

STORMWATER UTILITY

FREQUENTLY ASKED QUESTIONS

How long has the stormwater utility been under development and what notices were provided to property owners?

The Stormwater Utility has been under development and evaluation since approximately April 2007. The Village of Fox Point Village Board held a series of meetings to discuss the merits of creating a Stormwater Utility. Notices for the regularly scheduled Village Board meetings were by way of local postings and placement on the Village's website. Additionally, in late summer 2008, a postcard was sent to all residents informing them that there would be a special public hearing on the matter in September 2008. Based on the comments received at the meetings, the stormwater utility was modified to create 5 tiers instead of 3 tiers as originally proposed. The Village Board considered implementation of the Stormwater Utility at its January and February 2009 meetings and adopted an ordinance implementing the Stormwater Utility at its February 2009 meeting. The Summer 2008, Fall 2008, and Spring 2009 newsletters and meetings also contained information related to the stormwater utility.

How were the tiers developed?

In order to determine which category, or tier, each property was placed, the Village's consultant used our Geographic Information System (GIS) database which contains an aerial photograph of the entire Village. An outline of the rooftop areas of the houses and garages in the Village is included in the database and was measured to calculate the square footage for each single family property in the Village.

The tiers in the stormwater utility were developed based on the impervious rooftop area of each single family property and were divided as follows:

- a. Tier 1 – a total footprint (or rooftop) area less than or equal to 2,031 square feet.
- b. Tier 2 – between 2,032 and 2,517 square feet.
- c. Tier 3 – between 2,518 and 3,213 square feet.
- d. Tier 4 – between 3,214 and 5,980 square feet.
- e. Tier 5 – greater than 5,980 square feet.

A statistical evaluation was also performed on approximately 10 percent of the properties in each tier to determine the total impervious area (which includes driveways, sidewalks, patios, and the like) in order to calculate the Equivalent Runoff Unit (or ERU). Based on this evaluation, each tier was assigned an ERU upon which each resident is billed: Tier 1 is 1.0 ERUs, Tier 2 is 1.2, Tier 3 is 1.6, Tier 4 is 2.6 and Tier 5 is 4.8.

What is the charge for the Stormwater Utility?

The ERU charge is \$11.90 per month per ERU. So, for instance, if you are in Tier 3, your cost will be 1.6 times \$11.90 per month or approximately \$19.04 per month or \$57.12 per quarter.

What is the purpose behind implementation of the Stormwater Utility?

The purpose of the stormwater utility is to address two primary areas that have been unfunded and/or underfunded for approximately the last five to eight years. First, the Village of Fox Point, like all municipalities in the State of Wisconsin, is subject to a Department of Natural Resources (DNR) stormwater permit (called NR 216) wherein the Village is required to undertake a number of stormwater management activities. These activities, which include things like catch basin cleaning, street sweeping, dry weather testing of storm sewer outfalls, mapping, and other related activities, were not previously required in the first five year permit that the DNR issued to the Village. These are, in essence, unfunded mandates and affect our capital and operating budget on an annual basis. In addition, another permit condition from the DNR (NR 151) requires municipalities to reduce the amount of total suspended solids (TSS or, basically, sediment, debris and other solids) running off from our streets, etc. during storm events. The first goal was a reduction of 20% by 2008. This has been met. The second goal is a reduction of 40% by 2013. This is a far more stringent goal and will require additional expenditures in order to achieve this goal.

The second reason behind the impetus to create a stormwater utility is that a number of capital related projects which were identified in the early 2000's due to the flooding that occurred in 1997 have not been implemented due to budget constraints. It is anticipated that these projects will be designed and constructed in the coming years.

What are the budget constraints?

The budget constraints are implemented by the State Legislature and the Governor. In the past few years, the Village of Fox Point has been subject to an approximate 2 percent tax levy cap (approximately 3.5 percent this year) which significantly impairs our ability to undertake the required projects. So, the tax levy cap prohibits the Village from increasing the property taxes of its residents beyond that which is set by the State while at the same time the Village is subject to regulatory requirements (unfunded mandates) that require greater expenditure of local dollars. The stormwater utility provides a dedicated funding source to implement the mandates.