

Battle Ground Town Council
Public Hearing for Storm Water Utility

August 22, 2017

Attending: Steve Egly, Council President; Councilor Mike Bird, Councilor Greg Jones, Councilor Zach Raderstorf, Clerk-Treasurer Georgia Jones, Town Attorney Eric Burns.

Not attending: Councilor James Miller

Guests: Ron Holladay, Becky Holladay, Joe Kline, Seth Parker, Don Parker, Doris Waltz, John Haughee, Fran Haughee, Donald D McKee, Carolyn Roth, David Lehman, Roger Taulman, Kathleen Li, Eric D Swearingen, Aaron King, Joanne Kuhn Titolo, Steve Hancock, Sherry Million, Philip Mummert, Scott Fields, Ron Meding, Amanda Parker.

Steve Egly opened the meeting at 6:30 p.m. introducing the town council, clerk-treasurer, town attorney and presenters from Butler, Fairman and Seufert. Michael Mang and David Buck spoke on behalf of the town council, presenting an overview of the history of storm water management in general, listing the government-imposed requirements and responsibilities and the organizations involved with setting and monitoring compliance. They also provided details about engineering and financial studies specific to the recommendation for a Storm Water Utility in Battle Ground.


At 7:00 p.m. Eric Burns opened the public hearing for Storm Water Utility Ordinance No. 2017-556.

The purpose of the hearing is to receive information and questions from residents, for the town council to consider and respond. Guests are asked to state their name first and then their concern or question.

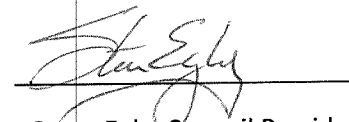
After all residents had an opportunity to speak, Eric Burns concluded the hearing and advised participants that their questions would be published along with responses, and that anyone with specific issues could stay after the meeting and talk with engineers.

Questions and responses are attached to these minutes and are published on the town web site.

Meeting adjourned 7:45 p.m.



Georgia Jones, Clerk Treasurer



Steve Egly, Council President

Storm Water Utility

Public Hearing Questions and Answers

August 22, 2017

1. Scott F.

How soon will the town address the problems in Quail Ridge? His property suffers increased rainwater retention due to drainage ways blocked by structures or grading of adjoining properties.

Once a Stormwater Utility is created, we can begin discussions with Quail Ridge property owners. As the Quail Ridge drainage issues are mostly confined to private property, we would hope to develop a plan for the Town to administer a project to correct these issues.

2. Fran H.

How were stormwater projects chosen? Tomahawk Lane is #3 in the list. She can't park on the street during a storm, sometimes the water is deeper than the floorboard of her car.

The list of potential projects, as presented at the public hearing, is not yet prioritized; they were listed by number for easy reference.

3. Amanda P.

Tomahawk Lane floods frequently, not just during heavy rainfall.

4. Sherry M.

Also lives on Tomahawk and that area needs a solution quickly.

5. David L.

How was the utility rate established?

The Town contracted with Umbaugh and Associates, an Indianapolis based accounting firm, to review current expenditures for stormwater. Engineers from Butler, Fairman and Seufert provided an estimate of how many ERUs would be in our billing area. Based on this information, the Council selected a rate that would cover our current expenses.

6. Becky H.

Concerned there won't be enough time to see responses to hearing questions. Her home is on Main Street and floods every time it rains, would like to be on a high priority project schedule.

7. Steve H.

It looks like some projects are in newer subdivisions, is there any way to have the developers correct drainage issues?

Neighbors can alter how drainage ways function as they set buildings, fences, or landscaping over swales and ditches. Engineers can help identify solutions, but after 6 years there is little legal recourse to force developers or home owners to correct poorly placed structures.

8. Amanda P.

What kind of landscaping causes problems?

Any structures that raise elevations and change the natural flow of stormwater can cause problems.

9. Kathleen L.
What happens to the utility rate after 2023?
After 2023, the rate will stay the same unless changed by the Town Council.
Are the listed projects new or only repairs?
In most cases, the listed projects are repairs to known issues. In some of those instances, new construction may be required to correct the problem.
10. Seth P.
Would like to see distribution of fees by property type. Are non-profits excluded?
No parcels are excluded from the Stormwater User Fee; all non-profits and tax exempt entities owning property within the Town of Battle Ground will be charged.
11. Roger T.
Please clarify the rate structure, cost per month and the planned increases.
Beginning with the January, 2018 billing, the rate will be \$6.00 per month per ERU. Residential parcels are assessed at 1 ERU per parcel, so the bill will be \$6.00 per month. Note that many commercial properties are assessed at more than one ERU and will pay a higher monthly bill.
The rate will increase \$1.00 per month per ERU for each of the first five years. In other words, the bill for residential customers will be \$6.00 per month in 2018, \$7.00 per month in 2019, and so on up to \$11.00 per month in 2023.
12. Roger M.
Will the cost of this utility make it less attractive for people to choose to live in Battle Ground?
While we don't have hard data on this question, we do know that Battle Ground is not an early adopter. Lafayette, West Lafayette, Dayton, Mulberry, and many other communities have adopted a similar stormwater user fee.
13. Joanne T.
Concerned about the new utility fee impact on property owners with fixed income. Are there any exclusions based on disability or other criteria.
Yes. The requirements are: a) the head of the household and b) either over the age of 65 or permanently and totally disabled as determined by the Social Security Administration and c) has a total annual household income which is at or below 150% of the poverty level as determined by the United States Health and Human Services Guidelines. For persons meeting these criteria, the monthly charge for residential customers will be reduced by 50%.
14. Kathleen L.
Will we be able to see project costs on the town website?
All reports and documents are available for viewing at the town hall. Some materials are problematic on the website: while we want to make them available for local residents, we also receive multiple calls from out-of-town contractors wanting more information.
15. Fran H.
When will the drainage correction projects start?
No timeline has been established at this point. The initial fees will only provide enough revenue to cover the annual expenses we're already experiencing.

16. David L.

Why not collect this as a tax, would it be more fair than a "user fee"?

It is difficult for a municipality to create a new tax and there are limits to the amount that our levy can increase each year. Paying stormwater expenses from taxes would result in reductions for some other departments.

Also, taxes do not impact some of our largest stormwater contributors. It's actually more equitable to assess the user fee to the entities that contribute to the need.

17. Steve H.

Do people outside the town limits pay this utility?

No.

18. Joe K.

How will this affect sewage rates?

Because the Wastewater Utility has been paying for many stormwater maintenance issues, the proposed Stormwater Utility will help to stabilize Wastewater rates and allow us to proceed with Wastewater projects.

19. Amanda P.

Will you put more drains on Tomahawk for the problems there?

We're not sure that more drains on Tomahawk will help. While we have done significant work in that area, the problem persists. Larger drain pipes may be required.

20. Becky H.

Why don't you answer all questions during the hearing? I am not opposed to the utility, just want to get questions answered.

As a "Public Hearing", it is important that all citizens be allowed to express their concerns. This is not a Q/A session – and certainly not a debate. Questions will be answered as quickly as possible.

21. David L.

Shawnee Ridge paid for an engineering report, will you do that work since we are annexed now?

The Town needs access to that engineering report to help determine what steps will be taken in Shawnee Ridge.

22. John H.

If a homeowner uses a rain barrel on their gutters, will this change storm water fees.

No. Rain barrels are helpful, but the amount of collection can be small compared to the stormwater produced by a thunderstorm.

23. David L.

If a commercial property has a retention pond, will it be the same fee or a modified fee?

In most cases, no, the retention pond will not affect the fee. Many retention structures are designed to delay and retard the flow, but they don't stop it.