

Chiefland Commission Gives City Manager His Walking Papers

By Terry Witt
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Chiefland City Manager Kevin Gay lost his job Tuesday night after three commissioners expressed a lack of confidence in his ability to deal with citizens and local business owners and one commissioner felt Gay had advocated secrecy in city government.

Gay denied he had done anything wrong and said he had followed the directions of the mayor and commission and worked hard to meet the expectations of commissioners.

The commission's action brought a backlash from citizens in the audience who questioned whether he was being treated fairly and who said they didn't understand the reasons why his contract was not being renewed.

Businessman Terrance Reed asked if Gay knew in advance he might lose his job.

"I heard on the street this man was going to be fired, and that's sad," Reed said.

Mayor Teal Pomeroy said Gay had received his evaluation forms from city commissioners well in advance of the meeting and knew what might be coming.

Gay had scored a 3.1 on his overall evaluation out of a possible 5 points, but the above average score didn't account for politics.

Gay promised the city would hear from his attorney after he was told by Pomeroy that he was no longer city manager. However technically, he apparently was still city manager when he left the meeting room.

After the special meeting to evaluate Gay ended, and Gay left the room, City Attorney Norm Fugate told commissioners that they had made a technical error when they voted 3-2 to reject Commissioner Teresa Barron's motion renewing the contract with two changes. The majority thought they had ended Gay's employment.

Fugate said the rejection of Barron's motion probably didn't end his employment, in his view.

Fugate said it could be argued that the commission had actually extended his contract for another year by failing to pass a motion that terminated his contract.

Fugate suggested commissioners adopt a motion to not negotiate the terms and conditions of Gay's contract and not to extend the contract. Commissioners approved the motion unanimously.

Fugate said it was his opinion the second motion was enough to deny Gay 20 weeks of severance pay, but he also said the city would have to wait to hear from Gay's attorney on the issue.

City Clerk Mary Ellzey was appointed as interim city manager until Gay's replacement can be found. Ellzey will technically start her new job on Friday, even though city employees don't work that day. That's because Gay's contract extends through Thursday. Ellzey won't receive additional pay. She has been interim manager at least once before when a previous city manager left the employ of the city.

Commissioners Betty Walker and Chris Jones offered the sharpest criticism of Gay.

Gay had filled out his self-evaluation sheets by listing the 5th amendment as his answer to all the evaluation questions. Walker said she wondered if Gay was trying to hide something he had done wrong by claiming the right to avoid self-incrimination by not answering the questions.

Gay responded that he didn't mean that at all. In his six month evaluation, Gay said he had given himself a perfect rating. He had rated himself a perfect 5 on all the questions he was asked on the self-evaluation. He said it's never smart to give low grades on a self-evaluation because it can come back to haunt you later if a future employer wants to know what was meant by the low

grades. He said claiming the Fifth Amendment accomplished the same thing. But Walker said it made the task of evaluating Gay all the more difficult.

“It is hard to review you when you have submitted to us that you plead the fifth on every question which leaves me with an uneasy feeling that something criminal has happened or you are a part of, especially after getting the definition of pleading the fifth,” Walker wrote in her evaluation. “We are not here for criminal action, but for an evaluation.”

She raised the same issue in the oral evaluation of Gay at the meeting.

Commissioner Chris Jones said he discovered Gay had been telling city employees that “loose lips sink ships,” which he interpreted as meaning Gay was advocating secrecy in city government. He said he wouldn’t tolerate a city manager advocating secrecy in a “public government.” Gay said he wasn’t advocating secrecy. He said it’s just an old military expression. But Jones saw it differently.

“I refuse to sit back and not acknowledge that that took place,” Jones said after the meeting.

Jones said he wrestled with the question of whether to vote to keep Gay in his job and went so far as to consult two ministers and pray about it. Ultimately he said he felt he had to vote against Gay keeping his job.

“It’s nothing personal,” he said.

Jones said he heard other comments from citizens in the community about statements Gay had made. He said he didn’t ask those citizens to come to the meeting. He wanted to keep civility in the discussion, but said he would bring them forward if it became necessary.

“There is some disturbing stuff,” Jones said.

Commissioner Teresa Barron took the opposite view of Gay, describing him as possibly the best city manager she has worked with since taking office. She appeared shocked when her motion to renew Gay’s contract was rejected 3-2. Commissioner Rollin Hudson supported the motion. His main objection had been to 20 weeks of severance pay. Barron amended her motion to reduce the amount of severance pay to four weeks, consistent with the fire chief and police chief. But the motion still failed.

“You all are backing the city up,” Barron responded.

Icer Roberts said the city should have set up an action plan for Gay to follow after his six month evaluation that would have told him what he was doing wrong and how to correct his behavior.

“I don’t want our leaders to make decisions off an emotional cuff and personal differences,”

Roberts said.

Hudson said the six month evaluation by Jones had been written clearly and concisely and left no doubt as to what Gay was doing wrong and what needed to be corrected.

Gay promised he would be heard from again at the June 3 workshop at Tommy Usher Center where the county commission and city commission will meet to discuss whether the county should grant the city a license for an Advance Life Support non-transport truck.

“The county got their way didn’t they,” Gay said, implying that county politics figured into the commission’s decision not to renew his contract for another year. Gay had been a vocal advocate for the ALS non-transport truck and felt he had drawn the ire of county commissioners speaking on behalf of the city.

He said he would reveal facts and figures at the June 3 workshop.