2006 City Commission Vacancy

**9/26/2006 – Regular City Commission Meeting**

Commissioner McElyea submitted a letter of resignation to the City Clerk. His resignation is effective at 12:01 a.m. on September 27, 2006.

Mayor Flury commented, at an appropriate time, we will have Commissioner McElyea come back to be properly recognized for his many years of service. She stated she has been contacted by several people who are interested in filling Commissioner McElyea’s position. She asked the City Attorney how we proceed.

City Attorney Ansbro responded the Charter provides the Commission has 30 days to decide and appoint a successor to serve the unexpired portion of the term which expires in March 2007.

Mayor Flury suggested interested persons submit a letter of interest to the Commission during the next 7-10 days. She also suggested the City Clerk draft a letter of interest for people to sign. She stated the Commission should hold a special meeting in 10 days to begin the process.

Vice-Mayor Anton commented this is an important decision to make; he agrees with holding a special meeting or workshop, but thinks 10 days is too soon.

City Clerk Stilson advised that Commissioner Bertino would be out of town effective October 11, 2006, so the meeting would need to be held before that date.

Commissioner Bertino questioned if the Commission should only appoint people who will not run for the Commission in the upcoming election.

Mayor Flury responded we should not set the criteria; the purpose of a workshop is to set the parameters.

**10/10/2006 – Special Meeting Commission Vacancy**

Discussion and possible selection to fill Commissioner McElyea’s remaining term of Office (through March 20, 2007)

 Robert “Bob” Adams – 330 SE 3rd Terrace

 Dr. Paul A. Fetscher – 326 SE 3rd Street

 Bobbie Grace – 110 NW 8th Avenue

 George Jason – 4549 SW 37th Avenue

 Gary Luedtke – 4461 SW 34th Drive

 Robert “Bob” Mikes – 895 NW 17th Avenue

 Gary Rowe – 5310 SW 22nd Avenue

 Joseph E. Smith – 1056 SE 6th Court

 Clive Taylor – 642 NE 3rd Street

 Patricia “Pat” Tyra – 2912 SW 54th Street

 Boisy N. Waiters, Jr. – 733 SW 3rd Street

Mayor Flury was pleased to see the number of people interested in the position. She stated the meeting would not run beyond 11:00 a.m. She asked City Attorney Ansbro if, to the best of his knowledge, he considered all those who have submitted applications to be eligible for the position.

City Attorney Ansbro noted he is concerned with the application of former Commissioner Bob Mikes because of the Charter provision that a Commissioner must remain out of office for a full two year period.

Mayor Flury noted that Bob Mikes would be removed from the list of applicants.

City Attorney Ansbro confirmed for Vice Mayor Anton that Dr. Paul Fetscher, who is currently serving on the Planning and Zoning Board, would have to resign from the Board if he is selected to fill Commissioner McElyea’s position.

Mayor Flury questioned if someone running for Commissioner in March 2007, should be appointed.

Commissioner Castro commented she would not support a candidate who would be running for Commissioner in the forthcoming election.

Commissioner Bertino agreed with Commissioner Castro.

Vice-Mayor Anton agreed with Commissioner Castro and Commissioner Bertino.

Mayor Flury was concerned that someone on the list may not have mentioned his intention to run for Commissioner in March.

It was the consensus of the Commission to delete the name of any applicant who has expressed they would run for Commissioner in March 2007.

Mayor Flury removed George Jason from the list of applicants because he has declared that he will run for City Commission.

Mayor Flury recessed the meeting so the City Clerk could contact the applicants to see if they intend to run for the Commission in March 2007.

City Attorney Ansbro spoke with Dr. Fetscher who confirmed he does not intend to run.

City Clerk Stilson called and left messages for Gary Rowe, Clive Taylor and Boisy N. Waiters.

Commissioner Castro indicated other important factors to consider would be to select someone from a part of the City that is not represented, a person serving on a City Board or a president of an association. She further commented she does not know some of these people personally, so perhaps an interview or a brief presentation should be considered.

Commissioner Bertino thought a primary ingredient in this process would be to select someone who has served or is still serving on a City Board, since they would have the concept of working in government.

Vice-Mayor Anton agreed that being a Board member was an important aspect, as well as having someone from a part of the City that is not represented, provided they meet the criteria.

Mayor Flury agreed that the Commission should select a person who has participated in City functions.

It was the consensus of the Commission to eliminate people who have not served on boards.

Mayor Flury noted that Gary Rowe is currently the President of the Ravenswood Homeowners’ Association but has never served on a City Board. She also indicated that Joseph Smith has never served on a City Board. The names of Gary Rowe and Joseph Smith were therefore removed from the list.

Commissioner Bertino thought that another reason to remove a name from the list would be if someone was the president of an association and in charge of a group of voters, since it would look very political on the part of this Commission.

Commissioner Castro disagreed with Commissioner Bertino and felt that being president of an association is a critical component, since they often interact with the City to resolve issues and they know what the residents are looking for. She added she would only agree to remove Mr. Rowe from the list because he may be too new to the process, but not for any political reasons.

Vice-Mayor Anton disagreed with Commissioner Bertino and thought this was not a legitimate reason to take anybody off the list.

Mayor Flury read the names of the seven candidates that remained on the list and asked the Commission for a decision:

Bob Adams

Dr. Paul A. Fetscher

Bobbie Grace

Gary Luedtke

Clive Taylor

Pat Tyra

Boisy N. Waiters

Commissioner Castro commented Bobbie Grace has served in the Commission before and she would like to give someone else the opportunity to serve in this temporary position. She respectfully requested to remove Bobbie Grace from the list of candidates.

Commissioner Bertino disagreed with Commissioner Castro and thought experience as a Commissioner would be a positive thing.

Mayor Flury remarked having past experience as a Commissioner was a plus.

Commissioner Bertino motioned to appoint Bob Adams as the Acting Commissioner. The motion died for lack of a second.

Commissioner Castro questioned if we had to make a decision today because she is not familiar with all the candidates.

Mayor Flury suggested holding a special meeting and inviting all the candidates to make a five minute presentation.

Commissioner Castro suggested ranking the applicants and assigning them points.

Vice-Mayor Anton commented he would like to give everyone an opportunity and ask each of them why they are interested in filling the position.

Mayor Flury suggested having a workshop meeting in the evening and if someone does not attend, they are eliminated.

It was the consensus of the Commission to eliminate anyone who does not attend the meeting, unless it is an emergency.

Commissioner Bertino noted he will be out of town as of October 13, but he is confident that the remaining Commission members can make a decision without him.

The remaining Commission members preferred that Commissioner Bertino be present to make the decision.

City Attorney Ansbro reminded the Commission that the Charter provides that the appointment be made within 30 days.

Vice-Mayor Anton commented voters would not want three people to make the decision and if we have to wait longer, we should.

At the request of Commissioner Castro it was the consensus of the Commission to limit the pool to the seven remaining candidates by not accepting any more applications.

Mayor Flury thought another option would be to schedule the meeting and have Commissioner Bertino on the telephone.

City Attorney Ansbro confirmed this could be done.

City Manager Pato suggested calling the candidates to see if they would be available on Thursday, October 12, 2006.

City Attorney Ansbro confirmed we could continue today’s Special Meeting, and no extra public notice would be required.

Mayor Flury advised the Special Meeting would be held on Thursday, October 12, 2006 at 6:30 p.m. and the candidates would be asked to make a five-minute presentation on why they would like to hold this position.

**Vice-Mayor Anton motioned to continue today’s Special Meeting until Thursday, October 12, 2006 at 6:30 p.m.; seconded by Commissioner Castro. The motion carried unanimously.**

10/12/2006 – Special Meeting Commission Vacancy – continued

Mayor Flury advised this was a continuation of the Special Meeting held on Tuesday, October 10, 2006 at 9:00 a.m. She explained that at Tuesday’s meeting the City Commission narrowed down the original list to six candidates, using a variety of criteria. Mayor Flury further commented that the Commission thought it was reasonable to know each of the individuals and when the presentations are concluded the Commission will make a decision. She mentioned it had been very difficult to eliminate those who were removed from the previous list as she was sure any of the applicants could serve in this position and do it well, but unfortunately they needed to select one person. She clarified the candidates will be called in alphabetical order.

Presentation by the following interested parties:

 **Robert “Bob” Adams, 330 SE 3rd Terrace**

Mr. Adams has been a lifelong resident of Dania Beach. He noted he has served on the Charter Review Board, Human Relations Board, Planning and Zoning Board, and is currently serving on the Nuisance Abatement Board. Mr. Adams is also affiliated to several community organizations.

Commissioner Castro asked Mr. Adams who he would vote for if he was a Commissioner. She also asked him to confirm he will not run for Commissioner in March 2007.

Mr. Adams reaffirmed his previous statement that he will not run for office in the March election. He mentioned he thought Dr. Fetscher would be the right person to fill this vacancy.

Vice-Mayor Anton asked Mr. Adams how he felt about the way things were going in the City of Dania Beach.

Mr. Adams responded he thought the City was on a good path and that this Commission has done a very good job promoting growth and tourism, and attracting people to come to the City.

 **Dr. Paul A. Fetscher – 326 SE 3rd Street**

Dr. Fetscher is 61 years of age and has been an educator for the past 32 years; he is currently the Principal at a High School in Miramar. He moved to Dania Beach about 10 years ago at the urging of one of his long-time friends, Al Jones. Dr. Fetscher has served on the Planning and Zoning Board for seven years and was elected Chair of that Board one year ago. He commented that if elected, he would address the infracstructure issues. He noted there are lots of things that he likes about the City, one of them is the fact that some of his former kids work for the City, plus a lot of other things that make him proud of the City. Dr Fetscher would like this temporary position because he has no political aspirations and it would give him the opportunity to be a part of the decision-making process, which he has learned by serving on the Planning and Zoning Board.

Commissioner Castro asked Dr. Fetscher who would be his choice from the list of applicants.

Dr. Fetscher responded he did not know the rest of the candidates, therefore he could not choose anyone.

Commissioner Bertino asked Dr. Fetscher if he had any other experience, other than education, that would be valuable to help him as a Commissioner.

Dr. Fetscher noted he owned a construction company in Connecticut for 16 years, however, he finally chose to be an educator because he enjoys working with kids and watching people become successful.

Mayor Flury thought if Dr. Fetscher was elected tonight, the City would lose him as Chair of the Planning and Zoning Board.

Vice-Mayor Anton asked Dr. Fetscher if he would go back to the Planning and Zoning Board when his term expires in March, 2007.

Dr. Fetscher responded in the affirmative.

 **Bobbie Grace – 110 NW 8th Avenue**

Bobbie Grace was born in Georgia in 1945 and moved to Dania Beach in 1951. She is married and has two daughters and two grandsons. Ms. Grace worked for BellSouth for 29 years and retired in December 1997. She has served on the Parks and Recreation Advisory Board and the Planning and Zoning Board and was elected to the City Commission in 1989 where she remained until 1997. Ms. Grace is a very active member of the community, is affiliated to several organizations and has received a number of awards; she will be honored as a Broward County Pioneer on October 14, 2006. Ms. Grace reaffirmed to the Commission that she would not be running for office. She further noted that she is confident that her past experience, positive, outgoing, forthright and independent attitude would help her face many issues that would make the City a better place. She finalized her comments saying that she cherishes the Commission’s hard work and courage to do the right thing for the City.

Commissioner Castro asked Ms. Grace who she would pick for the position.

Ms. Grace responded she would select Bob Adams.

 **Gary Luedtke – 4461 SW 34th Drive**

Gary Luedtke was born and raised in Milwaukee, Winsconsin, and moved to Dania Beach in 1987. He has worked in marketing services and for the cruise line industry and retired in 2002. He joined the NOISE Abatement Committee in 1989 when their plan to expand the south runway was announced. Mr. Luedtke has served on the Airport Advisory Board, Budget Advisory Board, Civil Service Board, Charter Review Board, Code Enforcement Board and the Planning and Zoning Board. If elected, he would like to see projects that would benefit the community in the area, such as the need for a post office and a bank along the Griffin Road corridor. Mr. Luedtke further noted that after several years, it would be very positive to bring a citizen from the Western Annexed area to the Commission.

Commissioner Castro asked Mr. Luedtke why he was interested in this interim position and not running for office in the forthcoming election. She also asked him who he would pick from the rest of the candidates.

Mr. Luedtke advised after his term is done, he would go back to being a private citizen with much more credibility after serving as a Commissioner. He further indicated he would pick someone with a lot of experience on City Boards, but preferred not to mention any name.

 **Clive Taylor – 642 NE 3rd Street**

Clive Taylor was born in London, United Kingdom in 1943. He became a naturalized U.S. citizen in 1965. He is married and has three adult children and five grandchildren who all reside in Broward County. Mr. Taylor has been a resident and property owner in the Northeast section of Dania Beach since 1978. He was employed by the Florida State Department of Transportation for 34 years. Since retiring, Mr. Taylor became an instructor for the University of Florida and has also contracted to be a consultant to review traffic maintenance work zones for the South Florida Conservation and Development Council. Mr. Taylor is currently Chairman of the Marine Advisory Board and felt the City would be a major player in the marine industry. He is also a charter member of the Northeast Property Owners’ Association, and hoped to be a voice when major development happens in Dania Beach. Mr. Taylor thought maintaining our quality of life was paramount in our decision making process and summarized his presentation by saying that Dania Beach is unique and we should keep it that way.

Commissioner Castro asked Clive Taylor if he was not elected, who he would choose for the position.

Clive Taylor responded he did not know anybody but had read about Bobbie Grace in the newspapers, so he would pick her.

 **Patricia “Pat” Tyra – 2912 SW 54th Street**

Pat Tyra lives in the Estates of Fort Lauderdale Mobile Homes, in the annexed section of the City. She noted that she is a nurse, and nurses are known by their patients and colleagues as being caring and good on ethics, and that is the expertise she would bring to the Commission. Ms. Tyra added she is a hard worker, a good volunteer, and she is very good at listening and identifying problems as well as finding solutions. She is currently the president of the Estates of Fort Lauderdale Homeowners’ Association and is very much involved in City matters, not only representing her community, but herself. Ms. Tyra commented she would appreciate the opportunity to serve the City, however, she could not work as a full time Commissioner since she travels very often on personal matters.

Commissioner Castro asked Ms. Tyra who would be her choice from the list of applicants.

Ms. Tyra responded she would prefer not to choose anybody.

Vice-Mayor Anton asked Ms. Tyra what she thought about the way the City was moving.

Ms. Tyra responded she felt that it had taken too long for the City to address the infracstructure issues. She also mentioned she did not like the fact that some projects were approved and have never come to fruition, and that there was a need for a Master Plan for the whole City. Ms. Tyra thought affordable housing needed more attention since it was a nationwide crisis.

Discussion and possible selection to fill Commissioner McElyea’s remaining term of Office (through March 20, 2007)

Mayor Flury commented that now that all the applicants have made their presentations, it is time for the Commission to make a decision.

Commissioner Bertino thought everyone on the list was good, and he felt bad to have to choose one.

Commissioner Castro thanked all the candidates for coming and noted this was going to be a tough decision to make.

Vice-Mayor Anton agreed with Commissioner Castro and Commissioner Bertino. He further commented it is not easy for the applicants to do this type of presentation. Vice-Mayor Anton expressed a great respect for all the candidates and thought their volunteer work should also be recognized.

Mayor Flury also thanked everyone for their time and asked for nominations from members of the Commission.

City Attorney Ansbro suggested using a ranking procedure for the selection process.

**Commissioner Castro motioned to appoint Pat Tyra to the Dania Beach City Commission; seconded by Vice-Mayor Anton. The motion failed on the following 2-2 Roll Call vote:**

 **Commissioner Bertino No Vice-Mayor Anton Yes**

 **Commissioner Castro Yes Mayor Flury No**

Vice-Mayor Anton noted he seconded the appointment of Ms. Tyra because she comes from the Annexed area and this is a good opportunity to have a voice from the Western part of the City represented in the Commission.

Mayor Flury advised she voted no, because Ms. Tyra clearly said she would not be able to serve the City on a full time basis and also thought the City needed someone more experienced.

Commissioner Castro motioned to appoint Clive Taylor to the Dania Beach City Commission. The motion failed for lack of a second.

**Commissioner Bertino motioned to appoint Dr. Paul A. Fetscher to the Dania Beach City Commission; seconded by Commissioner Castro. The motion carried on the following 4-0 Roll Call vote:**

 **Commissioner Bertino Yes Vice-Mayor Anton Yes**

 **Commissioner Castro Yes Mayor Flury Yes**

The City Commission unanimously agreed to officially appoint Dr. Fetscher tonight so he can sit as Commissioner at the October 24 Commission meeting.

City Attorney Ansbro swore in Dr. Paul A. Fetscher, as he was appointed City Commissioner to fill the vacancy of Commissioner C. K. “Mac” McElyea, whose term expires March 20, 2007. He noted Dr. Fetscher was automatically resigned from the Planning and Zoning Board.

City Attorney Ansbro read the title of the appointing Resolution.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING DR. PAUL A. FETSCHER AS CITY COMMISSIONER, TO COMPLETE A FOUR YEAR TERM THAT EXPIRES MARCH 2007, DUE TO THE RESIGNATION OF COMMISSIONER C.K. “MAC” MCELYEA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.