

## **Introduction**

Staff has been asked to prepare a report for the City Council on Resolution #01676 authorizing the Streets Division to provide lugger bin service to any condominium complex with more than 500 contiguous dwelling units that can be serviced from a public right of way.

This resolution comes before the Council as part of the Streets Division's conversion to automated collection of recycling and refuse. Under the original automated collection plan, all of the Streets Division's customers were to put their material out to the curb in city-supplied carts.

During the course of implementing the new program the management team at Cherokee Condominiums approached the Streets Division about continuing to use the present collection system for their properties. At the request of Ald. Paul Van Rooy, the Streets Division prepared resolution #01676 that would authorize the Division to continue to provide lugger bin service to the Cherokee Condominiums.

## **Collection on Private Property/ Private Streets**

In 1973 the City Council enacted resolution #25,198 that prevents the Streets Division from providing solid waste service on private property, including private streets. This resolution was part of the City's conversion from back yard collection of solid waste to the present curbside collection system.

Because the Streets Division does not supply solid waste service to properties on private streets, most apartments, condominium complexes and commercial facilities on private streets use private haulers to collect their refuse and recycling.

Typically, the Streets Division serves apartment buildings that have 8 or fewer units. We do serve about 500 small commercial establishments. Those establishments are able to meet the Division's limit of six 30-gallon container of refuse per week. This limit only applies to commercial establishments and only to refuse. There is no volume limit on the recyclables the Streets Division will collect from commercial establishments.

Any residential or commercial property receiving service from the Streets Division must bring its solid waste and recycling to the curb on a public street for collection. There are many condominiums and homes that are on private streets that receive service from the Streets Division by bringing their material to a public street for collection.

Residents on private streets carry their material down to the public street for collection. There are also residents who will bring their material to the curb in their cars and deposit at the street edge for collection.

With the implementation of automated collection, residents who live on private streets will have to wheel their carts down to a public street for collection.

It is difficult to know how many apartment and condominium complexes are served by the private sector, as this data is not shared with the Streets Division. The Division has conducted counts of its customers to help plan the automated collection system. Based on those counts and on information obtained during the cart distribution process, the Streets Division serves 1,811 rental properties with 3-7 units. Most of those properties have 4 units each. We also serve 258 rental properties with 8 or more units; most of those are 8 unit properties; and the Karin Arms Apartments that has over 200 units.

### **Current Collection From Condominiums**

Most of the properties classified as condominiums by the Assessor's office are duplex units. Those properties place their refuse and recycling at the curb just as residents in single-family homes. Unless these condos are located on a private street, and the vast majority are not, the automated collection system poses no significant issues for these properties.

Since condominiums are listed as individual homes, it is difficult to pinpoint how many of our condominium customers live in large complexes. Based on cart distribution information we serve approximately 15 condo complexes with more than 30 units. Most of those have 50 to 75 units with Cherokee being the largest with over 750 units.

The roadways though these condo complexes are, in effect, driveways. They have no room for a refuse or recycling truck to maneuver nor are they durable enough to support our heavy trucks on a regular basis. Thus, even if the Streets Division were allowed to collect on private property, it would be impractical for us to collect material inside these complexes.

Under the manual collection system residents of condo complexes using our service bring their material out to a public street on collection day. They are instructed to keep their recycling separate from the trash. While many people follow these instructions, we always have mixed piles that result in lost time sorting through piles or missed material when a recycling truck misses recyclables that were buried under a pile of trash bags.

The current system also diminishes accountability for improper material or unstickered appliances. When large groups of residents put material out in common piles we have no way of knowing which resident is responsible for problem material. Unless the complex has an active association we can work with on problems we are often forced to collect appliances with no fee or to make a special trip to remove improper material.

### **Cherokee Condominiums**

The Cherokee Condominium complex is the only exception to the current collection system for condominiums. The Cherokee situation is unique for several reasons. First, the size of the complex, currently 725 units and expected to ultimately be almost 800, poses a big challenge due to the volume of material coming from its residents.

Second, Cherokee is situated so that it is possible for the Streets Division to provide special collection service without entering private property. The site where the lugger bins are located is also secured by a locked fence. This prohibits the illegal use of the lugger bins that is a major concern of staff whenever we spot lugger bins for special events of community use. In addition, the bins are placed in an area that is not landscaped and where moving the bins will not damage terrace lawns or trees.

Finally, Cherokee has a large permanent staff that will haul material to the lugger bins; police the area around the lugger bins, and take responsibility for keeping improper materials out of the bins.

It should be noted that the vast majority of condo or apartment complexes the size of Cherokee in other communities use private haulers for refuse and recycling collection. Staff could find no examples of complexes this size that received municipal service unless the municipality provided dumpster service, which Madison does not.

In the 1980's the Cherokee Condos began to put large volumes of refuse at the curb for City collection. The volume of material was unsightly and tied up one collection truck for the majority of a day. At the request of some Cherokee residents and staff, the Streets Division met with them to try to find an alternative way to collect their material. After doing some research, it was found that the Streets Division could provide lugger bin collection service to Cherokee from a location on N. Sherman Ave. (Note: a lugger bin is a metal collection container of 10 or 20 cubic yards. The containers are used to collect material from special events such as the Orton Park Festival and Art Fair on the Square and for neighborhood cleanups. A special truck used only for the lugger bins hauls them to an from the events.)

It was possible to provide lugger bin service on N. Sherman Ave because the street north of St. Peter's Church is only 28' feet wide while the right of way is 76' feet wide. This leaves ample space to drop the lugger bins on public property and to allow the collection vehicle to remain on public property during the loading and unloading operations. There is also no sidewalk in the area so the lugger bins do not restrict pedestrian access to the Cherokee Marsh recreation area at the end of N. Sherman Ave.

When Streets staff began to plan for the implementation of automated collection, it was determined that all of our customers, including those in condominium complexes would be required to use carts. It was determined that it would be impractical to maintain two collection systems, one automated or semi-automated and another manual. Staff believes this would seriously erode the savings associated with conversion to the new system.

After the Council approved the automated collection plan staff at Cherokee contacted us. We informed them that the new system would apply to Cherokee and that they would be required to use carts for City collection. After several phone conversations Cherokee staff asked for a meeting with Streets staff and Alderman Paul Van Rooy.

At this meeting, Streets staff made it clear that the only way we would continue to provide a special collection service to Cherokee was with the approval of the Mayor and the City Council. That is why Resolution #01676 is before you at this time.

### **Condominium Complexes and Automated Collection**

The primary reason that Streets staff asked for a resolution is that we have had requests from 3 or 4 other condominium and apartment complexes to continue the current manual collection system. While we believe there are sufficient reasons to continue lugger bin service for Cherokee, we also feel that it would be unfair to these residents to continue this service without the endorsement by City policy makers.

The issues facing condominium and apartment complexes are generally the same as those confronting single-family homeowners. There are simply magnified by the size of the complexes.

The first issue is having the space to store carts. Most condos and apartments have small garages that will not accommodate a cart. This is further complicated by poor design as several of the complexes requesting an exemption from the cart system do not have inside trash rooms nor do they have any outdoor space suitable for the storage of carts or dumpsters.

The second issue is having enough curb space to place the carts. Streets staff has to collect carts from large complexes using semi-automated vehicles, thus eliminating the need to have four feet of space between carts so that less curb space will be required. It is also possible for complexes to have a few large carts instead of one small cart for each unit, further reducing the curb space required for collection.

There are some places where curb space is reduced due to bus stops or heavy on street parking. On site surveys by Streets staff have shown that the complexes that expressed concerns about bus stops still have adequate space for carts. Specific parking problems can be addressed by posting four hour parking restrictions on collection days.

There remains the problem of having enough curb space for carts in the winter. After significant snowstorms (3" or more) complexes might have to clear their terraces of snow to provide space for the carts.

### **Private Streets**

The third issue is the location of condos and other single family homes on private streets. Condominium owners and single family homeowners on these private roadways must their material down to a public street if they want collection from the Streets Division.

Under the current manual system, residents who live on private streets bring their refuse and recycling down to a public road and pile it for collection. Collection from homes on

private streets pose the same challenges for the Streets Division as condo collection. However, the problems are worse in these areas because there is no association we can turn to for problem materials.

Under the new system residents on private streets face the same challenges as their condominium counterparts. In many cases the problems are worse as there are some homes located up to one half mile from the public street. That is a long way to roll a cart, especially in winter.

Several people who own homes on private streets requesting that we collect their material in front of their homes have contacted streets staff. However, we are prohibited from providing curbside service on private streets by the 1973 Resolution.

Other common problems for residents in condos and on private streets include determining cart ownership when there is a long line of carts on the streets, providing assistance for disabled residents, and snow removal to accommodate carts.

Streets staff have several concerns about providing service on private streets. Our primary concern is that many of these streets were not built to City standards. We are worried that continual use of these streets by heavy collection vehicles will cause severe damage to the streets for which the City would be liable.

We are also concerned about winter collection problems. The Streets Division does not currently provide snow and ice service on private streets. Should these streets not be cleared of snow on collection day we would not be able to collect material and residents might expect us to return the following day at added expense to the City.

We are even more concerned about slippery conditions. When we encounter slippery streets on collection day we dispatch city staff to salt or sand the affected areas. We would not be able to do this on the private streets that would result in cancelled collection and the resulting customer dissatisfaction.

### **Current Lugger Bin Use**

The Streets Division currently uses lugger bins to collect material at our facility at 4602 Sycamore Ave., the Motor Equipment shop at First St., and the City Transfer Station on E. Olin Ave. These bins are used to collect metal items, appliances and tires for recycling. There are also used for large items.

The Streets Division provides lugger bins on a limited basis for large neighborhood cleanup projects. We do not charge neighborhood groups for the use of bins for these projects.

We also provide lugger bins for special events such as Art Fair on the Square, Taste of Madison, the Madison Marathon, etc. The organizers of these events are charged \$159

for each time a bin is emptied. At this time, we do not charge Cherokee for the use of the lugger bins.

### **Resolution # 01676**

Resolution #01676 limits the provision of lugger bin service to condominium complexes with 500 units or more. We set this limit for service efficiency. Lugger bin service is very time consuming. While only one person and one truck is assigned to the service, it takes several hours to make a round trip with lugger bins. First, the bins must be hauled from Sycamore Ave to the collection site and then, once filled, from the collection site to the Transfer Station, and then back to Sycamore Av. for storage. Since we don't have sufficient storage space at our Badger Rd. location, all lugger bin requests, whether from the east or west sides must be serviced from our Sycamore Ave. location on the far east side.

The Streets Division has asked for this resolution to authorize us to continue to provide lugger bin service for the Cherokee Condominium complex. Staff feels this resolution is necessary because of the requests we have received for special service form other condominium complexes and residents on private streets.

We currently provide lugger bin service for Cherokee because of its size, our ability to provide the service on public property, the ability of Cherokee staff to secure, service, and police the bins, and because we can use the bin system without damaging terrace lawns, trees, or other landscaping. We have not found any other condo asking for an alternative to the cart system that can meet these criteria.

In order to justify the cost of lugger bin service the cost of providing cart service must be high. A complex of 300-400 can be served by a one-person semi-automated truck in one half day. This would allow that unit to provide additional service to other semi-automated customers in the collection area.

Once you get up to 500 carts per complex, the vehicle servicing that development will be tied up for the better part of a day and unable to provide any significant support in the remainder of the collection district. That would mean adding an additional semi-automated truck and operator to the district driving up collection cost and making lugger bin service potentially cost effective.

According to an analysis of cost, it is less expensive to provide cart service to Cherokee's 725 units. The cost of providing biweekly recycling service for Cherokee using lugger bins would be \$6,320 annually. This cost includes providing two lugger bins to Cherokee every other week, the debt service on the bins and vehicle and the cost of one senior operator for one day every other week. We believe that the current 725 units in Cherokee residents would each use a 35-gallon carts recycling. If that were the case, the cost of biweekly cart service would be \$7,445 per year. This cost includes purchase and debt

service on the carts and the use of one semi-automated collection truck and operator for an entire day.

The Streets Division will begin automated collection of refuse in 2007. The cost to provide weekly refuse collection using carts would be \$12,715. Again, this includes debt service on 725 35-gallon carts, and the salary and equipment costs for one operator for a full day to collect the carts. If we continue to provide weekly refuse collection service for Cherokee using lugger bins it would cost \$19,700 annually. This cost includes 4 lugger bins and two days salary for a senior operator and vehicle costs. The combined cost of refuse and recycling service to Cherokee using lugger bins would be \$26,020. The combined cost of providing the same service using carts would be \$20,160. That represents a cost reduction of \$5,860 if we were to serve Cherokee with carts.

It should be noted that a cost reduction of \$5,860 would not be the same as a cost savings of \$5,860. We would not be cutting back any lugger bin equipment nor would we be laying off any employees because of the change in collection methods. The lugger bin equipment is still needed for special events, neighborhood cleanups and drop off site collection. If the lugger bin operator were not working on Cherokee collection, he/she would be reassigned to other duties.

### **Staff Recommendation**

Staff believes that it is in the best interest of the City of Madison to discontinue lugger bin service to the Cherokee Condominium complex unless we charge a fee. We feel that it is important for us to provide a uniform collection system for all customers served by the Streets Division. We also believe that the City of Madison has made a significant investment in the automated collection system in order to reduce service costs and that our study has shown that service costs for Cherokee would be reduced by the use of carts. Further, while planning to implement the system, the Streets Division assumed that the 725 customers in Cherokee would be served using semi-automated collection and included those costs in its program estimates.

If we do go forward with lugger bin service for Cherokee, staff feels that it would be appropriate to charge a fee for this service as we currently charge other users of lugger bins. Our current base charge for the use of a lugger bin is \$159. That is charged each time the bin is emptied and covers the cost of hauling the bin and the disposal of material.

The current users of lugger bin service, festivals and special events, are not property taxpayers so it is appropriate to charge them the full cost for the service. If we were to charge a fee for lugger bin service for the Cherokee condos we recommend not charging for disposal, only for the lugger bin service.

Lugger bins from Cherokee average 2.2 tons of trash per load. Our landfill tipping fee is \$28 per ton so the disposal cost per load is \$61.60. Based on our current fee of \$159 per lugger bin load the charge for collection only from Cherokee would be \$97.40. Staff would recommend that the fee be set at \$100 per bin load.