



Meeting Date: 2/17/2014  
Agenda Item:

## STAFF REPORT

**REPORT FOR:** President White & Trustees

**REPORT PREPARER:** Jennifer Higgins, Director of Planning & Development  
Valerie Parker, Administrative Specialist, Planning & Development

**ITEM DESCRIPTION:** Recommendation from the Planning & Development Department to approve Resolution VW-14-01, *A Resolution Approving Village Staff Refuse/Recycling Policy Statement.*

**STAFF'S COMMENT:** This action item is being presented to the Village Board to consider the Planning & Development's Department's recommendation that the following motion be acknowledged: "The Village Board approves Resolution VW-14-01, *A Resolution Approving Village Staff Refuse/Recycling Policy Statement.*"

**ACTION ITEM:**            \_\_\_ Ordinance   X   Resolution \_\_\_ Motion \_\_\_ File

**DATE OF REPORT:** Mon, February 10, 2014

**DATE OF MEETING:** Mon, February 17, 2014

**FISCAL SUMMARY:**

Budget Line Item: \_\_\_\_\_  
 Budget Line Item: \_\_\_\_\_  
 Budgeted Expenditure: \_\_\_\_\_  
 Budgeted Revenue: \_\_\_\_\_

**STATUTORY REFERENCE:**

Wisconsin Statue: Chapter 287  
 Administrative Code: \_\_\_\_\_  
 Municipal Code: Chapter 66  
 Judicial Ruling: \_\_\_\_\_

***Policy Question / Issue:***

Should the Village Board support a Refuse and Recycling Policy statement to guide staff when working with property owners on the new Single-Stream Recycling Program?

***Background:***

On July 1, 2013, the Board of Trustees approved several recommendations proposed by the Refuse and Recycling Task Force Committee. One of the recommendations was to implement a single-stream recycling program for all single-family up to four-unit residences (on one tax parcel), who are covered under the Village's Refuse and Recycling Contract currently with Advanced Disposal. Through this program, all residential units covered under the Village's contract were issued a 95-gallon recycling cart.

Since the implementation of this program, Parker has been contacted by some property owners of

three and four-unit apartments, who informed her they only have single tenants within their units, and questioned if their tenants could instead share carts versus having their own individual carts.

Parker has also been contacted by a number of property owners of three and four-unit apartments. These property owners had brought it to Parker's attention they utilize dumpsters for their residents to dispose of their refuse and recycling. These property owners questioned if they could instead use dumpsters for refuse and recycling, through Advanced Disposal, versus the 95-gallon carts, as their tenants are accustomed to simply disposing their refuse and recycling within those dumpsters, and feel it would be too hard to require their tenants to utilize carts, and to be responsible for placing carts at the curbside for collection.

Some of the property owners of three and four-unit apartments have also requested, if they can simply use dumpsters (through a contract with the Village's current contracted hauler), if they could obtain some type of credit on the special assessment fee charged on their annual real estate property tax bill, since they also have to pay Advanced Disposal a special fee for the drive-up service.

Parker has also been contacted by a small handful of single-family and duplex residences, who requested to not be required to have a single-stream recycling cart on their property. It was explained to them per State Statutes (Chapter 287) and Village Ordinances (Section 66) they are required to have a means of disposing of both their refuse and recycling, and an exception would not be made in these cases.

***Recommendation following Staff Review:***

Upon a staff meeting held on January 22, 2014, to discuss the questions coming from property owners, regarding their single-stream recycling cart(s), Parker was directed to put together a Policy Statement, in the form of a Resolution, for the Board of Trustees to review and act on, spelling out the different situations and options to be offered to property.

The options are as follows:

All single-family and duplex units (covered under the Village's service contract, and on one tax parcel) should continue to be required to accept and utilize a 95-gallon single-stream recycling cart for each individual unit.

Planning & Development Department requests the ability to work with, on a case-by-case basis, three and four-unit residences (covered under the Village of Weston's service contract) on options of lesser quantity carts per residential unit (however, continuing to pay the per unit service fee on their annual real estate property tax bill).

Planning & Development Department requests the ability to work with, on a case-by-case basis, three and four-unit residences (covered under the Village of Weston's service contract) on options of these properties utilizing refuse and recycling dumpsters for their tenants to share, providing a proof of contract is submitted to Village staff, and the owner of said property constructs a 3-sided enclosure, with a fourth gated side, per zoning code, to house the refuse and recycling dumpsters within.

Planning & Development Department requests if a property owner of a three-unit or four-unit apartment provides staff with a signed contract by January 1<sup>st</sup> of the coming year, in November of that contract year, the property owner would then be eligible for a reimbursement by the Village, of a portion of the special service fee charged on their real estate property tax bill.

***Policy Alternatives:***

- 1) Denial.
- 2) Referral back to staff with direction.

***Future Deliverables:***

- 1) FAQ sheet available to the public explaining this Policy, and how it came about.
- 2) Letter to owners of all three and four-unit residential properties (under the Village's service contract) explaining these options.

***Additional Items:***

- 1) Resolution VW-14-01 *A Resolution Approving Village Staff Refuse/Recycling Policy Statement*

**RESOLUTION VW-14-01  
VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**A RESOLUTION APPROVING VILLAGE STAFF POLICY STATEMENT  
FOR REFUSE/RECYCLING PROGRAM**

**WHEREAS**, the Wisconsin State Statutes 287.09 (1)(a) designates each Municipality as a Responsible Unit (RU); and

**WHEREAS**, per Wisconsin State Statutes 287.09 (2)(a), each responsible unit shall develop and implement a recycling or other program to manage the solid waste generated within its region in compliance with s. 287.07 (1m) to (4) and the priorities under s. 287.05 (12); and

**WHEREAS**, the Municipal Code of Ordinances, Chapter 66, Solid Waste, requires occupants of single-family up to four-unit residences to follow the preparation and collection of recyclable and refuse materials as detailed in that Chapter, as provided by the Village through its service contract with the collection hauler; and

**WHEREAS**, per Wisconsin State Statutes 287.23, Responsible Unit's shown to have an effective recycling program are eligible to receive annual financial assistance (Recycling Grant) from the State of Wisconsin. By continuing to make recycling easier for the community and educating the public on sustainability, and more recycling tonnages collected being reported annually to the State, the Village is eligible for larger grant monies; and

**WHEREAS**, all single-family up to four unit residence (on one tax parcel) pays a special service charge fee on their annual real estate property tax bill for certain Village services offered to each residential unit (this includes refuse and recycling curbside collection, yard materials collection, free utilization of yard materials drop-off site, free spring bulk-item drop off services, and administrative fees). The 2014 annual rate for these services is \$150.00 per residential unit, and

**WHEREAS**, the on July 1, 2013, Board of Trustees authorized Village staff to implement a single-stream recycling program for all single-family up to four-unit residences (on one tax parcel), as a way to promote more recycling within the community. This program is done by the Village's contracted collector issuing all single-family up to four-unit residences a 95-gallon single-stream recycling cart; and

**WHEREAS**, the use of the single-stream recycling carts are known to be cleaner for neighborhoods (keeping debris from blowing around), are easier for residents to use (as the cart has an easy to use handle and is on wheels), and are safer for workers (where there is no more physical lifting of filled bins into a truck, as the worker's truck's mechanical arm will lift and empty the cart into the truck); and

**WHEREAS**, some owners of three to four-unit residences have contacted the Village inquiring on options of lesser quantity carts for their property (allowing multiple units to share), as the tenants within their property do not generate much refuse and/or recycling; and

**WHEREAS**, some owners of three to four-unit residences have contacted the Village inquiring on an option of utilizing recycling dumpsters for its tenants to share, rather than individual 95-gallon single-stream carts, due to limited space along the right-of-way, and their already utilizing a refuse dumpster for all tenants to share, and

**WHEREAS**, owners of three to four-unit residences have requested, if allowed the use of dumpsters to receive a reimbursement of special charges paid on their real estate property tax bill, as they are also billed for special service by the Village's contracted collector.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Weston Board of Trustees hereby proclaim that they lend their support to all of the above statements, and are

**RESOLVED THAT** all single-family and two-family residences (covered under the Village of Weston's service contract) accept and utilize the 95-gallon recycling carts for each unit, and be it further;


**RESOLVED THAT** Village staff be allowed to work with, on a case-by-case basis, three and four-unit residences (covered under the Village of Weston's service contract) on options of lesser quantity carts per residential unit (however, continuing to pay the per unit service fee on their annual real estate property tax bill), and be it further;

**RESOLVED THAT** Village staff be allowed to work with, on a case-by-case basis, three and four-unit residences (covered under the Village of Weston's service contract) on options of utilizing refuse and recycling dumpsters for their tenants to share, providing a proof of contract is submitted to Village staff, and the owner of said property constructs a 3-sided enclosure with a fourth gated side to house the refuse and recycling dumpsters, and be it further;

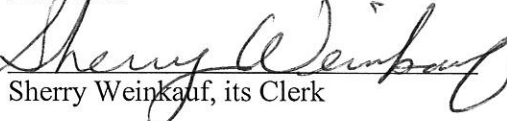
**RESOLVED THAT** upon meeting Village staff requirements and all municipal ordinances to utilize dumpsters, owners of said properties may be eligible to receive a reimbursement of a portion of the special charges paid on their real estate property tax bill, and be it further;

**RESOLVED THAT** Village staff, following proper documentation of the reason for the special exception, be allowed the flexibility in determining the appropriate reimbursement eligible to owners of said properties.

Adopted this 17 day of February, 2014.

  
Loren White, its President

ATTEST:

  
Sherry Weinkauff, its Clerk