

Date: 10/31/2020

To: Alder Michael Verveer
614 W Doty St #407
Madison, WI 53703
Email: district4@cityofmadison.com

From: Marilyn Jacobsen, Owner
511 W Main St Apartment
Email: marilynojacobsen@charter.net

Re: 1. Request sponsorship of legislation to amend/replace Resolution 10-00362
2. Request Grandfather status of 511 W Main to continue status quo

Dear Alder Verveer,

As you know, the City Streets Division has notified Jacobsen Apartments that it intends to terminate our city trash and recycling services by invoking Resolution 10-00362.

We were told that we will need to find private contracting services for trash and recycling collection in the future.

In an effort to comply with that order, I contacted the three waste management companies that provide trash and recycling pick up service in the Madison area and each one stated that they could not offer trash & recycling services to replace our present city services at the location of 511 W Main St.

We were informed that we are not allowed to appeal the City's application of that policy to our property or to appeal the policy itself. We were further advised that the only recourse we have is to request that changes be made to city policy through an enactment of a new resolution by the Common Council and to contact our Alderman and/or the Mayor's office to pursue this option

Therefore, I am submitting this formal request asking you to please:

1. Sponsor legislation to the City Council to amend/revise or replace Resolution 10-00362 that limits trash/recycling services to multifamily apartments of 8 or fewer units.
2. And/or grandfather our property to the status quo of present city refuse/recycling services.

Rational:

511 W Main has enjoyed a 43 year history of smooth and trouble free city trash and recycling services and has never had a complaint from the city of any violation of their rules or requested additional services that would burden the City. Further, City resolution Ref-10-00362 has not been enforced on the property since its enactment over 10 years ago. Now, with the sudden enforcement of this resolution it appears that the City wants to correct an issue where there is none and without consideration of the real world impacts it will have not only on the owner but the entire Bassett Street Neighborhood community

We believe that a plain reading of the Resolution demonstrates that it is overbroad and compared to the realities of the property at 511 W Main cannot be reasonably be applied as written. Specific sections of the Resolution that we contend are not applicable to our property are as follows:

- “This resolution confirms existing practices by restricting refuse and recycling collection to the **current customer base** of the Streets Division”.

Our response: 511 W Main, was built in 1973, and *was* part of the current customer base at the time of this 2010 resolution.

- “WHEREAS: The Streets Division does not go onto private property to collect material nor do they provide dumpster service, two things which **most** large apartment buildings require for refuse and recycling service.”

Our response: “most” is a generalization that does not apply to 511 W Main St. In 43 years, the city has never gone on to this property to collect material nor has the city ever had to provide dumpster service.

- “WHEREAS: The Streets Division’s customer base **currently consists of** single-family homes, condominiums, small businesses, and **apartment buildings with eight or fewer units. . .**”

Our response: This is not an accurate statement. There are multiple examples in the 2010 customer base that are apartment buildings of more than eight units.

- “WHEREAS: Larger apartment buildings are not suited for the Streets Division’s collection system because they lack adequate space to store carts and they do not have sufficient space at the curb for carts on collection day, especially in winter months.”

Our response: This conclusion is predicated on missing facts. The terms “adequate” and “sufficient” are not defined. This resolution does not specify a per-unit trash and recycling cart need. The size of each unit and number of persons housed are determining factors for how much trash/recycling is generated. The conclusion that a building with over 8 units of any size does not have ample space is contradicted by our 43 year on-the-ground reality of more than ample in-building space to store carts and ample curb space at 511 W. Main.

For the record I am attaching one document, the plot plan of the property. This clearly reveals the impracticality and the code violations that would be generated by forcing placement of dumpsters in this confined space in front of the building and clarifies the considerable harm to the safety and well-being of the building tenants

Alder Verveer, thank your help with this matter. We hope you will agree to put forward legislation to address the issues with Resolution 10-00363 and/or grandfather the property at 511 W. Main in order to maintain the status quo of present city services. Please let us know if you have any further questions.

It would be greatly appreciated if you would keep us informed of whatever actions you take on this matter.

A handwritten signature in cursive script that reads "Marilyn Jacobsen".

Marilyn Jacobsen

Phone: 608 235-2225

Email: marilynojacobson@charter.net

Home Address:

5105 St Cyr Rd

Middleton, WI 53562

Attachment: Property plat plan