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

Resolution No. 2016-04

A Resolution Proposing the 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, Proposing 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 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 is necessary to secure additional 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, 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 now proposes the adoption of the user fee system of rates and charges which is attached hereto and made a part hereof as Exhibit “A,” 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

1 the Board to conduct a public hearing upon same after due notice to the public is published in the
2 manner required by §5-3-1-2 (b), and then to obtain the enactment of such system of fees and
3 charges by Ordinance of the Common Council ("Council") of the City; and
4

5 WHEREAS, the Board now desires to authorize these actions, and to spread same upon
6 the public record.
7

8 THEREFORE, BE IT RESOLVED by the City of Hobart Storm Water Management
9 Board of Directors that:
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11 1. The Spending Plan for the City Storm Water Department for the period from
12 January 1, 2017 through further action and notice of the Board, which is attached hereto as
13 Exhibit "B," is approved as the proposal of the Board, and shall be a subject of the public hearing
14 to be held as directed in Section 4 of this Resolution, below.
15

16 2. The User Fee system of Rates and Charges for the City Storm Water Department
17 for the period from and after January 1, 2017 which is attached hereto as Exhibit "A," is
18 approved as the proposal of the Board, and shall be a subject of the public hearing to be held as
19 directed in Section 4 of this Resolution, below.
20

21 3. The Board hereby officially proposes to continue to authorize collection of said
22 user fees through a charge appearing on the semiannual property tax statement of each affected
23 property owner of the City, and such proposal shall be a subject of the public hearing to be held
24 as directed in Section 4 of this Resolution below.
25

26 4. Public Hearing upon said matters is hereby scheduled to be held on 10th, August,
27 2016 at 5:00 p.m. at the City Council Chamber, Hobart City Hall, Second Floor, 414 Main
28 Street, Hobart, Indiana 46342. The Board directs the Clerk-Treasurer of the City to give notice
29 of said public hearing in the manner required by I.C. §5-3-1-2 (b), by publishing notice in two
30 newspapers of general circulation in the City one time, not less than ten (10) days prior to the
31 date of said hearing.
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33 ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water
34 Management Board of Directors on this 13th day of July, 2016.
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ROBERT J. FULTON, President

ATTEST:



DEBORAH A. LONGER, Clerk-Treasurer

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EXHIBIT A

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

JANUARY 1, 2017 until further notice

10 **Section 1. Application.** This schedule shall apply to every parcel of real estate
11 within the boundaries of the City of Hobart which is improved by a residence, other building,
12 structure or appurtenance which results in an adjusted impervious area. An adjusted impervious
13 area of not more than 1650 square feet shall constitute 1 Equivalent Runoff Unit (“ERU”).
14

15
16 **Section 2. Definitions.** For the purposes of this schedule, the terms following shall
17 have the specified meaning:

18
19 a. *Residential Customer.* An owner of a parcel of real estate within
20 the City improved by a single family dwelling.
21

22 b. *Non Residential Customer.* An owner of a parcel of real estate
23 within the City which is improved by a building, structure or appurtenance other
24 than a single family dwelling.
25

26 c. *Adjusted Impervious Area.* The area of a parcel of real estate
27 covered by buildings, roadways, walks and structures which prevent the free
28 absorption of rain water by the soil. An Adjusted Impervious Area of 1650
29 square feet equals one ERU. For the purposes of this schedule, a single family
30 dwelling (residential customer) is assumed to have 1 ERU, irrespective of size.
31

32
33 **Section 3. Establishment of Rates.** The Department shall assign each owner of
34 a parcel of real estate a classification as to whether such owner is a residential or non-
35 residential customer as to that parcel. Non-residential customers, for each parcel, shall have that
36 parcel further classified as to the number of ERUs for the parcel based on the adjusted
37 impervious area of the parcel. The non-residential classes of parcels for rate purposes are
38 established as those having up to five (5) ERUs, those having from five (5) to ten (10) ERUs,
39 those having from ten (10) to twenty five (25) ERUs, those having from twenty five (25) to fifty
40 (50) ERUs, and those having more than fifty (50) ERUs. The owner of each parcel of real estate
41 in the City of Hobart, commencing January 1, 2017, and increasing each year thereafter on
42 January 1, shall pay a storm water fee, annually, as follows:
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	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 half of the applicable annual rate for the property owner.

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.

**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	Merrillville 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
		Northwest Storm and Sanitary Rehabilitat	\$ 1,000,000
		STEP	\$ 300,000
2017			
Cresmore Storm and Sanitary	\$ 2,000,000		
Section 219 Projects	\$ 250,000		\$3,300,000
STEP	\$ 300,000		
Nob Hill Storm & Sanitary	\$ 1,000,000		
Deep River Outfall CN	\$ 350,000		
	\$3,900,000	2021	
		Mundell Phase III	\$ 1,500,000
		3rd Street Sanitary Sewer Rehabilitation	\$ 500,000
		Section 219 Projects	\$ 250,000
		STEP	\$ 300,000
		Amber Manor Relining	\$ 500,000
2018			
Villa Shores Storm and Sanitary	\$ 2,000,000		
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

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