

STORMWATER COMMITTEE MEETING MINUTES

Monday, November 7, 2016

Present: Members: Matt Hasel, Chairman; R.J. Hickey, Vice Chair; Sally Roth; Frank Horvath; Ken Hummel; Steve Herron (Council Representative). Attending: Lynn Miggins, City Engineer; Eileen Bulan, Mayor; Barb Brady, Ward Two; Monica Stark, Council at Large; Frank Loucka, Ward Two; Fred Ostrander, Ward One; James Forthofer, Ward Three.

CALL TO ORDER:

Chairman Matt Hasel called the Monday, November 7, 2016 Stormwater Advisory Committee to order at 6:00 p.m.

APPROVAL OF MINUTES:

S. Roth MOVED; R.J. Hickey seconded to approve the minutes of October 3, 2016. Vote 5 YEAS.
MOTION CARRIED.

NEW BUSINESS:

Commercial Stormwater Rate Study – City Engineer Lynn Miggins provided the members with a commercial stormwater rate study breaking it down by an equivalent residential unit (ERU) using a \$5.50 rate scenario and cap scenarios set at \$100.00, \$90.00, \$80.00, \$70.00, and \$60.00 for all commercial properties. She showed in each column what the different scenarios would generate on an annual basis. Currently, the fees are generating \$1,602.00 per month. She said the current monthly rate is \$3.00 and they could increase it to \$6.00. She said once the numbers are established each commercial property can receive a credit if they have Best Management Practices (BMP's) in place to handle stormwater. Some of the newest construction projects will have the BMP's in place. For example the Vermilion Elementary School has its own BMP's as they have retention and underground storage, and A&I on Sunnyside Road has a stormwater pond so they would receive a stormwater credit for BMP's. She said the commercial property owner can received up to a 50 percent credit on their stormwater fee. She said if they had a \$100 cap and the property had adequate BMP's in place and they were functioning, then they could get their stormwater rate down to \$50 per month. She also ran scenario's using the various caps and then making assumptions about how many properties would actually qualify for the credit reduction for BMP's. The most credits that could apply are 50 percent according to city ordinance. However, she ran the scenario with a complete 50 percent reduction so the members could see the least amount of money that the rate would generate and she ran a scenario with half of the properties that could get a 50 percent credit as being a reasonable estimate. She provided ranges using a \$5.50 rate and \$6.00 rate under the cap scenarios. She said currently the fees are being generated 89 percent from residential properties and 11 percent are coming from commercial properties. The breakdown of fees is on file in the clerk's office for inspection.

R. J. Dickey noted the commercial properties in the Historic District will not have any latitude at all as far as getting credits. L. Miggins agreed as they are on small lots and are mostly hard surface, but they too are the properties that will end up being one ERU which will be the minimum they can pay.

R. J. Dickey said they had originally looked at some projects they were interested in and they were looking a little less than \$1.25 million over and above what they are already working with. He said for every million they need to spend, \$15,000 of it was going to be encumbered for interest payments so you're only generating \$85,000. So, if they want to generate another \$1.25 million they will look at generating another \$175,000. He asked the engineer if she had a number for a recommended rate increase. L. Miggins was

approaching it the way Erie County prepared their analysis using our own 2013 numbers of what we paid for stormwater management that didn't necessarily come out of the stormwater fee funds, but were things they spent money for like street sweeping and stormwater projects. She said they were looking between \$5.00 and \$7.00. R. J. Dickey thought the \$5.50 rate was the minimum they were looking at and the engineer agreed. He said the city doesn't want to create a negative business environment or give anybody a reason to move out to Route 60, so they need to come up with a cap for the commercial with incorporating the credit program and to explain it upfront so the commercial property owner's know they have a 50 percent reduction option.

J. Forthofer recalled there is an appeals process for the fees if a commercial property contests what their new rate should be. L. Miggins said this is actually what the stormwater committee is for according to ordinance. J. Forthofer asked what the criteria are for granting an appeal. L. Miggins said this isn't in the ordinance. M. Hasel said this is something they will need to look at as the next step.

M. Hasel asked the engineer if she was aware of what the other communities have done as commercial caps. L. Miggins wasn't certain but could research this. She believed Ashland had a \$60.00 cap. R. J. Hickey said he was gearing more to the \$60.00 cap as opposed to the \$100.00 cap. He said some businesses like the shopping center seem to be barely maintaining as they have a lot of empty spaces, so he wasn't sure about hitting them with a big rate increase. L. Miggins said this is where the stormwater is coming from. R. J. Hickey said they too have a good opportunity to get a 50 percent credit because they have so much property. M. Hasel asked if the credit is based on the cap and not the calculated ERU number. L. Miggins said this is correct so they would take the \$60.00 cap and they could actually get it down to \$30.00 with the 50 percent reduction. S. Roth said this is nowhere near the norm and asked if any of the businesses in town know this is coming. Mayor Bulan said this has been discussed and has been in the papers, but it doesn't mean they know. She said they would send out letters informing the property owners. M. Hasel said some properties will be going down in their numbers based on their ERU. S. Herron said this is about a seven percent reduction in what residential pays which is a step in the right direction.

R. J. Hickey MOVED; K. Hummel seconded to recommend to City Council to increase the monthly residential stormwater rate to \$5.50 with a \$60.00 monthly cap for commercial properties. Vote 5 YEAS. **MOTION CARRIED.**

M. Hasel said if there was a reduction and a large shopping plaza removed a bunch of asphalt and their ERU was reduced, but the cap was controlling their costs to begin with, then shouldn't this be treated the same as a 50 percent reduction on the cap instead of a reduction of the ERU if they had a large area to begin with. He said under this scenario this is a point to make and something they may want to address in the ordinance when it's written. L. Miggins said this is an interesting point to make because what if the closed Pat O'Brien could remove some of that pavement and return it to a grassy area.

Adjournment:

S. Roth MOVED; R.J. Hickey seconded to adjourn the meeting after no further discussion came before the committee. Vote 5 YEAS. **MOTION CARRIED.**

Announcement of Meeting Date:

The next meeting has been scheduled for February 13, 2017 at 6:00 p.m.

Gwen Fisher, CMC, Certified Municipal Clerk