

ORDINANCE NO. 2016-77

AN ORDINANCE AMENDING CHAPTER 927, C.O.S., ENTITLED "STORMWATER MANAGEMENT UTILITY", PARTICULARLY SECTION 927.07 THEREOF, ENTITLED "SCHEDULE OF FEES AND CHARGES", TO INCREASE THE MONTHLY STORMWATER SERVICE CHARGE, ALLOCATE USE OF THE PROCEEDS THEREOF, AND ALLOW FOR AN AUTOMATIC ANNUAL INCREASE TO BE USED FOR IDENTIFIED STORMWATER MANAGEMENT PROGRAM ACTIVITIES.

WHEREAS, the City of Stow has numerous stormwater projects that are in dire need of being undertaken;

WHEREAS, the monthly stormwater service charge for has not been increased since the creation of the program in 2004 and has failed to adequately keep up with inflation and rising costs to execute the program's goals; and

WHEREAS, this increase in the monthly stormwater service charge will allow the City to accelerate the current timetable and increase the number of stormwater related projects from the current pace as well as to keep up with inflation and rising project costs.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Chapter 927, C.O.S., entitled "Stormwater Management Utility", particularly Section 927.07 thereof, entitled "Schedule of Fees and Charges", which formerly read:

"927.07 SCHEDULE OF FEES AND CHARGES.

The schedule of fees and charges set out in this section is hereby adopted, effective with the November 2004 Stow Utility Billing, and shall apply to all zoning lots and tracts within the corporate limits of the City, except as may be altered by credits or exemptions approved by the City Council.

- (a) *Residential Property*, including single family, two family, three family homes and condominiums, except condominiums having units on multiple stories, shall be billed as follows:

Single Family	1 ERU
Two Family	2 ERUs
Three Family	3 ERUs
Condominium	1 ERU per unit

- (b) *Non-Residential Property*, including all other properties including commercial, industrial, schools, churches, governmental, apartments and condominiums having units on multiple stories, shall be billed by dividing the total impervious surface area of the parcel by 3,060 to determine the total ERUs to be charged. The minimum fee shall be One (1) ERU.
- (c) There will be no service charge for parcels of land with fewer than 200 square feet of impervious surface area.

- (d) The monthly service charge per Equivalent Rate Unit shall be \$3.00 per month, subject to revision by the City Council in accordance with this ordinance.”

be, and the same is, hereby amended to read henceforth as follows:

“927.07 SCHEDULE OF FEES AND CHARGES.

The schedule of fees and charges set out in this section is hereby adopted, effective with the November 2004 Stow Utility Billing, and shall apply to all zoning lots and tracts within the corporate limits of the City, except as may be altered by credits or exemptions approved by the City Council.

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- (c) There will be no service charge for parcels of land with fewer than 200 square feet of impervious surface area.
- (d) The monthly service charge per Equivalent Rate Unit (ERU) shall be \$5.00 per month, subject to revision by the City Council in accordance with this ordinance. The proceeds of said monthly service charge shall be allocated in the following manner: \$3.00 collected from each ERU shall be used for any identified stormwater management program activities, but sums spent on salaries and equipment from the \$3.00 fee shall not exceed annually the sums spent for such purposes in the calendar year 2016, and \$2.00 collected from each ERU is intended to be used for any project identified in the May 11, 2016 Storm Water Project Master Plan which is attached as an exhibit hereto except said proceeds shall *not* be used to fund any equipment purchases, any City of Stow employee salaries, or to fund any general stormwater studies not otherwise related to a specifically identified stormwater project.
- (e) To account for inflation and rising project costs, the monthly service charge shall be increased by \$0.10 per ERU starting in the first monthly billing period of 2017 and shall be increased annually by said amount each calendar year thereafter, subject to revision by the City Council in accordance with this ordinance. Proceeds from said annual increase shall be used for any identified stormwater management program activities.”

SECTION 2. That the increase in the monthly service charge found in amended COS 927.07(d) above shall go into effect at the beginning of the monthly billing period immediately subsequent to the date this legislation is deemed effective.

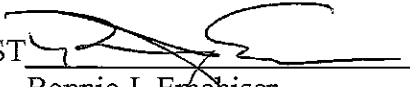
SECTION 3. That City Council shall conduct a review of the monthly stormwater service charge during at least one regular or special City Council meeting every five years from the date this legislation is deemed effective.


SECTION 4. That all other terms and provisions of Chapter 927 not amended herein, be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 5. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees and subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6. That this ordinance was adopted pursuant to Section 4.11 Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allows by law.

ADOPTED BY COUNCIL 9/8/16

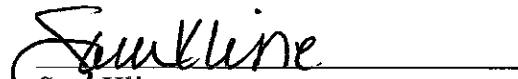
ATTEST 
Bonnie J. Emahiser
CLERK OF COUNCIL


Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR 9/12/16

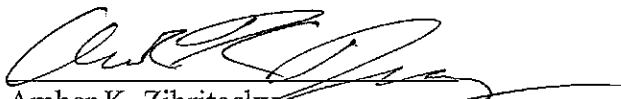
APPROVED

FILED WITH CLERK 9/13/16


Sara Kline
MAYOR

APPROVED AS TO FORM

EFFECTIVE DATE 10/13/16


Amber K. Zibritosky
LAW DIRECTOR

***2016 Engineering Storm Water Project Master Plan**

DATE: May, 2016

BY: SDR

Project*	Status	Notes	**COST PER PROJECT	TOTAL COST PER DISTRICT
MISC. SMALL PROJECTS				
Ritchie Rd Detention Basin	ongoing	Consultant Yearly Monitoring- 2013-2016	\$5,000	\$62,500
IDDE Inventory	ongoing	Yearly Reporting 2014-2018	\$5,000	
Arndale Structure Replacement 1193	ongoing	Construction Bid Misc. 2016	\$8,000	
Fishcreek @ Lanikashire	Spring	Ditch Enclosure w/ DOES force main project	\$15,000	
Kingsdale HW Replacement	ongoing	Construction Bid Misc. 2016	\$10,000	
Silver Springs Dr.	ongoing	In house design/Construction bid	\$10,000	
Municipal SWPPP	ongoing	Consultant under contract	\$9,500	
District 1 ongoing				
Marhofer Williamson				
Phase I Design and Construction		Consultant adjust docs & demo. for interim pond	\$440,000	\$4,540,000
Phase II Property Acquisition & Pond		Acquire additional property for full pond buildout	\$400,000	
Phase III Ex Stm Improvements		Improvements and replacements on main storm line	\$2,500,000	
Phase IV Ex Stm Improvements		Replace and upsize storm in western half Drainage District 1	\$1,000,000	
Klein Genevieve rear yard improvement		Install swale and/or piping to drain rear yards and upgrade	\$200,000	
District 2 ongoing				
Design Phase I				
Full Phase Design and Construction		Construction- Bid Project 1 and prepare docs for grant submittal	\$410,000	\$4,120,000
		Construction- Bid Project Multiple Phases - Incl. pipe replacement, ditch improvements and underground storage	\$3,710,000	
District 6 ongoing				
Wexford Pond Restoration -Design/Const				
Storm system upgrades Quail Highlands III & Eastwicke I (west)		Excavation of area to increase storage, rebuild outlet structure	\$50,000	\$890,000
Storm system upgrades parts of Eastwicke I, II, III		Design and upgrade existing system and Eastwicke Pond (3) off Telber Ct.	\$250,000	
Ditch/Sewer Improvement Quail Highlands III at Eastwicke I		Design and upgrade existing system on Eastwicke Blvd, Sussex Ct and Turnberry Tr.	\$550,000	
		Improve Ditch or add storm sewer at Eastwicke Blvd and Cambridge	\$40,000	
District 9 Future				
Acquisition of KSU property for storm water management, design and construction				
Osage study and improvements, possible property acquisition		Use northern portion of KSU prop. for underground storage/wetlands detaining upstream w permitting	\$400,000	\$1,600,000
Hile/Baird/Vira study and improvements		Upgrade/addition of storm sewers as needed to new swm facility	\$500,000	
		Upgrade/addition of storm sewers as needed, possible property acquisition for new swm facility.	\$700,000	
District 12 Future				
Charring Cross / Hiwood Storm Water Management Facility				
Downstream Charring Cross Improvements		Design & Construction retention/water quality facility on City property. Incl. permitting	\$300,000	\$800,000
		Upgrade of storm sewer and ditch line from Charring Cross to corp line.	\$500,000	

District 17		Future			
Misc. storm sewer replacements and ditch improvements		Culvert replacements Sunnyside, Hibbard, Meadowbrook, etc		\$300,000	
Meadowbrook Lake Restoration		Restore outlet structures, implement buffer/riparian w/ plantings and stabilization		\$300,000	\$600,000
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District 19		ongoing			
Treeside Culvert replacement		Construction - Bid		\$295,000	\$295,000
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District 21		ongoing			
Initial project -continuation		Cont. work to date, final design and construct/bid		\$1,000,000	
Phase II Design and Construction		approx. 5,000 lf storm sewer upgrade and ditch improvements		\$500,000	
Phase III Design and Construction		approx. 7,000 lf storm sewer upgrade and pond improvements		\$800,000	\$2,300,000
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District 22					
Misc. storm sewer replacements and ditch improvements	ongoing	EPA Grant= \$250K match w/ design & in-kind=\$166K thru 2017. ditch restoration		\$415,000	
Upstream of Restoration Improvements	Future	Improvements and replacements of approx. 8 storm sewers and road crossings		\$1,500,000	\$1,915,000
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City Wide		ongoing			
Maintenance and upgrade of all 30 City owned storm water facilities.		Dredge, restore storage volume, corrections to outlet/inlet as needed		\$300,000	\$300,000
				GRAND TOTAL \$17,422,500	
*The above list is preliminary only and subject to change					
**Costs shown are estimated and not based on actual opinion of probable cost					