



# TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

**PREPARATION DATE:** April 12, 2018  
**MEETING DATE:** April 16, 2018

**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Bob McLaurin  
**PRESENTER:** Roxanne Robinson, Assistant Town Manager

**SUBJECT:** Resolution 18-10, A Resolution Requesting WAM Support for Legislation Allowing the Creation of a Stormwater Utility

## STATEMENT/PURPOSE

The Town Council approves all resolutions on behalf of the Town of Jackson.

## BACKGROUND/ALTERNATIVES

The Wyoming Association of Municipalities (WAM) is requesting resolutions for member communities in order to assist with defining the legislative priorities for the organization representing cities and towns in the state.

Chapter 7 of Title 15 of the Wyoming Statutes addresses public improvements and provides authority for cities and towns to create enterprise funds to address water and sewer. Only one community in the state of Wyoming currently operates a stormwater utility and there is some question as to whether it is allowed by statute. The Town of Jackson is interested in pursuing the creation of a stormwater utility to better manage our stormwater issues. Commercial businesses in the community create significant amounts of stormwater runoff. The Council saw this when we were discussing upgrades to the Gregory Lane area of the Town of Jackson with all of the paved areas in this part of Town. With passage of this resolution, the Town of Jackson would be seeking support from WAM for legislative changes to allow the creation of a stormwater utility. The proposed resolution is attached to the staff report. However, we do not have any draft legislation at this time. Larry Pardee, Public Works Director, may have additional information to present.

Staff recommends the Council adopt the resolution as proposed and direct staff to provide a signed version of the resolution to WAM.

The Town Council has many options, several are listed below:

1. Approve the resolution for stormwater utilities as presented and direct staff to provide a signed version of it to WAM.
2. Discuss the resolution, make changes to it, and approve a revised version to be signed and submitted to WAM.
3. Take no action at this time.
4. Other.

## STAKEHOLDER ANALYSIS

The stakeholders involved in this issue include governmental entities trying to address stormwater in their communities with limited or shrinking revenues. Other stakeholders include citizens in the community that may have homes, personal property or commercial businesses that are affected by storms producing significant amounts of runoff without a sufficient stormwater collection system in place. Stormwater runoff can also have

environmental impacts that may affect the viability of the streams and creeks as well as negative impacts to our sewer system.

### ATTACHMENTS

Resolution 18-10.

### FISCAL IMPACT

Resolutions are published as part of the minutes. Minutes cost between \$200 - \$1000 depending on the length. The fiscal impact of creating a stormwater utility in the Town of Jackson would be positive in that it would create a revenue stream to assist the Town with addressing stormwater for all of the citizens.

### STAFF IMPACT

The staff impact of passage of this resolution will include printing on permanent record books, converting to digital format, obtaining signatures and submitting a finalized version to WAM for consideration. The staff impact of creating a stormwater utility in the Town of Jackson would ultimately include creation of ordinances to create a new section in the municipal code establishing this enterprise fund. It would also have impacts on the engineering and water teams in Public Works and it would provide revenue to offset the cost of potential employees dedicated to this utility.

### LEGAL REVIEW

This resolution has not yet been provided to the Town Attorney for review. The Resolution does not amend the Municipal Code.

### RECOMMENDATION

Staff recommends the Council approve the resolution for stormwater utilities as presented and direct staff to provide a signed version of it to WAM.

### SUGGESTED MOTION

Should the Council be ready to take action, one possible motion would be as follows:

I move to approve the resolution for stormwater utilities as presented and direct staff to provide a signed version of it to WAM.

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### Synopsis for PowerPoint (120 words max):

#### Background:

Chapter 7 of Title 15 of the Wyoming Statutes addresses public improvements and provides authority for cities and towns to create enterprise funds to address water and sewer. Only one community in the state of Wyoming currently operates a stormwater utility and there is some question as to whether it is allowed by statute. The Town of Jackson is interested in pursuing the creation of a stormwater utility to better manage our stormwater issues. Commercial businesses in the community create significant amounts of stormwater runoff. The Council saw this when we were discussing upgrades to the Gregory Lane area of the Town of Jackson with all of the paved areas in this part of Town. With passage of this resolution, the Town of Jackson would be seeking support from WAM for legislative changes to allow the creation of a stormwater utility.

**RESOLUTION 18-10  
FOR WAM CONSIDERATION**

**A RESOLUTION REQUESTING WAM SUPPORT FOR LEGISLATION  
ALLOWING CREATION OF STORM WATER UTILITIES AS ENTERPRISE  
FUNDS**

**WHEREAS**, many municipalities in Wyoming face challenges addressing stormwater runoff and securing necessary funds to adequately address stormwater to protect the health, safety and welfare of citizens in our communities; using taxing methods; and

**WHEREAS**, under Chapter 7 of Title 15 in the Wyoming Statutes, municipalities are provided authority to create water and sewer utilities that operate as enterprise funds; and

**WHEREAS**, allowing municipalities the ability to operate stormwater systems in a similar manner such that commercial and residential properties can be evaluated and appropriate fees assessed to allow the proper creation and maintenance of stormwater systems would be beneficial to municipalities and it would also protect our streams, rivers, and waterways as well as our sewer collection systems;

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Jackson supports, and urges WAM to support, amendments to Chapter 7 of Title 15 of the Wyoming Statutes to add language to allow municipalities to create stormwater utilities as enterprise funds in their communities to better protect the health, safety, and welfare of its citizens and the environments in which we exist.

**APPROVED ON THE 16<sup>th</sup> DAY OF APRIL, 2018.**

**TOWN OF JACKSON**

By: \_\_\_\_\_  
Mayor Pete Muldoon

ATTEST:

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Sandra P. Birdyshaw, Town Clerk