

**CITY OF VAN BUREN, ARKANSAS**

**ORDINANCE NO. 41 -2023**

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN,  
ARKANSAS, AN ORDINANCE TO BE ENTITLED:

**AN ORDINANCE REPEALING ORDINANCE NO. 4-2020 AND  
ESTABLISHING MONTHLY RATES FOR MANDATORY  
RESIDENTIAL SOLID WASTE COLLECTION SERVICE FOR THE  
CITY OF VAN BUREN, ARKANSAS, DECLARING AN  
EMERGENCY**

- WHEREAS, the City of Van Buren, Arkansas has implemented a mandatory residential solid waste management system and recycling program pursuant to Ordinance No. 10-2009; and,
- WHEREAS, it is the duty of the City Council of the City of Van Buren, Arkansas to approve rates, charges or contractual fees to be charged by residential solid waste disposal firms; and,
- WHEREAS, the cost of residential solid waste collection within the City of Van Buren, Arkansas has increased since the same were last established by Ordinance No. 4-2020, passed and approved February 24, 2020; and,
- WHEREAS, the City of Van Buren Municipal Utilities Commission, acting as agent for the City of Van Buren, Arkansas has recommended a schedule of fees and charges for the operation of the residential solid waste management program.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
VAN BUREN, ARKANSAS:**

THAT, Ordinance No. 4-2020 is hereby repealed; and,

- SECTION 1: The monthly rate to be charged for each residential unit as defined in Ordinance No. 10-2009 or hereinafter amended shall be Sixteen Dollars and Twenty-Four Cents (\$16.24). These charges shall cover, at a minimum, once per week residential solid waste and residential curbside recycling collection operated by the Residential Solid Waste Disposal Firm, and residential yard waste curbside collection and drop – off facility operated by the City of Van Buren Street Department,
- SECTION 2: The billing and collection for the residential solid waste management program shall be performed by the City of Van Buren Municipal Utilities according to its customary billing and collection procedures and in accordance with the Agreement between the Residential Solid Waste Disposal Firm and the City of Van Buren Municipal Utilities Commission. The City of Van Buren Municipal Utilities shall deduct the sum of One Dollar and Forty-Eight Cents (\$1.48) for each customer for whom a collection was made.



Nov 14<sup>th</sup>, 2023

Van Buren Municipal Utilities Commission  
2806 Bryan Road  
P. O. Drawer 1269  
Van Buren, Arkansas 72957

Dear Commissioners:

In May of 2015, Waste Management of Van Buren (WM) acquired Deffenbaugh of Arkansas, LLC and the Commission consented to the assignment of the Agreement for Residential Solid Waste and Curbside Recycling Collection Services in the City of Van Buren to WM.

The original Agreement was from August 25, 2009, to December 31, 2012. The first amended six-year Agreement was from January 1, 2013, to December 31, 2018. The current six-year Agreement is from January 1, 2019, to December 31, 2024.

During the term of the current Agreement, the Contractor may request a price increase. Such price adjustment is not allowed more than two times during the current agreement.

When requesting a price adjustment or increase, WM's standard price increase tool is the U.S. Consumer Price Index for Water and Sewer and Trash Collection services. This CPI Index includes the inflationary costs for waste services and provides an unbiased price increase tool based on economic factors outside the control of WM or the city, such as waste disposal, fuel, increased maintenance costs, labor, and others.

Based on the CPI-WST percent change in August for 2023, propose a revised rate of \$12.26 per residence per month, a 5.8% increase from the current rate of \$11.59.

<div>12 Month Percent Change</div> <div>Series Id: CUR00000SEHS</div> <div>Not Seasonally Adjusted</div> <div>Series Title: Water and sewer and trash collection services in U.S. city average, all urban consumers, not seasonally adjusted</div> <div>Area: U.S. city average</div> <div>Item: Water and sewer and trash collection services</div> <div>Base Period: DECEMBER 1997=100</div>															
Download:															
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2	
2009	6.1	5.8	5.9	6.1	6.3	6.2	6.1	5.8	5.9	5.8	5.6	5.6			
2015	4.5	4.6	4.5	4.5	4.8	4.7	4.3	4.7	4.8	4.2	4	3.8			
2016	3.9	3.6	3.7	3.9	4.1	4	3.5	3.1	3.2	3.3	3.4	3.4			
2017	3.7	3.8	3.6	3.5	3.2	3.3	3.5	3.2	3.2	3.2	3.2	3.2			
2018	2.9	2.9	2.9	3.1	3.3	3.5	3.6	3.8	3.6	3.6	4.4	4.5			
2019	3.7	3.5	3.6	3.8	3.3	3.3	3.3	3	3.1	3.3	2.3	2.2	3.5	2.9	
2020	3	3.2	3.2	3	2.9	2.9	3	3.4	3.4	3.3	3.3	3.6	3	3.3	
2021	3.6	3.6	3.5	3.6	3.4	3.6	3.7	3.5	3.7	3.7	3.5	3.5	3.5	3.6	
2022	4	4.2	4	4.2	4.4	4.4	4.4	4.8	4.9	4.8	5	4.9	4.2	4.6	
2023	5	5.2	5.4	5.4	5.7	5.7	5.8	5.8						5.4	

This price increase would be the second of the two contractually allowed price increases.

Effective Dec 1st, 2023, the following rates will apply:





<u>SERVICE</u>	<u>CURRENT BASE PRICE</u>	<u>NEW BASE PRICE</u>
Curbside Garbage/Recycle	\$11.59 per resident per month	\$12.26 per resident per month

At WM, we are committed to delivering exceptional service to our customers, and our updated pricing reflects our dedication to maintaining that standard. We take considerable pride in serving the residents of Van Buren, and we are excited to continue working for you in the years ahead.

Sincerely,

A handwritten signature in cursive script that reads 'Jamie Vernon'.

Jamie Vernon  
Waste Management

Cc: Rob Owen, Waste Management, [Rowen@wm.com](mailto:Rowen@wm.com)  
Stephanie Peterson, Waste Management, [SPeter15@wm.com](mailto:SPeter15@wm.com)

RESOLUTION - 10-2023

A RESOLUTION RECOMMENDING TO THE MAYOR AND CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT RATES FOR THE CITY'S MANDATORY RESIDENTIAL SOLID WASTE COLLECTION SERVICE BE MODIFIED

WHEREAS, the City of Van Buren, Arkansas (the "City") has implemented a mandatory residential solid waste and recycling collection system pursuant to Ordinance 10-2009; and,

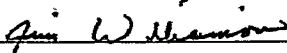
WHEREAS, the cost of residential solid waste and recycling collection within the City of Van Buren, Arkansas has increased since the same were established by Ordinance No. 4-2020, passed and approved February 24, 2020; and,

WHEREAS, the City of Van Buren Municipal Utilities Commission acting as agent for the City, has received, from the current Residential Solid Waste Disposal Firm, a request for an increase in fees, from \$11.59 to \$12.26 per residential unit per month; and,

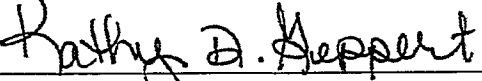
WHEREAS, the City of Van Buren Municipal Utilities Commission, after a necessary and complete review, recommends the rate increase to the City Council as being in the best interest of the City and its inhabitants.

NOW THEREFORE, be it resolved that the City of Van Buren Municipal Utilities Commission recommends to the City Council that the existing ordinance establishing current rates and charges for mandatory residential solid waste collection services be repealed and new rates and charges be enacted and become effective as shown in the proposed ordinance before the City Council.

PASSED AND APPROVED THIS 21 day of November, 2023.

  
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Jim Williamson, Chairman

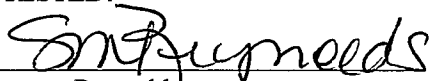
Attest:

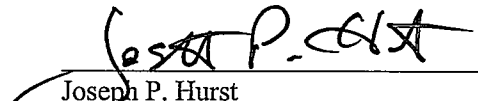
  
\_\_\_\_\_  
Kathy Geppert, Secretary

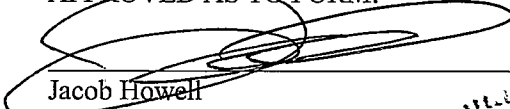
- SECTION 3: The sum of Two Dollars and Fifty Cents (\$2.50) for each customer for whom a collection was made shall be remitted to the City of Van Buren for the operation of a residential yard waste collection and drop-off program.
- SECTION 4: The remainder of charges collected shall be remitted to the Residential Solid Waste Disposal Firm in accordance with the Agreement between the Residential Solid Waste Disposal Firm and the City of Van Buren Municipal Utilities Commission.
- SECTION 5: If any Section or part of this Ordinance shall be held to be invalid or unconstitutional, it shall not affect the remaining Sections thereof, and the Sections and parts of said Ordinance shall be treated severally.
- SECTION 6: All Ordinances or parts of Ordinances in conflict herein, are hereby repealed.
- SECTION 7: *Emergency Clause:* Due to the need to maintain and enforce a comprehensive, city-wide, solid waste management program, and this ordinance being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from January 1, 2024.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against, the foregoing Ordinance at its regular meeting held on the 18th day of December 2023.



ATTESTED:  
  
Shawna Reynolds  
City Clerk/Treasurer

  
Joseph P. Hurst  
Mayor

APPROVED AS TO FORM:  
  
Jacob Howell  
City Attorney



