

**MINUTES  
SEMINOLE CITY COUNCIL  
TUESDAY, JANUARY 13, 2009**

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The Regular Meeting of the Seminole City Council was held on Tuesday, January 13, 2009, in the City Hall, City Council Chambers, 9199 113<sup>th</sup> Street North, Seminole, Florida.

James Johnson, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Councilor Bob Matthews followed by the Pledge of Allegiance.

**ROLL CALL:**

Present were: Councilors John Counts, Peter Hofstra, Dan Hester, Patricia Hartstein and Bob Matthews; Vice Mayor Thomas Barnhorn; Mayor James Johnson; City Attorney John Elias; City Manager Frank Edmunds and City Clerk Lesley DeMuth.

**INTRODUCTIONS AND PRESENTATIONS:**

City Manager Edmunds introduced Jeremy Hockenbury, Public Works Director.

Fire Chief Dan Graves promoted Chris Hengstenberg to Lieutenant.

**1. PUBLIC COMMENT:**

Tom Christy, 11224 82<sup>nd</sup> Avenue North, asked for Council consideration for an appointment to the Charter Review Committee.

**2. APPROVAL OF MINUTES – REGULAR MEETING DECEMBER 23, 2008.**

Motion by Councilor Hartstein, second by Councilor Matthews to approve the minutes of December 23, 2008.

UNANIMOUS APPROVAL BY ACCLAMATION

**3. CITY COUNCIL APPOINTMENT OF THE 2009 CHARTER REVIEW COMMITTEE.**

Mayor Johnson advised Council his recommendation for appointment is Cher Johnson. Mayor Johnson asked if any Council Member would like to nominate or add Mr. Christy to the list of appointees, and Councilor Hester indicated he would.

Councilor Hester asked City Manager Edmunds what is the protocol to have nine members serve on the Charter Review Committee. City Manager Edmunds stated this is a decision of the City Council. The Council can make a motion that the Charter Review Committee consist of nine members and if that passes, nine appointments will need to be made.

Motion by Councilor Hester, second by Councilor Matthews to appoint the maximum number allowed by City Charter, nine, to the Charter Review Committee.

#### UNANIMOUS APPROVAL BY ACCLAMATION

Councilor Matthews asked if other applications had been received. City Clerk DeMuth stated there was an additional application, and Councilor Hofstra had that application of Ms. Jardelina Souto in his Council Meeting materials.

Councilor Counts expressed his concern of someone who is running for City Council on the Committee and the effect it may have on the Charter Review process if the person is elected.

Councilor Matthews suggested if there is a vacancy of anyone on the Committee, the vacancy should not be filled.

Councilor Hester stated he would like to have the option, if Ms. Plantamura is elected and forced to resign, that Council will allow him to appoint a replacement.

City Manager Edmunds stated that is a question for Council to act on this evening, and as a point of clarification; not each Council Member is making an appointment. Each Council Member is nominating a member to the Committee to be voted on by the entire Council.

Councilor Hester stated with regard to having the ability to make a nomination for the appointment of a potential replacement is what he is asking for.

Councilor Matthews concurred. If there is an appointment being made and it is Councilor Hester's appointment, he would make that appointment and Council would vote on it. Council was in agreement with that process.

Motion by Councilor Matthews, second by Councilor Hofstra to appoint the nine members to the Charter Review Committee.

The City Clerk read the names of the appointees: Art Bruckler, Linda Cole, Patricia Plantamura, James Olliver, Anthony Cusumano, Pete Bengston, Cher Johnson, Tom Christy, and Jardelina Souto, subject to her residency verification.

#### UNANIMOUS APPROVAL BY ACCLAMATION

In response to a question by Councilor Hartstein, City Manager Edmunds stated Pete Bengston served on the last Charter Review Committee.

#### **4. CITY COUNCIL REPORTS.**

Vice Mayor Barnhorn reported he attended the Divine Performing Arts 2009 World Tour, the welcome of the Veterans of Foreign Wars Women Auxiliary National President, the Chamber Installation Dinner, and provided a report on his attendance at the National League of Cities Conference.

Mayor Johnson reported he attended the Mayors' Council Meeting.

**5. CITY MANAGER REPORTS.**

Deputy Dave DiSano provided an update on the activities of the Community Policing Officers.

City Manager Edmunds reminded Council of the annual Fit-over-Fifty event on January 29, at the Recreation Center.

**6. OLD BUSINESS.**

Councilor Hester thanked Assistant Fire Chief George Bessler for his help with a lost pet.

**7. NEW BUSINESS.**

Mayor Johnson stated it is with regret that the City must accept the resignation of City Clerk Lesley DeMuth.

City Manager Edmunds stated the City has received notice through the Florida Department of Law Enforcement that it is eligible for a small grant in the order of \$2,000, and requested Council authorization to submit for the grant.

Motion by Councilor Hester, second by Vice Mayor Barnhorn to authorize the City Manager to submit for a Florida Department of Law Enforcement Grant.

**UNANIMOUS APPROVAL BY ACCLAMATION**

In response to a question by Councilor Hester, City Manager Edmunds stated he would request the City Council regretfully accept by motion the resignation of the City Clerk.

Motion by Councilor Hester, second by Councilor Hartstein to regretfully accept the resignation of City Clerk Lesley DeMuth.

**UNANIMOUS APPROVAL BY ACCLAMATION**

In response to a question by Councilor Hester on the process to replace the City Clerk, City Manager Edmunds explained the normal process. City Manager Edmunds stated he has had discussions with a number, if not most, of Council on this issue and would suggest at this time Council did not fill the position. The Deputy Clerk is responsible to serve in the absence of the City Clerk. The City has paid for the Deputy to become a Certified Municipal Clerk and she is scheduled to receive an Associates Degree by the end of July. In the event the Deputy does not perform to the standards of the Council or the expectation of the Council and/or does not receive the degree, then Council will have the opportunity to go out and seek other applicants.

Vice Mayor Barnhorn asked City Manager Edmunds if he is recommending that after receiving the degree they be promoted, and City Manager Edmunds stated only if the performance meets Council expectations.

Councilor Hester stated the City Charter requires the City to have a City Clerk, and he thought this should be discussed at a workshop.

Councilor Hofstra asked if the City is submitting applications to the Federal Government to participate in any of the infrastructure money. City Manager Edmunds stated staff is monitoring the process, but the only project the City may have that might be fundable is the EOC component of the Public Works Project.

**8. CONSIDER A MOTION FOR ADJOURNMENT.**

Motion by Councilor Hester, second by Councilor Hartstein to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION

Date Approved: \_\_\_\_\_

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Lesley DeMuth, City Clerk

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James Johnson, Mayor