

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD SEPTEMBER 10, 2013, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

CALL TO ORDER AND ROLL CALL

Mayor Joens called the special meeting to order at 6:05 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Jesse Dowling, Council Member
Tim Elinski, Council Member
Ruben Jauregui, Council Member
Terence Pratt, Council Member
Randy Garrison, Council Member

STAFF MEMBERS PRESENT

Marianne Jimenez, City Clerk
Steve Horton, City Attorney
Rudy Rodriguez, Administrative Services General Manager
Morgan Scott, Development Services Operations Manager
Scott Mangarpan, Project Manager

TRASH COLLECTION AND RECYCLING SERVICES

Mr. Scott stated the city currently has a recycling center at the corner of 6th Street and 89A which accepts most all common recyclable materials that the city pays a little over \$20,000 a year to operate. The contract ran out last year and staff started looking at if there was any way to save some of that cost, because several recycling companies are now offering their services for free. Instead of going out to bid, staff went out for Request for Proposals which was a different process. In a bid process staff lays out the rules and an RFP enables them to put together a business proposal and they are allowed to set up their prices and conditions. The RFP was brought back to the council who was concerned about recycling not being as convenient and two issues; it was only going to be open six days a week and was kind of out of the way, and what would it cost if we opened up the transfer station seven days. The second question was the Lions Club currently operates alongside the current recycling company. We worked closely with the Lions Club and think we have come up with a solution with them. The third question was electronics was not listed in the RFP, so council asked staff to come up with a method for that. He thought council asked them two questions; can we move it outside the fence so it's open 7 days a week 24/7, or can we ask the companies to come back and give us a price or redo their proposals to keep it at the current 6th and 89A site.

Mayor Joens stated on the last item she thought the council was asking if the bins could be placed outside the fence at the compactor rather than 6th Street.

Mr. Scott stated in regards to the first question, he worked closely with Rudy's staff to come up with a cost. In the council's staff report he believed it said it was \$18,000 (for a full time employee.) That was the cost of one employee and their family (with health benefits,) so the \$11,000 was one employee without a family, the \$18,000 would be one employee with their family, and then the \$24,000 would be two employees and their families. He thought the important number to remember would be the minimum cost of opening the transfer station a seventh day would be about an extra \$11,000 a year—actually closer to \$12,000. The major difference in the cost is the additional medical insurance. The employee is not making a lot more, about another \$4,300 a year for an extra 52 days a year, but it was to cover that medical insurance cost.

Mayor Joens asked what if you had three employees with shorter hours then it wouldn't cost anything and you could still keep it open 7 days.

Mr. Scott stated that was correct. We would bring one employee on at basically somewhere between 8 and 16 hours a week. Right now we pay somewhere between \$9 and \$11 an hour when they start, so it would be between 8 and 16 hours a week, but yes, that is an option.

Council Member Pratt stated it seemed to him that you've answered that question. Without medical insurance if we had an extra employee it would be \$4,300 a year, and asked if that was correct.

Mr. Scott stated that was the cost if we paid another employee. That would be the Mayor's scenario if we bring on a third employee.

Mayor Joens stated that would cost \$4,300 even though you might reduce the other two employees to balance it all out.

Mr. Scott stated we would have to increase it one extra day a week so the other employees may make less, and if we could get somebody who was reliable who's willing to only work one day a week on a Sunday.

Council Member Elinski stated his concern with this is still the hours that it would be open. He didn't know if we had any stats on when people actually recycle. In his situation it would be after work hours. He thought 8:30 to 4 isn't really that convenient.

Mr. Scott stated he did not have any stats on the evening because they have never been open at that time. We do keep stats on every time someone comes in. There's a heavy morning rush, it's very dull in right in the afternoon, and then there's a heavy afternoon rush.

Council Member Elinski stated it seems for recycling people probably do it at their

convenience, which he was assuming would be after work hours.

Mr. Scott stated and on weekends.

Mr. Rodriguez stated one of the things that Morgan was saddled with when he first proposed taking over the transfer station was to make it break even and we have been very successful in doing that. We are now putting more pressure on that transfer station, so if the council still wants to be self-sufficient there may be some issues with trying to go ahead and raise those fees to accommodate the additional costs.

Mayor Joens asked if the transfer station made any money, and Mr. Rodriguez stated it did not make money but it wasn't losing money.

Mayor Joens stated at the first we thought it might make a little bit, not a lot but maybe some and it was for awhile according to what he reported.

Mayor Joens questioned if the recycling staff thought of doing has brought in any funds.

Mr. Scott stated the scrap metal recycling was sold every 2 months for somewhere between \$200 and \$400 depending on the scrap pile.

Mayor Joens asked if Waste Management accepted brush when they ran it or are we accepting more things than they did.

Discussion ensued regarding the amount of wood and brush that was coming into the compactor and the chipping staff was doing and the mounds of chipped wood that was accumulating.

Mayor Joens asked what do you need to know; whether to continue the recycling at 6th Street.

Mr. Scott stated he would jump to the rest of their questions, but yes, we kind of need direction where would you like to go with the recycling program. In the end after we've answered all your questions that is the direction we are looking for.

Mr. Scott continued stating the second question about was about the Lions Club. The city has several other locations the Lions Club could place their bins and they were actually very excited about some of them. The third thing the council asked us to look into is the ability to provide electronics recycling. He spoke specifically to Waste Management who said they would be willing to come up with some method that's both secure and safe, and that could be anything from one bin to similar to what the city's done in the past or two big days a year in which we have a recycling haul off program. The fourth was opening it up more. Either being outside the fence or moving it back to the 6th and 89A location, and Waste Management said it would be the same either way, however, the city would be responsible for keeping the site clean since it's no longer secured, and the city would also be

responsible for the cost of any hazardous or non-recyclable material that gets dumped.

Council Member Elinski questioned if there is any reason why we can't have a city employee patrol and maybe lock up the site after hours.

Mr. Scott replied that's definitely something we can do, In fact, we lock a few other city facilities right now and we could lock it after hours. It was the park host that went around and locked up all city bathrooms. Those duties have been divided now among different city staff, but that could be done if it's something council wanted. The question would be it's now a fine line of making it convenient but still locking it up and making it secure, so is it 8 o'clock or is it 10 o'clock.

Council Member Elinski stated the site isn't lit so they probably wouldn't be going there after 8 or so.

Council Member Pratt stated he noticed at that site it really does seem the bins are overflowing often and feels it is not picked up enough.

Mr. Scott replied that has been a problem.

Mayor Joens questioned if the Lions have been keeping it clean or not as much as they hoped.

Mr. Scott stated not that he's aware of. His contact has still been the current provider and he hadn't gone to the Lions.

Mr. Scott continued, stating the final change that Waste Management proposed if we go to an unsecure location is they would not offer a rebate just due to those extra costs. Right now under Waste Management's proposal they'd give us a rebate and that wouldn't be available in an unsecured location.

Council Member Elinski questioned what their reasoning was.

Mr. Scott replied their biggest concern was the lack of security. Whatever gets dumped in there they are going to have to take back to their facility and even though we may have to bear the cost of large items, they're going to bear the cost of man hours of separating it because it's not all recyclable material.

Council Member Elinski stated meaning if somebody threw a television in the plastic bin or something.

Mr. Scott stated there are even non-recyclable plastics or plastics in the wrong bins. He was not that familiar with all what is recyclable and what isn't.

Council Member Pratt stated that does happen. Supposedly, caps aren't recyclable and you see them in there. His other question was if the rebate is on just glass.

Mr. Scott stated no, and the next slide is a comparison of all the companies that gave us proposals and he could go through that.

Mayor Joens read the slide that stated alternate unsecured locations, and questioned if that would be the 6th Street location or outside the fence at the public works building.

Council Member Elinski stated he kind of had an issue with that because even if we have it behind the fence inside the grounds of the transfer station the person working the booth there isn't going to keep people from throwing the wrong type of plastic in the wrong bin.

Mr. Scott stated he was right. He's not going to oversee everyone especially when he's got two or three customers at the same time. When he does only have one customer he is watching everyone who dumps because even in our current bins we make sure there is no oil, no batteries, and there's several things Waste Management restricts us from putting in the landfill.

Council Member Elinski stated he was surprised because it looks like they're pushing more responsibility on to the city but yet they're not going to offer us the same rebate on the materials. Now the city will be responsible for cleaning up mattresses and television sets.

Mr. Scott showed a slide with the comparison of the four companies they short listed. There were five companies that gave us proposals; four of them were shortlisted and given interviews. Waste Management had a very simple method. Basically, they show up with the bins and people dump them in. They were going to do that at no cost and give us a rebate, with the exception of glass. They did want us to pay for the cost of glass. At the current amount the city was generating in glass it would cost us about \$6,000 a year and they would give us a rebate on glass which at the current going rate would be about \$2,000 a year. Another item to remember is if we move up to the transfer station site it was very likely materials might drop off for a time being while people get used to the transition. The second company was Patriot out of the Prescott Valley/Dewey area. They don't separate. They were going to provide open bins and separate everything. However, they were a little more expensive at \$75 a pull, based on our current amount that would have been about \$9,000 a year. Patriot was the only company that proposed accepting electronics with a few exceptions such as the old large screen TVs that they can't recycle. The third company, Friedman, wanted to supply at their cost a bailer to the city and because of the saved transportation costs they were going to do everything for free and pay the city \$20 a ton for all recyclables. When we started talking details with them it was the city that was going to have to bring in power and build a foundation for the bailer and be responsible for the upkeep and maintenance of it. That aside, staff was willing to entertain that, but we were going to have the public right next to this large industrial machine that we don't have city staff trained to use. Just the liability from the risk management point of view, we would like not to recommend that.

Mayor Joens stated she hadn't heard that name too often and questioned if it was a new company in the Verde Valley.

Mr. Scott stated Friedman was out of Phoenix. He continued, stating the fourth company was Verde Earthworks. They also provided a very simple method, however, theirs was the most expensive; \$20,800 per year regardless of the amount of material generated. Although they offered a rebate later on, no rebate was mentioned in their proposal. What we're asking you to consider today is what direction do we want to go from here. We don't have to make a decision today, obviously because we are in a work session we're going to have to bring anything back to you for a final decision.

Council Member Garrison stated he actually asked for this item to be enlarged to include trash collection because he would like to see us consider going to a single service provider that does recycling as well as trash and get rid of this whole recycling issue. He did not know that we had to be in the business of recycling when we have the ability to do it at a much reduced cost to the consumer and provide a better service to the residents. There's a whole lot of benefits that come with going to a single service provider, many of which is what Verde Earthworks stood up here last time we had this discussion and talked about all the benefits they brought to the table, which was reduced traffic loads, better timing, and easier use. There just seems to be a lot of pluses with going to a single service provided as well as the ability for us to provide it at a reduced cost to the consumer and get rid of this whole recycling issue once and for all. We could actually put money back into our streets program and start picking up and repairing the streets that the trucks are damaging and we'd reduce five loads a day or five trips a week into a neighborhood with these large trucks. That's why he had asked for this to be brought back and expanded because he would really like to have that discussion about going with that proposal instead of dealing with having six service providers in the area and now having to pay to deal with the recyclables.

Mayor Joens stated she kind of asked staff to be prepared to remind us about our past discussions of which we've had many, but she did not know if they were prepared. We talked about it as a council, maybe before Jesse was on, a lot and we don't get too far with it because it's just one thing this council has never been able to agree on. She would like to have staff talk about the district piece because we have four or five haulers and we didn't want to take away the ability to do business from any one hauler. That was important to former councils, so we talked about the districts and Steve did a lot of research on that and whether we could do that. We also talked about doing like Clarkdale has done; having one hauler and bid it out. Then we did a survey and it wasn't a scientific survey though, it was just a survey that was sent out. Unless it's scientific she didn't think you could put a whole lot of faith into it if you want to make decisions about it. She questioned what other things had they gone through the years talking about.

Council Member Pratt stated one of my concerns with going with a single hauler was thinking about local businesses and hurting businesses and we could almost put some people out of business. One of the things he supported was going to districts and if we could do that all the companies could stay in business, but you'd still only have one truck a week in each neighborhood so it would accomplish what Randy was talking about, but it would also preserve business and the people who employ local people and pay sales tax locally.

Mayor Joens stated she had talked in length with the Taylors about all of this one time and he suggested if you put all the garbage cans on one side of the street that helps the trucks spend less gas picking up garbage and then maybe they could take the money they save to put into more recycling programs.

Council Member Pratt stated you alternate sides so one week they are one side of the road, the next week they're on the other side of the road so it gets equal wear.

Vice Mayor Pfeifer stated she would like to see them have another work session on this because she has changed some of her views on the district conversation, so maybe they should do this at another work session. It was going to take some time to work it out and Steve had to see how legal everything they came up with is, but she really would like to see them have it on a work session on trash haulers and districts and that way they weren't cutting anybody out of business and they could spread it around a little bit. The time has come where they need to look at that a lot closer.

Council Member Garrison stated one of the ways he thinks about this issue is Cottonwood and the people that we're concerned with are a very small portion of the area that we service. That's one of the arguments we heard when we had the whole debate over the water rate increase. There was a larger group of people that were dependent upon our decision and what method we set to move forward with and how we did business. That's the same discussion we're having here is there's a larger group of people outside of the town of Cottonwood that will still have access to five or six trash haulers. It was their responsibility to take care of our community and our streets and going with a single service hauler does both of those. Another issue is he had a meeting with the Town of Clarkdale and talked about how this has worked out for them. They said they pay per contract right around \$12 a month for the service, they charge the consumer about \$14 or \$15 a month for that service, and they take and split that difference up in their street funds and put it into neighborhood cleanup campaigns they run twice a year. There's a lot of other things we can do to give back to the community at zero cost to the council and the city and provide our customers a better service and get out of this whole recycling thing. It would do us better to look at this in a bigger light than breaking this up into little small issues. He would like to see us have that discussion; even at a work session would be fine with him.

Mayor Joens asked Mr. Horton if he wanted to comment on any of the district type things because she knew he had done extension research into that.

Mr. Horton stated so far he had looked at about 2 dozen other communities and it does not bind the choices we have or make. Districting is something he had found a model for, but we could develop one based on the things the council could do, you could create districts. He thought that would involve the city essentially letting contracts for those districts, otherwise you run into the problem of maybe having multiple providers following the rules for districts that you're just establishing. The larger communities self-provide the trash/recycling and green waste services. Some smaller communities do because they're remote and can't get

haulers to come in. Communities our size are kind of a mixed bag. What our code says is we can do it and we can contract for it. Different communities establish different rules about times of day and where the receptacles need to be. Those are all sorts of things that this council could do. Another thing he found that might be of interest to the council is a permitting program where commercial haulers, and this is a community that actually provides the service but they also have a code where other providers who want to come in and provide the service, and there are no districts there, simply apply for an annual permit. There's a fee attached for it and that would cover some of the cost issues of the impact, and then they would just have a city permit to operate on the city streets and provide that service. Those are the range of things we found and obviously when staff gives us more narrow direction we can certainly develop something for your discussion.

Mayor Joens stated she agreed with the Vice Mayor. We have kind of changed our membership a little bit and it would be good to have a new discussion about an old issue. The citizens who have talked to her all of them have wanted us to think about the streets, and they're concerned about the many trucks there are on the roads and they want us to recycle as much as we can.

Council Member Pratt stated let's bring it back for another work session and make sure the public knows about it too so we can get a lot of differing opinions.

Mr. Rodriguez asked if we were looking at putting aside the recycling portion of it. This may be months in the works before we ever bring something viable to the council and go back and talk to the different haulers. He questioned if the council is ready to go ahead and just say let's put the recycling portion aside at this point.

Mayor Joens questioned if they are continuing to provide the service even though we don't have a contract.

Mr. Rodriguez stated they continue to provide it at a cost.

Council Member Elinski stated he thinks it will probably be a year before we get anything decided. Our contract we have now is fairly expensive based on the other estimates we've gotten in and we should make a decision quickly on the recycling and hold that contract for a year until we can decide what other direction we're going to go. We want to take our time and make sure we get it right whatever direction we decide to go.

Mr. Scott stated if that's the direction the council wants to go, what if we ask Waste Management for one more proposal. Do it for free, but let us know if we decide two months from now take your bins and close it down, give us something so we know beforehand if that going to cost us something. That way he can bring that back to council if that's the council decision to say do we want to accept this.

Mr. Horton stated if the council's direction is to allow this service to continue we have a payment obligation. The contract is being continued because they are continuing to provide

the service under an expired contract and we continue to pay them so the assumption is the contract has been extended. One option is to make that formal and bring the extension of the contract for some period less than a full year back to the council, or to direct staff to just advise Verde Earthworks that the contract being terminated.

Council Member Garrison stated he would prefer us to stay with what we're doing even if it's going to cost us some money to do that because it would put the pressure on us to get this resolved in a meaningful amount of time instead of allowing it to be protracted and drag on. Also, making any kind of significant change in the system we're using now, if there's a chance that we'll be making another significant change in the near future would just cause a lot of confusion. If we're going to really look at going with this other type of idea whether it's a district or single service provider, he would prefer that we stay with what we're doing now until we can get that resolved.

Council Member Elinski stated we can stay with what we're doing now and keep it at 6th Street, but we can get that service for free.

Council Member Garrison stated if we move it to 6th Street we're going to have all the issues with cleanup and he had a feeling that was going to cost more than \$1,800 a month.

Council Member Elinski stated but probably less than \$20,800 a year.

Mr. Jimenez stated whatever direction the council gives if you would like it placed on next Tuesday's agenda we can certainly get it on the agenda. She questioned Mr. Scott if he was prepared to present it to the council for formal action, and he replied yes. She then stated we can set up a special work session the end of this month to discuss the trash hauling.

Mayor Joens stated she can't imagine it taking huge amounts of time because they had already been there, done that, so many times.

Mr. Rodriguez reminded the council that these meetings had not always been very amicable between the trash haulers and staff. It's not something that will happen within 30 or 60 days and after that we will probably have to go through a hearing process. On Tuesday we can ask for guidance on what council would want to see as far as a trash hauling format or agenda for the city into the future.

Council Member Pratt stated he agreed on Tuesday we should have the recycling on the agenda and we should consider going with a shorter contract than a year so we can go month to month while we work on this and then later in the month have a work session on the trash collecting and make sure the public and haulers know about it and have that be the only topic for our work session because it will take up some time.

Mr. Rodriguez questioned if the council would like us to negotiate, if that's possible, with the least cost for the city for the recycling piece.

Mayor Joens stated yes and questioned why would we pay \$1,700 a month if we don't have to.

Council Member Pratt asked if we could do it three months to start.

Mr. Rodriguez stated he would probably figure at least 3 months and then go month to month after that in case there's any delays because it won't be an easy change for us. We can talk to Waste Management and see what kind of cost they're willing to bring to the table at a three month and month to month and then we'll bring that to council.

Council Member Elinski stated as a recycling provider I can't imagine they would be interested in hauling all their equipment out for a three month period at a cost that's free. We need to be realistic that we probably won't have anything set in place for a year on our trash hauling. For a year they could probably make it work out financially on their end, but for three months I don't even know if it would be worth it for them.

Council Member Dowling stated in this situation it's not like we're going to leave people with no place to put their recyclables because there is a plethora of recycling locations now that popped up after the contract changed. He looked at that as option number five. That is the ultimate in no cost to anybody because they're already there unless the people that have those locations decide they want to pack up their toys and go home. No matter what we do there is still a place for people to put their recyclables that doesn't cost us anything so that is definitely a consideration in this situation.

Mr. Horton stated in fairness to the other providers in trying to be faithful to the scope of the procurement we issued, it seems like we're coming back next week with maybe an option or recommendation in the context of the procurement it seems like it may be in order to have best and final discussions and that's really what we're talking about now. We've been back and forth with Waste Management around what's called the best and final. It seems like having the other providers have an opportunity to give us best and finals for this next phase as we evolve towards whatever we're revolving to makes sense.

Mayor Joens stated she thought what she was hearing is to bring it back Tuesday for a discussion and a possible decision on what we're going to do with recycling at the 6th Street location or the public works location.

Mr. Scott stated one other decision that council may need to make next week if we end up going with Waste Management in the meantime until we get someone else or some other system in place is whether or not we want to accept glass or not because that will be an additional \$6,000 a year.

Mayor Joens stated we should accept glass.

Council Member Pratt stated he would go with that.

Mr. Horton stated what we may end up doing is bring to council the best and finals for them to make a decision about and some of those may include glass and other recyclables.

The council directed staff to hold a special work session to discuss trash collection and invite a representative from Clarkdale to give information on their experience with waste removal in their community.

PRESENTATION ON THE HISTORICAL AND CURRENT BASE FLOWS OF THE VERDE RIVER

Tom Whitmer gave a PowerPoint presentation on the historical flows of the Verde River with an in depth analysis of the measured flows at four different USGS gaging stations. He conducted a 7 day low flows analysis of the summer and winter daily discharge measurements for periods of flow records, presented the total flows for the period of record, and conducted a trend analysis for the calculated 7 day low flow measurements for each of the four gaging stations. The four gaging stations were located on the Verde River near Paulden, Verde River near Clarkdale, Verde River near Camp Verde, and the Oak Creek near Cornville. The periods of record for the gages near Paulden, Clarkdale, Camp Verde and Cornville were 1963 to present, 1965 to present, 1989 to present, and 1948 to present respectively. For the gage near Clarkdale there was also a period of streamflow measurements from 1915 to 1921. The results of the trend analysis showed the 7 day low flows of the Verde River near Paulden and the 7 day low flows of the Oak Creek near Cornville to be fairly static for the entire periods of flow measurements. The trend analysis of the 7 day low flows of the Verde River near Clarkdale showed an increasing trend for the 31 year period from 1965 to 1995 and a declining trend for the period from 1995 to 2013; with the decline diminishing for the period from 2001 to 2013. The trend analysis of the 7 day low flow of the Verde River near Camp Verde showed a slightly declining trend for the entire period of record. Tom also presented a plot of the measured precipitation at the Jerome precipitation gage and the annual 7 day low flows of the Verde River near Clarkdale for the same time period. Based on his analysis, he indicated that the 7 day low flows of the River appear to be impacted more from changes in climate than from anything else. As further evidence of this conclusion, he presented four plots that showed the number of days per year when recorded flows in the Verde River near Clarkdale exceeded 100cfs, 500cfs, 1000cfs, and 10,000cfs. All four plots showed a declining trend in the number of days with elevated measured flows beginning in the early 90s. He explained that not only was there a decrease in the duration of events that would result in the elevated flows being recorded, but also in the intensity of events. He then showed an historical picture taken that showed Old Town Cottonwood and the Verde Valley to northeast estimated to have been taken sometime in the 1930s. Almost the entire Valley could be seen with very few Cottonwood or other trees being present. He then showed a picture of take from about the same location and the Valley can no longer be seen because of the expansive canopy from the trees that have grown since the 1930s.

UPDATE REGARDING THE DESIGN OF THE CITY'S NEW EMERGENCY COMMUNICATIONS CENTER

Scott Mangarpan, Project Manager, and Kyle Swanson a representative from Arrington Watkins Architects, gave a PowerPoint presentation on the design of the new emergency communications center building project.

ADJOURNMENT

The work session adjourned at 8:04 p.m.

Diane Joens, Mayor

ATTEST:

Marianne Jiménez, City Clerk

CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of a work session of the City Council of the City of Cottonwood held on September 10, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date