



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Finance & Administration Council Committee

Tuesday, September 27, 2016

4:00 PM

Municipal Center

1. Call To Order

2. Roll Call by City Clerk Donna Jackson

Present 5 - Ann Williams; Darrel Dover; Charles Coleman; Todd Burton and Rennell Woods

Absent 1 - John Street

3. Approval of minutes

MIN-16:118

Minutes for the Finance & Administration Committee Meeting on September 15, 2016

A motion was made by Councilman Charles Coleman, seconded by Councilman Todd Burton, that this matter be Passed . The motion PASSED with the following vote.

Aye: 4 - Ann Williams; Charles Coleman; Todd Burton and Rennell Woods

Absent: 1 - John Street

4. New Business

Ordinances To Be Introduced

ORD-16:067

AN ORDINANCE TO AMEND THE 2016 ANNUAL BUDGET AND THE JOHANSON PAY PLAN FOR THE CITY OF JONESBORO

Chairman Dover asked that ORD-16:067 be removed from the agenda. He said the ordinance was written for the special called Finance committee meeting last week in which we did not have a quorum.

A motion was made by Councilman Todd Burton, seconded by Councilman Rennell Woods, that this matter be Postponed Indefinitely . The motion PASSED with the following vote.

Aye: 4 - Ann Williams; Charles Coleman; Todd Burton and Rennell Woods

Absent: 1 - John Street

ORD-16:068

AN ORDINANCE AUTHORIZING THE CITY OF JONESBORO TO AMEND THE 2016 ANNUAL BUDGET FOR THE FIRE DEPARTMENT

Chairman Dover said this ordinance was developed after the last meeting at urging of Councilman Street and Councilman Johnson to come up with a couple of plans for the other employees of the city and we have done that. ORD-16:068 is for the Fire Department. He said this ordinance develops a pay plan for the Fire Department. Because of the similarities between the Fire and the Police, we developed a plan that basically mirrors the Police Department in terms of rank, promotion, and years to max. Chairman Dover said it was the same plan, but they plugged in the Fire Department people where they fall.

A motion was made by Councilman Charles Coleman, seconded by Councilman Todd Burton, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Ann Williams;Charles Coleman;Todd Burton and Rennell Woods

Absent: 1 - John Street

ORD-16:069

AN ORDINANCE TO AMEND THE 2016 ANNUAL BUDGET AND THE JOHANSON PAY PLAN FOR THE CITY OF JONESBORO

Chairman Dover said this ordinance develops a pay plan for non-uniformed city employees. Basically what we did is take a 6% increase on the minimum, midpoint, and maximum on the scales from Johanson. He said the Police Department had given a 6% increase at the lower level so we just used that 6% figure and put it at minimum, midpoint, and max. It is the same plan based on the Johanson scale and increased it by 6%.

Chairman Dover wanted to make sure that everyone knows that everyone will not get the same raise because it depends upon where you fall on the plan. Some people may not get anything depending upon how many years of experience you've got and where your at. It is the plan and you fall where you fit rather than looking at individuals and make people move. We very rarely ever looked at people. We just developed the plan.

Councilman Woods said it was his understanding that the Department Heads and the Non-Uniform Committee have met and understand how the plan works. Chairman Dover stated he thinks Chief Financial Officer Susan Allen has met with some of them and has gone over it with them so they understand.

Chairman Dover pointed out that Section 3 of the ordinance for the non-uniform that individual employee increases must be approved by the immediate supervisor. He wanted to make sure that the Committee members were aware of this before it went to full council. City Attorney Carol Duncan wanted to address the issue of Section 3 because she has some legal concerns about consistency. Ms. Duncan gave an example of two employees where one is liked more than the other and both of them have been late, but only one has been written up and doesn't get the raise. She said we can't control everything and we hope people do the right thing in their departments, but she does some concern about the consistency. Chairman Dover said that was a section that we can address at full council. He said we can leave it in, delete it, change it, or whatever we want to do, but he did want to point it out to the committee to look at and see before you go to full council.

Chairman Dover stated that you should have all of the attachments that show the minimum, midpoint, and maximum on the proposed pay grade for the non-uniform. He said you have the step plan for the non-uniform. Also, there should be attachments that show what their annual raises will be. There is an Exhibit A attachment, the basic cost for the various departments in the non-uniform. You

should have all attachments and they are all in Legistar. Councilman Burton asked Chairman Dover if there have been any more questions regarding how that has been put out. He asked if that had been the main question. Chairman Dover asked what question. Councilman Burton said the question about evaluation forms. Chairman Dover said he hasn't had any questions, but he thought the City Attorney Carol Duncan just brought that up. Ms. Duncan stated that consistency is always her concern. Chairman Dover said he understood that she was making a point of reference for them to notice.

City Clerk Donna Jackson stated there are a lot of questions that need to be brought up. She said several of her staff have questions. Deputy City Clerk Nikki Nottingham stated she had questions. She said she spoke with Finance Office Manager Trever Harvey earlier in the day about a problem that she found. She stated that the City Clerk's office is budgeted for nothing. We have an employee that was hired earlier this year and if she is not given a raise, she will fall below her minimum which is against our policy. Mrs. Nottingham said she spoke to the Finance Department about this and that Trever said that she should be raised up to the minimum as well as her being given back pay since this plan is retroactive back to January 1, 2016. She said that Exhibit A does not show that. If this ordinance is passed without anything in our budget for Exhibit A, we are not able to give her a raise. She said she would like the committee to consider that Exhibit A needs to be looked at because all of those numbers are not accurate. Chairman Dover said that would be a legal question he'll ask our city attorney to look at. City Attorney Carol Duncan questioned that the numbers would be a legal question. Chairman Dover stated he did not know what Mrs. Nottingham was asking. Ms. Duncan stated she thinks what Ms. Nottingham is concerned about is errors in the numbers and the way they were run. Mrs. Nottingham said yes. Our employee should have a budgeted amount for her raise and it is not reflected in here. Chairman Dover said the formula was run, but obviously there could be errors in the formula. He said they will look at it. Mrs. Nottingham stated she knew there were errors because she spoke with Trever this morning and he said that was an error. Chairman Dover said we will address it then. Mrs. Nottingham stated that it needs to be corrected so we can give her the raise. Chairman Dover said we will correct whatever errors were made. I'm not saying we are going to give her a raise or not. If there are any errors in the formula, we will address those errors I'm sure.

Councilman Coleman stated this needs to be passed, but he wanted to make sure that before it's totally approved, there needs to be an amendment into that budget to correct any errors. Mrs. Nottingham said yes, but that she could not speak for other departments because she doesn't know what other people are getting. She said there is no worksheet with ours showing what every employee is getting like they did with the fire and the police so we can't tell if everybody's numbers are right. She said she knew for our department, this ordinance refers to Exhibit A and in the Exhibit A, our department is wrong. Councilman Coleman stated that he wants to forward this to full council, but add to that the information you are requesting needs to be looked at while it is being forwarded to the full council before we make a total decision.

City Clerk Donna Jackson stated she had some questions too about longevity. She asked if the longevity is going to be taken out. Chairman Dover stated he thought that's what they were talking about since the step plan replaces that. Ms. Jackson stated that Chairman Dover said that Ms. Allen had met with some of the department heads. She said she still doesn't know what the process is for this. No one has met with her. Chairman Dover said he was confused on what she meant by process. Ms. Jackson said Mr. Dover stated that Ms. Allen had met with and went over the process with department heads. Chairman Dover stated that was between the Finance Department and the Department Heads. Ms. Jackson stated she is a department

head and she doesn't know what the process is. Chairman Dover said the process will be if we pass this plan, then we place the people in the plan where they fall. Councilman Coleman stated she is a department head and no one has contacted her and there is an issue with the steps. If we pass this to full council, issues need to be addressed. Chairman Dover said we will look at those issues. Councilman Coleman said if she is a department head, she should be contacted too at the same time.

Ms. Jackson stated she wants this to pass. She said there isn't a city employee that doesn't deserve a raise. She thinks the city is what it is because each and every one of the employees. But, she wants to get this right. She stated there are just a lot of questions. For example, with the Fire and Police, they had theirs all detailed in an excel spreadsheet with each position, what it was, why it was. She wants to know why we don't have that for non-uniform. Chairman Dover stated you would have to ask Ms. Allen about that question. He said I think we had a legal opinion that those are considered working papers. The plan kept changing as we were trying to put it out. Ms. Jackson stated as long as it is like that there will always be questions. She didn't understand why the others were out there and they were working documents, but they were presented. She said she was just trying to understand the process because I don't want a repeat of this. Chairman Dover said he understood and they were trying to do it right. Ms. Jackson stated she didn't understand why there was a big hurry on this. She said she would rather that they take their time and get it right. She said she wants to understand this, work with the system, and make it fair for everyone. She feels that she is in the dark about this as well as a lot of people. She said there are a lot of questions here that people aren't comfortable asking. Chairman Dover stated let people ask their questions.

Councilman Burton stated that we are lacking some representation from Finance because some of their people are traveling. He thinks those are questions they can keep dealing with if we get this to council. City Attorney Carol Duncan stated that a legal opinion was asked of her whether working documents were FOI able and her answer was it depends. She said they have to take it on a case by case basis. If it is truly a working document, you are still trying to figure out the numbers, then no, it is not FOI able. However, once the numbers are figured out, absolutely it is FOI able. Once a determination is made as to who gets what, then anyone's salary within the City of Jonesboro is FOI able. The easiest thing would be for Finance to make that spreadsheet to solve the problem, but they have to tell us how easy that is and how quickly they can get that accomplished. She said she thinks there have been other questions about the Police pay and how they appropriated the money, but they didn't know how the plan would work with promotions and things like that. She thinks it's the same thing on Fire and non-uniform. Chairman Dover said it was in here. Ms. Duncan said the pay plan was adopted by resolution and maybe the safest thing to do would be to amend them all by resolution, not appropriating the money because obviously, that has to be an ordinance. She said we can clean all that up in the end by resolutions. She said it doesn't have to hold things up. Moving forward, if we need to, we can amend any of these plans by resolution as opposed to by ordinance. Councilman Coleman said he thinks that is basically what she is asking. Ms. Duncan questioned if it was for an employee list. Councilman Coleman said yes. Councilman Woods stated there is a motion on the floor to forward this to full council and he thinks they need to second it and move it on to full council and then with all eyes here, we can start discussing it and get to what we really need to address.

A motion was made by Councilman Charles Coleman, seconded by Councilman Rennell Woods, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Ann Williams;Charles Coleman;Todd Burton and Rennell Woods

Absent: 1 - John Street

Resolutions To Be Introduced

RES-16:129

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ENTER INTO AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE AND ACCEPT THE 2016 JAG GRANT

A motion was made by Councilwoman Ann Williams, seconded by Councilman Charles Coleman, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 4 - Ann Williams;Charles Coleman;Todd Burton and Rennell Woods

Absent: 1 - John Street

RES-16:131

A RESOLUTION TO SUBMIT THE ASSESSMENT FOR FAIR HOUSING TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE -YEAR CONSOLIDATION PLAN

Emma Agnew from Grants came to the podium to speak about the assessment. She said it is furthering Fair Housing Assessment that is required to be submitted to the U.S. Department of Housing and Urban Development on October 4, 2016. She said they have a rough draft because they are not finished with it yet. In keeping with the regulations, we certainly want to submit it. Most of this is information that has already been gathered and that is already in place, but it is just submitted in a different format with a few additions from public forums and public hearings. Chairman Dover asked if this was regarding the gentleman that we had come speak a few weeks ago. Ms. Agnew said yes. Councilman John Street asked if this reflected the meeting we had a few weeks ago. Ms. Agnew said that it does. Councilman Burton asked if this was due October 4th. Ms. Agnew said yes. Councilman Burton stated that we have a rough draft and asked if the final would be available before the council meeting. Ms. Agnew said yes. Chairman Dover asked if they pass it onto council for October 4th if that will be soon enough. Ms. Agnew said yes.

A motion was made by Councilman Charles Coleman, seconded by Councilwoman Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 6 - Ann Williams;John Street;Darrel Dover;Charles Coleman;Todd Burton and Rennell Woods

5. Pending Items

6. Other Business

Chairman Dover stated they have a Special Called Council Meeting tonight at 5 p.m. to discuss the Council's Rules and Procedures.

7. Public Comments

Harold Carter asked about the pay plan and if it was the pay plan for all of these departments. Chairman Dover stated that it was. He asked if it would maintain itself with the Johanson Pay Plan. Chairman Dover said that it is based on the Johanson

model. He said there are a few differences between the uniform and non-uniform, but they are basically based on the Johanson model. The biggest difference is in the uniform, we have a rank structure that is a little different than you have in non-uniform. Mr. Carter said he has tried to get a hold of the proposals before they were introduced and he couldn't. He said he understands the term working papers, but obviously by reading the newspaper whatever is available to the newspaper ought to be available to the public. He said there are a lot of details in the newspaper and he would like to be afforded that same privilege so he can read their articles and see if it fits what he has, but he can't do that because he can't get them. He said he never got a response from Chief Financial Officer Suzanne Allen on the matter. He didn't know they were working papers. He said he can't sit in the Finance Committee and think fast enough to know what they say and analyze it, run the percentages and come up with meaningful answers. He stated the public is going to need to get a hold of this beforehand if they are going to make any sense out of what you guys are talking about. Chairman Dover stated the only thing that has not been made public is individual salaries. He said the plan itself is out there and you can get it off Legistar. Mr. Carter said he requested it from Ms. Allen, but he didn't get anything. Chairman Dover said they did not give out individual salaries because they were given legal advice not to until it was passed. Mr. Carter said the Police Chief gave him police information. Communications Director Bill Campbell said he could answer that. He said that individual salaries were not released until they had a finalized plan. He said that when the city attorney says they can release the fire and non-uniform individual salaries, we will do so. He said everything in print is public record and is FOI able. He said you can have it right now.

City Attorney Carol Duncan stated that working documents means that they are still calculating the salaries. As soon as they get a final calculation of everyone's salaries are going to be which should be prior to the planned passing, then it is public record. City Clerk Donna Jackson asked if that should be available before the full Council meeting. Ms. Duncan said if it is finalized, then it should be available. Chairman Dover said that it is not finalized until it is voted on. Ms. Duncan said no that is when the raise is approved. She said when you have completed what you are having Council vote on, when you have completed the calculations of what you are submitting to the Council, once you have completed that document that is releasable. Chairman Dover asked if had to be the raise amount and the individual salaries. Ms. Duncan stated it can be both and legally whatever we have is releasable. She said if someone asks for it, they get it. Chairman Dover asked until someone FOI's the information, we don't have to give it them. Ms. Duncan said correct. Ms. Jackson said she is FOI'ing that information.

Wayne Rogers asked if the newspaper publishes how much the City is going to spend on the raises for non-uniform, then that is no longer a working paper. They have already decided how much and who is getting what. Ms. Duncan said she would assume. Mr. Rogers said the newspaper has already been publishing how much the City is going to give so why is it being kept a secret. Ms. Duncan said she does not know. Mr. Rogers said it should be put out so people know. Councilman Burton stated there is a paper in Legistar that if you know where you are you could plug yourself in and know what you are getting. Is that not correct? Mr. Rogers said he had not seen that before. Chairman Dover said it is on Legistar. Ms. Duncan stated that she thought what people are looking for are individual names on non-uniform like they have for Police and Fire. Chairman Dover said he understood that. Ms. Duncan said we probably do have those numbers somewhere. Chairman Dover said I'm sure we do, but again we are voting on a plan to distribute money. He said he doesn't know if what Joe Smith makes individually has to be put out. Ms. Duncan said it does. Chairman Dover stated if they ask, they can have it, but he doesn't know if legally they have to put that out. Ms. Duncan said that as soon as

you receive a request for that information, you have to release it. Chairman Dover said yes, if it is FOI'd. Ms. Duncan said they don't have to use the term FOI. They just have to ask for it. Ms. Jackson said they don't even have to come to the office and they don't have to have it in writing. Ms. Duncan said that is true.

Harold Carter said that he never mentioned FOI, but he did ask for information. He said there is a lot of information floating around out there. He is concerned when he hears that the City Clerk can't even get that information before the Council meeting. Ms. Jackson said that for the record, she is FOI'ing the information and she wants an excel spreadsheet with everybody's salary, the raise they are getting, and the justification for it. Chairman Dover said there is no justification for it because it is just where they fit in the plan. Ms. Jackson asked who came up with the plan. Chairman Dover stated that Johanson came up with the plan with eight cities. Ms. Jackson asked how the eight cities were chosen. Chairman Dover said the Employee Salary Committee chose those eight cities based on comparability. He said that we didn't look at any individual for the plan back in February. The Police came back later and said they didn't like that plan and they wanted their own plan. They took about three months to come up with their plan. We voted on that last Tuesday and John Street and Mitch Johnson stated at that meeting that we need something for the other employees. Ms. Jackson said she understood about the Fire and the Police employees. Ms. Jackson stated she is simply trying to understand the plan and how we came up with the plan, if Johanson came up with this study and this is what they found. Chairman Dover stated the Police Plan was based on rank and they stair stepped it. He said they used the same plan for the Fire Department since they are similarly structured. Since the non-uniform does not have rank structure, what we did for this plan was to take the Police Plan's lower rate of 6% and applied it to the minimum, midpoint, and maximum of the Johanson Plan. Ms. Jackson asked if the numbers on Exhibit B would stay the same. Chairman Dover said no. They will change by three ways which are by COLA, a resurvey by Johanson in 2019, or if the City wants to give a raise. I anticipate it will change over a period of time. Chairman Dover said you have in the plan, the discretion of giving 5% over the Johanson Plan. He said we can change that part of the plan if we want to, but there is some flexibility built into the plan that allows the Mayor with the Council approval to make some adjustments. That is a recommendation from Johanson, but we can do away with it if Council chooses.

City Attorney Carol Duncan stated that Ms. Allen said there may be some reevaluation of grades going to happen by Johanson. Chairman Dover stated they are coming back November 9th. They are going to come back and look at these again to make sure everyone is in the grade they are supposed to be. Ms. Duncan stated there could be some adjustment there. Chairman Dover said part of the reason they were reluctant to put those numbers out is because Johanson may do some reevaluation of grades. Ms. Duncan said that as it stands today, there may be some re-grading. Here is the number as it stands today with the caveat that it could change because of re-grading.

Mr. Carter stated that all he wants is to be able to get a hold of this paperwork when it will do some good which is before yall vote on it. He said when the City Clerk can't get this information, how am I supposed to be able to? Chairman Dover said he took exception to that. Ms. Jackson said that she did not. Mr. Carter said he can put FOI on anything, but does he really have to go to that route. Chairman Dover said that as we look at things there may be changes.

Larry Jackson said he has been a long time employee of the City and this is the first time the members of the City Council have sit down and tried to level the playing field for the non-uniform employees. He said he thanks them very much for leveling the

playing field. He knows that all of these non-uniform employees are thankful for what you are doing. Councilman Woods thanked Mr. Jackson for his comments. He said we have to try to always be fair across the board, but with it brings challenges of looking forward as well.

Wayne Rogers asked if the re-grading would be something that would be discussed at the next council meeting. Councilman Coleman said we can't do anything with re-grading until Johanson comes in and looks at it. Ms. Duncan said to be clear, once you are given a salary, it can't be lowered. The amount of your raise could be lowered. Mr. Rogers asked when the raise would go into effect. Chairman Dover stated it is his understanding that it will be paid in December retroactive back to January 1, 2016.

Tracey Clayton said he has been with the City since 1983 and he is grateful to the City of Jonesboro for his job. He appreciates the Police Department and he is grateful for their service. He wanted to thank the members of the Council for doing what they are doing.

8. Adjournment

A motion was made by Councilman Charles Coleman, seconded by Councilman Rennell Woods, that this meeting be Adjourned . The motion PASSED with the following vote.

Aye: 6 - Ann Williams;John Street;Darrel Dover;Charles Coleman;Todd Burton and Rennell Woods