

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

Resolution No. 2016-05

A Resolution Confirming the Proposed Establishment of a New Revised System of User Rates and Charges for the Support of the Operation and Maintenance of the City Storm Water System, Confirming a New Spending Plan for the Department of Storm Water Management, Providing for Payment and Collection of Such Fees through the Property Tax Statements of Affected Property Owners, and Recommending Adoption of Said User Rates, Charges and Manner of Collection by Ordinance of the Common Council

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 is necessary to secure additional funds for the operation and maintenance of the Department’s storm water system; and

WHEREAS, the Board 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 has compiled a proposed spending plan (“Plan”) consisting of the determination, over the five (5) year period commencing January 1, 2017 and ending upon further action and notice of the Board, 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 adopted and approved its Resolution No. 2016-03 on July 5, 2016 which proposed the adoption of a newly revised user fee system of rates and charges, proposed the implementation of the Plan, and proposed 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, as required by the provisions of I.C. §8-1.5-5-7 (b), conducted a public hearing upon such proposals after due notice to the public was published in the manner required by I.C. §5-3-1-2 (b), on Wednesday, August 10, 2016, and having heard the presentations at public hearing and having deliberated upon same now desires to authorize the

foregoing proposed actions, to spread same upon the public record, and to recommend their final adoption by the Common Council.

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

1. The Newly Revised User Fee system of Rates and Charges for the City Storm Water Department which shall take effect with the property tax billing for 2016 payable in 2017, and which is attached hereto as Exhibit "A," is confirmed and approved as the proposal of the Board, subject only to final adoption by the Common Council as required by law; and

2. The Spending Plan for the City Storm Water Department for the period from January 1, 2017 through December 31, 2021, which is attached hereto as Exhibit "B," is confirmed as the final action of the Board, and is hereby made effective according to its terms.

3. The Board hereby officially proposes to authorize continuing collection of said user fees through a charge appearing on the semiannual property tax statement of each affected property owner of the City, which shall take effect with the property tax billing for 2016 payable in 2017, which shall include billing for the authorized annual fee specified for each property of the City for 2016 pay 2017 appearing in Exhibit "A," and

4. The Board calls upon, urges and recommends that the Common Council of the City adopt and approve the Newly Revised User Fee System of Rates and Charges described in Exhibit "A," and approve the collection of such rates and fees through a charge appearing on the semiannual property tax statement of each affected property owner of the City, commencing with the property tax billing for 2016 payable in 2017, first installment.

ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water Management Board of Directors on this 10th day of August, 2016.



ROBERT B. FULTON, President

ATTEST:



PHILLIP E. GRALIK, P.E., Secretary

EXHIBIT A

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

JANUARY 1, 2017 until further notice

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, 2017, and increasing each year thereafter on January 1, shall pay a storm water fee, per year, as follows:

	Calendar Year 2017	Calendar Year 2018	Calendar Year 2019	Calendar Year 2020	January 1, 2021 and thereafter
Residential Customers:					
Customer Charge	\$ 36.00	\$36.00	\$36.00	\$36.00	\$ 36.00
ERU Charge	81.95	86.50	91.10	95.65	100.20
Total	\$117.95	122.50	127.10	131.65	\$136.20
Non-Residential Customers:					
Customer Charge	\$36.00	\$36.00	\$36.00	\$36.00	\$ 36.00
Charge per ERU:					
First 2 ERUs	\$81.95	\$86.50	\$91.10	\$95.65	\$100.20
Next 68 ERUs	54.67	57.71	60.75	63.79	66.83
Over 70 ERUs	27.29	28.81	30.33	31.85	33.37

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 annual rate for the property owner divided by two (2).

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

**HOBART STORM WATER MANAGEMENT DEPARTMENT SPENDING PLAN
2017 through 2021**

2016	SW Cost	2019	SW Cost
Crestwood Trace Storm & Sanitary	\$ 1,500,000	Crestwood Storm and Sanitary	\$ 1,500,000
36th Ave and Rush Ct. Storm & Sanitary	\$ 250,000	Section 219 Projects	\$ 250,000
STEP	\$ 300,000	STEP	\$ 300,000
Deep River Outfall PE	\$ 50,000	Merrilville Heights Sanitary & Storm Reha	\$ 800,000
Barrington Outlet	\$ 500,000	George Earle Two-Stage Ditch (LMCP?)	\$ 500,000
70th Ave Culvert Replacement	\$ 300,000		
34th Place Culvert Replacement	\$ 200,000		\$3,350,000
Rush Street Rehabilitation	\$ 100,000		
4th Street Reconstruction	\$ 150,000		
	\$3,350,000	2020	
		Mundell Phase II	\$ 2,000,000
2017		Northwest Storm and Sanitary Rehabilitat	\$ 1,000,000
Cresmore Storm and Sanitary	\$ 2,000,000	STEP	\$ 300,000
Section 219 Projects	\$ 250,000		\$3,300,000
STEP	\$ 300,000		
Nob Hill Storm & Sanitary	\$ 1,000,000	2021	
Deep River Outfall CN	\$ 350,000	Mundell Phase III	\$ 1,500,000
	\$3,900,000	3rd Street Sanitary Sewer Rehabilitation	\$ 500,000
		Section 219 Projects	\$ 250,000
2018		STEP	\$ 300,000
Villa Shores Storm and Sanitary	\$ 2,000,000	Amber Manor Relining	\$ 500,000
STEP - 62nd Place Sanitary Sewer	\$ 400,000		
Grand Blvd Storm Sewer	\$ 750,000		
County Line Road Ditch to Union St	\$ 125,000		
	\$3,275,000		\$3,050,000