



MINUTES

Monday, January 7, 2013

**FORT MYERS BEACH TOWN COUNCIL
WORK SESSION
TOWN HALL – COUNCIL CHAMBERS
2523 ESTERO BOULEVARD
FORT MYERS BEACH, FLORIDA 33931**

I. CALL TO ORDER

Mayor Raymond called to order the January 7, 2013 Work Session of the Town Council 2:00 p.m. Present along with Mayor Raymond: Vice Mayor Mandel, Council Members Andre, List, and Kosinski. Also Present: Town Manager Stewart, Town Attorney Miller, Public Works Director Lewis, Community Development Director Fluegel, and Town Clerk Mayher.

II. PLEDGE OF ALLEGIANCE

III. PERSONNEL MANUAL

Town Manager Stewart explained how he and staff had reviewed the Town's Personnel Manual and discovered some typographical errors, inconsistencies, and conflicts within the document. He noted Town Attorney Miller and Finance Director Wicks would review the draft Personnel Manual, and he asked that Council note any concerns or questions they may have as the document was reviewed.

Town Attorney Miller recapped how the draft document began with a model-type manual that Finance Director Wicks had reviewed, and then forwarded it to her for review and revisions. She then sent the edited copy back to Finance Director Wicks and staff for further review, and it was discussed at a meeting of staff last Friday.

Review, discussion, and comments ensued for the following pages of the draft Personnel Manual:

- Page 3 – no comments.
- Page 4 – no comments.
- Page 5 – Vice Mayor Mandel questioned 'reference checks' and 'drug screening' as it pertained to pre-employment drug testing. Town Attorney Miller suggested she add pre-employment drug screening on Page 28 as part of the 'Drug-Free Workplace'. Town Manager Stewart explained

that a ‘conditional’ offer was conditioned upon certain successful checks such as but not limited to a background check. Council Member List noted that under ‘Appointments’ it included “...and has passed any required drug screening”.

- Page 6 – Vice Mayor Mandel suggested under ‘Introductory Period’ to include an evaluation at 30, 60, 90, and 180 days. Discussion ensued and consensus was not to change this page.
- Page 7 – discussion was held concerning ‘Training and Development’ and job descriptions; no changes.
- Page 8 – discussion was held regarding ‘Terminations’; no changes.
- Page 9 – discussion was held concerning ‘Hours of Work’ and ‘Overtime’ and ‘On Call Overtime’; no changes.
- Page 10 – no comments.
- Page 11 – no comments.
- Page 12 – no comments.
- Page 13 – no comments.
- Page 14 – discussion was held regarding ‘Holidays’; Mayor Raymond suggested consideration be given to including the day before Christmas and New Year’s Day as a full day or half day off.
- Page 15 – no comments.
- Page 16 – no comments.
- Page 17 – Town Attorney Miller noted it was recommended under ‘Annual Leave’ to change “7-13 years of service - ~~10 hours~~ to 11 hours” and “14+ years of service from ~~13 hours~~ to 14 hours”.
- Page 18 – discussion was held concerning paid medical leave when an employee resigns or was terminated; annual leave and sick/medical leave. Town Manager Stewart stated he and staff would research how other communities handle ‘leave time’ and provide Council with information on the matter. Town Attorney Miller noted the ‘medical leave conversion’ should not have appeared in the draft document since it was ending in 2007.
- Page 19 – no changes.
- Page 20 – discussion was held concerning ‘Jury Duty’ and ‘Witness Duty’ and ‘ Military Leave’; no changes.
- Page 21 – discussion was held concerning ‘Personal Leave Without Pay’; no changes.
- Page 22 – discussion was held regarding Public Office Leave of Absence; no changes.
- Page 23 – discussion was held concerning ‘Ethics Policy’; no changes.
- Page 24 – no comments.
- Page 25 – no comments.
- Page 26 – no comments.
- Page 27 – no comments.
- Page 28 – no comments.
- Page 30 – discussion was held regarding ‘Complaint Policy’; no changes.
- Page 31 – discussion was held concerning ‘Outside Employment’; no changes.
- Page 32 – no comments.
- Page 33 – no comments.
- Page 34 – no comments.
- Page 35 – no comments.

Town Manager Stewart stated this Personnel Manual would be discussed at a future Council Meeting; however, he was unsure at this time as to when it would occur since staff had to research some related matters and revise the draft document.

IV. REVIEW OF TOWN ADVISORY COMMITTEES

Town Manager Stewart noted the request from Council for consistency as to how the Town's committees operated and committee rules. He indicated the Town Attorney created a document showing the commonality of the Town's committees.

Council Member List noted her belief that the 'Quorum Requirement' for Bay Oaks had recently been changed to a 'simple majority'.

Town Clerk Mayher confirmed that Council Member List was correct.

Mayor Raymond suggested the Public Safety Committee should be a 'simple majority'.

Discussion ensued regarding:

- A 'simple majority' as the quorum requirement except for the Audit Committee; consensus agreed;
- Commonality of '# of Members', 'Term of Office' (except for Audit Committee);
- 'Minimum # of Meetings' and consensus was to have them all as 'quarterly';
- Difference between the Local Planning Agency and other Town committees;
- 'Term of Office' and 'Term Limits' and consensus was to have all as '2 year terms, staggered, and unlimited';
- 'Qualifications of Members' with respect to residency and when an applicant already served on a Town committee; consensus was that resident applicants would be given preference over non-resident applicants for appointment, and include 'must be Town resident or own property or a business in the Town, but requirement can be waived by Council by a majority vote'.
- Town Hall Search Committee – disband; no longer necessary.

Town Manager Stewart reported he sent an email to the Town Hall leasing agent to request the start of discussions concerning the next lease term. He noted he would work to get an extended lease and he would also approach them about the possibility of a purchase.

Discussion was held concerning acquiring a Town flag to give to the *Privateer Lynx* to fly on their ship; consensus agreed that the Town Manager would obtain a flag for the *Privateer Lynx*.

Council Member List recognized Trent Townsend, former reporter with the Sandpaper, in the audience.

Council Member Andre asked when was the Matanzas mooring contract being renegotiated.

Contracts Manager, Derek Bargmann responded the contract is due to expire in May 2013.

V. ADJOURNMENT

Meeting adjourned at 3:35 p.m.

Adopted _____ With/Without changes. Motion by _____

Vote: _____

Michelle D. Mayher, Town Clerk

- End of document.