

**EDGEWOOD CITY COUNCIL
JANUARY 10, 2012 CITY COUNCIL WORKSHOP – PERSONNEL POLICY**

On Tuesday, January 10, 2012, the Edgewood City Council held a workshop at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 3:05 p.m. and explained that the purpose of the workshop is for review and consideration of revisions of the Personnel Policy. The following attendance for the workshop is noted:

Attendees:

Council President Beardslee
Mayor Bagshaw
Council Member Chotas
Council Member Powell
Council Member Dowless

Absent:

Council Member Malcolm Henley (excused)

Staff:

City Clerk, Meeks
Police Chief, Marcus
Police Clerk, Patterson
City Attorney, Smith

Council President Beardslee said that for clarification, the Personnel Policy does not govern those employees who are sworn police officers. She noted that copies of the CBA are available. She wanted to address Council Member Powell's concerns first.

Section 3.3 Probationary Period

Council Member Powell noted the following:

- Said there was a conflict of wording and noted suggested language by Council Member Chotas "A probationary employee is one who has not yet successfully completed the probationary period. The initial (new hire) probationary period for employees covered by this Personnel Policy Manual is six months". Council Member Powell said strike through "~~The initial (new hire) probationary period for employees covered by this Personnel Policy Manual is six months~~". He said it is in conflict with "wording earlier" indicating 30-days probation. Council Member

Chotas stated that he thinks there is a disservice if Council shortens the time frame, as a bad employee could make it through the shortened time. Council President Beardslee said that employees can accumulate vacation/sick time during that time however they cannot use until after they have satisfied probation. City Attorney Smith asked Council Member Powell if he is okay with adding to Probationary Period (terminated at any time with or without cause) and Council Member Powell said he is okay with this language.

Section 4.2 Demotion

Council Member Powell said he is concerned with "Demotion" (Section 7), and the pay rate associated with demotion. Council Member Chotas explained difference in voluntary to involuntary demotion. Council Member Powell said he didn't want it to be misinterpreted. Council President Beardslee asked if there is language that should be in Personnel Policy regarding cut in staff and pay cuts. City Attorney Smith said he is not aware of anything.

Section 5.1 Recruitment (A)

Council Member Powell noted that the policy states that the Mayor shall recruit within "reasonable time", and asked who considers what is reasonable. Council President Beardslee said the City Council determines what is reasonable.

Page 33 Regarding conditional employment.

Council Member Chotas asked when does Council get involved with salary. City Attorney Smith said its part of the budget and Council approves positions in the beginning of budget process, along with salary range.

Section 5.2 Rejection of Application

Council Member Powell questioned adding "illegals" to the City employment application. City Attorney Smith said that it would be illegal for the City to add this when the law already provides. Council Member Chotas asked City Clerk Meeks how difficult would it be to add to application "not an illegal alien". City Clerk Meeks said she will review current application as this may already be on the application.

Council Member Powell said this was all he had noted.

Council President Beardslee asked Council member Chotas to provide his comments.

Section 2 (P.20)

Council Member Chotas said delete the words “and shall be confirmed” and insert “subject to being confirmed”.

Section 4 Administration of Personnel Policies

- Council Member Chotas said delete “required by these policies” , as it is an in an sentence earlier. City Attorney Smith suggested the language “take any such necessary actions”. Council Member Chotas said he is okay with this.
- P. 22 the definition of department supervisors – Council Member Chotas he said he believes the word is pretermination (remove “de”).
- P. 26 Sec 1 “with approval of City Council” – Council Member Chotas said makes it difficult for anyone to be responsible for uniform and consistent administration. He said this should be taken out. He said the Mayor should have responsibility, no one else should have responsibility. He noted that the Mayor may have to get approval from City Council as noted in Section 2, but the word “in that spot” means nobody is responsible. (agreed)

Section 13 Page 28

- Council Member Chotas (6th line) said there should be a space between “that” and “exist”.

Section 1 Page 31 (5-1B) Recruitment

- Second un-numbered paragraph (3d line) Council Member Chotas noted “must approve.

Section 5 (a) Page 33

- Council Member Chotas wanted to know when does Council ask what the salary will be. Council President Beardslee noted that this is part of the budgeting process, and if the Mayor is operating within the budget and not spending more money, the Mayor should be able to make the decision.
- Council Member Chotas questioned the conditional offer of employment process. City Attorney Smith noted that there is Council approval for the position and Council approval for the employee.

Section 6 B Page 34

- “Each new employee shall sign policies” – Council Member Chotas said the word “policies” is not defined anywhere in the policy more specifically, the signature page. He asked if just a signature page be provided. Chief Marcus asked about allowing an electronic signature and Council consensus agreed an electronic signature is okay. City Attorney Smith said he does not have a problem with the electronic signature as long as the electronic signature does not disappear.

Section 7 Page 43

- Council Member Chotas in the last line it states “ownership of material interests”, he thinks “of” should be “or”.
- Page 44 (Section 9-2) Council Member Chotas said it is missing the word “the” (Mayor determines the office sought).

Section 8.2 Page 62 Duration

- Council Member Chotas said he wants to make sure it is clear what this is going to say. He said that the period of probation should be 6 months and evaluation is done in 60 days. City Attorney Smith said that “merit may be considered”

Section 7 Page 63

- Council Member Chotas wanted to clarify that this verbiage goes back to the original 90 days.

Section 11-3 C Page 74

- Council Member Chotas said that “Supervisor” should be lower case.

Section 8A Page 74

- Council Member Chotas believes the line should read “absence with failure to obtain prior authorization”. He read the following: Absence with failure to obtain prior authorization to be absent from your work area or with failure to notify supervisor of employee absence due to illness or emergency.
- Page 80E Council Member Chotas (3rd line) read “in accordance with applicable statutes”, and noted that he thinks it should be “and the respective insurance policies”; take out the “/or”.

Section 5A Page 81 Florida Retirement System

- Council Member Chotas noted that it should read “Florida Retirement System”.

Section 8B-1 Page 83

- Council Member Chotas said that after the word “department” should be the word “supervisor”. Council Member Chotas said this should be “B (2)”, and after the first bullet, “circumstances” under request, e.g. zero sick leave balance, take out the rest, ~~“as a result of sick leave abuse”~~.
- Page 84 Council Member Chotas noted “the following days shall be official paid holidays” and said that all that is being done is defining the holidays and need to take out the word “paid”.
- Page 89 Council Member Chotas noted that 90days should be changed to six (6) months.

Section 15-12 Page 120

Council Member Chotas said replace Director with Supervisor where it reads “Signature of Department Director”.

Section 16-1 Page 121

Council Member Chotas noted again that department director should be department supervisor (last line in “A”).

Section 16-4 Page 124

Council Member Chotas (Paragraph 2- third line) noted again director should be supervisor

Section 17-3 Page 128

Council Member Chotas noted this should read “without access pretermination hearing”, take out the letters “de”.

Council Member Chotas noted the same change on Page 129, “pretermination”.

Council President Beardslee noted the following:

Section 3-3

- Regarding part-time Employee, Council President Beardslee asked “why are they not eligible for holiday or “bereavement leave”? Council Member Dowless said the cities he received information from had pro-rated pay. Council President Beardslee said that the City should be competitive with like municipalities. (Council President Beardslee left to make a phone call) Mayor Bagshaw said he agrees with Council Member Powell. City Clerk Meeks clarified insurance policy requires an employee to work no less than 32 hours weekly. Mayor Bagshaw noted that the current part-time employees work 24 hours per week. Council Member Powell said to leave bereavement leave in the policy for part-time employees but not in agreement with part-time employees receiving insurance benefits. Council Member Chotas wanted to know how you would establish holiday or bereavement with a part-time employee. Mayor Bagshaw said time is prorated based on the number of hours. Council Member Chotas said what the Mayor is suggesting is “eligible for vacation, sick leave, holiday pay or bereavement leave with the accrual rate prorated based upon the part-time employee’s authorized work schedule”. Mayor Bagshaw agreed with the language. (Council President Beardslee returned to workshop) Council President Beardslee said that the actual dollars “of this” are so minute in comparison to be able to retain “them”. Police Clerk Patterson said the police department has had four (4) part-time employees and it’s hard to get a part-time employee like Stacey to not leave when they can go to another job full time. She noted that Stacey is looking for a full-time job. Council President Beardslee said there is a cost associated with re-training. Council Member Chotas said he thinks it would be helpful if the Mayor had the ability to offer benefits to part-time employees in his negotiations. He said you would factor the benefits into the part-time employee’s pay. Council Member Chotas asked if the Mayor would work with City Attorney Smith to see if there is an ability to work with the insurance contract to get part-time insurance benefits. Council Member Chotas asked to delay this discussion so that City Attorney Smith can have time to review insurance contract(s).

Section 4-2

- Council President Beardslee questioned “If an employee is laterally transferred or reclassified (no change in the level of difficulty/responsibility of position), his/her pay rate will remain the same”. She said she thinks it should be changed to may remain the same, as she feels this should be discretionary.
- **Section 6** Council President Beardslee said the same change should be applied to “When an employee is promoted to a position vacancy with a higher level of difficulty/responsibility, his/her pay rate may will be increased as determined by the Mayor or City Council”.
- Council President Beardslee noted in the next paragraph “The pay rate of an employee promoted to a position as Department Director shall be determined by the Mayor or City

Council commensurate with the responsibilities of the position and competitive with other public agencies”. She said it should be with City Council approval. She said take out “Mayor or”.

Section 4.5

- Council President Beardslee said delete “or City Council”.

Section 14-15

- Council President Beardslee stated her concerns with a checks and balance to ensure that the department supervisor doesn’t use reprimand to keep employee from their longevity pay. She said she thinks Council should have the final say on this. Mayor Bagshaw noted that there is a grievance process in case this should occur. After much discussion, it was agreed to leave this policy alone.

Section 5-2 Page 32

- Council President Beardslee said City Council shouldn’t be conducting interview for department heads. She said she thinks the Mayor should do this and Council have option to talk to them. She said council shouldn’t have to be doing the recruiting and hiring. Council Member Dowless said Mayor is dealing with that person so Mayor should recruit and hire. City Attorney Smith said it is very common for the City Clerk and Police Chief to interview with Council. Mayor Bagshaw said he will bring candidates to Council for final interview.

Section 6-15 Page 51 Grooming & Personal Appearance

- Council President Beardslee said she thinks that grooming and appearance should be up to the supervisor. Council Member Powell was not in agreement. City Attorney Smith noted that if Council doesn’t agree with the department supervisor’s acceptance of grooming and appearance, Council can address the supervisor. Council Member Powell said he is okay with “supervisor’s discretion”.

Section 10-2 Page 68 Interview Process for Promotional Candidates

- Council President Beardslee read the policy and asked if someone could define “review board”, and how it would be established and selected? City Attorney Smith explained hiring department as City Hall or Police Department, i.e. if the Chief is hiring then this is the hiring department. Mayor Bagshaw suggested the language “in the department which the employee is being placed”.

Section 7 11-3 Page 74 Breaks and Lunch

- City Council President Beardslee asked if it is okay to not have an “official lunch” break. City Attorney Smith confirmed this is okay as long as the employee gets paid.

Section 8-B

- Council President Beardslee said it is a huge decision to make if City converts to a single bucket. Mayor Bagshaw wants to do buyout and make transition. Council President Beardslee said the City needs to be ready to make the conversion. Chief Marcus said Shannon will be penalized the most and would like for Council to look very closely at what they do. Mayor Bagshaw said he is not as concerned with the bucket accrual as he is with placing a limit so the hours don't keep accruing. Council President Beardslee asked if everyone is okay with a cap. City Attorney Smith said he will devise language. City Attorney Smith, suggested one (1) year of sick leave. Council President Beardslee said one hundred and sixty (160) hours of sick time. Mayor Bagshaw suggested vesting sick leave at beginning of year. Chief Marcus reminded everyone that the policy only affects eight (8) employees.
- Council President Beardslee would like to have first reading of Ordinance February. Council Member Chotas wants to take out 25% for sick leave. Council Member Dowless pointed out that City of Malabar converts sick over to vacation. Mayor Bagshaw said he would like to check thinking maximum would be a two hundred and forty (240) hour capacity, and base buyout on fiscal year.

Request for Qualifications (RFQ) – Mayor Bagshaw

Mayor Bagshaw reported that there were eleven responses received in response to the Request for Qualifications for engineering services. The Mayor reported that he contacted current City Engineer Miller to let him know the RFQ had been noticed in the paper, and confirm he had an opportunity to be considered if he wanted to submit a response. Mayor Bagshaw said that the responses were reduced to four. He explained that one company was eliminated because their expertise was wastewater or traffic. Another company was eliminated because they were a one person shop that relied on sub-contractors. Mayor Bagshaw said resident Frank Aguiliar reviewed the RFQ's and determined what he thought was the best for the City. The four companies he selected can do grant writing, planning, comprehensive planning and engineering. Mayor Bagshaw named the following four responses for consideration:

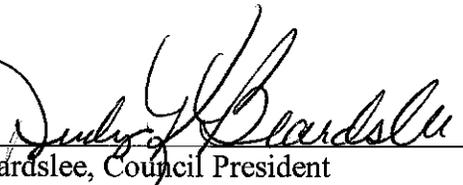
Selected companies:

- Florida Engineering Group (FEG) – office is in Edgewood
- Bowyer-Singleton & Assoc., Inc. (BSA) – well respected
- Weaver-Boos

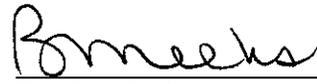
- BESH

Mayor Bagshaw would like to request bids for the fees of the four companies selected. Council Member Dr. Powell requested that Engineer Miller be asked for his input. Council President Beardslee said to be prepared for sticker shock.

Having no further business, the meeting adjourned at 5:56 p.m.



Judy Beardslee, Council President



Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**