

Former City Manager to Get Severance Pay If He Doesn't Sue

By Terry Witt
Senior Staff Writer

Acknowledging mistakes were made, the Chiefland City Commission voted unanimously Monday to accept former City Manager Kevin Gay's request for \$24,807.64 in severance pay provided he agrees in writing not to sue the city.

Gay's attorney Lanny Russell wrote the city a June 6 letter saying the commission failed to abide by its contract with Gay requiring a written notice be hand delivered to him prior to his anniversary date stating the city did not wish to renegotiate his contract.

Gay was told he no longer had a job at the May 27 city commission meeting, but the letter wasn't mailed to Gay until May 28, the day after the city should have notified him in writing that it would not negotiate a new contract. City Attorney Norm Fugate was given permission to negotiate with Russell and to make the offer. Fugate said Gay was also entitled to unemployment compensation. The unemployment would be based in part on the severance pay he receives.

City commissioners said they weren't interested in paying Gay's \$937.50 in attorney's fees. At the May 27 meeting, commissioners said they weren't going to give him severance pay, either. City Commissioner Teresa Barron said there were obviously issues she knew nothing about when Gay was fired.

"Obviously he didn't get a chance to defend himself," she said.

Technically, Gay wasn't fired. He worked as a contract employee and the city commission chose not to renew the contract on a 3-2 vote. He walked out of the city commission meeting in anger. The commission had voted 3-2 a few minutes earlier to reject Barron's motion to renegotiate his contract.

Barron said she didn't think Gay was treated fairly. She and Commissioner Rollin Hudson wanted to renegotiate the contract, but Mayor Teal Pomeroy and Commissioners Betty Walker and Chris Jones were opposed.

"Apparently there are some things I didn't know about," Barron said.

Jones said he spoke to Gay about the issues he had with his job performance and with the person who had lodged a complaint. He said Gay drove over to his place of business to talk to him.

"He gave his rebuttal on my property, so he and I spoke," Jones said.

Fact Box on City Manager and Interim City Manager dates of employment:

City Manager Earl Cannon 1989 – Aug. 29, 2003

City Manager Ed Smith Sept. 24, 2003 – Sept. 26, 2005

Bill Hammond (interim city manager) Sept. 26, 2005 – March 2, 2006

City Manager Rod Russ March 2, 2006 – Aug. 28, 2006.

Maxie Beauchamp (interim city manager) Aug. 28, 2006 – Sept. 25, 2006

Matthew Brock (interim city manager) Sept. 26, 2006 – Jan. 11, 2007

City Manager Grady Hartzog Jan. 12, 2007 – April 22, 2013

Mary Ellzey (interim city manager) April 22, 2013 – May 28, 2013

City Manager Kevin Gay May 29, 2013 – May 28, 2014

Mary Ellzey (interim city manager) May 29, 2014 to present.

Pomeroy said it's difficult for a city manager to follow the directives of five different bosses. He said city managers and county managers have the same problem all over the state. Pomeroy said he talked with Gay and got the impression a lawsuit "wasn't imminent." Gay told the Journal that Pomeroy apologized to him when he called.