CITY OF COFFEYVILLE
BOARD OF COMMISSIONERS AGENDA ITEM

MEETING DATE	August 26, 2014	
RESOLUTION OR ORDINANCE NUMBER	G-14-04	
AGENDA TITLE	**Ordinance Amending Chapter 26 (Utilities), Article V (Stormwater Utility), Section 26-103, Paragraph A to modify the Fee Schedule.**	
REQUESTING DEPARTMENT	Public Works/Finance	
PRESENTER	Chuck Shively	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	700-4-000-214
	Balance Available	N/A
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To provide a source of funding for the stormwater projects identified in the 2015-2019 Capital Improvement Plan adopted by the City Commission	
BACKGROUND	The Stormwater Utility was established on November 14, 2006 by Charter Ordinance No. 26, in response to new federal regulations mandated by Environmental Protection Agency on the City of Coffeyville, referred to as the EPA Stormwater Phase 2 Regulations. The regulations require issuance of a permit from the Kansas Department of Health & Environment to the City of Coffeyville for discharge of stormwater to the river and creeks. The permit contained numerous new sampling, inspection, enforcement, administration, public education, and various other requirements on the City of Coffeyville related to stormwater pollution.	

BACKGROUND (CONTINUED)	The Charter Ordinance established stormwater fees at a level capable of funding two employees, as well as the equipment, and supplies necessary to meet the regulatory requirements, such as construction site inspection, inspection of all outfalls of stormwater to creeks and rivers, investigation of dry weather flows, pollution prevention activities, public education activities, federal and state reporting, etc. In addition the fee was used to fund the cost of some minor in-house repairs of the system by the two employees, but was not intended to cover the cost of large stormwater system improvement projects. The original monthly fee established by the Charter Ordinance was $2.50 for residential properties and $5.00 for non-residential properties. Ordinance G-12-03 modified the fee to $3.50 residential and $10.00 non-residential.
SPECIAL NOTES	
ANALYSIS	On May 27, 2014 the Coffeyville City Commission approved the Coffeyville Kansas 2015 – 2019 Capital Improvement Plan. That plan included a list of proposed stormwater system improvement projects. Before adoption of the CIP, staff and the City Commission discussed the fact that there is currently no source of funding for the stormwater projects, and that an increase in the monthly stormwater fee, or some other funding source, would be necessary if the stormwater projects were to be implemented. At the August 16, 2014 budget work session staff was directed by the City Commission to prepare an ordinance increasing the fee to $7.00 for residential properties and $15.00 for non-residential properties, to fund the stormwater capital improvement projects. Attached is the proposed Ordinance. Adoption requires approval of two readings of the ordinance.
PUBLIC INFORMATION PROCESS	N/A
BOARD OR COMMISSION RECOMMENDATION	N/A

STAFF RECOMMENDATION	Approve two readings of an Ordinance amending the user fees as recommended.
REFERENCE DOCUMENTS ATTACHED	• Ordinance G-14-04 • Coffeyville Kansas 2015–2019 Capital Improvement Plan

ORDINANCE NO. G-14-04

AN ORDINANCE AMENDING CHAPTER 26 (UTILITIES), ARTICLE V (STORMWATER UTILITY), OF CODE OF ORDINANCES OF THE CITY OF COFFEYVILLE, KANSAS, AND REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COFFEYVILLE, KANSAS:

SECTION 1. Chapter 26, Utilities, Article V Storm Water Utility, Section 26-103, Fee Schedule Established, Paragraph A.1. and Paragraph A.2.ares hereby amended as follows:

Sec. 26-103. Fee Schedule Established, Paragraph A.

1. All property devoted to a residential use shall be assessed a monthly fee of Seven Dollars ($7.00) per month per living unit. The term "residential" shall include single-family homes, mobile homes and mobile home parks, duplexes and apartment units. The term "residential" shall not include rooming or boarding houses, dormitories and similar facilities. The term "living unit" shall mean one or more rooms in a residential building which are arranged, designed, used or intended for use by one (1) family, and which includes cooking space and lawful sanitary facilities reserved for the occupants thereof.

2. Property devoted to any use other than residential, as set forth above, and further described as non-residential, shall be assessed a monthly fee of Fifteen Dollars ($15.00) per month.

SECTION 2. That any and all conflicting ordinances, or parts thereof, are hereby repealed.

SECTION 3. That except as herein amended, Chapter 26, Utilities, of the Coffeyville Code of Ordinances shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect and be in full force upon its passage and publication as provided by law.

PASSED AND APPROVED THIS 9TH DAY OF SEPTEMBER, 2014.

CITY OF COFFEYVILLE, KANSAS

_____
James Falkner, Mayor

ATTEST:

_____
Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY

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Paul Kritz, City Attorney