



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
SUMMARIZED MINUTES
MAY 14, 2009**

CALL TO ORDER

Mayor Parker called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, May 14, 2009 at 4:00 PM.

COUNCIL MEMBERS PRESENT

Mayor Vernon B. Parker
Vice Mayor Ron Clarke
Council Member Mary Hamway
Council Member Pam Kirby
Council Member Scott LeMarr
Council Member Virginia "Jini" Simpson

Council Member Brian Cooney was not present

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr.
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer William Mead
Planning & Building Director Eva Cutro
Chief of Police John J. Bennett
Public Works Director Andrew Cooper, Jr.
Public Safety Director John D. Wintersteen
Human Resources Manager Jinnett Hancock
Management Services Director Lenore Lancaster

Mayor Parker introduced Garrett Nebeker, a student at Brophy College Preparatory, who shadowed him for the day.

Discussion of Trash Collection

Council emphasized that no decision regarding solid waste collection alternatives would be made tonight. The purpose of the discussion would be to explore alternatives to the current system and receive input from residents.

Mr. Bacon introduced three sanitation collection options: maintain the present local regulatory system; change the minimum required trash collection service from twice a week to once a week; and investigate alternatives to the present system.

The Town of Paradise Valley currently has a regulated open market approach to service. There are four licensed haulers, each one making arrangements directly with the properties they serve. The minimum service standard is twice per week and recycling must be offered.

He said the second option is to change the minimum level of service from twice per week to once per week. However such a change would require county and state approval. He estimated that the monthly service fees could be reduced by 10% - 20% if the minimum service level were reduced. It would also be necessary to amend the Town's sanitation ordinance. He noted that the county does not have much experience with this option. Most cities do not have four providers and a once per week collection minimum.

The third option is to investigate other alternatives. He suggested that a working group would be formed to develop a draft RFP or bid document. The Town Council would review the document before releasing it for responses. The Council would consider the responses and then determine whether to accept a bid. This option would require much consideration to take into account all details and menu of service options. An important consideration would be to whom subscriptions would be paid. The Town could bill and collect the fees but it would be subject to the expenditure limitation. The successful bidder could bill residents but this may increase their administrative overhead which would be reflected in the rates.

Mr. Bacon noted that the working group meetings would be open to the public and there would be multiple opportunities for Council and public input. He also stated that the Town could go through the entire bid process and still decide not to change the current system.

Mayor Parker opened up the meeting to public input.

Mr. Ray Thurston spoke in favor of issuing an RFP. He detailed the impact of multiple service providers on the Town's air quality and street maintenance. He was also in favor of once a week collection as an energy saving consideration.

Mr. Bill Wilhoit spoke in favor of limiting service providers. He argued that having one provider would lower costs; increase the level of service; and reduce pollution and road damage. He also believed that if the Town granted a franchise the company could be required to offer special services such as bulk pickup.

Ms. Dorothy Smith said that Paradise Valley has historically been a limited purpose government. She argued that it would be inconsistent for the Town to take on the responsibility of trash collection. She questioned how the successful bidder would be able to offer lower rates with the number of different service expectations the Town would demand. She suggested that the only

way to lower rates would be to limit services. She also argued that this is the wrong time to invest limited staff time in researching sanitation service changes.

Dennis Dickerson of the Maricopa County Air Quality Department stated he was invited to attend by Mr. Thurston. Mr. Dickerson extended an offer on behalf of the Air Quality Department Director to give a presentation to the Council on the County's efforts to improve air quality.

Judith Kunkel spoke in favor of limiting providers and requiring recycling. She asked if the carrier could bill customers directly. Mr. Bacon responded that it is possible for the provider to bill directly.

Mr. Bob Hobbs spoke in favor of maintaining the current service standard. He stated that twice per week collection is important, particularly during the summer. The odor from full containers left out for a week would attract flies and vermin. He argued that limiting trash providers could be a slippery slope and lead to limiting the numbers of other service providers operating in the Town like landscapers. He said under the current system residents have leverage over providers if they are not responsive to customers.

Mr. Dan Schweiker spoke in favor of the current system. He stated that an attempt to limit the number of providers would be an assault on free enterprise. He said such a move would force companies to lay off people in a recession. He argued that the government cannot negotiate a better deal than residents can through competition. He also said the Town might not be able to force people to subscribe to a private company for service. This was a problem when residents contracted with Rural Metro for fire service.

Mr. Leonard Marks spoke in favor bidding the service to one provider. He said issuing a public bid is also part of the free market system. He said Paradise Valley has a desert in the city feel. But that desert feel is disrupted by multiple trucks and unsightly containers randomly left on the curb five days a week. He also believed that limiting the number of providers would improve safety and reduce noise and air pollution.

Mr. Ron Lester spoke in favor of keeping current system. He argued that there will always be noise from other sources and it is unfair to only blame sanitation trucks. He said this issue is much ado about nothing.

Ms. Jessica Kootman spoke in favor of keeping the current system. She said there is no undue hardship related to trash collection. She said having four providers results in competition and good service.

Mr. Robert Rasmussen stated that he does not want a reduction in service or an increase in cost. He spoke against requiring residents to recycle and against the idea of bulk pick up.

Dr. Nancy Lee spoke in opposition to changing the current system.

There was Council discussion about conducting addition research into the current operation of trash collection in Paradise Valley. The Council directed that more research be done to determine if having one service provider would improve environmental conditions /quality of life and reduce rates. Council was curious about the following. How many hillside lots are there in Town? How many miles do the trucks drive? Are they leaving the Town full or empty? How many addresses have special needs? How many days a week are they in the town? How many customers recycle?

Regardless of which option the Town selects, there was general agreement that the current menu services should be preserved and that once per week trash collection may be unrealistic.

Third Quarter Budget Review

Mr. Bacon discussed the Fiscal Year 2009-2010 revenue estimates based on third quarter information from this fiscal year. He compared sales tax and HURF collection by quarter for the last two fiscal years, the current year, and a projection for 2009/10. He projected that quarterly revenues will be less than the same quarters in previous years.

He summarized third quarter results. He said revenues were \$852,267 below budget and expenditures were \$697,906 below budget. Revenues were down \$946,738 year to date and expenditures were down \$1,493,949.

He said the 2009/10 budget projections are based on declining revenues and a realistic review of the 2008/09 revenues that can be sustained in 2009/10. The revenues were adjusted for both favorable and unfavorable conditions. Mr. Bacon expressed confidence that general fund and HURF revenue would be \$16,296,000 next year. He was comfortable with the aggregate number but individual line items may be different.

There was Council concern that revenue projections might be optimistic but agreed with the revenue recommendation of \$16,296,000. They also agreed with the recommendation for a \$452,000 operating contingency and a \$3 million emergency contingency. If revenue is worse than anticipated, the operating contingency would provide an easily identifiable list of expenditures to cut.

Mr. Bacon closed by stating that the Council will need to hold policy discussions on how to fund debt service in future years.

There was Council direction to schedule consideration of the Tentative Budget for Fiscal Year 2009-2010 next month.

Motion and vote – Councilmember Hamway moved to go into executive session at 6:08 p.m. Vice Mayor Clarke seconded the motion which passed unanimously.

EXECUTIVE SESSION

- a.** Discussion and consultation with Town representatives regarding **roadway abandonment request in the vicinity of Redwing Road and 60th Street** as authorized by A.R.S. §38-431.03.A.7.

CALL TO ORDER

Mayor Parker reconvened the meeting of the Town Council at 7:00 P.M.

COUNCIL MEMBERS PRESENT

Mayor Vernon B. Parker
Vice Mayor Ron Clarke
Council Member Mary Hamway
Council Member Scott LeMarr
Council Member Virginia "Jini" Simpson

Council Member's Brian Cooney and Pam Kirby were not present.

STAFF MEMBERS PRESENT

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PLEDGE OF ALLEGIANCE

The Pre-School Class from the Paradise Valley United Methodist Church led the pledge of allegiance.

PRESENTATIONS

There were no presentations.

CALL TO THE PUBLIC

Resident Sean Perini spoke regarding noise concerns at the Intercontinental Montelucia Resort. He requested that the Town's sound expert to take sound measurements at ear level and not ground level.

MAYOR / COUNCIL / MANAGER REPORT

Council Member Simpson announced that the Town will host a Water Conservation open house at Town Hall on May 20, 2009 from 6:00 – 7:30 p.m. The purpose of the event is to educate

residents about water conservation and share various techniques to reduce outdoor water usage. Water Utility Committee Bob Hobbs will share an especially successful experience with reducing exterior water consumption. It is hoped that other residents will emulate his success.

Mayor Parker read the following Proclamation declaring May "Water Conservation Month".

WHEREAS, water is our most valuable natural resource and is essential for the survival of every living creature; and

WHEREAS, the Town of Paradise Valley has implemented special programs to stress to its residents the importance of water conservation; and

WHEREAS, the Town of Paradise Valley has designated May as the beginning of the hot, dry summer season when potable water demands increase, and encourages residents to implement water conservation techniques, such as monitoring and adjusting irrigation to prevent overuse, runoff and evaporation; reducing or replacing grass lawns with native desert vegetation; and using pool covers to reduce evaporation; and,

WHEREAS, the Town of Paradise Valley encourages everyone to make a difference by conserving water, thus promoting a fiscally and environmentally responsible community.

NOW, THEREFORE, I, Vernon B. Parker, Mayor of the Town of Paradise Valley, do hereby proclaim the month of May 2009 as

"WATER CONSERVATION MONTH"

in the Town of Paradise Valley and call upon all residents to collectively and voluntarily implement water conservation measures in their households for the betterment of our community.

IN WITNESS WHEREOF, I have set my hand and caused to be affixed the seal of the Town of Paradise Valley this 30th day of April, 2009.

CONSENT AGENDA

a. Minutes of Town Council Meeting April 23, 2009

b. Minutes of Town Council Work Session April 28, 2009

c. Report on Investments

Recommendation: Receive and file the report.

d. Renewal of Contract for Audit Services

Recommendation: Renew the contract for audit services with LarsonAllen, LLP in the amount of \$23,520.

e. Award of Contract for Municipal Court Site Location Study

Recommendation: Award a contract to Dick & Fritsche Design Group in the amount of \$42,500, to provide a Municipal Court Site Location Study.

Staff Contact: William C. Mead, Town Engineer, 480-348-3529

f. Approval of Resolution Number 1186 Regarding a Multiparty Intergovernmental Agreement with the Arizona Department of Emergency and Military Affairs Related to the Arizona Mutual Aid Compact

Recommendation: Approve Resolution Number 1186, regarding the Arizona Mutual Aid Compact, a multiparty intergovernmental agreement between the Arizona Department of Emergency and Military Affairs and participating counties, cities, towns, tribal governments and fire districts statewide.

Mr. Bacon summarized the consent agenda.

Motion and vote – Council Member LeMarr moved to approve the consent agenda as submitted. Councilmember Simpson seconded the motion which passed by a vote of 5-0.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

There were no action items.

ADJOURNMENT

Motion and vote - Councilmember Simpson moved to adjourn. Councilmember Hamway seconded the motion which passed unanimously.

Mayor Parker adjourned the meeting at 7:14 p.m.



Vernon B. Parker, Mayor

ATTEST:



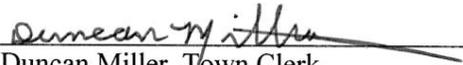
Duncan Miller, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on then 14th day May 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2 day of June, 2009.




Duncan Miller, Town Clerk