

**CITY OF WINNFIELD
SPECIAL MEETING
July 13, 2021**

The special meeting of the Mayor and City Council was called to order at 5:15 pm, June 13, 2021, by Mayor George Moss. Those present in addition to Mayor Moss were Councilpersons Miller, Holden, Hamms, Phillips and Junkin Katina Smith, City Clerk, Herman Castete, City Attorney and labor attorney.

I. CALL TO ORDER

II. AGENDA AMENDMENTS

None

III. On the agenda under Old Business Action Items were the following:

None

IV. On the agenda under Old Business Non-Action Items were the following

None

V. On the agenda under New Business - Action Items were the following:

None

On the agenda under New Business – Non-Action Items were the following:

1. Street Department Supervisor

Councilperson Hamms addressed the Mayor about Jerome Wheeler supervisor position.

He asked how Jerome position as supervisor was given to someone else while Jerome Wheeler was out on sick leave and why wasn't this situation brought before the Council. Mayor Moss replied that Jerome position was not replaced that they hired a person as an interim supervisor until Jerome came back to work. Councilman Hamms stated that the correct protocol was not followed that the mayor is supposed to recommend, and the Council hire, and no recommendation was made to the entire Council on replacing Jerome supervisor position. Councilman Junkin stated that this situation has never come up before and she viewed this situation as the mayor making a decision for day-to-day operations. City Attorney Castete stated that department head position are recommended by the Mayor and the Council decide. Hamms stated that his problem is that protocol was not followed and that is the problem.

Jerome asked what happened to the lead man he left in position? Mayor stated the new hire (Jeffery) has more qualifications to lead. Mayor stated that he never removed anyone from position. Jerome asked how long he is supposed to be sick before replaced, because he has heard many different things and was unsure of what has taken place while he was out sick. City attorney confirmed he cannot be removed without Council approval.

Councilman Hamms asked, did anyone reach out to Jerome while he was out sick? Several Councilman (Junkin and Miller) said that they tried calling but after not getting him by phone they assumed he was not able to talk and spoke with Clerk about updates on his condition.

Apology was given to Jerome by Mayor and Council for any miscommunications, and they are all glad that he has returned to work. Jerome asked the mayor to put Jeffery (interim supervisor) in his place because he has stated them on several occasions that he is the supervisor. Mayor Moss assured that he will speak with Jeffery. Councilperson Phillips agreed that the mayor should speak to Jeffery so there want be any confrontation in the department, because the miscommunication came from administration not from Jerome. Councilperson addressed Jerome that if he can come back and perform his duties

as supervisor and do his job then he is welcomed to come back. City attorney asked Jerome if he had any restrictions from the doctors and Jerome stated no (he brought release papers to City Hall the day he returned).

There was a question addressed from the audience (Tina Williford, Payroll Clerk) to Jerome if he could perform his job duties and Jerome answered yes, he could and Williford proceeded to say no, and Councilman Hamms interceded and said she has no right addressing Jerome and that if anyone will address him it will be the Mayor or Council and the problem also has been unauthorized personnel addressing authorize personnel and that he does not have to listen to anyone else but the Mayor. Councilperson Hamms asked if anyone else from the street department was interviewed for the position, because other workers have been there, Mayor Moss say that he did not want to turn the city upside down and wanted to hire someone for the street department because he didn't know what could happen with the upkeep of the city. Jerome stated that it appeared to him as though he was being replaced. Councilman Miller stated that there was a personnel committee prior to this meeting, and it was discussed the possibility of you not getting full clearance from your doctor that if you could go to landfill with same salary and department head of the landfill and that was brought up with the concern of your health.

2. Recreation Department Supervisor grievance

Recreation supervisor Anthony Hall addressed the Mayor and Council about a grievance letter (EXHIBIT A) that he gave to all Council, Mayor and City clerk asking for hearing about a clear understanding about his job and different things that have come up concerning his job. Hall stated that one of his problems is about chain of command and a question about certain things from his personnel file being discussed at a previous personnel meeting (6-14-2021) and he was not present, and things being discussed concerning him from previous administration. He stated that he was given a write from the mayor about overtime concerning dixie youth and don't think he should have gotten a write up because it was confirmed about him previously trying to get approval from the mayor to approve salary for his position paid by Dixie Youth during dixie youth ball season. Hall is asking for a clear understanding as what is he due and about his department being asked to do things outside of their job and no gratitude is shown and there is no togetherness in the city. Hall stated that there is no equal opportunity across the board. He believe that rules are set in place, but they are not followed, and it comes from the chain of command and the leader is not leading by example and what should he do. Councilperson Hamms addressed to Hall that the buck starts with the mayor and his lead comes from the mayor and don't have do anything anyone else tells him. Councilperson Phillips asked Councilperson Hamms if he was stating that the clerk can't tell him what to do and Hamms says the Clerk is not his boss that direct order needs to come from the mayor. Hall says his grievance is that he feel his integrity is being challenged with the situations being brought up as though he is stealing time. Councilperson Junkin addressed the labor attorney about Hall grievance about things being discussed from his personnel file at a personnel committee asked what legalities about addressing an employee file information. Labor attorney stated that if the committee is only discussing an issue the employee does not have to be present but if discipline or action is to be taken then the employee need to be present. Labor attorney addressed time clock and overtime, he stated that asking employee to punch in or clock is not illegal as long as it is not targeting race or gender. Hall addressed the labor attorney about a full-time employee working 40 hours and asked to work weekends and not to be paid overtime, the attorney stated that the administrator can set different hours in any department and a work could consist of 7 days a week. Councilman Hamms stated that based on his research a lot of departments showed overtime but only the recreation department seems to be the only department brought to the table. The mayor replied that he inform Hall that it is not that you can't get overtime but that the overtime need to be approved by him, and that has not been happening on Hall department. Mayor Moss apologized about any misunderstanding but suggested that do to time that Hall meet with at a letter time and day.

Discussion was had concerning Hall grievance but there was no resolution.

ADJOURNMENT

On motion by Councilperson Junkin duly seconded by Councilperson Miller after no public comment, the Council unanimously voted to adjourn the meeting July 13, 2021, at 5:55 p.m.

George Moss

Katina Smith

George Moss, Mayor

Katina Smith, City Clerk