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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 pm  
June 9th, 2015

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members being a quorum were present and acting: Alderwoman Mehl, Alderman Grimes, Alderman Ledbetter, Alderman Pruitt, Alderman Hawkins, Alderman Jones, Alderwoman Mehl and Alderwoman Whitmore. Also, present and acting: Mayor Townsell, City Clerk Michael Garrett, and Deputy City Attorney Graham Jones. Alderwoman Smith was not present.

**Call to Order: Mayor Tab Townsell**

**Roll Call: Michael O. Garrett, City Clerk/Treasurer**

**Minutes: May 26<sup>th</sup>, 2015 City Council Meeting**

Alderwoman Whitmore motioned to approve the minutes as submitted. Alderman Ledbetter seconded the motion. There was no discussion. The motion passed 7-0.

**1. Report of Standing Committees:**

**A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)**

**1. Consideration for the Airport Department to apply for the Arkansas Department of Aeronautic Grant.**

Josh Zylks, Airport Manager, stated the Arkansas Department of Aeronautics Grant will reimburse 5% that was spent for the completed FAA AIP 2011 Grant which will be \$207,239.71. Alderwoman Whitmore motioned to allow the Airport Department to apply for the Arkansas Aeronautic Grant. Alderman Jones seconded the motion. There was no discussion. The motion passed 7-0.

**2. Consideration to accept the bid to purchase a Street Sweeper to be utilized by the Street & Engineering Department.**

Finley Vinson, City Engineer, stated we received one bid from Tymco 500X Dual Steering Street Sweeper in the amount of \$221,960.00. Alderwoman Whitmore motioned to approve the bid to purchase the street sweeper. Alderman Hawkins seconded the motion. Mayor Townsell stated it was put in the budget for approximately \$200,000.00. Mr. Vinson explained he plans to sell scrap metal and equipment to make up the difference if needed. Alderman Jones asked how many street sweepers do we have. Mr. Vinson replied we have 2 that are both approximately over 10 years old, and 1 of them is a 1980's or 1990's truck with a replaced body. Mr. Vinson explained unfortunately street sweepers are very fragile and tend to break down often. There was no further discussion. The motion passed 7-0.

**3. Consideration to acquire right of way property & construction of an internal road for the improvement/construction of Dave Ward Drive and I-40 improvements.**

Finley Vinson, City Engineer, stated this is in regards to the Dave Ward Dr. Highway Department project that was originally scheduled to be bid this past April. Mayor Townsell

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explained the right of way issue was bumped until the summer and may bump again. Mr. Vinson stated the project has been bumped again already and the original estimate with the right of way was to bid in the summer, and the Arkansas Highway and Transportation Department (AHTD) was hoping that all of the property owners would donate the right of way. Mr. Vinson explained the one major right of way holder is the Lewis Property which is at the northeast corner of Amity and Dave Ward Dr. Mr. Vinson stated Bill Lewis is wanting to negotiate the price the AHTD has offered. Mr. Vinson explained the AHTD is not willing to negotiate because they want to try to get this pushed forward as soon as possible or they will proceed to condemnation which will delay the project. Mr. Vinson explained we have a major developer that is hinged upon this AHTD project and so the city has negotiated on behalf of the AHTD with Mr. Lewis. Mr. Vinson stated the agreement with Salter Construction states we will build a roadway leading from one of the roundabouts to Amity Road on the north side which will go through this property. Mr. Vinson explained the map shows where it would come off of the eastern roundabout as the entrance into the Sam's Club development and the northern leg would be the entrance into the Bill Lewis Development. Mr. Vinson explained Mr. Lewis has an interest in developing the property and the proposed agreement is that the city would build that road. Mr. Vinson stated we have asked the AHTD if the building of this road would count towards our \$2,000,000.00 match and we guaranteed the AHTD as a part of building this road. Mr. Vinson explained Mr. Lewis will in turn donate the property back to the AHTD on Dave Ward Dr., which is the necessary right of way for the constructions of the Dave Ward Dr. project. Mr. Vinson explained we will not pay any more than AHTD would have paid for the property, we will pay for the amount of construction for this road and then Mr. Lewis will pay the difference. Alderwoman Mehl asked from the map, which of the circles, is which roundabout and where is Dave Ward Dr. Mr. Vinson stated Dave Ward Dr. is southern portion of the property at the bottom of the map and the 2 circles at the bottom are the 2 proposed roundabouts on Dave Ward Dr. Alderwoman Mehl asked which roundabout the highway exit will come into. Mr. Vinson stated the roundabout on the left. Mayor Townsell stated all that we see on the map is the Lewis Crossing Development. Alderman Ledbetter asked will that be north of Amity. Mayor Townsell replied yes, just beyond the northern side of the power lines. Mr. Vinson stated having the center of roundabout right where the power pole is would be ideal so the transmission line will not have to be too big. Alderwoman Mehl asked which part on the map is the new road. Mayor Townsell replied the new road is the green line on the map. Alderman Ledbetter stated there is a road up where the substation is. Mr. Vinson stated the proposed road would be on top of the existing road until the curve begins which leads to the substation. Mr. Vinson explained the purpose of that roundabout being there is that we have to maintain access to that substation; one option is to put a roundabout there and then another road will lead to that substation. Mayor Townsell stated the open space on the map is the "to be developed" property between the Crain KIA dealership and the roundabout. Mr. Vinson stated the owner of the property is interested in developing the property and we thought we may be able to come up with a mutually beneficial situation. Alderwoman Mehl asked what did the AHTD offer him for his property, and what is the cost for us to build the road. Mr. Vinson stated he knows the road will exceed the cost of what he has been offered for the property; he does not have a cost of the road yet. Ronnie Hall stated the offer now is approximately \$400,000.00 range which is the AHTD appraisal and he thinks there is good support for a \$700,000.00 - \$800,000.00 pay. Mayor Townsell explained this is based on what our appraisals are further north. Alderwoman Mehl asked if we cannot get the AHTD to count this as a part of our \$2,000,000.00 match how will we pay for it. Mr. Vinson replied we will not move forward if we cannot pay for it. Mayor Townsell explained a part of this

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agreement is getting the AHTD to agree to terms with us and then they will donate the property. Mayor Townsell stated the AHTD will then provide the right of way needed for Dave Ward Dr. and donate all of the additional right of ways needed for that internal road and the roundabouts that are needed. Mayor Townsell explained those roundabouts will not center up on Amity and will encroach over into his property which you cannot do on Interstate right of way. Mayor Townsell stated we will receive credit from the AHTD by our donation of the land for Dave Ward Dr. to AHTD and for that we will be able to take our money and build a portion of the road and Bill Lewis would take over the rest of the expenses. Alderwoman Mehl asked where is the \$300,000.00 difference going to go. Mayor Townsell stated if we cannot have a comparable agreeable position number wise, we will not go forward. Unknown stated that number is built into our major street project budget for Central Landing. Alderwoman Mehl stated if the \$2 million is built in and if we get credit only for the value of the land we would donate back, that is \$400,000.00 and this project will cost us \$700,000.00 to \$800,000.00 to build. Mr. Vinson stated it will cost more than that, approximately over \$1 million. Mr. Vinson stated the amount we pay towards the construction will only be the amount the AHTD credits us for our incline match. Mayor Townsell stated Mr. Lewis will then pick up the rest of the amount. Mayor Townsell stated the internal road is estimated at \$1.3 million by Salter Construction. Alderwoman Mehl asked will we be spending \$800,000.00 but only receiving back \$400,000.00. Mr. Vinson replied that could happen but we are not paying the difference and it is going to be \$2 million to us either way. Alderwoman Mehl stated she is fine to have that \$400,000.00 as a part of the \$2 million. Mayor Townsell stated the AHTD wants to pay Mr. Lewis approximately \$400,000.00 and he wants something more in the range of \$700,000.00 to \$800,000.00 based on our appraisals for Conway Commons and if we do not find a middle ground on that, this will not work out. Mayor Townsell explained we can choose to bridge a gap between 2 numbers if Mr. Lewis and the AHTD cannot be in agreement. Mayor Townsell stated right now the AHTD has those 2 Dave Ward Dr. roundabouts built at 3 lanes and they will not be needed at 3 lanes for a number of years. Mayor Townsell explained we would much rather have an operational 2 lane roundabout for as long as we can, to have something more kin to Hendrix college by having that internal road lead directly into the Amity road roundabout, that potentially reduces traffic on Dave Ward Dr. to not back up traffic on the main lanes on the interstate; that does provide us more traffic flow options that could possibly reduce the impact on Dave Ward Dr. Mayor Townsell stated we are trying to come up with a win/win, no cost solution and the developable property probably has lower traffic counts because of the options on transportation numbers. Mayor Townsell stated this is potentially a big deal for us, but if we cannot make the AHTD help Mr. Lewis bridge that gap, then they will have to condemn it which will delay the project. Alderman Jones asked if the AHTD wants to build a 3 lane. Mayor Townsell replied 3 lane roundabout is what is going to happen on Dave Ward Dr. Alderman Jones asked if AHTD are going to build the roundabouts. Mayor Townsell replied the AHTD are building Dave Ward Dr. and that internal road, which is the dark green line through the map and it is something we would build partially with money we get credit for from the AHTD and the other part paid for by the Bill Lewis group. Mayor Townsell stated there are many moving parts for the project but it will not cost us more money, unless we agree to accept it. Mr. Vinson stated the approval of the council is the first step and then AHTD must approve the incline match, and then all parties involved have to agree on that price. Mr. Vinson explained if any of those fall through, then it could either go to condemnation or we could come back before council for guidance. Alderman Hawkins stated he believes we should move forward and get this worked out because we have developers ready to go. Mayor Townsell stated AHTD has protocols they have to meet

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which they do not skimp on and if this has to go to condemnation, it will be bumped again. Alderman Hawkins motioned to acquire the right of way property and construction of an internal road for the improvement/construction of the Dave Ward Drive and I-40 improvements. Alderwoman Mehl seconded the motion. There was no further discussion. The motion passed 7-0.

**4. Consideration to accept the Johanson Group engineering market study job titles and salary recommendation for the Street & Engineering Department.**

Mayor Townsell stated we have had Ronnie Hall's position open since he retired, we have had David Vondran's position open since Mr. Hall retired the first time but we are unable to fill these positions due to the low salaries being offered. Mayor Townsell stated we hired 3 engineers most recently, one due to him being the only applicant, the other who is a Chemical Engineer, and lastly Finley Vinson when Ronnie Hall decided he would retire which means we have created a career ladder. Mayor Townsell stated we are not fighting against other municipalities because many of them do not staff their own engineering departments explaining we have a great situation here in that we do, and we can show you a cost benefit to that, but we are not hiring engineers competing with other cities, we hiring engineers competing with the Arkansas State Highway and Transportation Department (AHTD). Mayor Townsell stated the AHTD has a career ladder with competitive salaries and their salaries move up much quicker and ours do not. Mayor Townsell stated what we are trying to do here is create not a series of steps, but a series of different job descriptions so we can hire people based on their qualifications and experience at different places, not automatically moving from one to the next except for the very starting position when they are an engineering intern without their full P.E. and then this is more of a certificate pay advancement if you want to compare it to Police and Fire. Mayor Townsell stated we are not trying to populate all these positions but we are trying to have all those positions available so we can offer this to our folks, yet it is still below where the AHTD start their employees at. Mayor Townsell stated we are having Mr. Hall continue to work because there is no one else to do it, and we have \$22 million of street projects we are trying to pull together. Mayor Townsell stated we have been unable to fill needed positions for a year due to the pay scale which is built on municipalities, when it should be built on what the career completion is which is the AHTD. Alderman Jones stated so we have had these positions open and cannot get anyone to accept the positions because of the salary. Mayor Townsell stated we have had interviews. Alderman Jones asked if the salary was the reason. Mayor Townsell stated no one would accept the position. Alderman Jones asked what position is Mr. Vinson in and stated he thought Mr. Vinson was taking Mr. Hall's position. Mr. Vinson clarified that the open positions are Mr. Vondran's old position and his old position. Alderwoman Whitmore asked what 3 open positions have the department had problems filling. Mr. Vinson stated the current titles for those positions are Project Engineer, Staff Engineer, and Traffic Engineer. Alderwoman Mehl asked from the list which 3 are vacant. Mr. Vinson stated a more accurate thing to say is I have 3 vacant engineering positions. Alderman Grimes stated the list shows the new job titles. Mayor Townsell stated we may not populate. Alderman Jones stated there should only be 2 positions open, as Mr. Vinson filled one of them. Mr. Vinson stated we have 3 vacant positions. Mayor Townsell stated we are not creating new positions we are trying to create a number of positions and will only populate 3 of them. Alderwoman Mehl asked which 3. Mayor Townsell stated that will depend on what skill sets we can bring in. Alderwoman Mehl asked which 3 positions you want to advertise. Mr. Vinson stated the majority of municipalities would advertise and fill the position with the candidate that is the

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best candidate and then the position that that candidate fills, would be based on that person's skill set. Alderman Jones asked which 3 positions on the list are needed. Mayor Townsell suggested Mr. Vinson advise council by explaining "if you can find exactly who you want, who would they be". Alderman Jones asked what position was vacated. Mr. Vinson stated Traffic Engineer, Staff Engineer, and we created a position of Project Engineer, which is the third position. Alderman Jones asked when you say "we", who created the position. Mr. Vinson stated it was discussed for some time that this position needed to be created; we needed an engineer on staff. Alderman Jones asked who "we" is. Mr. Vinson stated it was his recommendation at the beginning of the 2015 budget that this position be placed in the budget and it was. Mayor Townsell stated council approved it. Alderwoman Whitmore stated you are saying it was the Project Engineer and this position is not on this list. Mr. Vinson stated this is correct and explained his most accurate translation would be Senior Civil Engineer. Alderman Grimes asked if it is accurate to say we have 3 approved positions in the 2015 budget that are unfilled. Mr. Vinson stated yes but he does not expect to fill all 3 of these positions as he does not have enough offices for that, but he does need 1 now. Alderman Grimes stated when Mr. Hall does retire from his part time job, will you need another person to replace him or would these 3 cover your needs. Mr. Vinson stated he would still need 3. Alderman Jones asked what salary was included in the budget for these positions. Mayor Townsell stated Traffic Engineer was \$73,879.00. Mr. Vinson stated Staff Engineer was approximately \$67,000.00 and Project Engineer was approximately \$71,000.00. Alderman Ledbetter asked how much the Johanson Group Study that was performed cost and asked if this is the third one we have had. Mayor Townsell stated it was not only the Street Dept. that was disgruntled with the money it was the entire city, there were a number of departments that requested a review which was more comprehensive. Lisa Williams, HR Director, stated the cost was approximately \$780.00. Alderwoman Mehl asked in addition to the reason the salaries of the 3 vacant positions this proposal is also to raise everyone else's salaries. Mayor Townsell stated there are 2 people that this salary proposal would affect one being Mr. Vinson because we would be raising the people working under him, so you would have to increase his salary comparably to a degree. Mayor Townsell stated the other employee whose salary would be affected is Jack Branscum who is the engineering intern; this was the only engineering/pre-engineering positions that we looked at. Alderman Hawkins addressed Mr. Vinson and stated he had visited with Mr. Vinson today about this topic and asked Mr. Vinson to tell the rest of the council what he could live with, and also explained they discussed if he could get some people in, who would specifically have to move him as far as this thing talks about moving. Mr. Vinson stated he believes the comment he made to Alderman Hawkins regarding the memo you have before you as a proposed number and explained this number is proposed based on the Johanson Groups proposed number, and the reason that was a proposed number is because the system we have now pays every title the same regardless of who fills that title; basically it is a one-step system. Mr. Vinson explained what he had said was if we adopted a range rather than just one title he would fit within the range, which would mean he would not get an increase in his salary, but an alternative would be to adopt a range for each title rather than just one salary. Alderman Jones asked how long Mr. Vinson has been employed by the city in the job title he currently holds. Mr. Vinson stated approximately 1 year. Alderman Jones asked what Mr. Vinson's salary is. Mr. Vinson stated approximately \$86,000.00. Alderman Jones asked what this scale would raise you to. Mr. Vinson stated he has 2 titles right now, City Engineer and Director so you could make me City Engineer and acting Director or you could make me the Director and the acting City Engineer. Alderman Jones asked this would increase his salary to what level. Mayor Townsell stated \$95,000.00 to \$99,000.00. Mr. Vinson stated \$95,251.00

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to \$99,999.00 if the proposed numbers were approved. Alderman Hawkins asked Mr. Vinson to talk about the range. Mr. Vinson stated if the range was adopted rather than just one salary then presumably my salary would be set by the Mayor and all the other salaries would be set by me at council's approval, and if we did that it would provide flexibility for council to do whatever they wanted to with those salaries within that range. Alderman Hawkins stated he understood from his conversation with Mr. Vinson this afternoon this would not affect Mr. Vinson as much individually but would allow us to set salaries or ranges for people that we could possibly bring to the city. Mr. Hawkins went on to say that today he learned that the ATHD is the largest employer of engineers in the State of Arkansas and their salary ranges are higher than ours, and they are our competition. Alderman Hawkins stated we have 2 major projects on the horizon and we need engineers for these reminding council that we have over \$21 million in bond money that we must get projects ready for. Alderman Hawkins asked if there is a way for us to get help from Garver or Crafton, Tull and Associates on a per project basis. Mayor Townsell stated that is a fair question and deserves an answer because there is a huge difference in that. Mayor Townsell stated Mr. Hall's last salary of \$85,000.00 and he is working on a contract hourly basis right now and if this is divided by your full time annual hours, he would be at \$42.00 an hour. Alderman Hawkins stated he understands and realizes we are likely looking at \$200.00 an hour. Mayor Townsell stated and that is for "him", granted they have overhead built in and cost of labor etc. but what we are being billed for by Garver at the lowest level of their billing for "that engineer" is \$96.00 an hour and this is not including everyone that reviews and oversees etc. Mayor Townsell stated it is much more expensive, and not as nimble, as we would not get the needed feedback for engineering on an as billed basis that we currently do if we push all of our engineering off to a private firm. Alderman Hawkins stated Mr. Vinson informed him of all that. Mayor Townsell stated that seems like a great idea but government sometimes does it less expensive than private business. Alderman Hawkins stated he understands but he also keep in mind that we have 2 projects that we must get done. Mr. Vinson stated it is too late to hire a consulting firm to do any of the projects you are talking about; Garver is designing approximately one-half of Central Landing and we are designing the rest but we are just too far along to conceivably hire someone to do the rest, if that is what you mean. Alderman Hawkins stated it is not fair to our employees to take the part that they like to do away from them and give that to someone else and leaving our employees to do the daily grunt work. Mr. Vinson stated his biggest concern he has is if we at this point in the game were going to give more work to Garver or Crafton, Tull Associates or any other design firm, the things we could give them now are things that do not make sense to hire out i.e. plan review, permitting, and inspection, as these are really expensive things to hire out because of the fact that they do not have any institutional knowledge on what goes on in the City of Conway. Alderman Grimes asked for clarification; is Garver designing approximately one-half of the Central Landing project because we do not have the staff to do it ourselves. Mr. Vinson stated yes and to be clear even if we were at full staff we would not have had the staff on hand to do all of it. Mr. Vinson stated it was determined early last year how much we would be outsourcing and how much we would be doing in house and this was before I vacated my position and before Mr. Vondran left, and now we are in a position where things are not getting done i.e. citizens call the office and we do not have time to talk to them, plans are not getting reviewed, permits are not getting signed. Alderman Grimes asked if we are at least 2 positions short. Mr. Vinson stated yes. Alderman Grimes stated so because these 2 positions are unfilled you are telling me that we have people submitting plans that they want to build and we are telling them that we are too busy to look at them. Mr. Vinson stated that has been a concern for a sometime, if you talk to the Planning Dept. there has been

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discussions for some time about hiring someone to do plan reviews; many municipalities have someone on staff that only does plan review, but we do not. Mr. Vinson stated that Mr. Hall has felt for some time that this person should be hired by the Planning Dept. and the Project Engineer that he added in the 2015 budget was the person I hired to do plan review because I decided to stop fighting that fight with the Planning Dept. and go ahead and hire that person. Alderman Grimes asked if we are unable to fill yours and Mr. Vondrans' old positions what does this mean over the course of the next 12-24 months and asked if things will come to a stop. Mayor Townsell stated number one Mr. Hall leaves, as he is staying with us to finish out the Central Landing Projects etc. which leaves us 1 full time engineer and 1 engineering intern who is due to get his P.E. at any time. Mayor Townsell stated if we cannot fill these 2 positions he will let Mr. Vinson pick up from there but we may not even be able to keep the Public Engineer; once he receives his engineering degree, he is a much more marketable property. Mayor Townsell stated in terms of workload and how it impacts our projects, which then becomes less outwardly visible and more inwardly visible in terms of street projects that we want completed, working through the normal processes of approval for engineering at the landfill, in the Planning Dept., and street building which is our normal workload. Mr. Vinson stated it would help moving forward if we have enough engineers on staff just at least to design the work that we have billed in house; most municipalities do not build their own streets and if we do not fill the 2 positions we would likely have to start hiring consultants to design work for not only the streets that are bid out, but also for the streets that we will bid ourselves. Alderman Grimes stated consultants come at a higher price than our own staff. Mr. Vinson stated yes but it is particularly more expensive to hire a consultant to design a street that we will build because we are paying for a level of planned document that is not necessary since we are not bidding it out. Mr. Vinson stated he already has a lot of complaints from citizens that call and cannot reach anyone to talk to and developers that are not getting their plans reviewed in a timely manner and those things will continue to exasperate. Alderman Grimes stated any department or any business can survive a short time being understaffed, but long term just does not work and we may be at the point where the short term is becoming long term. Mr. Vinson stated there are other things that happen on an annual basis for instance every year we submit a sizable report to ADEQ to keep our permit and he has no one on staff now who can do that, so there are other things that are that could hit a crisis point. Mayor Townsell asked who the flood plain administrator is. Mr. Vinson stated he is. Mayor Townsell stated it was Mr. Hall and there is a lot of work that we ask of our engineering department and we are struggling right now. Mr. Vinson stated he does not have the time right now to inspect when a private site goes through development review. Alderman Grimes stated as big of an issue as we have with water issues in the city and for us to not to have that high on our priority list to make sure it is done right is unacceptable. Mayor Townsell concurred and explains it is always tough when you have to highlight one group of employees and pull them out and do something special for them rather than to take a whole city wide approach to our pay scale. Mayor Townsell stated as of this January 1, 2015 we were able to get all of our pay scales up to where they should be, but we are having a problem here and it has been going on for at least a year and this is why we are pushing this; we can look at it and not act but it is not going away. Alderwoman Mehl stated part of the problem she has with this is how it is presented as she agrees there is a problem and it needs to be addressed, but this looked to her like we have all these positions and everyone will get a raise; there are new positions and there are vacancies but she is unsure which one is vacant and it was very confusing to wrap her head around what was going on which she feels is causing a lot of questions and concerns. Alderwoman Mehl asked by approving this are we approving raises and new positions. Mayor Townsell stated no.

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Alderwoman Mehl stated she cannot tell by looking at this what is being asked for because right now Mr. Vinson is the City Engineer and the Director; this shows 2 separate positions and in her mind this is 2 new positions. Mayor Townsell stated we have 3 positions and we are naming 5 possible targets to plug those 3 positions into. Mayor Townsell stated for example we would like to get a Traffic Engineer hired so Mr. Vinson can focus on other things, if that is not in the skill set, we get through applicants, then we will not hire a Traffic Engineer which would require Mr. Vinson to continue to do functions of a Traffic Engineer and then we would hire other positions to complete duties that Mr. Vinson cannot do because of short staffing. Alderman Grimes stated we know Mr. Vinson could give up a few hats he's wearing, we just don't know which ones at this time. Mayor Townsell stated that is a good way of putting it. Alderman Jones stated if we need someone for a position hire someone for that position; we have an overlap because employees cannot do their jobs, we need to hire more staff to allow them to help them do their job and stated if they are going to be a Traffic Engineer, then hire a Traffic Engineer do not hire someone that is not qualified and have to pay someone to help them do their job. Mayor Townsell stated we have not done that and reiterated that Mr. Vinson wants 2 positions filled, but 3 are open. Alderman Hawkins stated hiring 1 would help. Mayor Townsell concurred and stated it will be more pressing when Mr. Hall steps down. Alderwoman Whitmore stated should we not just look at the 3 positions specifically that Mr. Vinson wants to fill and look at some type of salary for those 3 positions at this time and let that be a done deal and then anything else come back. Alderwoman Whitmore stated she concurs with Alderwoman Mehl stating all the listed positions on the spreadsheet are overwhelming; you say we have an engineer intern and you look at that salary but you are wanting to move them at which point they would fall under a Staff Engineer, and the qualifications for a Staff Engineer versus an intern lists 4 years of related management experience and or training and asked if an intern is going to have this experience. Mr. Vinson stated the descriptions on the spreadsheet were developed by the Johanson Group. Alderwoman Whitmore stated so are the salaries. Mr. Vinson stated that is correct. Alderwoman Whitmore asked if they cannot meet the requirements, then where do you get the proposed salary. Mr. Vinson stated one problem he has is that the positions that are posted now all require an engineering license but he is not getting any qualified candidates and a vast majority of the candidates that he has received have been unlicensed engineers, this would give me the ability to go ahead and hire an unlicensed engineer and put them in that position because that might be all he can get. Alderwoman Whitmore stated she understand what you are saying but where she is looking at this, in our employment skill set, we set a salary and they have to meet the requirements, and if you are saying they do not have to meet the requirements then why are we looking at a proposed salary. Mr. Vinson stated he is not saying that at all, the position he is in now, if he wants to help he would need to hire someone that is unqualified and he does not want to do that and pay them more than they deserve, and then train them until the point that they are qualified and then they leave and go somewhere else; he would rather be able to pay them an accurate amount for the job description that they are qualified for. Alderman Pruitt stated he does not think we can just do just the 3 underneath Mr. Vinson and bump up the Traffic Engineer, Staff Engineer, and Project Manager salaries as this could allow the Traffic Engineer to potentially be making more than Mr. Vinson is currently making, so why would he not just leave his job and take the Traffic Engineer job which may be less work and more pay. Alderman Jones stated he does not think we need to increase any salary we need to just hire someone. Alderman Ledbetter stated it was his understanding that Mr. Vinson is wanting to hire the best engineer and then put them in a position. Mr. Vinson stated yes, he would like to find the 3 best candidates and place them in the position that they are qualified for. Alderman Ledbetter



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asked so there are not 3 of the positions that you need and asked if you need them all. Ronnie Hall, Civil Engineer, stated a lot of the problem is there is a shortage of engineers as many of us are retiring and you do not know who you will find available. Mayor Townsell stated that is why he feels we need to create more positions as this would give us more flexibility and we would not have to come back to council and change the pay for that position. Mayor Townsell stated if you want to set a more rigid salary in then we will try to find someone that meets those job descriptions but we may be coming back to council to adjust it and explained we are driven by who is applying and who will accept our pay. Alderman Jones asked we are having problems right now with payroll and wondered how this will affect the payroll issues. Mayor Townsell stated it sweetens the deal and makes the job more attractive to those individuals who are qualified. Alderman Jones asked how this will affect paying them. Mayor Townsell stated it is going to take the Street Dept. monies and more of it if we pay a higher salary. Mr. Vinson stated he does not think we have a payroll problem in his department. Mayor Townsell stated we do not. Alderman Grimes stated he does not like carving one department from others in doing what we are looking at here but if Mr. Vinson does not get relief we are going to lose a department head here as he will find greener pastures. Mr. Hall stated that is true there are other groups looking for Traffic Engineers, which is what he is. Alderwoman Mehl asked when the positions are posted do you say you are looking for an engineer. Mr. Vinson stated that would be the way that nearly every other engineering job in Arkansas would be posted but it may say we are looking for a Civil Engineer and we would list some of the job duties and requirements, years of experience, require or not require an engineering license, but it would come down to have a grasp of roadway design, drainage design, plan review, and salary would be dependent upon experience. Alderwoman Mehl stated if we were to approve a range tonight to at least get 1 position going would that be helpful but knowing we will have to come back and address this issue. Alderman Hawkins stated he would be willing to take a look at one. Alderwoman Mehl suggested to look at a range from \$70,000.00 - \$90,000.00 which would give us a better indication of other issues we have to address once we see what the market is baring. Mr. Vinson stated it would not hurt but he thinks the true market test is the AHTD grid because they are the largest employer of engineers in the state. Mr. Vinson stated he has offered the job to 3 individuals, one being an AHTD employee and he said "I'm going to make more money here". Alderman Grimes asked if this range give you enough salary room to compete with the AHTD employee's salary to entice him to come to work for the city. Mr. Vinson stated he believes so. Alderwoman Mehl stated she was looking at a range of \$70,000.00 - \$90,000.00. Mr. Vinson stated the problem with that is this particular AHTD employee knew if he stayed in the department for another 10 years he would be making six figures; he is not saying he needs to be able to offer that but he needs to be able to offer more if he plans on staying. Alderman Jones stated he cannot wrap his head around the idea that the only people we can hire are AHTD employees. Mr. Vinson stated he has offered the job to 2 new graduates which declined, and also to 3 Civil Engineers, one being an AHTD employee and he also declined. Alderman Grimes stated if we go Alderwoman Mehl's route he would at least like to expand it from 1 to 2 knowing that we can get back to where we used to be. Alderwoman Mehl stated she is okay with that and explained she wants to get you some relief and not drag out another month while the department is struggling. Mayor Townsell stated we can draft something for councils approval and to clarify what he is hearing is to authorize 2 positions to be "the hiring range" is \$70,000.00 - \$90,000.00 and it is only for the purposes of hiring because we have a one salary system for everybody else and whatever we hire them in at, we need to keep true to that and that would be the salary they are going to stay at until anybody else gets a cost of living raise. Alderwoman Mehl stated

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wherever their skill set fits best for the Street Dept. Mr. Vinson stated then their salary would be fixed upon employment. Alderwoman Mehl stated that is correct but the second step of this is to come back to council to adjust any other apparent inequities especially if it pertains to Mr. Vinson. Mayor Townsell stated we also have inequities on our engineering intern and that is being adjusted too. Alderwoman Mehl stated instead not knowing which position and how much you could come back to council and tell us what it took for you to hire in these 2 positions based on real market value and it would give us a better idea of how to address the other 2 positions. Mr. Vinson stated it doesn't solve the problem that there is no opportunity for advancement and that is a concern amongst everyone that has applied but he is fine if that is what council wishes to do. Mayor Townsell stated it is a step forward and agrees with Mr. Vinson is part of the reason is we might offer comfortable salary right now, but we do not offer a career path; successive layers of not just of increased salary but increased responsibility and that is why we had the job descriptions moving up. Mayor Townsell stated Mr. Hall had stated earlier that how much review time a supervisor has to give the lower engineer; if that is something that the chief engineer can turn over to an engineer and not have to worry about it prior to bid that is a more valuable engineer. Alderwoman Mehl stated this is something we can look at in the future. Mayor Townsell asked for clarification that this motion does not discuss any of the 2 existing positions. Alderman Hawkins stated he would like to put the engineer intern into the mix at this point because he is not far from getting his degree which will make him a marketable commodity. Alderwoman Whitmore asked so when he gets his degree would he not be able to fit into some of these positions. Alderman Hawkins stated he would fit into a low and asked if they need to convene into executive session if we are going to discuss specific individuals. Mayor Townsell stated yes that would be more polite, if we are talking setting salary no, if job assessment yes. Mr. Vinson stated that what Alderman Hawkins is suggesting is going to be a problem for any candidate that he would hire that is young and the problem is that their salary may be competitive now, but it will not be competitive once they have more experience if their salary is set because if we have one set salary for a person then it is inevitable that there will come a time where they are more valuable to someone else than they are to us. Mr. Hall explained when he hired Mr. Vinson he was not too interested in what he would be making now but what he would be making when he got my position, so others will be looking at his salary for their future income. Alderwoman Mehl motioned to authorize the pay for 2 engineering positions in the \$70,000.00 to \$90,000.00 range for hiring purposes only and if once they are filled that Mr. Vinson come back to council so we can address any other inequities within the department. Alderman Ledbetter seconded the motion. Mr. Vinson asked presumably before he would hire either one of these 2 individuals he would need to come back before council to have their salary set. Alderwoman Mehl stated if it is in that range, it is up to you. Mayor Townsell stated we would also like you to get very specific with your job descriptions. Mr. Vinson agreed. Alderwoman Mehl stated as soon as Mr. Vinson makes the offers and they are accepted he would need to immediately come back and let council know and that is when we need to address other issues. Mr. Vinson stated the only problem with that is if he did find a new graduate that he wanted to hire, he would be paying them a lot more than they are worth. Mayor Townsell asked if they have their P.E. Alderwoman Mehl stated he is going to bring them in higher because you know you cannot bump them up. Mr. Vinson stated there is that problem as well, what you are doing for me is narrowing the available market of individuals because now unless I want to hire someone right out of college and pay them more than Mr. Branscum. Mayor Townsell stated we are not touching that position. Mr. Vinson stated I suppose I could hire them in at the existing position. Mayor Townsell stated you could hire them in and they do not have

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their P.E. he would suggest hiring them in at this suggested position; the Mayor stated he would suggest they have their P.E. Mr. Vinson stated he only had 1 Civil Engineer apply that has a P.E. and that is his concern, but we can try it this way. Alderman Grimes asked how much were you able to offer an individual that has turned your down. Mr. Vinson stated approximately \$70,000.00. Alderman Grimes stated this way you have leeway to compensate for experience. Mayor Townsell agreed that it does allow flexibility in this category of engineer but it does not touch the stuff that does not have the P.E. and it pegs a number in limbo too in that the next question is what is the career ladder, and we do not have that set yet. Alderman Grimes stated unfortunately that has not been addressed tonight and asked did Mr. Vinson say he needed someone with a P.E. Mayor Townsell stated yes we want the P.E. Mr. Grimes stated this salary will hopefully attract that. Mr. Vinson stated the new available graduates do not have P.E.'s yet and 2 of the 3 individuals he has offered the job to do not have a P.E. and they declined the position is due to the fact there is no career track with the City. Alderman Grimes asked are those individuals qualified for what you are looking for. Mr. Vinson stated it was the best he could get. Alderman Grimes stated are they qualified for what you need. Mr. Vinson state it is better than nothing, but no. Alderman Hawkins asked if we are addressing the intern. Mayor Townsell stated no, the motion does not. Mr. Vinson stated his best shot at hiring a good candidate is getting an individual that is young possibly right out of school, but giving them the promise of a good career and that is something he cannot do right now. Alderman Grimes asked will you likely be able to hire a new college graduate without a P.E. with the skill set you need, and asked if that individual would be presumably working towards a P.E. Mr. Vinson stated presumably they would be working towards a P.E. Alderman Grimes asked you will not hire an individual who does not have the skill set to help you. Mr. Vinson stated no, the question is whether or not they currently have it or can be trained to have it. Mayor Townsell stated with this range of positions we will not be hiring someone without a P.E. Mr. Vinson concurred. Alderwoman Whitmore stated she hears what you are saying about needing an engineer and about the cost set, but she also hears the underlying of someone could probably perform the job duties that may not have the P.E. that might be a likely candidate as well, and asked if it would be a better fit for you at this time to have the salary that Alderwoman Mehl suggested for someone who is an engineer, and then possibly another other salary range for someone who may not have the P.E. but could has the skill set and asked if that would be more beneficial to you to negotiate at this point. Mr. Vinson stated that would be helpful as it would give him a broader range to hire within. Mayor Townsell stated that is a good thought but, that will also bring in the current salary position of our engineering intern, and you cannot bring someone new in doing what the current engineer intern is doing for less. Alderwoman Whitmore stated but she does that opens an opportunity for the intern that we currently have. Mayor Townsell stated then he can move up into that and we would still have no one to help and that other position is still paid below the positon you just fixed. Alderman Grimes asked what the intern does. Mr. Vinson stated the word intern is given to a civil engineering graduate while he is working towards his engineering license. The first thing he is required to get is an engineer intern certificate which he presumably obtains around the same time he graduates; he will hold that certificate for 4 years and work underneath a licensed engineer at which time he is able to sit for his engineering license which is when he gets his P.E. Alderman Grimes how much longer will it be before the intern label. Mr. Vinson stated approximately 1 year. Alderman Grimes asked is the intern not eligible now to be bumped up to a different job duty or title for an increase in pay. Mr. Vinson stated with the existing titles that we have, no. Alderman Grimes stated so he is not yet ready to fill the bigger need for our department. Mr. Vinson stated that is correct. Alderwoman Whitmore asked if we

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looked at the Advanced Engineer Intern that is proposed on the list, would that not be a viable move for a current intern. Mr. Vinson stated yes it would. Alderwoman Whitmore stated that was her point and she went onto to say that if this intern moves up then you are saying you would still need an additional intern. Alderwoman Whitmore stated her point is she understands what you are saying and understands the required hours, it is basically the same when we look at our level of therapists in that, they are required to have certain hours when they are an intern before they can sit for boards and get their licensure. Alderwoman Whitmore went onto say maybe she is missing the point but, if we approve the Advanced Engineer Intern, that's going to be where our intern is going "to", so that would leave that position and that would then to move into a position, you have somebody that has been there, done the job and has seen how things work, and then you have an engineer, which is what you are telling me that you need, so that would give you those 2 positions. Mayor Townsell stated no, you are basically bumping one up and paying him more, but you are not doing anything different; you have 4 people at the top and the bottom filled and you are missing 2 in the middle for a full P.E. Mayor Townsell stated what you suggested is a good idea and gives him flexibility is, taking one of those 2 in the middle and instead of mandating it being a full P.E., going with that Advanced Engineering Intern and you think you can move the intern up to the Advanced Engineering Intern but you still have 2 people; you have hired the full P.E., what do you pay this person when you back fill this position. Alderwoman Whitmore stated that was her question, you have to have an intern. Mr. Hall stated the only reason you have an intern is you are trying to grow an engineer, and what you really want is an engineer but all you can hire is an intern; the goal is to get an engineer, not an intern. Mayor Townsell stated his point is, if you raise the current intern to the Advanced Engineering Intern pay, you have to backfill this position to give you any advantage at all in your hiring, and asked what you hire this person at. Mayor Townsell asked low, as what the current intern is making, or do you hire into the higher position, in other words, either we don't raise them to the now vacant position to the higher Advanced Intern position or we do, and we are affecting current salary. Alderwoman Whitmore stated so you are saying is if we did that then we would need to approve 3 positions which is ultimately what Mr. Vinson was saying. Mayor Townsell stated no not 3 positions, by doing that and moving the current intern into the higher intern position we are raising the positions pay. Alderwoman Mehl stated she would be happy to amend her motion to allow that to happen so would that be what Mr. Vinson decides to do and provides some flexibility; if that is the decision you make as a department head and we have a vacant engineering intern, come back to council with that and at the same time we are going to address other inequities and we will take care of it. Mayor Townsell stated lets clarify what Alderwoman Mehl means; Advanced Engineering Intern, you would take one of those staff positions and make it flex down, that would not automatically move our current engineering intern up. Alderwoman Mehl stated that is correct, that is his choice as a supervisor. Mayor Townsell asked what do we do to backfill the current engineering intern. Alderwoman Mehl stated if he does decide to hire and promote that person, when he has to come back to address the other inequities, bring that intern position back as well and we can address the salary. Mayor Townsell asked if there is a second. Alderman Ledbetter stated he was good hiring the 2 P.E.'s but he does not agree with this. Alderman Grimes stated you are basically giving the intern a promotion and raise. Alderwoman Mehl stated no, she is giving Mr. Vinson the option of hiring 2 P.E.'s or depending on the candidate he gets, the flexibility to take one of them and do an Advanced Engineering Intern and a P.E.; he may get plenty of candidates and hire in 2 P.E.'s which in her ideal world be great. Alderman Ledbetter stated if Mr. Vinson could also hire 1 P.E. and advance his intern. Alderwoman Mehl stated or hire

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someone new in as an Advanced Engineering Intern or have the option of promoting as she feels that is his job as a supervisor. Alderman Grimes stated he is confused on that part, is an intern qualified to do more now than he is doing now. Alderman Pruitt asked if he is qualified to be an Advanced Engineering Intern. Mr. Vinson stated yes. Alderman Grimes stated he does not understand what good it does to promote him as you still need 2 new people to do work and he does not care the intern or how much you pay him, you still need 2 people to do your more advanced work, to him it is 2 separate deals. Alderman Hawkins stated he feels it can be tied together. Alderwoman Whitmore stated we can debate this for several hours and explained she is fine with what Alderwoman Mehl has proposed as it gives Mr. Vinson the flexibility to move someone, who is a current intern who would have some skill set and then he says he needs an engineer and this also gives Mr. Vinson the opportunity to hire an engineer; you have a department head and he has the flexibility to either do 2 engineers, or he can hire an engineer and someone who can move into an advanced intern position. Alderman Grimes stated so it is not 2 new engineers and an advancement. Mayor Townsell stated it is 1 engineer and one either or and it forces him to come back to council immediately. Alderman Grimes stated and then we are going to give him another one, which is fine but why not do all of it now. Mayor Townsell stated we do not actually have a motion because the second went away, so Mayor Townsell stated we have a motion do we have a second. Alderman Pruitt seconded the motion. Alderman Hawkins asked if this was on the amended motion. Alderwoman Mehl stated yes. Mayor Townsell stated we have a new motion and second because the previous second went away stating this is to approve a range of \$70,000.00 - \$90,000.00 on a full P.E. and the second one could be \$70,000.00 - \$90,000.00 on a full P.E. or for an Advanced Engineering Intern and say the range of \$46,000.00 - \$72,000.00. Alderwoman Mehl stated yes. Alderman Jones asked if the intern going to be a P.E. when he is promoted because you said needed 2 positions that are P.E.'s. Alderwoman Mehl stated no. Alderwoman Whitmore concurred and explained he would be an advanced intern with EI certification and explained that is what Mr. Vinson is going to try and find. Alderman Jones asked if the intern would be promoted if he is not a P.E. Mayor Townsell stated under this he can be, he will not be promoted to a P.E. position he will be promoted to an Advanced Engineering Intern. Alderman Grimes stated he is going to vote no as he would like to see us give him the authority to hire 2 new engineers to help with that need. Alderman Ledbetter concurred. After some discussion among council Alderwoman Mehl stated she was trying to make a motion that would address the flexibility that Mr. Vinson was asking for. Alderman Grimes stated he heard him ask for 2 new bodies. Alderman Grimes called a question. Mayor Townsell stated to make sure everyone knows what we are doing, none of us are engineers and we are trying to set up a pay scale and structure for a department that we do not know anything about and we are looking at this without the skill set to set it up. Mayor Townsell stated the motion is to authorize these 2 pay scale enhancements for these 2 positions, one position having the option of going with a P.E. or going with an Advanced Engineering Intern. The motion failed 4-3. Alderman Grimes, Alderman Jones, and Alderman Ledbetter voted in opposition with the Mayor voting with the majority. Alderman Grimes motioned to allow Mr. Vinson to hire 2 new positions in the salary range of \$70,000.00 - \$90,000.00. Alderman Jones seconded the motion. There was no further discussion. The motion passed 7-0.

### **B. Public Services Committee (Sanitation, Parks & Recreation & Physical Plant)**

- 1. Consideration to remove & dispose of fixed assets from the inventory listing for Parks & Recreation.**

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Steve Ibbotson, Parks Director, was present to answer questions. Alderwoman Whitmore motioned to authorize the disposal of assets. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0. The items approved for disposal are as listed below and will be disposed of via an online auction:

- 1995 GMC Pickup                      Asset # 2084
- 1995 Dodge Ram Wagon            Asset # 2115
- 1999 Dodge 150 Pickup            Asset # 2085
- 2008 Ford F-250 4-Door PU        Asset # 2119

**2. Ordinance amending the Title 12 of the Municipal Code (Parks and Recreation) Beaverfork Lake.**

**O-15-68**

Steve Ibbotson, Parks Director, explained this mostly a house cleaning issue to clarification lot lines as they extend into the lake, which involves mostly with replacements of docks, with angular property lines coming from other properties. James Burnside, Beaverfork Caretaker, was present to answer questions. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderman Hawkins seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Ledbetter, Alderman Jones, and Alderwoman Whitmore. The motion passed 5-2. Alderwoman Mehl and Alderman Pruitt voted in opposition. The clerk called the roll for the emergency clause with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderman Pruitt, Alderman Jones, and Alderwoman Whitmore. The motion passed 7-0.

**3. Consideration to approved architecture and interior design for the finish out of the Conway Expo Center.**

Mayor Townsell explained we have 2 individuals who have submitted quotes for two segments of the work, one being Georg Andersen for the conference center interior, façade North and Southwest entrance, and landscaping and driveways at a flat fee of \$45,000.00. Mayor Townsell stated Rik Sowell Architects will complete the architectural element which will be a \$10,000.00 flat fee to start, and there is a percentage component that will be a part of the contract; this will also involve reviewing construction work as it is being done. Mayor Townsell recommend those two fees and fee structures for this work. Alderwoman Whitmore motioned to approve the work and fee schedules. Alderman Hawkins seconded the motion. Alderwoman Whitmore announced the A&P Commission did agree to fund up to \$500,000.00 for the finishing out specifically to the inside of the Expo Center. There was no further discussion. The motion passed 7-0.

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**C. Public Safety Committee (Police, Fire, District Court, CEOC, Information Technology, City Attorney, & Animal Welfare)**

**1. Consideration to enter into an agreement to provide one fully equipped community policing officer for the Conway Housing Authority.**

A.J. Gary, Chief of Police, stated as you know this is something we have been doing since the 1990's as it provides an officer being assigned to the Housing Authority and they pick up approximately one-half of the salary and recommended council approving this agreement. Alderwoman Whitmore motioned to approve the agreement. Alderman Ledbetter seconded the motion. There was no discussion. The motion passed 7-0.

**2. Consideration to accept the bid for night sightings and aiming system for the CPD Swat Team.**

A.J. Gary, Chief of Police, recommended the single bidder ANVS, Inc. in the amount of \$34,193.00 and this is part of a federal grant. Alderwoman Whitmore motioned to approve the bid from ANVS Inc. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

**3. Consideration to approve the Conway Police Department to apply for the 2015 Justice Assistant Grant. (JAG).**

A.J. Gary, Chief of Police, explained this is something we are eligible for every year and we must for it jointly with the Faulkner County Sheriff's department; the grant in the amount of \$21484.00 is split with the Sheriff's department and we will receive one-half. Chief Gary stated this year we will use the grant proceeds to finish out the purchasing patrol rifles in an effort to enhance the safety of officers. Alderwoman Whitmore motioned to approve the Police Dept. to apply for the 2015 Justice Assistance Grant (JAG). Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

**Adjournment**

**PASSED this 9<sup>th</sup> Day of June 2015**

**APPROVED:**

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**Mayor Tab Townsell**

\_\_\_\_\_  
**City Clerk Michael O. Garrett**