

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

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

Resolution No. 2021 - 01

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, 2021 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 I.C. §8-1.5-5-7(b), which

47 requires the Board to conduct a public hearing upon same after due notice to the public is
48 published in the manner required by I.C. §5-3-1-2(b), and then to obtain the enactment of such
49 system of fees and charges by Ordinance of the Common Council ("Council") of the City; and
50

51 WHEREAS, the Board now desires to authorize these actions, and to spread same upon
52 the public record.
53

54 THEREFORE, BE IT RESOLVED by the City of Hobart Storm Water Management
55 Board of Directors that:
56

57 1. The Spending Plan for the City Storm Water Department for the period from
58 January 1, 2021 through further action and notice of the Board, which is attached hereto as
59 Exhibit "B," is approved as the proposal of the Board, and shall be a subject of the public hearing
60 to be held as directed in Section 4 of this Resolution, below.
61

62 2. The User Fee system of Rates and Charges for the City Storm Water Department
63 for the period from and after January 1, 2022 which is attached hereto as Exhibit "A," is
64 approved as the proposal of the Board, and shall be a subject of the public hearing to be held as
65 directed in Section 4 of this Resolution, below.
66

67 3. The Board hereby officially proposes to continue to authorize collection of said
68 user fees through a charge appearing on the semiannual property tax statement of each affected
69 property owner of the City, and such proposal shall be a subject of the public hearing to be held
70 as directed in Section 4 of this Resolution, below.
71

72 4. The Public Hearing upon said matters is hereby scheduled to be held on the 23rd
73 day of November, 2021 at 5:00 p.m. in the City Council Chambers, Hobart City Hall, Second
74 Floor, 414 Main Street, Hobart, Indiana 46342. The Board directs the Clerk-Treasurer of the
75 City to give notice of said public hearing in the manner required by I.C. §5-3-1-2(b), by
76 publishing notice in two newspapers of general circulation of the City one time, not less than ten
77 (10) days prior to the date of said hearing.
78

79 ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water
80 Management Board of Directors on this 26th day of October, 2021.
81

82 
83 _____
84 ROBERT J. FULTON, President

85 ATTEST:

86 
87 _____
88 PHILLIP GRALIK, P.E., Secretary
89
90
91
92

93
94
95 **EXHIBIT A**
96 **to**
97 **City of Hobart Storm Water Management Board of Directors**
98 **Resolution No. 2021-01**
99

100
101 **CITY OF HOBART STORM WATER MANAGEMENT BOARD OF DIRECTORS**
102 **SCHEDULE OF USER FEE RATES AND CHARGES**
103

104 **JANUARY 1, 2022 until further notice**
105

106
107 **Section 1. Application.** This schedule shall apply to every parcel of real estate
108 within the boundaries of the City of Hobart which is improved by a residence, other building,
109 structure or appurtenance which results in an adjusted impervious area. An adjusted impervious
110 area of not more than 1650 square feet shall constitute 1 Equivalent Runoff Unit (“ERU”).
111

112 **Section 2. Definitions.** For the purposes of this schedule, the terms following shall
113 have the specified meaning:
114

115 a. **Residential Customer.** An owner of a parcel of real estate within
116 the City improved by a single-family dwelling.
117

118 b. **Non-Residential Customer.** An owner of a parcel of real estate
119 within the City which is improved by a building, structure or appurtenance other
120 than a single-family dwelling.
121

122 c. **Adjusted Impervious Area.** The area of a parcel of real estate
123 covered by buildings, roadways, walks and structures which prevent the free
124 absorption of rainwater by the soil. An Adjusted Impervious Area of 1650 square
125 feet equals one ERU. For the purposes of this schedule, a single-family dwelling
126 (residential customer) is assumed to have 1 ERU, irrespective of size.
127

128
129 **Section 3. Establishment of Rates.** The Department shall assign each owner of
130 a parcel of real estate a classification as to whether such owner is a residential or non-residential
131 customer as to that parcel. Non-residential customers, for each parcel, shall have that parcel
132 further classified as to the number of ERUs for the parcel based on the adjusted impervious area
133 of the parcel. The non-residential classes of parcels for rate purposes are established as those
134 having up to five (5) ERUs, those having from five (5) to ten (10) ERUs, those having from ten
135 (10) to twenty-five (25) ERUs, those having from twenty-five (25) to fifty (50) ERUs. The
136 Department shall determine, for each non-residential parcel, the number of ERUs for the parcel
137 based on the impervious area of the parcel. The owner of each parcel of real estate in the City of

138 Hobart, commencing January 1, 2022, and increasing each year thereafter on January 1, shall pay
139 a storm water fee, annually as follows:

140
141 **(A) Residential Customers**
142

	<u>Annual Rates Effective January 1</u>		
	<u>2022</u>	<u>2023</u>	<u>2024</u>
Customer Charge	\$ 44.40	\$ 52.68	\$ 61.08
ERU Charge	<u>101.30</u>	<u>102.40</u>	<u>103.45</u>
Totals	<u>\$145.70</u>	<u>\$155.08</u>	<u>\$164.53</u>

143
144
145 **(B) Non-Residential Customers**
146

	<u>Annual Rates Effective January 1</u>		
	<u>2022</u>	<u>2023</u>	<u>2024</u>
Customer Charge	\$ 44.40	\$ 52.68	\$ 61.08
ERU Charge per ERU:			
First 2 ERUs	101.30	102.40	103.45
Next 68 ERUs	67.87	68.61	69.31
Over 70 ERUs	34.44	34.82	35.17

147
148
149 **Section 4. Payment of User Fees.** The user fees prescribed in this schedule shall
150 be collected through a charge appearing on the semiannual property tax statement of each
151 affected property owner of the City. The amount to be charged on each semiannual property tax
152 statement shall be an amount equal to half of the applicable annual rate for the property owner.
153

154 **Section 5. Enforcement.** The Storm Water Management Department of the City of
155 Hobart may impose a lien on the real estate of a person or organization who, for a period of more
156 than sixty (60) days, fails to pay the full rates and charges prescribed herein when due, and may
157 foreclose upon the lien when necessary or desirable. This paragraph is not intended to limit the
158 legal and equitable rights of the Department to obtain appropriate enforcement of the sums due
159 by any other lawful means.
160
161
162
163
164
165
166
167
168
169
170
171

172
 173
 174
 175
 176
 177

EXHIBIT B

**Hobart Storm Water Management Department Capital Improvement Plan
 2021 through 2025**

Project	2021	2022	2023	2024	2025	Total
Stinky Creek Project	\$3,500,000					\$ 3,500,000
CCMG Project Local Match		\$400,000				400,000
Wisconsin St. Project			1,200,000			1,200,000
IT Upgrades	150,000					150,000
Mapping	200,000	200,000	200,000	200,000	200,000	1,000,000
New Chicago Project—Phase 1			750,000			750,000
Other Capital Projects	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>3,500,000</u>
Total Estimated Capital Improvements	4,550,000	1,300,000	2,850,000	900,000	900,000	10,500,000
Less: Bond funded projects	<u>(3,500,000)</u>					<u>(3,500,000)</u>
Total Cash-funded projects:	1,050,000	1,300,000	2,850,000	900,000	900,000	7,000,000
Divided by: 5 years:						<u>5</u>
Estimated average annual capital improvements:						\$1,400,000