

## MEMORANDUM

TO: Mayor, City Council, Kurt Ardaman, Esq., Captain Tim Morgan VCSO  
FROM: Ron McLemore, Interim City Manager  
SUBJECT: Hearing – Enhance Security Measure  
DATE: August 18, 2016

This memorandum is to advise you that Mayor Johnson's comments distributed on social media on August 15, 2016 stating, "there will be no justice, so let there be no peace" have caused a substantial backlash from the public. This backlash of comments indicates that some members of the public have perceived these comments from the Mayor as an attempt to incite a riot, an effort to intimidate members of the public who may not support his continued service from expressing their viewpoints at the meeting, and even as cause for fear of physical harm.

Based upon this feedback, it appears that these most recent comments, in conjunction with his June 21, 2016 social media comment stating, "I am calling on all law abiding citizens in DeBary to purchase, practice and carry a firearm," have struck an alarming nerve with the public. It appears these comments may be causing a chilling effect on public participation in one of the most important events in the City's history.

After conferring with law enforcement, city attorneys, and city staff, it is my conclusion that an enhanced level of security is appropriate for the conduct of the hearing in order to provide for an orderly hearing process and to provide the public with the perception and reality that a safe environment exists in which to participate in their local government.





In any situation indicating a need for enhanced security, public officials are obligated to balance the need to protect the safety of the public with their right to participate in their government and free speech. There is little question that if everything goes smoothly, city officials will be chastised for over-reacting, and if things go wrong, chastised for not being prepared.

However, after taking everything into consideration in this situation, it is my opinion that an abundance of caution is the appropriate strategy for the hearing.

Therefore, I have directed City staff to implement the following security measures:

1. The hearing will take place in the Council Chambers.
2. No one will be allowed in the Council Chambers other than persons essential to the hearing, i.e., city elected officials, attorneys, witnesses, appropriate City staff and those members of the public and others who have signed up to speak.
3. All persons entering the Council Chambers will be screened prior to entry.
4. We have made additional provisions for the public and others in the Florence K. Little Town Hall.
5. The meeting will be streamed live to the public in the Town Hall and the community at large. City staff will be present in Town Hall to accept requests to speak and to operate the electronic equipment.





6. An enhanced level or level of law enforcement will be present.

This is an unfortunate situation. However, I am confident that this strategy will provide the level of security needed without compromising the public's right to participate in their local government.

Finally, we should keep in mind that throughout our history, our participatory democracy has been, from time to time, a loud and messy proposition. However, it is still the most just, constructive and productive form of government the world has ever known and we intend to do our part to keep it that way.

