

1 **MINUTES OF THE SPECIAL MEETING OF THE ORANGE CITY COUNCIL**, held on  
2 Saturday, October 24, 2020 at 8:00 a.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3  
4 **CALL TO ORDER**

5  
6 The meeting was called to order at 8:00 a.m. by Mayor Gary Blair and roll call was taken.

7  
8 **ROLL CALL**

9  
10 **PRESENT:** Mayor Gary A. Blair; Vice Mayor Bill O'Connor; Council Members; Jeff Allebach, Jim  
11 Mahoney, Kelli Marks, and Martin Harper; City Attorney Bill Reischmann; City Manager Dale  
12 Arrington; Public Information Coordinator Danielle FitzPatrick.

13  
14 **TELEPHONICALLY:** Council Member Crippen

15  
16 **ABSENT:**

17  
18 None.

19  
20 **Review Procedures for Interviews**

21  
22 Jeremy Wiggins, Human Resources Manager, briefly reviewed the process the Council will utilize  
23 throughout the day for the interview process. Mr. Wiggins explained that the day will begin with one-  
24 on-one interviews for each Council Member meeting with each candidate for 10 minutes. Then  
25 everyone will reconvene in the chamber for the Council to collectively interview each candidate one at  
26 a time. Mr. Wiggins noted that he misclassified three applications he received for the City Clerk position  
27 by inadvertently placing them with the Administrative Assistant to the City Manager position. The three  
28 misclassified applications were sent to the City Council via email after the discovery was made. He  
29 stated that if the Council desired, they would be able to interview any of the misclassified applicants.  
30 Mayor Blair asked the Council if they wished to interview any of the misclassified candidates. Mr.  
31 Mahoney stated that he reviewed the applications that Mr. Wiggins misclassified and he did not feel that  
32 they possessed the criteria that the Council was looking for in a City Clerk. The Council agreed. Mr.  
33 Reischmann stated that during the group interviews, while the meeting is open to the public, it is  
34 discouraged for candidates to sit in during the other candidate's interviews. Mr. Wiggins stated that  
35 staff has space, on-site, for each candidate to wait during the interview process. Mr. Mahoney stated  
36 that he feels it is important for the Council to discuss what they are looking for in a City Clerk before  
37 voting for a candidate.

38  
39 8:10 a.m. The meeting was recessed for individual interviews.

40  
41 10:25 a.m. The meeting was reconvened.

42  
43 **Candidate Interviews**

44  
45 Mr. Wiggins reminded the Council of the process for the group interviews. Each candidate will be  
46 brought into the Council Chambers, separately. The Council will have 30 minutes for each interview

1 with a 15-minute buffer. Mr. Wiggins said that he will let the Council know when they have five minutes  
2 remaining and when they reach the 30-minute mark of the interview. Mayor Blair stated that each  
3 Council Member will ask one question, beginning with Mr. Harper and they will work their way down  
4 the dais, with the Mayor going last, and then start over again if time allows. Mr. Wiggins advised the  
5 Council that they may ask questions from the list he provided, or they may ask questions they developed  
6 on their own.

7

8 Following the schedule below, each of the candidates came before the Council individually and  
9 addressed questions from the Council Members.

10

11 10:30 a.m. Julia Hewitt

12 11:15 a.m. Melani Beringer

13

14 11:55 a.m. Recess for lunch

15

16 12:53 p.m. Meeting was reconvened

17

18 12:53 p.m. Julie Herring

19 1:40 p.m. Stacy Tebo

20

21

## 22 **City Council Selection of City Clerk**

23

24 Mayor Blair stated that Council Member Mahoney requested that the Council discuss what they are  
25 looking for collectively in the position of City Clerk.

26

27 Council Member Mahoney stated that the Council should prioritize what skills are needed, whether it is  
28 technology, calendar management, etc.

29

30 Vice Mayor O'Connor stated that experience is key; he believes that three of the candidates are capable  
31 of the job.

32

33 Mayor Blair stated that willingness to learn is most important along with tech skills and organization.

34

35 Council Member Marks stated that promoting from within is best if the internal candidate has the  
36 experience and skills required. She agreed that three candidates are capable and have experience.  
37 Experience is most important to her along with being comfortable working with the staff.

38

39 Council Member Harper stated that the Council could hire any of the candidates and have a high level  
40 of confidence, though Ms. Herring would have a higher learning curve.

41

42 Council Member Allebach stated that all candidates are talented and capable. He explained that when  
43 he looks at the culture of the City, he is looking at the energy and he feels that Ms. Beringer has  
44 excitement and will bring a change to the clerk's office. He also stated that Ms. Hewitt seems very  
45 capable but not as much as Ms. Beringer. He feels that the person selected should have city government  
46 and clerk experience. He also explained that he has a challenge with wanting someone who held a

1 higher position and is now wanting something lower. He stated that the City's population is growing  
2 and the City needs a Clerk's Office to grow with that.

3  
4 Vice Mayor O'Connor stated that he is looking at the energy and that Ms. Hewitt has great energy. He  
5 explained that the Clerk's Office is a team and if the Council wants a change in the dynamic, then they  
6 need to choose someone from the outside.

7  
8 Council Member Mahoney added that experience isn't the only key; that the Council needs to explore  
9 other qualities as well.

10  
11 Council Member Crippen said that all candidates are good but Ms. Herring doesn't have experience. He  
12 further explained three people can do the job and he has made his decision.

13  
14 Mayor Blair stated that experience is great but you have to start somewhere. He explained that Ms.  
15 Herring has the ability to learn and has demonstrated that. He continued that her knowledge of the law  
16 would be invaluable.

17  
18 Council Member Marks stated that Ms. Herring was very intelligent and could be a good fit but doesn't  
19 have the experience. She stated that Ms. Beringer wanted to make changes and offer suggestions to  
20 improve the City Clerk's Office but wasn't able to due to her supervisor. She continued that she believes  
21 that Ms. Beringer would be able to hit the ground running. She explained that Ms. Hewitt would be also  
22 a great asset. Council Member Marks further explained that she feels those in the role of Deputy Clerk  
23 are molded to become City Clerk and that Ms. Beringer is ready.

24  
25 Mayor Blair agreed that Ms. Beringer has an eager attitude but he is concerned about promoting from  
26 within since the Council has done that before and had issues.

27  
28 Council Member Harper expressed that he has a concern that if they select Ms. Hewitt and the DeLand  
29 City Clerk position becomes vacant that she may leave.

30  
31 Council Member Mahoney stated that before the last Council Meeting, he emailed Ms. Beringer about  
32 an issue he had and she called him immediately and told him the proper way to correct it. He also offered  
33 her a suggestion regarding second ordinance hearings and including the vote count and minutes. He said  
34 that before their conversation, she had already made the change he suggested. He expressed that he has  
35 seen initiative from Ms. Beringer in the past few weeks and that seems promising. He further explained  
36 that there is always a risk to hire anyone, regardless of experience.

37  
38 Council Member Marks asked Ms. Arrington if the Council selected Ms. Herring, would Ms. Beringer  
39 train her or would she go to training. Ms. Arrington then went over all of the functions of the City Clerk.  
40 She explained that there would be a high level of training to learn all the roles of the City Clerk along  
41 with all the roles that a municipality provides to the public. She said that Ms. Beringer would have to  
42 train her on some aspects of the Clerk's Office. Ms. Marks stated that may cause a negative flow in the  
43 office.

44  
45 Mr. Reischmann stated that there are some very specific duties the Clerk has to be able to do including  
46 legal notices, public records, election law; there are certain aspects of the job that have to be learned.

1 Vice Mayor O'Connor stated that in his individual interview with Ms. Hewitt, she had many keywords  
2 including ADA compliance and the Orange City charter and that she brought up many things that he  
3 liked, along with her energy.

4  
5 Council Member Harper asked Mr. Reischmann if he felt Ms. Beringer was capable of the items he  
6 brought up earlier. Mr. Reischmann explained that he cannot be a judge of that. He further explained  
7 that if the City Clerk's Office is running well, then he will not get a lot of calls from them.

8  
9 Council Member Mahoney stated that he concluded the risk of Ms. Herring is likely too great for the  
10 City to undertake.

11  
12 Council Member Allebach stated that he hasn't experienced as many problems as Mayor Blair in regards  
13 to his calendar but he has noticed a renewed energy in the Clerk's Office in the past few weeks that he  
14 views as a nice change. He explained that he wants to select someone who has energy and is on the  
15 fence between Ms. Beringer and Ms. Hewitt.

16  
17 Council Member Crippen stated that in Ms. Beringer's group interview, she brought up that she had  
18 ideas and he liked that. He said that he believes Ms. Hewitt would have a good future but she may  
19 become the Clerk of DeLand.

20  
21 Vice Mayor O'Connor interjected that the Council cannot and should not make decisions based on the  
22 uncertainty of the future.

23  
24 Council Member Marks said that loyalty and stability are two important traits and Ms. Beringer has  
25 shown both of those traits. She stated that Ms. Beringer has stepped up to work on holidays when needed  
26 and that she could bring something new to the table. Ms. Arrington confirmed that Ms. Beringer did  
27 step up on the Fourth of July, when she was unable to reach the previous City Clerk, to assist her in  
28 preparation for an Emergency Council Meeting. Ms. Marks explained that this is an example of how  
29 Ms. Beringer is ready and willing to help when needed.

30  
31 Mr. Harper rephrased his previous question to Mr. Reischmann to ask if obtaining the Certified  
32 Municipal Clerk (CMC) certification would help with legal notices. Mr. Reischmann said he did not  
33 know. Mr. Wiggins stated that the CMC certification covers many aspects of a clerk but it is a national  
34 certification and is not specific to Florida. Mr. Reischmann said that a CMC is just the start of the  
35 information you would need for a municipality in the state of Florida. Ms. Arrington stated that there  
36 are many courses one can take to get certified in Florida's public records law and sunshine law. She  
37 explained that the Council needs someone who has a good idea of the general law and is capable of  
38 looking up information when they have questions. Mr. Reischmann stated he hasn't received many calls  
39 from the Clerk's Office recently because either they aren't receiving many requests or the office knows  
40 how to do their job.

41  
42 Vice Mayor O'Connor reminded the Council that Ms. Hewitt stated that she keeps a book at her desk to  
43 know what to redact when it comes to public records requests. He also brought up an instance, in the  
44 past, where he asked Ms. Beringer a question about qualifying for the election and how many petitions  
45 were required, and if he could sign one of his own petitions. The answer she gave him was incorrect.  
46 He stated he asked her again during her one-on-one and the information was still wrong. He explained

1 that when he originally asked her about this and realized she was giving the incorrect information, he  
2 advised the previous City Clerk asked that she talk to Ms. Beringer to correct it. He stated that he  
3 believes that failed to happen and if the Council would like to see a change in the Clerk's office, they  
4 need to select someone from outside the organization.

5  
6 Council Member Mahoney stated that he has had an experience in his workplace in the past, where he  
7 could only do things one way, then there was a change in the structure and he was able to have more  
8 freedom to make changes as he seemed fit. He then asked the Council to discuss to what extent the  
9 Council should hold Mr. Beringer accountable for past errors in the Clerk's Office.

10  
11 Council Member Allebach stated that in other instances, employees have been promoted from within  
12 when the prior department director was inefficient and those departments are now flourishing. He  
13 specifically talked about the Police and Fire Departments and their current chiefs. He further stated that  
14 sometimes an employee can only do so much and if their supervisor doesn't want change and their ideas  
15 are not heard. He explained that the Council chose to explore all candidates and Ms. Beringer is as  
16 qualified as the others and that warrants promoting from within. He further explained that he does like  
17 Ms. Hewitt also.

18  
19 Council Member Mahoney asked the Council if they have eliminated two candidates. The Council  
20 collectively decided that they have eliminated Ms. Herring and Ms. Tebo.

21  
22 Mayor Blair stated that between Ms. Beringer and Ms. Hewitt, he prefers Ms. Beringer due to her  
23 institutional knowledge.

24  
25 Council Member Marks pointed out that Ms. Beringer is pursuing her Master Municipal Clerk  
26 certification and Ms. Hewitt is still working towards her Certified Municipal Clerk certification.

27  
28 Vice Mayor O'Connor stated that Ms. Hewitt has more experience in the Deputy Clerk role than Ms.  
29 Beringer. He then asked the Council if they want to make a change. He explained that he believes that  
30 both candidates would do a good job, but if the Council wants a change then they need to select Ms.  
31 Hewitt.

32  
33 Council Member Marks expressed that she believes that Ms. Beringer has been held back in her position  
34 and is capable of making a change in the department.

35  
36 Vice Mayor O'Connor stated that he doesn't agree with Council Member Marks. He explained that  
37 when you are in the number two role and you want a change in the office, you create it.

38  
39 Council Member Mahoney asked if anyone on the Council heard anything during their individual  
40 interviews with Ms. Beringer about requesting changes during her time as Deputy Clerk. He stated that  
41 he asked and didn't get much of a response.

42  
43 Council Member Allebach stated that he believes the Council is ready to cast their ballots.

44  
45 Council Member Crippen expressed that he heard a desire to make changes in the Clerk's office from  
46 Ms. Beringer.

1 Council Member Mahoney stated that Ms. Beringer is less of a risk than Ms. Hewitt.

2

3 The Council decided that they were ready to vote. Mr. Wiggins distributed ballots to the Council and  
4 they were instructed to write down the name of their first-choice candidate.

5

6 Mayor Blair advised that he would like to discuss the contract before voting but the other Council  
7 Members didn't feel the same way. He added that he would like to offer the selected candidate the low  
8 end of the salary advertised and that he expressed that thought to each candidate in their individual  
9 interviews.

10

11 Mr. Reischmann stated to the Council that expectations should be clearly expressed and that the Council  
12 needs to be reasonable in their expectations.

13

14 Ms. Arrington then stated that six Council Members voted for Melani Beringer with only Vice Mayor  
15 O'Connor voting for Julia Hewitt.

16

17

18 **Council Member Harper moved to offer the position of City Clerk to**  
19 **Melani Beringer, seconded by Council Member Allebach. Motion**  
20 **passed by 7/0 vote of the Council.**

21

22 Mr. Wiggins stated that the Council determined they would do a second round of ballots to determine  
23 their second choice for the position of City Clerk.

24

25 **Council Member Allebach made a motion that if a contractual**  
26 **agreement cannot be made with Melani Beringer, the Council offer the**  
27 **position of City Clerk to Julia Hewitt, seconded by Council Member**  
28 **Mahoney, the motion passed by a unanimous voice vote of the City**  
29 **Council.**

30

31

32 Mr. Wiggins stated that the Council now needs to give staff guidance on how to negotiate the contract  
33 for the City Clerk. The Council decided that they would like to offer the minimum of the pay band  
34 advertised which is \$62,171.71. The Council also expressed that they would also like standard employee  
35 benefits for the City Clerk. Mayor Blair asked about severance packages. Ms. Arrington stated that the  
36 City Manager has a severance package but that the previous clerk contract did not have a severance  
37 package included in her contract. Council Member Marks brought up certifications. Mr. Wiggins  
38 explained that if a City employee obtains a certification relevant to their job, they receive a 5% pay  
39 increase but the City Clerk, as a contracted employee, is not included in that. Council Member Allebach  
40 brought up raises. Ms. Arrington stated current practice has been for both the City Clerk and City  
41 Manager to receive the standard cost of living increase that a City employee would receive. She  
42 explained that everyone receives an annual evaluation but it is not tied to a merit raise. Ms. Arrington  
43 further explained that she will negotiate a contract with Ms. Beringer and will bring it back to the Council  
44 for their approval. Ms. Arrington then went back to the severance pay question and revised her previous  
45 answer. The previous City Clerk contract allowed for the standard employee PTO payout of up to 580  
46 hours along with one week's pay for each year serving as the City Clerk. The Council agreed that the

1 severance portion seemed fair and should stay in the contract. Ms. Arrington then asked the Council  
 2 about the City Clerk’s PTO accrual. The Council agreed to follow the standard PTO accrual. They also  
 3 wanted to keep an annual evaluation of the City Clerk in the contract. Ms. Arrington then brought up  
 4 the expected work schedule of the City Clerk. The Council agreed the City Clerk should work Monday  
 5 through Friday and any leave will be approved by the Mayor.

6  
 7 **Adjourn**

8  
 9 There being no further business, Mayor Blair adjourned the Special Meeting at 4:07 p.m.

10  
 11  
 12 Respectfully submitted:

Approved:

13  
 14  
 15 \_\_\_\_\_  
 16 Danielle FitzPatrick, Public Information Coordinator

\_\_\_\_\_01-12-2021\_\_\_\_\_  
 Date