

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 11
For Meeting of 03/22/10

ITEM TITLE: Discussion and possible Consideration of an Ordinance Amending the 2009 Code of Ordinances for the City of Windsor Heights, Iowa by making changes to chapter 172: Stormwater Drainage Utility.

CONTACT PERSON: Marketa George Oliver

SUMMARY EXPLANATION


During the last Stormwater Advisory Committee meeting in January, 2010, the Stormwater Utility rate was discussed and the committee recommended increasing the current rate. The current monthly residential rate is \$3.50 per month. The additional funds will be utilized to help maintain the city's stormwater infrastructure and waterways in Windsor Heights that are affected by stormwater runoff. The Windsor Heights' residential stormwater rate being considered is \$4.25 per month, which is consistent with surrounding communities and is an increase of \$.75 per month. Commercial rates are adjusted accordingly. These rate adjustments were included in the budget and are necessary for the City to meet Federal and State stormwater mandates.

Area Residential Stormwater Rates

	7/1/2010
Windsor Heights*	\$4.25
Des Moines	\$7.87
Clive	\$4.15
Waukee	\$4.25
West Des Moines	\$4.25

*recommended

Additionally, this ordinance adds a section to require a stormwater site plan review. The site plan review requirements are then adopted by resolution, which is under discussion by the Advisory Committee and will be on a future agenda.

Resolution _____ <input checked="" type="checkbox"/> Ordinance _____ Contract _____ Other (Specify) _____
Funding Source _____ NA _____
 APPROVED FOR SUBMITTAL _____ City Administrator

STAFF/COMMITTEE RECOMMENDATION: The citizens Stormwater Advisory Committee recommends the rate adjustment in order to meet infrastructure needs. Move one or more readings of this ordinance on a roll call vote.

COUNCIL ACTION:

ORDINANCE NO. 10-04

AN ORDINANCE TO AMEND THE 2009 CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING SECTIONS OF CHAPTER 101: STORMWATER DRAINAGE UTILITY.

BE IT ENACTED by the City Council of the City of Windsor Heights, Polk County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to amend certain sections of Chapter 101 of the Municipal Code, to provide an adjustment in stormwater rates and make minor language adjustments to provide services and infrastructure to protect the health, safety and welfare of the residents of the City of Windsor Heights.

SECTION 2. Amended. Chapter 101.03, of the Municipal Code, is amended to read as follows.

Triplex and Multi-Family Dwelling units shall pay the applicable commercial rate, but the residential rate shall not be imposed on individual dwelling units of properties classified as commercial for tax-related purposes. Square footage is determined by adding the square footage of both contiguous and non-contiguous impervious coverage areas together to measure the total square footage of impervious coverage areas on the property.

SECTION 3. Amended. Chapter 101.04, of the Municipal Code, is amended to read as follows.

Category:	Monthly rate:	
Residential	\$3.50	\$4.25
Commercial-Small	\$17.50	\$29.75
Commercial-Medium	\$31.50	\$51.00
Commercial-Large	\$56.00	\$85.00
Commercial-Major	\$84.00	\$340.00

SECTION 5. NEW SECTION. Chapter 101, of the Municipal Code, is amended by adding the following section:

101.07 STORMWATER SITE PLAN REVIEW REQUIRED. A stormwater site plan review shall be required for projects in order to ensure that the goals of the City's stormwater program are met. Stormwater site plan requirements and associated fees are adopted by resolution and available for review from the City Clerk or the City Building Inspector.

SECTION 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. Severability. If any section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this ordinance as a whole, or any section, provision or part thereof not adjudged unconstitutional or invalid.

SECTION 6. Effective Date. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed by the City Council this XX day of XX, 2010 and approved this XX day of XXXX, 2010.

David J. Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk