



City of Margate

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Meeting Minutes

City Commission Workshop

Mayor Tommy Ruzzano

Vice Mayor Joyce W. Bryan

Commissioners:

Lesa Peerman, Joanne Simone, Frank B. Talerico

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

Wednesday, April 20, 2016

6:00 PM

Commission Chambers

CALL TO ORDER

Present: 5 - Commissioner Joanne Simone, Commissioner Lesa Peerman, Commissioner Frank B. Talerico, Vice Mayor Joyce W. Bryan and Mayor Tommy Ruzzano

In Attendance:

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

1) PRESENTATION(S)

A. ID 2016-259 CITY-WIDE TRAVEL POLICY

CITY MANAGER DOUGLAS E. SMITH said that previously attached to the agenda was a condensed Travel Policy Attached following the last meeting. He provided a handout with changes that he would highlight. He noted that one section would be an alternate for discussion. He explained that the first modification was under the General Procedures and referenced to fuel reimbursements in relation to City vehicle used or rental vehicle used. He said that the intent was not for personal vehicle use where a mileage per mile amount was being reimbursed. He referred to Section 4C, and said that modifications were made as a result of input from a Commissioner. He stated that it would modify the procedures for approving exceptions as described, and that the City Manager could approve exceptions for the Commission, Attorney and Clerk with those exceptions still being provided by notice to the Commission. He added that the Mayor would be the one providing those approvals for exceptions to the City Manager.

COMMISSIONER PEERMAN explained that for the next 10 years, the Florida League of Cities (FLC) events were in Hollywood. She noted that previously the City Manager and a Commissioner drove down there every day. She said that this change would give the City Manager the ability to make an exception for staying the event. She noted that the City Manager would attend, because it was hard to have all five Commissioners attend. She felt that having the Mayor approving having the City Manager get the five Commissioners together to approve travel was a wasted meeting. She said that the Mayor represented the Commission; therefore, she had no problem with him doing so with the City Manager.

CITY MANAGER SMITH said that notice would still be provided to the entire Commission

to allow for them to express any concerns.

COMMISSIONER PEERMAN noted that some events began at 8:00 AM; therefore, it would be easier to stay there.

VICE MAYOR BRYAN asked whether Miramar was equivalent to Hollywood.

COMMISSIONER PEERMAN believed so; however, she said that was something that would be discussed with the City Manager. She noted that Miami/Dade was not included.

CITY MANAGER SMITH clarified that the area being included was within Broward up to Boynton Beach.

MAYOR RUZZANO felt that the Commission should make the determination and the Commission should not have to ask for permission to attend an event.

COMMISSIONER PEERMAN agreed, but asked whether Mayor Ruzzano wanted to remove the City Attorney and the City Clerk.

MAYOR RUZZANO said that they should have to obtain approval from the Commission.

CITY ATTORNEY STEINFELD said that he had a problem with having one elected official make a decision. He stated that it made sense to have the City Manager approve the City Attorney and the City Clerk.

MAYOR RUZZANO did not agree, because he felt the City Manager was no different than the City Attorney and the City Clerk.

CITY ATTORNEY STEINFELD said that the City Manager approved everyone else and knew what the policy was.

MAYOR RUZZANO said that he would not be approving the Commission.

CITY ATTORNEY STEINFELD agreed that was not a bad idea, because it protected the Commission. He explained that there was a level of protection.

MAYOR RUZZANO stated that the Commission was the boss of the City Attorney, City Manager and City Clerk.

CITY ATTORNEY STEINFELD mentioned a prior resolution.

COMMISSIONER PEERMAN clarified that the resolution stated that no Commissioner was to get anything more than any City employee.

CITY ATTORNEY STEINFELD said that without some type of discussion or consideration, that would be difficult to rein in if a Commissioner could at any time get an exception to the policy.

COMMISSIONER PEERMAN felt that any Commissioner could get an exception at any time from the City Manager. She stated that she had no problem removing the change, but felt that it was an appearance issue. She suggested that maybe it should be the City Clerk because he watched over the Commission.

CITY ATTORNEY STEINFELD said that there was a problem with the last City

Commission.

MAYOR RUZZANO noted that this was not the prior Commission and it was time for the Commission to run the City, because the employees worked for them. He stated that he disagreed with the City Manager approving the exceptions.

COMMISSIONER SIMONE stated that it read review not approve.

CITY MANAGER SMITH clarified that the regular travel cases would be reviewed by the City Manager's office, but in exceptions, the City Manager would approve.

COMMISSIONER PEERMAN felt that it would probably only be once every other year.

MAYOR RUZZANO stated that the people needed to know that the Commission was in charge of the City and it was their responsibility.

COMMISSIONER PEERMAN clarified that the City Manager ran the City and the Commission ran the City Manager.

MAYOR RUZZANO agreed.

COMMISSIONER TALERICO felt that if the City Commission, City Clerk, City Manager and City Attorney were going to travel they should be allowed to travel. He noted that the Commission had to answer to the public and he felt that the Commission should not need approval within the zone.

COMMISSIONER PEERMAN said that still had to be an exception to the Class C Travel, because if it was not approved, the meals and possibly the hotel room were taxable.

CITY MANAGER SMITH stated that the taxability would have to do with how far away someone was traveling or staying overnight. He noted that the focus was how that exception was being approved.

COMMISSIONER PEERMAN asked whether the City Clerk, City Manager and City Attorney would approve their own travel.

CITY MANAGER SMITH clarified that the exception stated that per diem and lodging were not reimbursable in that zone, but there were exceptions that may be approved by Staff from the City Manager. He said that a determination was needed for the other positions.

COMMISSIONER PEERMAN felt that the whole matter was a trust issue. She said that her exception suggestion was a preemptive strike for what might be written or said about the Commission.

VICE MAYOR BRYAN stated that the Commission could not always be preemptive about everything.

COMMISSIONER PEERMAN said that she had no problem with changing it to what Commissioner Talerico suggested.

COMMISSIONERS all agreed.

CITY MANAGER SMITH said that the wording would be changed to read, "Exceptions to

this provision for a City Commissioner, City Manager, City Attorney or City Clerk, are at their discretion.” He noted that the general exceptions category might be handled a little differently. He read that, “Exceptions for this policy for Staff may be approved by the City Manager.” He asked how the Commission wanted to handle any other exceptions, such as health emergencies.

COMMISSIONER PEERMAN said that she had no problem with the Mayor making the exception and providing notice to the Commission.

CITY MANAGER SMITH stated that if the exception was for another Commission, there might be an issue with the Mayor approving that. He suggested giving some discretion to the City Manager and having him provide the report to the Commission.

COMMISSIONERS all agreed.

COMMISSIONER PEERMAN asked whether the Commission was comfortable with having the Mayor having the ability to grant exceptions for the City Manager, City Attorney and City Clerk and the Commissioners.

COMMISSIONER SIMONE felt that the Mayor was being given more power than what the Mayor always had.

MAYOR RUZZANO said that he would rather have approval from someone equal to him than someone he employed.

CITY MANAGER SMITH said that it could be made more general by saying it was approved by the City Commission.

CITY ATTORNEY STEINFELD clarified that it shall be at the discretion of each officer with copies to the City Commission.

COMMISSIONERS all agreed.

CITY MANAGER SMITH said that he would make an amended version with all changes made for the regular meeting. He referred to Section 5E, that indicated fuel receipts were for rental car use. He noted that it was previously on the City vehicle, but was now carried onto the rental car. He referred to Section 5A, regarding those receiving a car allowance and whether a mileage reimbursement should be provided when it was outside of the Tri-County area starting at the point where an individual left the Tri-Counties. He noted that the Staff recommendation was to keep it with the original language, although there was alternate language if the Commission chose to set the policy stating employees who received a car allowance would not receive mileage reimbursement.

COMMISSIONER SIMONE said that she would like the alternate language, because she felt it was double dipping. She noted that the employee was already receiving a monthly allowance and would now be receiving another allowance because they were leaving the County.

COMMISSIONER TALERICO noted that it was not a personal vehicle, but was the City vehicle.

CITY MANAGER SMITH said that this referred to receiving a car allowance for the employees' personal vehicle.

MAYOR RUZZANO asked about someone wanting to fly regularly to Orlando, rather than driving, which would cost the City more than paying the fuel, which he felt could be a problem. He noted that people might not want to put the wear and tear on their own vehicle. He felt that because of the wear and tear on the vehicle, they should be entitled to the mileage reimbursement.

CITY MANAGER said that the decision was up to the Commission, but he wanted to disclose the it involved six positions that received the car allowance.

COMMISSIONER PEERMAN said that she would agree either way.

COMMISSIONER TALERICO asked whether the six employees were Department Heads.

CITY MANAGER SMITH verified that the six positions were Department Heads and Charter Officers.

MAYOR RUZZANO questioned how many employees had City cars.

CITY MANAGER SMITH said that there were employees who had City Cars, but he was not sure of the amount. He added that those employees that traveled with the City vehicle did not receive the car allowance.

MAYOR RUZZANO questioned whether those employees would use City fuel if they went to Orlando with the City car.

CITY MANAGER SMITH agreed that they would fuel up first, and if having to purchase additional fuel they would be reimbursed. He added that if using a rental vehicle the City paid for the fuel.

MAYOR RUZZANO asked whether City fuel could be put into a personal car. He noted that if people now wanted to fly rather than put wear and tear on their own vehicles, they would need to rent a car to get from the airport to the hotel.

CITY MANAGER SMITH stated that the City had a very affordable Rental Car Program through the State contract.

VICE MAYOR BRYAN said that her vehicle was getting old and with many trips to Orlando, it was a lot of mileage and gas. She stated that she would rather have a rental car.

CITY MANAGER SMITH stated that the current Travel Policy mentioned Tri-County and might have mentioned that if an employee received a car allowance they would not receive reimbursement for mileage within the Tri-County area. He noted that this wording was written more specific.

COMMISSIONER PEERMAN clarified that it would begin from the County line.

COMMISSIONER SIMONE asked whether it would be less expensive to take your own car versus renting a car.

CITY MANAGER SMITH said that depended on the number of days an individual was going and how far they were going, and he noted that it could be less expensive to have the rental car.

COMMISSIONER SIMONE said that she looked at it from a monetary point of view and she felt that it should be submitted with the least expensive cost to the City.

CITY MANAGER SMITH felt that Commissioner Simone was providing an alternate of the mileage allowance or a car rental, whichever was the better value for the City. He stated that it could be determined when the travel form came into his office for review. He said that if going with the Staff's language, employees would still have the ability to have access to the car rental.

MAYOR RUZZANO said that he was in agreement either way.

COMMISSIONER TALERICO suggested leaving the alternate language in to allow for the car allowance and no mileage.

COMMISSIONER PEERMAN agreed with that option.

CITY MANAGER SMITH clarified that the alternate language would be used for Section 5A.

COMMISSIONER PEERMAN asked for a cost comparison.

CITY MANAGER SMITH said that if there was a recommendation to change it based on cost value, it could be brought back to the Commission. He asked whether the Commission also wanted him to report back regarding the cases for Section 4E.

COMMISSIONERS all said no.

COMMISSIONER PEERMAN questioned whether the travel of a Commissioner would be reported to the Commission, and she said she would like some form of notification, even if it was just an email.

COMMISSIONER SIMONE asked whether everyone was in agreement with Section 2B and 3B.

MAYOR RUZZANO said that he did not agree, and did not want them reviewed by the City Manager.

CITY MANAGER SMITH recommended keeping that, because it would come through with all the other travel information.

COMMISSIONER PEERMAN felt that it did not need to be reviewed by the City Manager's office, because the City Clerk handled the Commissioner's travel.

COMMISSIONERS all agreed to remove that language indicating that the City Manager would review.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:40 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo



Joseph J. Kavanagh, City Clerk

Date: 6/1/16