

**MINUTES OF THE SPECIAL MEETING FOR THE FISCAL YEAR 2022 – 2023 BUDGET FOR THE CITY OF PORT ST. JOE; ORDINANCE 599 AD VALOREM TAX; ORDINANCE 600 2022-2023 BUDGET; RESOLUTION 2022-11 UTILITY RATES; PERSONNEL MANUAL UPDATE; RESOLUTION 2022-13 CITY PAY SCALE; DELL LEASE AGREEMENT WITH THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE WARD RIDGE BUILDING, September 27, 2022, at 5:01 P.M.**

The following were present: Mayor Buzzett, Commissioners Hoffman, and Langston. City Manager Jim Anderson, City Clerk Charlotte Pierce, City Attorney Clinton McCahill, Finance Director Mike Lacour, and Public Works Director John Grantland were also present. Commissioners Ashbrook and Lowry were absent.

The purpose of the Special Meeting was Ordinance 599 – 2022 / 2023 Ad Valorem Tax Millage Rate Public Hearing, Second Reading and Adoption; Ordinance 600 – 2022 / 2023 Budget Public Hearing, Second Reading and Adoption; Resolution 2022-11 Utility Rates; Personnel Manual Update; Resolution 2022-13 City Pay Scale; Dale Lease Agreement

**City Attorney –**

*Ordinance 599 Ad Valorem Property Taxes 2022 – 2023, Public Hearing, Second Reading and Adoption:*

No one from the public attended the meeting.

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to have the Second Reading and Adoption of Ordinance 599. All in favor; Motion carried 3-0.

Attorney McCahill read Ordinance 599 in its entirety.

The Ad Valorem Property Tax Millage Rate for Municipal Purposes to be levied on the taxable property within the City limits of the City of Port St. Joe for the Fiscal Year Beginning October 1, 2022, and ending September 30, 2023, is set at the rate of 3.5914 mills. The percentage by which this millage rate to be levied is more than the rolled-back rate of 3.0803 mills (computed pursuant to Florida law) is 16.59%.

*Ordinance 600 Budget 2022 – 2023, Public Hearing, Second Reading, and Adoption:*

No one from the public attended the meeting.

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to have the Second Reading and Adoption of Ordinance 600. All in favor; Motion carried 3-0.

Attorney McCahill read Ordinance 600 by Title only.

*Resolution 2022-11 Utility Rates*

No one from the public attended the meeting.

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to adopt a temporary moratorium on Water and Sewer Rate increases for the 2022 – 2023 Fiscal Year Utility Rates. All in favor; Motion carried 3-0.

*Personnel Manual Update*

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to update the Personnel Manual to reflect the addition of the Juneteenth Holiday on June 19; reducing annual leave from 10 years to five years of service to receive 120 hours of annual leave; Employees after ten years of service will receive 160 hours of annual leave; increasing the annual leave cap from 240 hours to 360 hours; removing the cap on the amount of accumulated sick leave; allowing employees who were employed prior to February 20, 2018, with less than 10 years to receive twenty-five (25) percent of unused sick leave not to exceed 520 hours and employees with 10 years or more will receive 100 percent of unused sick leave not to exceed 520 hours. Employees who are employed after February 20, 2018, will receive the following payment for unused sick leave Employees shall not be paid for unused sick leave, except for those who have 10 years of continuous service with the City. If an employee leaves employment from the

**SECTION 4  
BENEFITS / LEAVES**

**4.1 HOLIDAYS**

The following and any other days which the City Commission may declare are City holidays. They shall be granted with pay to all eligible employees scheduled to work on such days.

- |  |                                     |
|--|-------------------------------------|
| 1. New Years Day   | January 1                           |
| 2. Martin Luther King, Jr's Birthday                               | January (3 <sup>rd</sup> Monday)    |
| 3. Good Friday   | Friday before Easter                |
| 4. Memorial Day  | Last Monday in May                  |
| 5. Junetenth   | June 19                             |
| 6. Independence Day  | July 4                              |
| 7. Labor Day   | September (1 <sup>st</sup> Monday)  |
| 8. Veteran's Day   | November 11                         |
| 9. Thanksgiving Day  | November (4 <sup>th</sup> Thursday) |
| 10. Friday following Thanksgiving                                  |                                     |
| 11. Christmas Eve  | December 24                         |
| 12. Christmas Day  | December 25                         |
| 13. Day after Christmas  | December 26                         |
| 14. Such other holidays as maybe determined by the City Commission |                                     |

Applicable rules for holiday leave are as follows:

When a holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday for that year. When a holiday falls on a Sunday, the following Monday shall be observed as the official holiday.

Employees in departments working on a shift basis will receive credit for the holiday on the actual date of the holiday.

The City Manager will determine when any department or operation will be closed in observance of a holiday.

Holidays will not be counted as time worked for overtime computations.

All full time regular employees will receive one (1) day off with pay for each of the holidays earned. The holiday pay will be as follows:

For regular employees he/she will receive 8 hours, police will receive 8.4 hours.

An employee must be on "Active Pay Status" (see definition) on the regularly scheduled working day immediately prior to a holiday and the regularly scheduled working day immediately following a holiday in order to qualify for the holiday time.

Employees who work on the observed holiday will be paid at their regular rate of pay in addition to the regular pay granted for the holiday, or will be given compensatory time off, at the discretion of the department head.

An employee who is scheduled to work on the day observed as a holiday and calls in sick will still be charged with holiday time for that day and not sick leave.

Holidays which occur during annual leave shall be charged to holiday leave and not to annual leave.

When a holiday falls within a period of leave of absence without pay, the employee shall not be paid for the holiday.

If a holiday falls on the employee's normal day off, the employee will receive regular pay for the holiday.

Holiday pay will only be offered to regular full time employees.

#### 4.2 ANNUAL LEAVE (VACATION)

Each employee shall accumulate annual leave with pay at the rates shown in the schedule below. Annual leave may not be taken until probationary status is completed and regular status is attained. In extenuating circumstances this may be waived at the request of the responsible Supervisor with concurrence of the Department Director recommendation of the City Manager and approval of the City Commission. However, in the event the employee resigns or is otherwise terminated before the end of the six (6) month period, any annual leave taken will be reimbursed to the City by deduction from the employee's final pay. Annual leave does not accumulate while on leave without pay unless required otherwise by local, State and /or Federal Law. Annual leave is accrued **on the employee anniversary date** and available to the employee at the time of accrual. Use of annual leave is not contingent on an employee anniversary date.

The City of Port St. Joe regular employees working 2,080 hours per year will accrue the following:

Less than one year	<b>Total</b> None
After one year	40 Hrs
After two years	80 Hrs
After <b>five</b> years	120 Hrs
<b>After ten years</b>	<b>160 Hrs</b>

Leave time accrued to the benefit of an employee shall be subject to the following regulations:

- A. Unused annual leave accrued to an employee may be taken in subsequent calendar years.
- B. Annual leave may be taken only after approval by the City Manager or the department head.
- C. Supervisors will arrange vacation schedules and re-allocate duties on such a basis as to cause minimum interference with normal functions and operations of the department. The Department head or supervisor has the right to deny leave.

- D. Not more than (360) hours of annual leave shall accumulate for the benefit of an employee. Any annual leave in excess of (360) hours accruing to the benefit of an employee which is not taken in accordance with this section shall lapse.
- E. Annual Leave can be charged in increments of no less than one quarter of an hour.
- F. Holidays which occur during the period selected by the employee for annual leave shall be charged against holiday leave and not to annual leave.
- G. For purposes of determining overtime payments, annual leave hours shall not be counted as time worked.
- H. Request for annual leave must be submitted in a timely manner and may be denied if granting leave would unduly disrupt or hinder the normal operation of the department.
- I. Employees are responsible for monitoring his/her accrued leave.

Annual Leave may be granted for the following purposes:

- A. Vacation.
- B. Absences for transacting personal business which cannot be conducted during off-duty hours.
- C. Religious holidays other than those designated by the City as official holidays.
- D. For uncovered portions of absences due to medical reasons once sick leave has been exhausted.
- E. Any scheduled absence from work not covered by other types of leave provisions established by these policies.

The City of Port St. Joe regular employees who have satisfactory completed (3) year of continual employment with the City and is leaving in good standing shall be paid for their accumulated annual leave. In no case shall accumulated annual leave (1) be paid in excess of the cumulative hour maximum according to length of service; (2) be paid to any employee who has any disciplinary action(s) pending against him or her; (3) be paid if the employee has a deficit balance in his/her annual leave account; (4) be used to extend an employee's employment time; (5) be paid if an employee is terminated from his/her employment with cause.

Annual leave will not be offered to temporary and auxiliary employees.

#### **4.3 SICK LEAVE**

The City of Port St. Joe realizes that inability to work because of illness or injury may cause a serious economic hardship. The City provides a plan of sick leave to ensure a continuation of pay for employees who are temporarily unable to perform their duties because of illness or injury.

Each regular full-time employee will earn 8 hours sick leave with pay, each month; the unused portion of which shall be cumulative.

Leave time accrued to the benefit of an employee shall be subject to the following regulations:

- A. **No cap on the amount of accumulation of sick leave.**
- B. If an employee has no sick leave available then he/she will be required to use annual leave prior to leave without pay. If the employee doesn't have annual leave then the employee will be required to take leave without pay. An employee will not be allowed to take leave without pay if he/she has sick or annual leave available.
- C. Days which an employee is absent from work as a result of any illness, disease or injury covered by the State Worker's Compensation law or as a result of any provision of such law as applied to such illness, disease or injury shall be charged against sick leave until such time as the worker's compensation begins payment of a salary. If employee has exasperated all earned sick leave then he/she will be permitted to use earned annual leave.
- D. Sick leave may be authorized during the employee's probationary period. However, in the event the employee resigns or is otherwise terminated before the end of the first six (6) month period of employment, any sick leave taken will be reimbursed to the City by deduction from the employee's final pay.
- E. Sick leave will not be granted in advance of accrual.
- F. Sick leave will not be considered as time worked for overtime computation.
- G. Sick leave can be charged in increments of no less than one quarter of an hour.
- H. Should a holiday occur during sick leave, the holiday shall be charged to holiday leave.

To receive compensation while absent on sick leave, the employee shall notify his/her immediate supervisor or department head in accordance with department regulations.

The department head or immediate supervisor may request a physician's certificate to verify the illness of any employee on sick leave if there is reasonable cause to believe that the employee is abusing the intent of sick leave.

Sick leave may be granted for the following purposes:

- A. Personal injury, pregnancy or illness of the employee.
- B. Medical, dental, optical or chiropractic examination or treatment when it is not possible to arrange the appointment for off-duty hours
- C. Exposure to contagious disease which would endanger others as determined by a physician.
- D. Illness of a member of the employee's immediate family.

Employees shall receive compensation for unused sick leave upon separation from City employment in accordance with the following guidelines:

- A. In no case shall accumulated sick leave (1) be paid in excess of the cumulative hour maximum according to length of service; (2) be paid to any employee who has any disciplinary action(s) pending against him or her; (3) be paid if the employee has a deficit balance in his/her sick leave account; (4) be used to extend an employee's employment time; (5) be paid if an employee is terminated from his/her employment with cause.
- B. Employees who were employed prior to **February 20, 2018** will receive the following payment for unused sick leave:
  - a) Less than (10) years he/she will receive twenty-five (25) percent of unused sick leave not to exceed 520 hours.
  - b) Ten (10) years or more he/she will receive (100) percent of unused sick leave not to exceed 520 hours.
- C. Employees who are employed after **February 20, 2018** will receive the following payment for unused sick leave:
  - a) Employees shall not be paid for unused sick leave, except for those who have 10 years of continuous service with the City. If an employee leaves employment from the City and has less than 10 years of continuous service, he/she will receive no payment of sick leave. If an employee has been employed 10 years or more of continuous service with the City, upon leaving his/her employment except termination, he/she shall be paid 25 percent of their unused sick leave not to exceed 520 hours.
  - b) Employees will be allowed to contribute to the sick leave pool to assist employees who experience extraordinary medical conditions and have no accumulated sick leave to cover their absence. Sick leave pool will be used on an exceptional basis and only after recommendation by the Department Head and approval by the City Manager.

#### **4.4 BEREAVEMENT LEAVE**

In the event of a death in an employee's immediate family, the employee shall be allowed a maximum of three (3) consecutive work days to attend the funeral without loss in regular pay, provided adequate notice is given to his/her Supervisor; and such leave is approved by the responsible Supervisor.

#### **4.5 COURT LEAVE / JURY DUTY**

An employee attending court as a witness on behalf of a governmental agency or for jury duty during their normal working hours shall receive pay at their regular rate for the hours they attend court.

Those employees who become plaintiffs or defendants in personal litigation are not eligible for leave with pay. In such cases, annual leave or leave without pay may be granted.

Employees who attend court for only a portion of a regularly scheduled work day are expected to report to their supervisor when excused or released by the court.

Employees required to attend court on behalf of a governmental agency, who are on scheduled vacation may be allowed to take additional leave with pay for that court time.

#### **4.6 TRAVEL POLICY**

An employee may be granted leave with pay to attend professional and technical institutes, conferences, or other meetings which contribute to the effectiveness of the employee's service. All such leave and travel expenses will be subject to the approval of the City Manager. The City will follow the State of Florida Travel Policy F.S. 112.061.

Conference leave is not offered to permanent part-time, temporary or auxiliary employees.

#### **4.7 MILITARY LEAVE**

An employee who is a member of the United States Armed Forces Reserve or Florida National Guard shall, upon presentation of a copy of the employee's official orders or appropriate military certification, be entitled to leave without loss of pay, time or efficiency rating during periods in which the employee is engaged in annual field training or other active duty for training exercises.

Time off for military duty (Armed Forces and National Guard) will comply with Federal and State Statutes.

#### **4.8 FAMILY AND MEDICAL LEAVE POLICY (FMLA)**

The City of Port St. Joe will comply with the Family Medical Leave Act as revised effective January 16, 2009. The City of Port St. Joe posts the mandatory FMLA Notice in specified designated areas and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act.

Employees who wish to take Family and Medical leave should contact the office of Human Resources to determine if they are eligible for Family and Medical Leave and if so, to obtain necessary documentation and make arrangements for their leave.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact the office of Human Resources in writing.

The following applies to FMLA:

A. Regular Provisions - Under this policy, the City of Port St. Joe will grant up to twelve (12) weeks (or twenty-six (26) weeks of military caregiver leave to care for a covered service

City and has less than 10 years of continuous service, he/she will receive no payment of sick leave. If an employee has been employed 10 years or more of continuous service with the City, upon leaving his/her employment except termination, he/she shall be paid 25 percent of their unused sick leave not to exceed 520 hours. All in favor; Motion carried 3-0.

*Resolution 2022-13 City Pay Scale*

No one from the public attended the meeting.

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to adopt the updated City Pay Scale; Motion carried 3-0.

Mr. Anderson announced that Matt Knight has passed his state license for the Wastewater Treatment Plant.

*Dell Lease Agreement*

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to approve the Dell Lease Agreement in the amount of \$87,106.06 for new Computer Hardware for the City. Motion carried 3-0.

Mayor Buzzett extended his thanks to the City Staff for their work on the Budget for FY 2022-2023.

**Citizens to be Heard**

No one from the public attended the meeting.

**Discussion items by Commissioners**

A discussion was held on the EASD Sewer, the lack of receiving the MOU from the Gulf County Commission, and demands from the County of certain deadlines to be met by the City to receive funding from the County.

Areas of ongoing concern are the lack of requested documents from ESAD Sewer, the County, and Dewberry Engineering. There are questions about Floodplain Mitigation and elevated control panels, the Wet Well size on Sea Shores and Americus, how to address I & I issues; and the low-pressure line along Highway 98 on the beach side. There was a recommendation to hire an outside engineer to evaluate the needed improvements and system; evaluate Atlantic and Americus Lift Station for adequate retention / pumping capacity for additional flow, to pressure test the 10" dryline that was constructed 10 years ago, and to secure a cost for the testing.

**Motion to Adjourn**

Mayor Buzzett adjourned the meeting at 5:40 P.M.

Approved this 4<sup>th</sup> day of October 2022.

  
Rex Buzzett, Mayor

10/4/22  
Date

  
Charlotte M. Pierce, City Clerk

10/4/22  
Date