

Yorktown Town Council Meeting
March 30, 2009* 5:30 pm Town Court Room

Roll call Steve Lowry, Larry Crouch, Bob Flanagan, Mike Beeman and Rick Glaub were all present. Steve Lowry called the meeting to order and the pledge was said.

LIBRARY BOARD APPOINTMENT:

Cheryl Wolfert was appointed to the Yorktown Library Board by the town council. Mike Beeman made the motion and Larry Crouch seconded. The motion carried by a unanimous vote of all council.

PUBLIC HEARING ORD 636, STORMWATER UTILITY:

Council President, Steve Lowry, opened the public hearing. Pete Olson introduced Scott Dompke from the Engineering firm GRW. This firm has handled the outlining of the stormwater utility process and implementation. Mr. Dompke stated that he had worked with the Town of Yorktown since 2002 creating the utility. The Federal Government had mandated that cities and towns comply with the legislation to separate sewer water from storm water.

Previous expenses had been paid for out of the sewer utility only. Not all of the residents in the town limits pay sewer bills. It was not fair for only part of the citizens to pay for the processing of the runoff water from the community. The stormwater utility would be managed through the sewer utility. The charges for the utility will be listed on tax bills and collected through the County Treasurer.

Mr. Dompke stated that residential properties were charged as one ERU. Equivalent Residential Unit. Residents will pay the same rate but businesses will be based on a higher ERU count due to building size, parking lots and property size.

The rate that Umbaugh, the accounting firm used to study the financial aspect of the utility, suggested that the town charge \$4 per residential property. This would collect around \$270,000 yearly. That would allow the town to accumulate funds to start projects to help with stormwater management.

Dave Fredricks an accountant working for Umbaugh stated that figures were gathered and by charging \$4 per ERU it would help fund capital projects for the stormwater utility.

Councilman, Larry Crouch, stated that no one is exempt of this charge. Churches, schools, & non-profits would have to pay the fee also.

Town Manger, Pete Olson, stated that having a stormwater fee was the only way to make it fair to all residents for the treatment of stormwater processing.

Shareen Wagley stated that the fines for noncompliance of the federally mandated separation of sewer and stormwater liquids were \$25,000 daily per infraction. These fines are imposed by IDEM. The date for compliance has passed and the town needed to get this stormwater fee in place.

John Mogish, Lonebeech, was concerned about Westbrook aquifers that feed homeowners wells. He thought that residents in Westbrook all ready paid for stormwater on bills from the county for sewer.

Pete Olson stated that this will not involve anything to do with the infiltration part of the treatment of liquids at the sewer plant.

Council President, Steve Lowry, stated that \$4 covers Yorktown doing the work to keep up the system and part of the \$4 goes to the county to cover the compliance part of the federal mandate.

Jeff Vise, Butternut, stated that he felt that all properties should have to pay the fee. During the annexation of Westbrook and surrounding areas the plotted developments were allowed to vote on the annexation. He felt they should also bear the cost of the compliance fees being placed on residents. He stated that the money raised in fees should not be used for salaries of town employees.

Terry Vise, Webster, stated that if the school has to pay then his school fees for his children would go up too. He would then be paying the stormwater fee twice. He asked if railroads were paying.

Scott Dompke, GRW, stated that they were not paying. Railroads do not have impervious structures or streets.

Wayne Studebaker, Water Superintendent, stated that he felt there should be run off. It kept the towns wells full. He stated that he felt the area developers should pay too.

Laura Vise, Butternut, asked if there was a time line and a proposed project list.

Steve Lowry stated that areas with the worst problems would be addressed first. Currently there was no project list.

Larry Crouch stated that the county hadn't done anything for the Westbrook area and what made them expect Yorktown to do something immediately after being annexed. Larry told Pete Olson to provide the Vises a project list once one is created.

Scott Dompke, GRW, stated that this fund is a designated fund and can only be used for stormwater projects.

Steve Lowry closed the public hearing.

Town Attorney, Steve Murphy, stated that there was wording changes on page two of the ordinance that needed to be noted in any motions the town council may make.

The council discussed the \$4 to \$2 fee that they could adopt. Steve Lowry wanted to know if anyone could be exempt from paying the fee. Murphy stated no, it would start the entire process over. Mike Beeman if the town had to adopt the \$4 fee. Could it be less? Pete Olson stated that it could be but the \$4 fee is what the financial reports recommended the town adopt to be able to fund the proposed budget. Rick Glaub asked if the fee affected the property taxes. Pete Olson replied no.

Shareen Wagley stated that the mandate was to be implemented 6 years ago.

Mike Beeman made the motion to amend the fee from \$4 to \$2. Steve Lowry seconded the motion.

Larry Crouch stated that he had been involved with stormwater issues at the county level and felt that the \$4 fee would be a better amount to implement allowing the money to collect at a faster rate to be able to address some of the town's issues.

Mike Beeman stated that he does not want to burden the residents and businesses during this downturn in the economy.

Rick Glaub asked about the administrative costs outlined in the stormwater utility.

Pete Olson answered that money paid by the stormwater utility for administrative fees would free up money from the general fund, water utility and sewer utility.

Mike Beeman made the motion to adopt amend the ordinance to include a \$2 not \$4 stormwater fee within the Ordinance 636 and to amend page 2 of the ordinance. Roll Call Vote: Larry Crouch, NO: Bob Flanagan, NO: Steve Lowry, YES: Mike Beeman, YES: Rick Glaub, YES. The motion carried by a 3 to 1 vote.

Mike Beeman made the motion to adopt Ordinance 636. Rick Glaub seconded the motion. Roll Call Vote: Larry Crouch, NO: Bob Flanagan, YES: Mike Beeman, YES: Rick Glaub, YES: and Steve Lowry, YES. The motion carried by a 4 to 1 vote.

The meeting adjourned.

Town Council President

Clerk-Treasurer