

City of Town & Country Stormwater Maintenance Grant Program Policy

Overview

The Stormwater Maintenance Grant Program is authorized under City of Town & Country Municipal Code Section 415.190 to help Property Owners address limited storm water problems such as, but not limited to, yard flooding, flooding from an inadequate sinkhole, flooding from an inadequate conveyance, yard erosion, creek erosion, water entering a structure, and/or structural erosion at their property from stormwater runoff. (Where used, the term director shall also include the Directors designee.)

The program does NOT apply to projects intended to alleviate problems associated with the regulated floodplain as mapped by the Federal Emergency Management Agency (FEMA).

The Program requires a front-end commitment on the part of the Property Owners to hire a licensed design professional(s) to develop a scope of work; prepare construction plans; obtain regulatory approvals; obtain required permits; prepare, obtain and record easements and ancillary agreements; and take construction bids.

To be eligible for the grant program the project must address an inadequate storm water system caused by previously less restrictive development guidelines or altered upstream conditions.

Issues determined to be the result of the actions of the individual property owner impacting his or her own property are not eligible for the program. Issues created as the result of the actions of an individual property owner or in conjunction with new building construction which impact downstream properties are not eligible, but instead shall be considered a matter to be referred for civil action between the affected parties. The maintenance of retention, detention or other required systems under the control or ownership of other agencies, political subdivisions, private individuals or subdivision trust associations are not eligible for the program.

Funding Mechanisms and Restrictions

In an effort to define the maximum level of resources to be provided, the program as a whole shall not be allocated any amount greater than 5% of the annual revenue projection for the entire Parks and Storm Water Fund. The amount of funds to be granted to any applicant shall be limited to not more than fifty percent (50%) of the approved eligible Project costs, but not to exceed twenty-five thousand dollars (\$25,000.00) of the total Project cost whichever is the lesser amount. Applications are to be submitted to the Public Works Department before May 1 of any year, for inclusion in the following fiscal year's budget. Upon

recommended approval by the Public Works Commission, applications will be submitted to the Board of Aldermen for funding and ultimate project approval. It shall be the sole discretion of the Board of Aldermen to determine available funding approvals. Any application that has met all requirements but is not approved due to budgetary limits shall remain eligible the following fiscal year.

Procedure for Project Application

To be considered for Project approval and eligibility in the Grant Program, Property Owner(s) must submit to the Public Works Department a fully completed and executed application containing all information, materials and documents as described and/or required in this Grant Program prior to commencement of any stormwater remediation work. A meeting and site visit with the Director is mandatory prior to submission of an application to enable the Property Owner(s) to understand whether the Project is eligible and to identify all information necessary to be submitted.

An executed application form must be submitted to the Public Works Department by the Property Owner(s) and which must include, at minimum, the following information:

1. The Property Owner(s)' name(s), property address, telephone number, email address, and the contact information of primary contact person.
2. A statement describing the specific issues, problems or concerns regarding surface or storm sketch showing the proposed actions, work or improvements to be performed on the property.
3. A description and scope of the proposed corrective action, including a formal site plan or a sketch showing the proposed actions, work or improvements to be performed on the property.
4. The formal sealed site plan or a sketch to include:
 - a. A detailed plan and scope for proposed storm water remediation (i.e., rain gardens, drain berms, and yard inlets).
 - b. The specific location and scope of the proposed work and remediation improvements on the property.
 - c. The direction of storm and surface water drainage flow with directional arrows.
5. A non-refundable fee of five hundred dollars (\$500.00) shall be paid at the time of the application submittal.

Process for Project Approval

After an application has been accepted, the Director shall refer the matter to the Public Works Commission for its review. During the review the Commission may request such additional information as it deems appropriate in order to make an informed decision. Once the Commission has reviewed the application and associated information it may make a recommendation to the Board of Alderman for approval, approval with modifications, or denial.

After the Commission makes a recommendation, the Property Owner(s) shall take the following additional steps to complete the process.

1. No application will be considered complete until all necessary information is provided as follows:
 - a. Submit a formal and complete engineering plan prepared by a licensed Missouri professional civil engineer or landscape architect including the necessary scope and design requirements for review.
 - b. Obtain any required permits, easements or other information required by other governmental agencies or permitting authorities, such as the St. Louis Metropolitan Sewer District, U.S. Army Corps of Engineers, or the Missouri Department of Natural Resources.
 - c. Submit any necessary easements required by the City, fully executed and in recordable form.
 - d. Submit signed agreements from all adjacent property owners for the work to be performed including any necessary temporary easements.
2. Applicants shall obtain and submit a minimum of three comparable bids from contractors who are fully capable of completing the proposed work in a workmanlike manner and in full compliance with the scope of work and applicable law and regulations.

After determining that the application is complete the Director shall refer the matter to the Board of Aldermen. The Board may request such additional information as it deems appropriate in order to make an informed decision. The Board may approve, approve with modifications, or deny the application. Upon Board approval the applicant will have one (1) year to complete the project within the fiscal year for which the project was approved.

Procedure for Reimbursement

Upon completion of the work, and before any reimbursement is made by the City, the Property Owner(s) shall provide the following to the Director:

- a. Written verification by the Property Owner(s) of completion of the work by the Property Owner(s)' contractor and compliance with Project documents and requirements:

- b. Paid receipts or invoices identifying the necessary detail and itemization for the materials and work done by the contractor, with fully executed and completed lien waivers and releases from the contractor, subcontractors and material suppliers; and
- c. A copy of required recorded easements.

Once the above items are received the Director will perform a final inspection to verify that the Project was completed as designed and is in full compliance with the scope of the work, applicable law and regulations, and the Project plan. When the final inspection is completed and approved the Director shall process the reimbursement for payment.

Reimbursement Costs

The following costs are authorized for reimbursement under the Grant Program:

1. The cost of demolition or removal of any site improvements (i.e. fences, sidewalks, driveway, etc.) necessary for excavation and installation of the improvements.
2. The cost of restoration of any section of sidewalk, driveway, or landscaping required to be removed by the work.
3. The cost of the improvements.
4. The cost of necessary professional services employed for survey, design and engineering related to the proposed improvements.

Non-Eligible Costs

The following costs are not eligible for reimbursement under the Grant Program:

1. The cost of interior clean-up or any damage to the interior of a home, building or personal property caused by the construction or installation of the improvements.
2. Any lost wages or income to the Property Owner(s) or any occupancy due to absence from work or time necessary to accommodate the City or contractors to complete the Project plan.
3. Flowers, bushes, trees, landscaping, turf, and other similar yard improvements unrelated to or not necessary for the storm water mitigation Project plan.

4. Utilities, lawn irrigation systems, low voltage wiring and high voltage wiring and other similar equipment, materials or related devices unrelated to the storm water mitigation Project plan.

Other

1. All Project improvements shall be located within easements created and dedicated to the City. Proposed easements for this purpose shall be submitted together with the plan for Project approval. Recorded easements must be submitted with recording receipts before reimbursement will be made.
2. Property Owner(s) are responsible for directly hiring and paying the contractor to perform the work and assuring that the contractor completes the Project pursuant to the approved plan, scope and specification. It is expressly understood that the City has no responsibility to the contractor for payment, which is the sole responsibility of the Property Owner(s).