



MINUTES
CIVIL SERVICE COMMISSION
MEETING
JANUARY 29, 2025
4:00 P.M.

The City of Madeira Beach Civil Service Commission meeting was scheduled for 4:00 p.m. on January 29, 2025, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Jerry Cantrell, Chair
Paul Tilka
Judithanne McLauchlan
James Paul
Clara VanBlargan, Ex-Officio Secretary

MEMBERS ABSENT: None.

CITY STAFF PRESENT: Robin Gomez, City Manager
Megan Powers, Assistant to City Manager/HR Staff
Attorney Rob Eschenfelder, Trask Daigneault, L.L.P.

1. CALL TO ORDER

Chair Jerry Cantrell called the meeting to order at 4:00 p.m.

2. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present

3. PUBLIC COMMENT

There were no public comments.

4. APPROVAL OF MINUTES

A. 2024-09-24, Civil Service Commission Meeting Minutes

Commissioner Paul motioned to approve the minutes as written. Chair Cantrell seconded the motion.

ROLL CALL:

Commissioner Paul	“YES”
Chair Cantrell	“YES”
Commissioner McLauchlan	“YES”
Commissioner Tilka	“YES”

The motion carried 4-0.

5. NEW BUSINESS

A. Appointment of Chair

Chair Cantrell said he would like to continue serving as the Chair.

Commissioner McLauchlan motioned to appoint Jerry Cantrell to serve as the Chair. Commissioner Paul seconded the motion.

ROLL CALL:

Commissioner McLauchlan	“YES”
Commissioner Paul	“YES”
Commissioner Tilka	“YES”
Chair Cantrell	“YES”

The motion carried 4-0.

B. Appointment of Vice Chair

Chair Cantrell motioned to appoint Judithanne McLauchlan to serve as the Vice Chair. Commissioner Paul seconded the motion.

ROLL CALL:

Chair Cantrell	“YES”
Commissioner Paul	“YES”
Commissioner Tilka	“YES”
Commissioner McLauchlan	“YES”

The motion carried 4-0.

C. Establishing 2025 Quarterly Meeting Schedule

The Civil Service Commission scheduled the following meetings:

- Wednesday, April 8, 2025, at 4:00 p.m.
- Tuesday, August 5, 2025, at 4:00 p.m.

- Tuesday, October 14, 2025, at 4:00 p.m.

Chair Cantrell asked that they discuss Item 8. A. Draft Personnel Policy first, then the HR Report and the Gehring group project report. The Commission consented.

8. OLD BUSINESS

A. “Draft” Madeira Beach Personnel Policy 2024 (edits through September 24, 2024, CSC Meeting) (Ordinance 2025-01)

Chair Cantrell said they did not have time to look at the employee comments. They were not received until now. From the beginning, working on the draft document they asked for comments from staff or people regarding any issues or other things that needed to be addressed. The concerns should not be dismissed but now is not the time to look at them. The Civil Service Commission had approved the document going forward to the Board of Commissioners.

City Manager Robin Gomez reminded the Civil Service Commission that the personnel policy first comes to him before going to the Board of Commissioners.

Chair Cantrell asked for comments from the Commission on the personnel policy before moving it forward.

Chair Cantrell asked if the entire Civil Service Commission needed to be at the meeting when bringing it forward to the Board of Commissioners. Should they be present as a group or have someone from the Commission to represent them? The City Manager said they could have a joint workshop with the Board of Commissioners. Their next meeting is on Wednesday, February 26, at 6:00 p.m.

The Civil Service Commission scheduled the Board of Commissioners Joint Workshop Meeting with the Civil Service Commission on Wednesday, February 26 at 4:00 p.m.

Chair Cantrell asked if there was anything the Civil Service Commission needed to be aware of before taking the policy to the Board of Commissioners. The City Manager said no. The City Clerk said if there are any updates to the policy, the City Manager will provide it at the joint workshop.

Attorney Eschenfelder said they needed to be aware that on Page 52, VII. Leaves of Absence, Section A, Vacation Leave, in Paragraph 9, it says that the opportunity to receive a one-time payout of accrued leave is January 1, 2025. They are past that date. The City Manager said to change the date to July 1, 2025.

Attorney Eschenfelder recommended that they approve their version of the policy with the additional change. Commissioner McLaughlan made the first motion and it was seconded by Commissioner Tilka.

ROLL CALL:

Vice Chair McLaughlan	“YES”
Commissioner Tilka	“YES”
Commissioner Paul	“YES”
Chair Cantrell	“YES”

The motion carried 4-0.

The City Manager said that they would bring up the comments from staff at the workshop.

7. GEHRING GROUP PROJECT UPDATE

John Muller, with Gehring Group Risk Strategies, said they are working to complete the salary benchmarking and compensation study. He explained the following on the presentation slides:

Methodology & Approach:

- Held a discovery meeting to confirm understanding of project goals, scope, and deliverables.
- The purpose was to understand the job market in which Madeira Beach competes
- Completed an overall assessment of the job descriptions to be benchmarked
- Defined and obtained data from various entities, including Treasure Island, Belleair Bluffs, Dunedin, Seminole, Tarpon Springs, and Clearwater.

Mr. Muller said Madeira Beach was sort of in a unique situation: very close to some heavily populated areas, much larger budgets, and closer to some smaller entities with one to five people working there. They have diligently defined that market and what entities to compare Madeira Beach against. Before completing the comparison, they did an overall assessment to benchmark for the study. It included sending out a job audit tool to all employees of the City to get their feedback on what they actually do in their roles. Only about 25 to 27 employees completed it. They are working to send out the survey tool again to get more feedback.

Chair Cantrell said they had asked them to meet with the employees and learn their duties. He is concerned that they completed the overall assessment of the job descriptions to be benchmarked because he heard they did not meet with the employees. Instead, the employees received an emailed survey and were given five days to complete it. He would like to know the questions and have a copy. Mr. Muller said he would love to show the questions, but they went through an IT migration and lost the questions. He is working to rebuild the form. There were about 40 questions, and some were regarding physical requirements. He recalled a few of the questions that he stated. Chair Cantrell said some employees perform other duties outside their job description.

Chair Cantrell said if they are trying to standardize the job descriptions, were the employees given a stem chart to identify specific things related to different types of jobs to keep the target where they need to be and give guidance? Mr. Muller said they were not given anything to follow. They build the tool, so it is not specific to one position. They are asked for the five to seven functions they most routinely perform. They want to know the job's main function so they can benchmark

the job. If somebody is doing something outside their scope, they cannot say it is relevant to the job they are benchmarking against.

Chair Cantrell said some employees do multiple tasks and may not always be specific to one job. It is just the function within the City. Mr. Muller said what he would suggest in those situations as they finish up the overall benchmarking, which they are almost done, they will sit down with the City team and if there are positions that they need to be made aware of that need to be looked at a little differently because some of the other functions they perform, they can certainly do that. Chair Cantrell said that based on some of the information he received from day-to-day conversations with employees, the survey questions were not specific to them. If not, they must ensure those 27 employees can give more data. He is concerned about that and asked if there was a way to look at it. He would like to see the questions. The City Manager said they would provide them. Chair Cantrell said they need to see them quickly. The Civil Service Commission had asked the Board of Commissioners to spend \$40,000, so they needed to see what happened there. Ms. Powers said the employees will all be allowed to take the survey again. Chair Cantrell said he wanted to ensure that what they asked was happening. One of the questions he heard was how many times they must step away from their desks. He wants to see the questions to know what was asked.

Chair Cantrell asked about the percentiles and what they mean and represent. Mr. Muller said that when they do the benchmarking, they look at the market's 50th, 65th, and 75th percentiles. For example, for the Building Official, it shows the current annual and current maximum of what the individual is being paid. Looking at the 50th percentile, you see all the other entities benchmarked against. At the 50th percentile, the minimum salary for that position is \$93,960, and the maximum salary for that position is \$147,633.90. If they benchmark 10 entities on that job, the 50th percentile would be the dead smack salary in the middle. It is not an average but the percentile. It is related to competitiveness in the market. They are benchmarking all the positions, developing the percentiles, and will meet with the staff again to determine which percentile they want to utilize when they build out the new pay grades. With the Building Official individual, they are competitive with the 50th percentile, the 60th percentile, and the 75th percentile of the market. That is an idea of what they have been doing thus far. They should be done with benchmarking within the next couple of weeks, and then they should review that data and findings with the City and propose new pay grades based on those findings. Then, they will do a compression analysis once they agree on the new pay grades. They look at the current salaries of everyone working for the City, how many years they have been in that job, not how many years they have been with the City, but how many years they have been in that job classification; they run an analysis to see, not only do they need to be brought up to a new minimum, but where they should fall in that new pay range. If they have someone there for 10 years, they will move up into the range, likely to some degree to consider market issues. If you hired somebody in that same role in the last year, there is a good chance the person that was brought in was brought in at a high enough rate that you are getting that compression with the employee that has been there longer. One of the final things they look at is reviewing all the job descriptions again, and they reconfirm the FLSA status. For those who do not know, the new salary threshold for the Fair Labor Standard Acts between exempt and non-exempt did not go into effect, so they do not have that to worry about. However, they look to ensure that people are categorized in the right jobs as exempt from overtime or non-exempt and eligible for overtime. They anticipate completing it within the next two or three weeks.

The City Clerk asked if an employee who had been doing the job for 40 years at another City and had been with this City for six months would receive a salary based on six months or on years of experience in what they do and are certified. Mr. Muller said they are not looking at how long the person has been in that job somewhere else but looking at how long they have been in that job with the City because when a hiring decision is made on the person, slotting them appropriately in the salary range is what should take place at that time when you bring somebody on. They should be awarded for their experience level when hired by the City.

Chair Cantrel asked about Code Compliance III. If the person has been with the City for six months and has 20 years of experience when hired, the minimum salary is currently \$44,000. They may have been hired at \$60,000. Looking at the 50th percentile, which would be \$52,000, do they look at the new salary range and adjust it accordingly based on the old salary range for compression? Mr. Miller said they would be looking at their current salary and years in that job classification with the City. For example, if somebody makes \$60,000 with the City in the Code Compliance III role and has been there for six months, the minimum salary range would be \$52,595.40 and \$80,464.70. That person is likely not going to experience any compression. That is why they always say that when they do that type of study, everybody automatically assumes they are all getting a raise, which is not necessarily the case.

The City Clerk asked if they have different positions and are in the same salary range; some positions do not require certifications, and others do before they start with the City. The City Manager said that this is the reason for the salary range for the different groups, and that it is a budget issue. What someone will be paid is determined at the point of hiring based on certifications and educational requirements. Years of service are considered at the time of hiring. They would need an adequate comparable salary, which is part of why the firm asks for everything related to the job. Now, two positions require certification, including the City Clerk position, which is a charter officer, and the engineer position. They haven't put a requirement in place, but they will put in the requirement that they must have a professional engineering license because the position is classified as a community development engineer. Attorney Eschenfelder said a Florida Statute says you are not allowed to call yourself an engineer unless you have an engineering license.

The City Manager said all charter officers should have a separate employment agreement. The City Clerk said the city charter stipulates which charter officers are contracted: the city attorney and the city manager.

Attorney Eschenfelder said every single employee has an employment agreement. It had been proposed that the department heads and the Clerk receive separate written contractual agreements. They would need to discuss that further because when hired, they are offered a wage, and they know what the benefits are, etc. They serve at their will and pleasure. It is not like a regular employee. He does not see the need for separate employment agreements, and when you start doing one-off employment agreements, going that far down the chain, it creates issues. He just worked with one of their other clients to get out from under a bunch of director contracts done under a prior manager. The City Clerk has an employment agreement: if she comes to work, she gets paid. She does not get paid if she chooses not to come into work. They do not need a separate

piece of paper saying they have an employment agreement. Everybody who is hired at the City has an employment agreement. Commissioner Paul said the agreement can be verbal. Ms. Powers said everyone signs an offer letter, which is an agreement.

The City Manager said if they wanted to incorporate what the City Clerk stated about requiring a certification, they did not consider that when they did the pay plan until recently. They do not necessarily need a specific employment agreement to make that stipulation. Attorney Eschenfelder said the certification is typically stipulated in the job description as a minimum requirement, not in an employment agreement. You say a license or certification is preferred if it is not required. If not required, when recruiting, if one has it and the other does not, you offer more money to the one with it.

The City Clerk said that before 2019, it was basically like that, with the City Clerk position. The job description would say the certification was preferred. In 2018, the voters passed a charter amendment, making the City Manager a charter officer and the City Clerk to be appointed based on executive, professional, and administrative qualifications, and the actual experience and knowledge, and to be a certified municipal clerk coming in the door. That requirement is now in the City Charter. Attorney Eschenfelder said the reality is that with public management they want to recruit the best people, including from other parts of the country and so forth, so that class of persons will want certain additional benefits due to their reputation, etc., including an employment agreement if they get their head chopped because they are politically exposed like no one else is. That is why the top CEO gets a separate written agreement, but it is unnecessary for anyone else.

The City Clerk said she was master certified when she was hired (2017), and now they have a higher level of professional certification for city clerks to obtain. She will graduate with that in October. It made her feel good that she was one of 27 city clerks from Florida chosen to take the professional certification course in the program's first year.

6. HR REPORT

The HR Report was given after Item 7. Gehring Group Project Update.

Megan Powers, Assistant to the City Manager, gave the HR Report and responded to questions and comments.

Attorney Eschenfelder asked about a stipend for personal phone usage. Ms. Powers said they offer a City cell phone for people, and a monthly stipend is given to those who prefer to use their phone. They would be required to understand the law regarding public records. The City Manager said they would be approved based on signing a form stating they must comply with the public records laws. Attorney Eschenfelder said he helped them convert over to a stipend when he was with Manatee County. If they do that, employees must understand the public records laws they must follow.

8. OLD BUSINESS CONTINUED

Agenda Item 8. A, The new employee handbook was discussed first on the Agenda.

B. Ordinance 2025-02, Amendment to Civil Service Commission Duties and Responsibilities

Chair Cantrell reviewed the item and said the ordinance was formerly Ordinance 2024-07. He does not want to make decisions on it today until he has an opportunity to read back over his notes. Attorney Eschenfelder said the three ordinances must move forward as a package because the personnel policy relies on the changes. He suggested they discuss them at the joint meeting with the Board of Commissioners on February 26. Chair Cantrell said the rules are not part of the personnel policy.

Chair Cantrell said if there is an appeal and it goes to the special magistrate for a decision, how would they ensure the findings from the special magistrate get reported back to the Board of Commissioners? Attorney Eschenfelder said there is a process in Ordinance 2025-03 procedures, the hearing officer ordinance, Section 2-134, Review by the Civil Service Commission. If they also want a copy of the hearing officer's order to go to the Board of Commissioners, he will add it to subparagraph (e) in that section.

Chair Cantrell said he would like to address Section 2-127, Appointment and Membership, in Ordinance 2025-02, Amendment to Civil Service Rules and Procedures. He would like November changed to October or as soon thereafter as possible. Everyone agreed with the change.

Referring to paragraph (5) in Section 2-127, Chair Cantrell asked about the specialized labor or employment counsel. Attorney Eschenfelder said their law firm currently represents the Civil Service Commission. A future Civil Service Commission could change that and hire a different attorney. If there were ever a case where management wanted legal representation to help them present a quasi-judicial case, he would have to pick which to represent and get someone else to prosecute it.

Mr. Paul said that in paragraph 7 of Section 2-127, the new redlined language in the second sentence said the Civil Service Commission may render the written recommended order. He asked if the word "recommended" was correct. Attorney Eschenfelder said he would remove the word.

Mr. Paul said he was trying to figure out the difference between (a), (b), and (c) in Section 2-129. They all talk about classifications and pay plans. Chair Cantrell asked if they could add a rule that said they would work with the City Manager and relevant human resources staff regarding job descriptions.

Chair Cantrell said it was important that the Civil Service Commission provide a report to the Board of Commissioners to inform them of what is being addressed, what is being worked on, and what has been accomplished. It would be nice if the Chair or a designee provided that report semi-annually. Mr. Paul suggested adding the words "or reports" in Sections 2-128, paragraph (c), making the first sentence read, "The civil service commission, by majority vote, make

recommendations or reports to the city on any matter within the scope of its jurisdiction. Vice Chair McLauchlan suggested adding it to paragraph (d), Written Records, instead.

Attorney Eschenfelder suggested adding, in addition to those in Section 2-129, a subsection on “job descriptions, policies, and procedures, and such other duties as set forth in the city charter” and a paragraph about the Civil Service Commission may submit an annual report to the Board of Commissioners outlining the Civil Service Commission’s work for the preceding year.”

Chair Cantrell said he would prepare an annual report. Attorney Eschenfelder said he would send it to the City Clerk to add to the agenda for them to adopt, and it would then become an annual report. The City Manager will add an item to the Board of Commissioners agenda and present it.

The City Clerk offered to prepare the annual report for them to review each year. Chair Cantrell said that would be a good idea. What they have accomplished as a group in the last year brings them a long way ahead of the last four years.

C. Ordinance 2025-03, Hearing Officer ordinance

Chair Cantrell said Attorney Eschenfelder will add a subsection in Section 2-134 stating that the Board of Commissioners will receive a copy of the hearing officer’s order.

Attorney Eschenfelder reviewed the ordinance and responded to questions and comments.

Mr. Paul asked if the word “manager” throughout the ordinance meant city manager. Attorney Eschenfelder confirmed. Mr. Paul said it should all be changed to “city manager” so it is consistent throughout to avoid confusion.

Attorney Eschenfelder said the three ordinances will be discussed at the February 26th joint workshop.

Attorney Eschenfelder left the meeting at 5:50 p.m.

Chair Cantrell asked if the personnel policy addressed the hearing officer who was to be appointed. They have to be appointed if it goes to an appeal. Ms. Powers said she believed so. Chair Cantrell said they would have to change the personnel policy if they had to change something in the ordinance.

Mr. Paul said if there were a way to cross-reference the ordinance in the personnel policy, they would not have to readopt it. Chair Cantrell asked for an email to be sent to Attorney Eschenfelder about it.

Vice Chair McLauchlan asked if the hearing officer's order would be private or public. The City Manager said it would be a public record. Ms. Powers said they would redact any exempt or confidential information if it were a firefighter. Mr. Paul said it would be any demographic information, such as personal identifying information.

Vice Chair McLauchlan asked about the cost of a transcript and asked who would pay for it if someone wanted a court reporter to transcribe. Ms. Powers said it would be recorded if it were held in the Chamber. The meeting is not transcribed verbatim. The City Clerk said it states in the ordinance that a court reporter will do the transcript. The special magistrate orders it. Mr. Paul said the City would pay for the court reporter if a transcript were added to the proceedings. The employee would pay for the written transcript, which could cost between \$200 and \$400, depending on how complex the hearing is. If the employee appealed and were successful, the cost would be reimbursed to them. If they failed in their appeal, the cost would not be reimbursed. If they agree with an employee on appeal, the City could put certain things in there that they want to happen for the employee to be reimbursed. They could modify or change the recommended order however they want, and that would be a monetary award or reimbursement for expenses that could be included.

FUTURE AGENDA ITEMS

The Civil Service Commission reviewed the future discussion items and updated the list:

- A. Ordinance 2025-02, Civil Service Commission Rules – *review after personnel policy is adopted* Ordinance 2025-01)
- B. Ordinance 2025-03, Special Magistrate Ordinance regarding Grievance Hearings (Ordinance 2025-03) – *review after personnel policy is adopted*
- C. Implementation Process for making sure that all Rules, Regulations, and Procedures of the Employee Personnel Policy are working and are followed by everyone (City Charter, 5.7, C, 8) – *address in Civil Service Commission rules*
- D. Department Specific Rules – *review after personnel policy is adopted*
- E. Employee Satisfaction Surveys – *review after personnel policy is adopted*
- F. Separation Survey – *review after personnel policy is adopted*
- G. HR Director Position – *address after personnel policy is adopted*
- H. New Job Descriptions Format – *review after personnel policy adopted*
- I. Offer Letter – *review after personnel policy is adopted*
- J. City’s Appeal Form – *review after personnel policy adopted*
- K. Safety Manual – *review after personnel policy adopted*

7. NEXT MEETING

Wednesday, April 8, 2025, at 4:00 p.m.

8. ADJOURNMENT

The meeting was adjourned at 6:16 p.m.

ATTEST:

Jerry Cantrell, Chair

DRAFT