

**CITY OF HOBART, INDIANA
STORM WATER MANAGEMENT BOARD OF DIRECTORS**

Resolution No. 2015-01

A Resolution Proposing to Extend the Current System of User Rates and Charges for the Support of the Operation and Maintenance of the City Storm Water System, Proposing a Spending Plan for the Department of Storm Water Management, Providing for Continuation of the Payment and Collection of Such Fees through the Property Tax Statements of Affected Property Owners, and Setting Public Hearing Upon Same

WHEREAS, the Board of Directors (“Board”) of the City of Hobart (“City”) Department of Storm Water Management (“Department”), which is comprised of persons who are also the members of the City Board of Sanitary Commissioners pursuant to I.C. §8-1.5-5-4 (g), has determined that it continues to be necessary to secure funds for the operation and maintenance of the Department’s storm water system; and

WHEREAS, the Board, being mindful of the City’s vast water resources, and the need to protect and enhance the ability of the City to channel and dispose of its storm waters, has carefully considered the need to extend, improve, reconstruct, replace or upgrade substantial portions of the City storm water system in order to provide an environmentally responsible, healthful, efficient and effective means of controlling, directing and treating storm water flows within the City, all as required by the laws of the United States and the State of Indiana; and

WHEREAS, the Board previously adopted Resolution No. 2010-01 on July 14, 2010 which proposed the adoption of said system of Storm Water Rates and Charges for the period ending December 31, 2015, and public hearing upon said proposed system of rates and charges was held on July 30, 2010 pursuant to notice duly given in the manner required by law; and

WHEREAS, the Board, after said public hearing, adopted Resolution No. 2010-02 on July 30, 2010 which confirmed the adoption of said system of storm water rates and charges and recommended adoption of same by the Common Council of the City; and

WHEREAS, the Common Council made said system of Storm Water Rates and Charges effective by the adoption of its Ordinance No. 2010-26 on or about August 18, 2010; and

WHEREAS, the Board has compiled a proposed spending plan (“Plan”) consisting of the determination, over the next one year period ending on December 31, 2016, of the minimum amount of funds necessary for the operation and maintenance of the City storm water system as required by I.C. §8-1.5-5-7 (b); and

WHEREAS, the Board has also carefully considered the adoption of a system of user fees and charges which equitably spreads the cost of funding the Plan among residential and commercial property owners, taking into account those factors authorized by I.C. §8-1.5-5-7 (d), and making classifications employing the variations authorized by I.C. §8-1.5-5-7 (e); and

WHEREAS, the Board, having considered all of the matters referenced above now proposes the extension of the storm water user fee system of rates and charges now in effect without increase, which is attached hereto and made a part hereof as Exhibit "A," through December 31, 2016 and desires to implement and make effective the Plan which is attached hereto and made a part hereof as Exhibit "B," and

WHEREAS, the Board further desires to authorize that said fees continue to be collected through a charge appearing on the semiannual property tax statements of affected property owners in the City as authorized by I.C. §8-1.5-5-7 (c); and

WHEREAS, the Board desires to make said system of fees and charges effective in the City by obtaining the adoption of same in the manner specified by §8-1.5-5-7 (b), which requires the Board to conduct a public hearing upon same after due notice to the public is published in the manner required by §5-3-1-2 (b), and then to obtain the approval of such system of fees and charges by the Common Council ("Council") of the City; and

WHEREAS, the Board now desires to authorize these actions, and to spread same upon the public record.

THEREFORE, BE IT RESOLVED by the City of Hobart Storm Water Management Board of Directors that:

1. The Spending Plan for the City Storm Water Department for the period from January 1, 2016 through December 31, 2016, which is attached hereto as Exhibit "B," is approved as the proposal of the Board, and shall be a subject of the public hearing to be held as directed in Section 4 of this Resolution, below.

2. The User Fee system of Rates and Charges for the City Storm Water Department for the period from January 1, 2016 through December 31, 2016, which is attached hereto as Exhibit "A," is approved as the proposal of the Board, and shall be a subject of the public hearing to be held as directed in Section 4 of this Resolution, below.

3. The Board hereby officially proposes to authorize continued collection of said user fees through a charge appearing on the semiannual property tax statement of each affected property owner of the City, and such proposal shall be a subject of the public hearing to be held as directed in Section 4 of this Resolution below.

4. Public Hearing upon said matters is hereby scheduled to be held on Wednesday, November 16, 2015 at 4:00 p.m. at the City Council Chamber, Hobart City Hall, 414 Main Street, Hobart, Indiana 46342. The Board directs the Clerk-Treasurer of the City to give notice of said public hearing in the manner required by §5-3-1-2 (b), by publishing notice in two newspapers of general circulation in the City one time, not less than ten (10) days prior to the date of said hearing.

WHEREAS, the Board, having considered all of the matters referenced above now proposes the extension of the storm water user fee system of rates and charges now in effect without increase, which is attached hereto and made a part hereof as Exhibit "A," through December 31, 2016 and desires to implement and make effective the Plan which is attached hereto and made a part hereof as Exhibit "B," and

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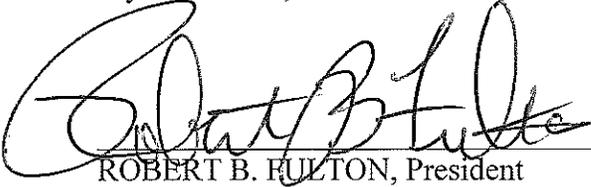
WHEREAS, the Board desires to make said system of fees and charges effective in the City by obtaining the adoption of same in the manner specified by §8-1.5-5-7 (b), which requires the Board to conduct a public hearing upon same after due notice to the public is published in the manner required by §5-3-1-2 (b), and then to obtain the approval of such system of fees and charges by the Common Council ("Council") of the City; and

WHEREAS, the Board now desires to authorize these actions, and to spread same upon the public record.

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3. The Board hereby officially proposes to authorize continued collection of said user fees through a charge appearing on the semiannual property tax statement of each affected property owner of the City, and such proposal shall be a subject of the public hearing to be held as directed in Section 4 of this Resolution below.
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ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water Management Board of Directors on this 14th day of October, 2015.


ROBERT B. FULTON, President

ATTEST: 
PHIL GRALIK, P.E., Secretary

EXHIBIT A

CITY OF HOBART STORM WATER MANAGEMENT BOARD OF DIRECTORS SCHEDULE OF USER FEE RATES AND CHARGES

JANUARY 1, 2016 through DECEMBER 31, 2016

Section 1. Application. This schedule shall apply to every parcel of real estate within the boundaries of the City of Hobart which is improved by a residence, other building, structure or appurtenance which results in an adjusted impervious area. An adjusted impervious area of not more than 1650 square feet shall constitute 1 Equivalent Runoff Unit ("ERU").

Section 2. Definitions. For the purposes of this schedule, the terms following shall have the specified meaning:

a. **Residential Customer.** An owner of a parcel of real estate within the City improved by a single family dwelling.

b. **Non Residential Customer.** An owner of a parcel of real estate within the City which is improved by a building, structure or appurtenance other than a single family dwelling.

c. **Adjusted Impervious Area.** The area of a parcel of real estate covered by buildings, roadways, walks and structures which prevent the free absorption of rain water by the soil. An Adjusted Impervious Area of 1650 square feet equals one ERU. For the purposes of this schedule, a single family dwelling (residential customer) is assumed to have 1 ERU, irrespective of size.

Section 3. Establishment of Rates. The Department shall assign each owner of a parcel of real estate a classification as to whether such owner is a residential or non-residential customer as to that parcel. Non-residential customers, for each parcel, shall have that parcel further classified as to the number of ERUs for the parcel based on the adjusted impervious area of the parcel. The non-residential classes of parcels for rate purposes are established as those having up to five (5) ERUs, those having from five (5) to ten (10) ERUs, those having from ten (10) to twenty five (25) ERUs, those having from twenty five (25) to fifty (50) ERUs, and those having more than fifty (50) ERUs. The owner of each parcel of real estate in the City of Hobart, commencing January 1, 2011, and increasing each year thereafter on January 1, shall pay a storm water fee, per month, as follows:

<u>Year</u>	<u>Residential Customer</u>		<u>Non Residential Customers</u>	
2016	1 ERU	10.80 per mo.	5 ERU or less	31.81
			10 ERU or less	55.16
			25 ERU or less	125.21
			50 ERU or less	241.96

Section 4. Payment of User Fees. The user fees prescribed in this schedule shall be collected through a charge appearing on the semiannual property tax statement of each affected property owner of the City. The amount to be charged on each semiannual property tax statement shall be an amount equal to the applicable monthly rate for the property owner multiplied by six (6).

Section 5. Enforcement. The Storm Water Management Department of the City of Hobart may impose a lien on the real estate of a person or organization who, for a period of more than sixty (60) days, fails to pay the full rates and charges prescribed herein when due, and may foreclose upon the lien when necessary or desirable. This paragraph is not intended to limit the legal and equitable rights of the Department to obtain appropriate enforcement of the sums due by any other lawful means.

EXHIBIT B

**CITY OF HOBART, INDIANA
STORM WATER MANAGEMENT BOARD OF DIRECTORS
SPENDING PLAN FOR JANUARY 1, 2016 through December 31, 2016**

SSO Affected	Sanitary Cost	SW Cost	Total Cost
2016			
Crestwood Trace Storm & Sanitary Phase I 3rd and WI	\$ 3 50,000	\$ 750,000	\$ 1,100,000
Deep River Outfall PE		\$ 50,000	\$ 50,000
SSO Alarm Systems 3rd St.		\$ 50,000	\$ 50,000
Linda Street Backflow Preventers Cleve & Linda		\$ 100,000	\$ 100,000
Barrington Outlet		\$ 500,000	\$ 500,000
2017			
Crestwood Trace Storm & Sanitary Phase II 3rd and WI	\$ 350,000	\$ 7 50,000	\$ 1,100,000
Hidden Lake Interceptor Rehabilitation Deep River		\$ 500,000	\$ 500,000
2018			
Lift Station No. 2 and FM LS #2		\$ 1,500,000	\$ 1,500,000
Cresmore Storm Sewer Phase I		\$ 1,000,000	\$ 1,000,000
2019			
Nob Hill Storm & Sanitary Linda & Cleve	\$ 850,000	\$ 900,000	\$ 1,750,000
Deep River Outfall CN \$ 3 50,000 \$ 3 50,000			
2020			
Cressmoor Storm Sewer Phase II		\$ 1,000,000	\$ 1,000,000
Pill Hill Sanitary Rehabilitation 3rd St	\$ 500,000		\$ 500,000
2021			
Crestwood Storm and Sanitary 3rd St	\$ 700,000	\$ 1,500,000	\$ 2,200,000