

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

**Resolution No. 2015-02**

**A Resolution Confirming the Proposed Extension of a System of User Rates and Charges for the Support of the Operation and Maintenance of the City Storm Water System, Confirming a 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 continue 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 has compiled a proposed spending plan (“Plan”) consisting of the determination 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, previously adopted said system of user rates and charges by its confirmatory resolution No. 2010-02 on or about July 30, 2010, and said system was put into effect by City Ordinance No. 2010-26, such system to expire under said Ordinance on December 31, 2015; and

WHEREAS, having considered all of the matters referenced above, the Board adopted and approved its Resolution No. 2015-01 on October 14, 2015 which proposed the adoption of an extension of the user fee system of rates and charges which had been in effect for 2015, for the period from January 1, 2016 through December 31, 2016, proposed the implementation of a new Spending Plan, and continued to authorize that said fees 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 on Monday, November 16, 2015, after due notice to the public was published in the manner required by §5-3-1-2 (b) in two (2) newspapers of general circulation in the City in *The Post-Tribune* on November 4, 2015, and *The Times*, on November 5, 2015, and the Board, 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:

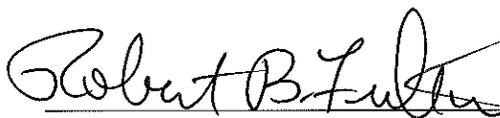
1. The Spending Plan for the City Storm Water Department for the period from January 1, 2016 through December 31, 2016, which is attached hereto as Exhibit "B," is confirmed as the final action of the Board, and is hereby made effective according to its terms.

2. The User Fee system of Rates and Charges for the City Storm Water Department which is in effect for the period from January 1, 2015 through December 31, 2015 is hereby extended to appear upon the property tax billing for 2015 payable in 2016, first installment and second installment, and which is attached hereto as Exhibit "A," is confirmed and approved as the action of the Board, subject only to final adoption by the Common Council as required by law; and

3. The Board hereby officially continues to authorize 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 continue through the property tax billings for 2015 payable in 2016, which shall include billing for one-half of the authorized annual fee specified for each property of the City for 2016 for each installment due in that year appearing in Exhibit "A," and

4. The Board calls upon, urges and recommends that the Common Council of the City adopt and approve the extension of the 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 2015 payable in 2016, first installment and continuing through the second installment.

ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water Management Board of Directors on this 16<sup>th</sup> day of November, 2015.

  
ROBERT B. FULTON, President

ATTEST:   
PHILLIE GRALIK, P.E.,  
Secretary

**EXHIBIT A**  
**to**  
**City of Hobart Storm Water Management Board of Directors**  
**Resolution No. 2015-02**

**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 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 solely residential building containing less than four (4) family dwelling units.

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 by a solely residential building comprising less than four (4) family dwelling units.

c. **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 Impervious Area of 1650 square feet equals one ERU. For the purposes of this schedule, a solely residential building comprising less than four (4) family dwelling units (residential customer) is assumed to have 1 ERU, irrespective of size.

d. **Customer Charge.** A component of the storm water annual fee which consists solely of the customer’s share of the administrative and capital costs of the program. This charge is equal for all customers in each year. The total of the customer charge and the ERU charge for each customer is that customer’s total annual storm water fee.

**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. The Department shall determine, for each non-residential parcel, the

number of ERUs for the parcel based on the impervious area of the parcel. The owner of each parcel of real estate in the City of Hobart, commencing January 1, 2016, shall pay a storm water fee for 2016, as follows:

**(A) Residential Customers**

	<u>Annual Rates Effective January 1</u>
	<u>2016</u>
Customer Charge	\$ 45.60
ERU Charge	<u>84.00</u>
Totals	<u>\$129.60</u>

**(B) Non-Residential Customers**

	<u>Annual Rates Effective January 1</u>
	<u>2016</u>
Customer Charge	\$ 45.60
ERU Charge per ERU:	
First 2 ERUs	84.00
Next 68 ERUs	56.04
Over 70 ERUs	27.96

**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. One-half of the annual fee will appear on each semiannual property tax statement. The fees shall be imposed and first collected through the semiannual property tax statement for tax year 2015 payable in 2016, first and second installments. The rate to be charged to each property owner on each property tax billing is specified in Section 3, divided in semiannual installments as authorized by law.

**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**

<b>SSO Affected</b>	<b>Sanitary Cost</b>	<b>SW Cost</b>	<b>Total Cost</b>
<b>2016</b>			
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
<b>2017</b>			
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
<b>2018</b>			
Lift Station No. 2 and FM LS #2		\$ 1,500,000	\$ 1,500,000
Cressmoor Storm Sewer Phase I		\$ 1,000,000	\$ 1,000,000
<b>2019</b>			
Nob Hill Storm & Sanitary Linda & Cleve	\$ 850,000	\$ 900,000	\$ 1,750,000
Deep River Outfall CN \$ 3 50,000 \$ 3 50,000			
<b>2020</b>			
Cressmoor Storm Sewer Phase II		\$ 1,000,000	\$ 1,000,000
Pill Hill Sanitary Rehabilitation 3rd St	\$ 500,000		\$ 500,000
<b>2021</b>			
Crestwood Storm and Sanitary 3rd St	\$ 700,000	\$ 1,500,000	\$ 2,200,000