

CITY OF HOBART COMMON COUNCIL

ORDINANCE NO. 2022-21

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
CITY OF HOBART, INDIANA, APPROVING AND ESTABLISHING A
NEW SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY
THE CITY OF HOBART, INDIANA, SANITARY DISTRICT FROM THE
OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF
SAID SANITARY DISTRICT AND ALL MATTERS RELATED
THERETO**

WHEREAS, pursuant to IC 36-9-25, as amended (the “Act”), the Board of Sanitary Commissioners (the “Board”), governing body of the Sanitary District (the “District”) of the City of Hobart, Indiana (the “City”), has heretofore established, constructed and financed its sewage works (the “Sewage Works”), and now owns and operates said Sewage Works pursuant to the Act; and

WHEREAS, following a public hearing, the Board previously adopted Resolution No. 2019-02 (“Resolution No. 2019-02”) at a meeting of the Board held on November 26, 2019, establishing a schedule of rates and charges to be collected from owners of property served by the Sewage Works which rates and charges were subsequently approved by the Common Council of the City (the “Common Council”) pursuant to Ordinance No. 2019-39, adopted by the Common Council at a meeting of the Common Council held on December 4, 2019 (the “Existing Rate Ordinance”); and

WHEREAS, the Board, being mindful of the City’s significant and varied water resources, and the need to protect and enhance the ability of the City to safely and efficiently collect and discharge its waste water, has carefully considered the need to improve, reconstruct, replace or upgrade substantial portions of the City Sewage Works in order to provide an environmentally responsible, healthful, efficient, and effective means of waste water collection, transport, and treatment, all as required by the laws of the United States and the State of Indiana; and

WHEREAS, the Board directed its municipal advisor, Baker Tilly Municipal Advisors, LLC (the “Municipal Advisor”) to complete a rate report reviewing the sufficiency of such existing rates and charges to fund necessary Sewage Works improvements; and

WHEREAS, the Municipal Advisor has prepared and submitted a rate report to the Board which concludes that the existing rates and charges are insufficient to provide (i) funds for the operation and maintenance of the Sewage Works, including maintenance costs, operation charges, upkeep, repairs, depreciation, including the increase in such costs; (ii) a sinking fund for the liquidation of existing and planned bonds or other obligations to finance improvements to the Sewage Works; (iii) a debt service reserve on existing and planned bonds or other obligations; (iv)

provide money for working capital; and (v) adequate funds for necessary replacements and improvements to the Sewage Works; and

WHEREAS, as a result of the rate report presented to the Board by the Municipal Advisor (the "Rate Report"), the Board has carefully considered the necessity of amending the existing schedule of rates and charges; and

WHEREAS, the Board, having considered all of the matters referenced above, adopted and approved Resolution No. _____ (the "Board Resolution"), following a public hearing for which notice was duly provided in accordance with the Act and IC 5-3-1, at a meeting of the Board held on July 12, 2022, which Board Resolution (i) approved the amending of the existing rates and charges with the new schedule of rates and charges which is attached hereto and made a part hereof as Exhibit A (the "Rates and Charges"), such new Rates and Charges to supersede and supplant those rates and charges now in effect previously adopted by the Common Council as set forth in Section 3 of the Exhibit A attached to the Existing Rate Ordinance and (ii) recommended to the Common Council that it consider and adopt such rates and charges set forth in Exhibit A and to provide that such rates and charges to be effective as of January 1, 2023; and

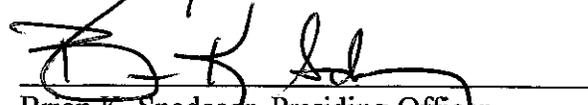
WHEREAS, the Common Council has carefully considered the aforesaid Board Resolution and other materials presented to the Board in connection therewith; and

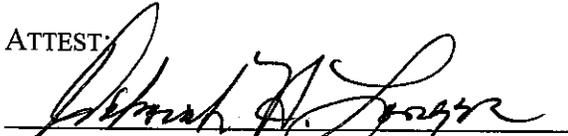
WHEREAS, the Common Council now desires to approve said Rates and Charges, pursuant to Section 11(c) of the Act.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana, as follows:

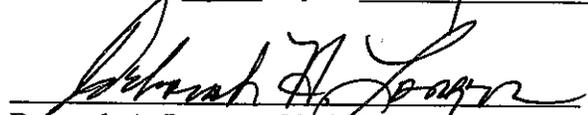
1. All of the stated "WHEREAS" clauses are incorporated herein by reference.
2. The Common Council hereby approves said Rates and Charges, as approved by the Board, in substantially the form provided at this meeting and attached hereto as Exhibit A. Such Rates and Charges shall be effective as of January 1, 2023, and shall supersede and supplant the existing rates and charges approved by the Existing Rate Ordinance (set forth in Section 3 of the Exhibit A attached to said Existing Rate Ordinance) as of such date. The existing Wholesale Tracking Factor cost adjustment provision and the Multi-Unit Residential Properties provision set forth in the Existing Rate Ordinance and Resolution No. 2019-02 remain unchanged hereby.
3. This Ordinance shall be in full force and effect from and after passage by the Common Council, approval by the Mayor, and upon compliance with the procedures required by law.

PASSED AND ADOPTED on this 3rd day of August, 2022, by the Common Council of the City of Hobart, Indiana.


Brian K. Snedecor, Presiding Officer

ATTEST:

Deborah A. Longer, Clerk-Treasurer

PRESENTED by me, the Clerk-Treasurer of the City of Hobart, Indiana, to the Mayor for his approval this 3rd day of August, 2022, at 6:45 am/p.m.


Deborah A. Longer, Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana, this 3rd day of August, 2022.


Brian K. Snedecor, Mayor

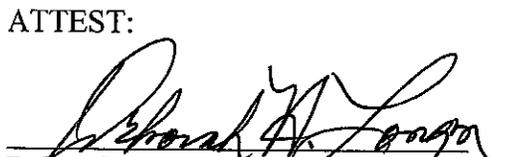
ATTEST:

Deborah A. Longer, Clerk-Treasurer

EXHIBIT A

CITY OF HOBART, INDIANA, SANITARY DISTRICT

**Rates, Fees, and Charges of the Hobart Sanitary District
Effective as of January 1, 2023**

The Board of Commissioners of the Sanitary District of the City of Hobart, Indiana, establishes the following user fees to be paid by any user of the District's sanitary sewer system and the owner of every parcel of real property or building that is connected with or uses the sewage collection system of the District:

Section I. Phase I—Effective January 1, 2023

Billing Charge (per bill): \$ 4.84

Base Rates (per month):

Meter Size:

(Diameter)

5/8" – 3/4" \$ 25.50

1" 25.50

1-1/2" 147.89

2" 254.98

3" 586.45

4" 1,019.91

6" 2,320.30

8" 4,133.19

10" 6,450.95

12" 9,296.50

Treatment Rate (per 1,000 gallons per month): \$ 7.53

Unmetered Users (per month):

Single Family Home \$ 72.40

Section II. Phase II—Effective January 1, 2024

Billing Charge (per bill): \$ 5.33

Base Rates (per month):

Meter Size:

(Diameter)

5/8" – 3/4" \$ 28.08

1" 28.08

1-1/2" 162.84

2" 280.76

3" 645.74

4" 1,123.03

6"	2,554.89
8"	4,551.08
10"	7,103.17
12"	10,236.42

Treatment Rate (per 1,000 gallons per month): \$ 8.29

Unmetered Users (per month):
Single Family Home \$ 79.72

**CITY OF HOBART, INDIANA,
SANITARY DISTRICT BOARD OF SANITARY COMMISSIONERS**

RESOLUTION NO. 2022-02

**A RESOLUTION ESTABLISHING A NEW SCHEDULE OF RATES
AND CHARGES TO BE COLLECTED BY THE CITY OF HOBART,
INDIANA, SANITARY DISTRICT FROM THE OWNERS OF
PROPERTY SERVED BY THE SEWAGE WORKS OF SAID
SANITARY DISTRICT AND ALL MATTERS RELATED
THERE TO**

WHEREAS, pursuant to IC 36-9-25, as amended (the "Act"), the Board of Sanitary Commissioners (the "Board"), governing body of the Sanitary District (the "District") of the City of Hobart, Indiana (the "City"), has heretofore established, constructed and financed its sewage works (the "Sewage Works"), and now owns operates said Sewage Works pursuant to the Act; and

WHEREAS, following a public hearing, the Board previously adopted Resolution No. 2019-02 ("Resolution No. 2019-02") at a meeting of the Board held on November 26, 2019, establishing a schedule of rates and charges to be collected from owners of property served by the Sewage Works which rates and charges were subsequently approved by the Common Council of the City (the "Common Council") pursuant to Ordinance No. 2019-39, adopted by the Common Council at a meeting of the Common Council held on December 4, 2019 (the "Existing Rate Ordinance"); and

WHEREAS, the Board, being mindful of the City's significant and varied water resources, and the need to protect and enhance the ability of the City to safely and efficiently collect and discharge its waste water, has carefully considered the need to improve, reconstruct, replace or upgrade substantial portions of the City waste water system in order to provide an environmentally responsible, healthful, efficient and effective means of waste water treatment, all as required by the laws of the United States and the State of Indiana; and

WHEREAS, the Board directed its municipal advisor, Baker Tilly Municipal Advisors, LLC (the "Municipal Advisor") to complete a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Municipal Advisor has prepared and submitted a rate report to the Board which concludes that the existing rates and charges are insufficient to provide (i) funds for the operation and maintenance of the Sewage Works, including maintenance costs, operation charges, upkeep, repairs, depreciation, including the increase in such costs; (ii) a sinking fund for the liquidation of existing and planned bonds or other obligations to finance improvements to the Sewage Works; (iii) a debt service reserve on existing and planned bonds or other obligations; (iv) provide money for working capital; and (v) adequate funds for necessary replacements and improvements to the Sewage Works; and

WHEREAS, as a result of the rate report presented to the Board by the Municipal Advisor (the "Rate Report"), the Board has carefully considered the necessity of amending the existing schedule of rates and charges; and

WHEREAS, the Clerk-Treasurer of the City has caused notice of a public hearing on the proposed rates and charges to be published as required by the Act and IC 5-3-1; and

WHEREAS, the Board has duly conducted said public hearing as of the date hereof at which owners of property served or to be served by the Sewage Works and any other interested persons were given the opportunity to be heard concerning the proposed rates and charges described herein; and

WHEREAS, the Board, having considered all of the matters referenced above, now desires to amend the existing rates and charges with the new schedule of rates and charges which is attached hereto and made a part hereof as Exhibit A, such new rates and charges to supersede and supplant those rates and charges now in effect previously adopted by the Common Council as set forth in Section 3 of the Exhibit A attached to the Existing Rate Ordinance;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City of Hobart, Indiana, Sanitary District Board of Commissioners as follows:

1. The Board hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to provide (i) funds for the operation and maintenance of the Sewage Works, including maintenance costs, operation charges, upkeep, repairs, depreciation, including the increase in such costs; (ii) a sinking fund for the liquidation of existing and planned bonds or other obligations to finance improvements to the Sewage Works; (iii) a debt service reserve on existing and planned bonds or other obligations; (iv) money for working capital; and (v) adequate funds for necessary replacements and improvements to the Sewage Works.

2. The Rate Report prepared by the Municipal Advisor is hereby accepted and approved.

3. The proposed rates and charges for the use of, and the service provided by, the Sewage Works as set forth at Exhibit A attached hereto and incorporated herein are hereby adopted and approved by the Board to be effective as of January 1, 2023, and superseding and supplanting the existing rates and charges approved by Resolution No. 2019-02 (set forth in Section 3 of Exhibit A attached to said Resolution No. 2019-02) as of such date.

4. The Board recommends to the Common Council that it consider and adopt an ordinance adopting and approving such rates and charges set forth at Exhibit A and to provide that such rates and charges be effective as of January, 1, 2023.

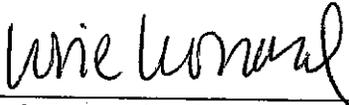
5. The existing Wholesale Tracking Factor cost adjustment provision and the Multi-Unit Residential Properties provision set forth in the Existing Rate Ordinance and Resolution No. 2019-02 remain unchanged hereby.

6. This Resolution shall be in full force and effect from and after its passage.

ALL OF WHICH is adopted as the Resolution of the City of Hobart Sanitary District Board of Commissioners on this 12th day of July, 2022.


James Mandon, Vice President

ATTEST:


Lorie Leonard, Administrative Assistant