public works director and interim city manager. Councilwoman Griffith stated Mears has shown leadership within the previous months. Griffith further stated she was pleased with Mears' responses to her interview questions but had no further questions at this time. Councilman Ennis stated he thought highly of Mears and he had no further questions for Mears.

Councilman Carpenter discussed the interview process earlier in the afternoon with Mears and stated Mears has earned his respect by doing an outstanding job as the public works director. Carpenter further stated he thought Mears' did not have the level of qualifications as the ordinance requires and thinks the qualified candidate should add to an existing skill set. Carpenter further stated Mears was not afraid to inform the council of any bad news, performs as a good role model, who is loyal to the city and wants to move the city ahead.

Councilman Wright discussed Mears' interview, Mears' willingness to continue to learn and the positive employee and community respect.

Mayor Campbell stated his interview with Mears' was very productive with discussion about Mears' qualities, his willingness, loyalty, and commitment to the city and the community.

Mayor Campbell indicated council comments have been made, and further welcomed comments from the public.

Local citizen J.B. Hillard discussed the city's legal counsel was not in attendance and stated the council had violated the sunshine law relating to having closed door interviews with the applicant and no court reporter was in attendance at the meetings. Hillard stated he would pursue the matter with the First Amendment Foundation with the appropriate documentation.

Discussion occurred relating to a contract with Mears', which would not be negotiated until after he was hired by the council.

Local citizen James Hurley discussed Mears' professionalism and leadership.

Local resident Harley Henderson stated Mears has done a great job with the public works department but the council needs to find another applicant that does not limit their experience.

Mears discussed his prior employment history for the public's consideration.

Mayor Campbell discussed the City of Ft. Walton Beach city manager, Michael Beedie, as being their public works director and then being promoted to City Manager.

Local resident J.B. Hillard discussed the council conducting the city manager interviews without public input. Hillard inquired to the questions asked during the interview process.

Discussion occurred relating to having the audience having a copy of the interview questions asked by the various council members and Mayor Campbell.

Mayor Campbell called for a recess at 6:34 p.m. until the city's legal counsel could arrive at the meeting.

Mayor Campbell called the meeting back to order at 6:46 p.m. with City Attorney Clayton Adkinson arriving at the meeting.

Local resident J.B. Hillard discussed his concern relating to a sunshine law violation due to the interview process being held out of the public's interest. City Attorney Clayton Adkinson discussed the interview process was agreed upon by the council at a previous regular meeting, has been advertised, which has not violated the Sunshine Law, and further discussed the Walton County Board of County Commissioners conducting the same process for their county administrator.

City Attorney Clayton Adkinson discussed the agenda item was to consider the hiring of Tilman Mears for the city manager position and the council has the right to proceed. Adkinson further stated the current ordinance requires a 5-0 vote to hire the city manager position.

Mayor Campbell closed the floor for open discussion with no further comments from the council members.

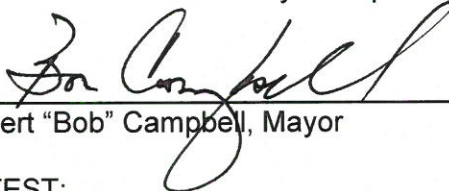
Councilman Wright made a motion hire Tilman Mears for the city manager position, seconded by Councilman Kelley. Councilwoman Griffith: Aye; Councilman Wright: Aye; Councilman Kelley: Aye; Councilman Ennis: Aye; and Councilman Carpenter: Nay **Motion failed 4-1 since the ordinance requires a 5-0 vote.**

Discussion occurred relating to a possible contract with Mears and if the vote is not unanimous to hire Mears how to proceed with the re-advertisement process, leaving Mears in the interim city manager position.

City Attorney Adkinson discussed the motion not receiving a unanimous vote as required by the city's code, city staff would need to present information to the council relating to re-advertisement of the position, what time frame to take applications and where to advertise for the position at the next regular council meeting.

There being no further business, Mayor Campbell adjourned the meeting at 6:57 p.m.

ADOPTED on this 26th day of September, 2016.



Robert "Bob" Campbell, Mayor

ATTEST:



Loretta A. Laird, City Clerk