

100 North Appleton Street
Appleton, WI 54911-4799

I wish to appeal my stormwater charge according to Appleton Code section 20-239, Utilities.

This written appeal is being filed with the city clerk prior to the utility charge due date. This is in compliance with Appleton Code Sec. 20-239 Method of appeal, (a) (1). The only notice I received was an undated "StormWater Billing Notification" from Paula Vandehey, Director of Public Works. In this letter was "Implementation of the billing of actual impervious area will be as of July 1, 2015". I received this letter in late May or early June of 2015. My stormwater charge is going up 73%, and yet no changes have been made to my property. I didn't receive a bill with the new stormwater charges yet, but it looks like the increased charges might be arriving 1 July 2015.

My 73% increase in storm water charge is due to the Utilities Committee amending section 20-237 (100-13) on December 18, 2013. Section 20-237, customer classification, has changed to use "impervious area" for "multifamily Condominiums to determine the number ERU's the property gets charged for storm water. The problem is that I am now getting charged ERU's for the road in front of my house. This represents 51% of my storm water increase.

I live in the Highland Heights Condominiums. The roads in front of our houses look just like the roads in other areas of Appleton, except that the Condo association owns the roads. Therefore, we are classified under Sec 20-237 as a private road. There is nothing private about our road. We don't have off street parking lots like apartments or some condos. The City of Appleton garbage trucks roll down our street to collect garbage on Tuesdays. We have storm sewers the same as city streets. We have lights the same as city streets. The "impervious area" for our street is just like the "impervious area" for streets on public roads, and these public road property owners do NOT pay for the "impervious area" of their streets.

The bottom line here is that the landowners in the City of Appleton pay for the management of storm water in proportion to the amount of storm water runoff they contribute to the system. Our street looks and functions the same as any other Appleton city street. Why do you charge me for the street "impervious area" when you don't charge all landowners in Appleton for street "impervious area"? It appears that the City of Appleton is discriminating against me.

Two of our Condo's, 1101 and 1105 West Windtree Dr are NOT being charged "impervious area" for the same street that you are charging 23 other owners for. This is unfair to me. Discriminating against me again?

I would like to invite the Utilities Committee to visit our little area of 83 condos and view the streets. We are just a block or two southwest of the Appleton DMV and next to the "Capitol Center" bar and banquet hall.

In summary, I ask that the Utilities Committee determine whether the stormwater charge is fair and reasonable and weather a refund is due the customer. I also ask that the Utilities Committee make Appleton Code changes that exempt private roads from impervious area charges if they function as a city street. According to the "City of Appleton 2015 Budget, Stormwater", page 535, "There is no anticipated revenue increase or decrease due to change in the billing rate".

Kenosha, Wisconsin handles roadway storm water charges like this:

"2. Public and Private Roadways. Public and private roadways, not including driveways, shall be exempt from stormwater service charges."

Think of fair and reasonable, and no budget issues from doing the right thing. Thank you for your time,


Donald Fischer

3229 N Barkwood LN
Appleton, Wi 54914



Appleton City Clerk

29 June 2015

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Appleton, WI 54911-4799

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I feel that this rate change notice is an unreasonable short notice that may violate Federal, State, or City laws, regulations, rules, codes, or any other rate change requirement notice by a public utility. I feel it doesn't disclose all the information that should be included in the notice either.

The following is taken from the "City of Appleton 2015 Budget, Stormwater", page 535, ":

"Implement multi-family ERU billing rate change from per unit charge to actual impervious area of property as approved by Common Council on September 18, 2013. This change is effective on January 1, 2015."

It is an ERU billing rate change for selected properties that took place January 1, 2015, and I only received this UNDATED Appleton Department of Public Works letter notifying me on this in late May, 2015.

I ask that the Utilities Committee rule that the late rate change notice is unfair and unreasonable, and delay the rate change until proper notice is given.

There should be no stormwater budget issues by delaying the rate increase because, according to the "City of Appleton 2015 Budget, Stormwater", page 535, "There is no anticipated revenue increase or decrease due to change in the billing rate".

Think of fair and reasonable, and no budget issues from doing the right thing. Thank you for your time,


Donald Fischer

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Appleton, WI 54914



	<u>1036 #A Green Tree</u>	<u>1016 #B Green Tree</u>	<u>3229 N. Barkwood</u>
Building	1717	1861	2158
Patio	168	170	98
Sidewalk	410 + 142 + 147 / 3 = 233	87	59
Individual Driveway	4285/6 = 714	75/2 = 337	564
Complex Driveway	44881/74 = 606	44881/74 = 606	105,491/83 = 1222*
Additional Parking	1252/74 = 17	1252/74 = 17	0
TOTAL	3,455 = 1.46 ERU	3,078 = 1.30 ERU	4,101 = 1.73 ERU

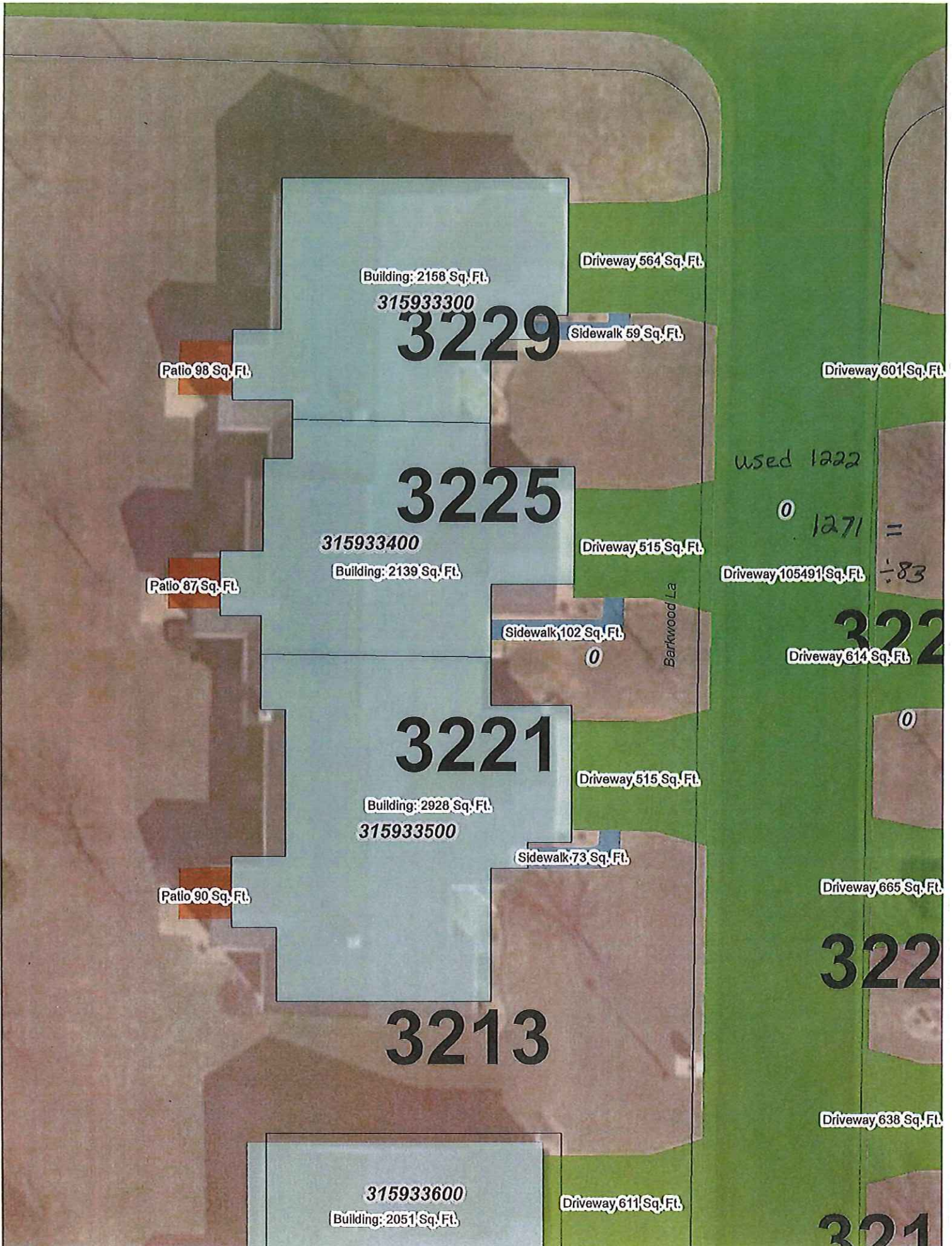
* should have been 1,271

City of Appleton

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