

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2021 – OR – 005

**AN ORDINANCE AMENDING SEWER RATES
FOR THE TOWN OF SELLERSBURG, INDIANA**

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of the functions of the town; and,

WHEREAS, pursuant to Ind. Code § 36-9-23-25, the municipal legislative body shall, by ordinance, establish just and equitable fees for the services rendered by the sewage works, and provide the dates on which fees are due; and,

WHEREAS, Just and equitable fees are the fees required to maintain the sewage works in the sound physical and financial condition necessary to render adequate and efficient service. The fees must be sufficient to:

1. Pay all expenses incidental to the operation of the works, including...maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
2. Provide the sinking fund required by Section 21 of Ind. Code § 36-9-23;
3. Provide adequate money to be used for working capital; and,
4. Provide adequate money for improving and replacing the works.

WHEREAS, in 2018 this Council, understanding the condition of the sanitary sewer system, hired an engineering firm, Jacobi, Toombs & Lanz, to prepare an extensive Sanitary Sewer Master Plan, which specifically covered the sanitary, water, and stormwater system of the Town (“Master Plan”); and,

WHEREAS, the Master Plan was completed in September of 2020 and indicated several issues that needed to be addressed, but the single most significant issue was that the sewer plant was at 90% capacity; and,

WHEREAS, on March 5, 2019, the Indiana Department of Environment Management sent the Town a letter serving as an early warning notice that pursuant to 327 IAC 4-1 the Town could be considered for a sewer ban (“IDEM Letter”); and,

WHEREAS, in 2020, this Council caused to have a water and sewer rate study (“Rate Study”) performed by BakerTilly Municipal Advisors; and,

WHEREAS, the last sewer rate increase for the Town was in 2001 (i.e. 20 years ago) and the last modification to the sewer rate was in 2007 when the council, at the time, reduced said sewer rate; and,

WHEREAS, after reviewing the Master Plan, IDEM Letter and Rate Study in multiple public meetings, in which the public was invited, this Council has determined that the current sewer rates do not bring in sufficient revenue to adequately operate and maintain the sewer works system of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. Rates. The Sewer Rates for the Town of Sellersburg are repealed and replaced as follows:

	Phase I (1)		Phase II (2)	
	Inside Town	Outside Town	Inside Town	Outside Town
<u>Flow Charge:</u> (per 1,000 gallons)	\$6.22	\$6.22	\$8.83	\$8.83
<u>Base Charge (per month)</u>				
Meter Size:				
5/8 - 3/4 inch	\$14.47	\$26.91	\$20.53	\$38.19
1 inch	32.17	44.61	45.65	63.31
1 1/2 inch	71.12	83.56	100.92	118.58
2 inch	120.56	133.00	171.07	188.73
3 inch	273.78	286.22	388.49	406.15
4 inch	474.14	486.58	672.80	690.46
6 inch	1,075.22	1,087.66	1,525.74	1,543.40
<u>Unmetered Users:</u> (per month)				
Residential Single Family (assuming 5,400 gallons average)	\$48.06	\$60.50	\$68.21	\$85.87
(1) Proposed Phase I rates and charges to become effective May 1, 2021.				
(2) Proposed Phase II rates and charges to become effective May 1, 2022.				
Note: Based on 4,000 gallons, the monthly bill for an outside-of-town customer would continue to be 31.6% higher than the monthly bill for an inside-of-town customer. For unmetered customers, this rate differential will remain at 25.9%. These same rate differentials have been in place since at least 2001.				

2. Date Of Effect For Rates. Phase I and Phase II Sewer Rates will go into effect on May 1, 2021 and May 1, 2022, respectively.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 22ND day of February, 2021

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Matthew Czarnecki
Matthew Czarnecki
Council Vice President

Matthew Czarnecki
Council Vice President

Terry Langford
Terry Langford
Council Member

Terry Langford
Council Member

Scott McVoy
Scott McVoy
Council Member

Scott McVoy
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/8/2021

MOTION: Czarnecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/22/2021

MOTION: McVoy

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

