

**City of DeBary  
SPECIAL CITY COUNCIL MEETING**

**Wednesday  
August 24, 2016**

**6 PM**

City Council Chambers  
16 Colomba Road  
DeBary, Florida 32713

**I. Roll Call:** Mayor Clint Johnson Vice Mayor Lita Handy-Peters, Council Member Mike Brady, Council Member Rick Dwyer and Council Member Chris Carson.

**Others Present:** Interim City Manager Ron McLemore, IT Director Eric Frankton, City Clerk Warren Graham, TOD Director Roger Van Auker, City Attorney Kurt Ardaman.

**II. Public Hearings**

1. Hearing to consider and Render a decision on Whether Mayor Clint Johnson violated Section 4.04(a) of the City of DeBary Charter and whether he shall be declared to have forfeited his Office in accordance with Sections 4.07 and 4.09 of the City of DeBary Charter.

City Attorney read the procedures that will be followed during the public hearing. Council Member Dwyer made a motion to approve the time limits as set forth by the City Attorney. Council Member Brady seconded the motion, motion approved 5-0.

The City Clerk swore in the witness's and speakers.

Drew Smith, attorney for the Council made his opening statements.

Doug Daniels, Mayor Johnson's attorney made his opening remarks.

The first witness, Eric Frankton was questioned by Drew Smith and then cross examination by Doug Daniels.

The next witness, Roger Van Auker was questioned by Drew Smith and cross examined by Doug Daniels.

2. Public Participation relating to and during the Public Hearing(s) shall be in accordance with the attached Memorandum and City Resolution No. 15-21.

Mort Culligan, Alfredo Rui;, Kenneth Knapp, Linda Camparese, Patricia Stevenson, Peri Sedigh, Esq, Carla Gillen, Amanda McClure, Jean Lord, Cela Cole, Bob Forsyth, Janice Meek, Regina Huni, Phyllis Johnson, James Johnson, David Camporese, Robert Knott, David Walstrom, Mark Sandler, Sarah Johnson, Jef Shelby and Scott Storgill.

Point of order was called by Council Member Brady, seconded by Council Member Carson to take the screen shots off the public screen about what was said by Mort Culligan. Motion approved 4-1, Mayor Johnson voting no.

Kenny Knapp was escorted from the meeting by the Sheriff's deputies at the request of Mayor Johnson.

Drew Smith made his closing comments.

No closing comments by Doug Daniels.

### 3. Council Decision on item one (1) of the Public Hearing.

Kurt Ardaman gave his instructions to the Council. Go through each of the eight violations one by one. He also advised the Mayor Johnson should not vote any of the motions.

1. Council Member Dwyer made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on January 11, 2016 whereby Mayor Johnson gave an express order to an employee. Council Member Brady seconded the motion, motion approved 3-1, Council Member Carson Voting No.

2. Council Member Dwyer made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on February 11, 2016 whereby Mayor Johnson gave an express order to an employee. Vice Mayor Handy-Peters seconded the motion, motion approved 4-0.

3. Council Member Brady made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on April 20, 2016 whereby Mayor Johnson gave an express order to an employee. Council Member Dwyer seconded the motion, motion approved 3-1, Council Member Carson voting No.

4. Council Member Brady made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on May 16, 2016 whereby Mayor Johnson gave an express order to an employee. Council Member Dwyer seconded the motion, motion approved 4-0.

5. Council Member Dwyer made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on May 23, 2016 whereby Mayor Johnson dictated the employment or removal of an employee. Vice Mayor Handy-Peters seconded the motion, motion approved 4-0.

6. Council Member Brady made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his

conduct on May 24, 2016 whereby Mayor Johnson dictated the employment or removal of an employee. Vice Mayor Handy-Peters seconded the motion, motion approved 4-0.

7. Council Member Brady made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on May 31, 2016 whereby Mayor Johnson dictated the employment or removal of an employee. Council Member Dwyer seconded the motion, motion approved 4-0.

8. Council Member Brady made the motion to find that Mayor Clint Johnson has violated an express prohibition of Section 4.04(a) of the City Charter based on his conduct on June 6, 2016 whereby Mayor Johnson dictated the employment or removal of an employee. Council Member Dwyer seconded the motion, motion approved 4-0.

Council Member Dwyer made a motion to extend the meeting passed the 11 PM time. Council Member Brady seconded the motion, motion approved 5-0.

Council Member Brady made the motion to incorporate all evidence into one item. Council Member Dryer seconded the motion, motion approved 4-0.

Council Member Brady made the motion to find that Mayor Clint Johnson has forfeited his office in accordance with Section 4.07 of the City Charter, based on the Council's findings with respect to Mayor Johnson's violation/s of Section 4.04(a) of the City Charter. Vice Mayor Handy-Peters second the motion, motion approved 4-0.

Meeting Adjourned at 11:30 PM

**APPROVED  
CITY OF DEBARY  
CITY COUNCIL**

**ATTEST:**

---

**Lita Handy-Peters, Interim Mayor**

---

**Warren Graham, City Clerk**