

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF )  
THE TOWN OF MONROVIA, INDIANA, )  
FOR APPROVAL OF A REGULATORY )  
ORDINANCE ESTABLISHING A SERVICE ) CAUSE NO.: 46239  
TERRITORY FOR THE TOWN'S )  
MUNICIPAL SEWER SYSTEM PURSUANT )  
TO IND. CODE CH. § 8-1.5-6 )

PREFILED DIRECT TESTIMONY  
OF STEVEN K. BROCK

Direct Testimony of Steven K. Brock

Petitioner's Exhibit 2

Monrovia Ordinances Establishing Sewer Rates

Attachment SKB-1

Respectfully submitted,

  
\_\_\_\_\_  
Nikki G. Shoultz, Atty. No. 16509-41  
Gregory S. Loyd, Atty. No. 23657-49  
Jacob T. Antim, Atty. No. 36762-49  
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**STATE OF INDIANA**

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**IN THE MATTER OF THE PETITION OF )  
THE TOWN OF MONROVIA, INDIANA, )  
FOR APPROVAL OF A REGULATORY )  
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**CAUSE NO.: \_\_\_\_\_**

**VERIFIED PREFILED DIRECT TESTIMONY OF**

**STEVEN K. BROCK**

**ON BEHALF OF**

**THE TOWN OF MONROVIA, INDIANA**

**I.     INTRODUCTION**

**1.     PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.**

A.     My name is Steven K. Brock, and my business address is Suite 275, 11550 North Meridian Street, Carmel, Indiana 46032. I am a financial advisor and principal in the financial advisory firm of Therber Brock & Associates LLP. In addition, I have passed the series 50 and series 54 securities exams.

**2.     PLEASE SUMMARIZE YOUR EDUCATIONAL QUALIFICATIONS.**

A.     I have a Bachelor of Science degree from Indiana University in Business Administration with a concentration in accounting. I have a Masters of Business Administration Degree from Butler University. I have also attended the NARUC ratemaking school at Michigan State University.

**3.     PLEASE OUTLINE YOUR PROFESSIONAL EXPERIENCE.**

A.     I have spent my entire professional career in the areas of municipal finance and utility regulation. I have performed original issue bond financings, refundings, rate studies, and cost of service studies for hundreds of utilities in Indiana, including municipal utilities, not-for-profit utilities, regional districts, conservancy districts, and investor owed utilities. I am experienced with various loan programs commonly used by utilities in Indiana for the funding of infrastructure projects. These include open market, Rural Development, and Indiana State Revolving Loan Fund (“SRF”) financings. I am also familiar with various grant programs used by municipal utilities to assist with their project funding. These programs include the Indiana Department of Commerce’s Community Focus Fund, the State of Indiana’s Build Indiana Fund, the SRF’s additional subsidization and supplemental

1 fund programs, and the grant programs of Rural Development. I have been hired by the  
2 Indiana State Revolving Loan fund on multiple occasions as an outside consultant on  
3 various issues. I have been a speaker at the SRF's project financing workshop, and I have  
4 been a speaker at several Indiana Alliance conferences. I have been asked by the SRF and  
5 the Indiana Rural Community Action Program to provide advice on project financing and  
6 rate regulation issues in Indiana. I believe I am the only rate consultant in Indiana to be  
7 hired as an independent consultant by both the Indiana Utility Regulatory Commission  
8 ("Commission" or "IURC") and the Indiana Office of the Utility Consumer Counselor  
9 ("OUCC"). Aside from the Commission, the OUCC, and the SRF, my past clients have  
10 included the University of Notre Dame, InTEK, Subaru-Isuzu, the City of New Castle, the  
11 City of Marion, the City of Richmond, the City of Crawfordsville, and numerous cities,  
12 towns, and government or quasi-governmental entities throughout Indiana.

13 **4. PLEASE DESCRIBE YOUR PROFESSIONAL EXPERIENCE PRIOR TO**  
14 **JOINING THERBER BROCK & ASSOCIATES?**

15 A. Prior to forming Therber Brock & Associates, I was a principal in the municipal finance  
16 firm of Therber, Brock & Kramer, Inc. Prior to that, I was president of the municipal  
17 consulting firm, Capital Consulting Group, Inc. Before my involvement with Capital  
18 Consulting Group, Inc., I was a partner in the accounting firm of Brock & Callahan (which  
19 specialized in rate consulting and municipal finance) and prior to that I was employed by  
20 the Commission. I held various positions at the Commission in the accounting division  
21 including utility analyst, staff supervisor, and principal accountant.

22 **5. PLEASE DESCRIBE YOUR SPECIFIC EXPERIENCE WITH THE TOWN OF**

**MONROVIA, INDIANA (“MONROVIA” OR THE “TOWN”) AND ITS  
MUNICIPAL SEWER UTILITY.**

A. I was originally hired by Monrovia to develop its sewage utility rates and find the lowest cost financing for the creation of the Monrovia sewage utility’s construction of its treatment plant and collection system. The Monrovia sewage works was financed by an Indiana State Revolving Loan Fund loan in 1999. Since then I have been involved with the development of the Monrovia availability fees, development of an annexation fiscal plan and with the currently planned Monrovia wastewater treatment plant expansion project.

**6. PLEASE DESCRIBE YOUR AND YOUR FIRM’S RELATIONSHIP AND  
INVOLVEMENT WITH MONROVIA.**

A. We have been the financial advisor and municipal advisors for the Town since our work for the Town on the original sewage works construction financing in 1999.

**7. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE INDIANA UTILITY  
REGULATORY COMMISSION?**

A. Yes. I have testified before the Indiana Utility Regulatory Commission and the Indiana Public Service Commission multiple times since approximately 1980. My most recent testimony was provided in Cause No. 45548 in 2022.

**8. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?**

A. The purpose of my testimony is to support Monrovia’s request for Commission approval of Town of Monrovia Ordinance No. 2025-06 (“Ordinance No. 2025-06). Specifically, I will address (1) the financial status of Monrovia’s wastewater utility and the Town’s financial ability to serve the Proposed Service Area, and (2) the effect of the Commission’s

1       Order in this Cause on the customer rates and charges for service to be provided in the  
2       Proposed Service Area.

3       **II.     FINANCIAL STATUS OF MONROVIA'S MUNICIPAL SEWER UTILITY**  
4       **AND FINANCIAL ABILITY TO SERVE IN THE PROPOSED SERVICE**  
5       **AREA**  
6

7  
8       **9.     PLEASE DESCRIBE THE FINANCIAL STATUS OF MONROVIA'S MUNICIPAL**  
9       **SEWER UTILITY.**

10      A.     The Town of Monrovia's sewage utility's most recently published financial data was for  
11             the year ended December 31, 2024. In 2024 the sewage utility reported operating receipts  
12             of \$1,069,738.75 and operating disbursements of \$777,650.37. This produces net operating  
13             receipts for 2024 of \$292,088.38. This is an enviable net operating receipts for a Town  
14             sewage utility in Indiana. Additionally, the utility has no debt outstanding and a balance in  
15             the sewage cash operating fund at December 31, 2024 of \$2,166,397.44. As a municipal  
16             sewage utility in Indiana the utility qualifies for the SRF program for the financing of  
17             environmental infrastructure projects. The utility has a current application for financing  
18             into the SRF. The Indiana SRF provides some of the lowest cost debt for the water and  
19             sewage utilities of the cities and towns in Indiana using the State of Indiana's AAA credit  
20             rating to provide the lowest interest rates available in the market and allows up to a 35-year  
21             loan term. The only limit to the amount of this financing is the limit to which the utility  
22             wants to raise its user fees. The security for the SRF debt is typically the net revenues of  
23             the utility issuing the debt. I would describe the financial status of the Monrovia sewage  
24             utility as exceptionally good and comment that the utility's application to the Indiana SRF

1 makes them eligible for SRF financing in the July 1, 2025 to June 30, 2026 SRF funding  
2 cycle.

3 **10. PLEASE COMMENT ON MONROVIA'S FINANCIAL ABILITY TO PROVIDE**  
4 **WASTEWATER SERVICE TO THE PROPOSED SERVICE AREA.**

5 A. Since Monrovia began providing wastewater service to its municipal customers in 2001, it  
6 has operated in a financially responsible manner, which is evidenced by its strong financials  
7 and cash position. Monrovia is well qualified to attract low-interest debt from either an  
8 open market bond issuance or through the SRF. As such, Monrovia has the financial ability  
9 to serve the Proposed Service Area.

10 **III. EFFECT OF COMMISSION APPROVAL OF THE PROPOSED SERVICE**  
11 **AREA ON RATES AND CHARGES**

12  
13 **11. ARE YOU FAMILIAR WITH MONROVIA'S CURRENT RATES AND CHARGES**  
14 **FOR SEWER SERVICE?**

15 A. Yes. Monrovia's current rates and charges are set forth in Attachment SKB-1. These rates  
16 and charges were initially established by Monrovia in 1999.

17 **12. WILL MONROVIA'S RATES AND CHARGES TO CUSTOMERS IN THE**  
18 **PROPOSED SERVICE AREA BE THE SAME AS THE EXISTING RATES AND**  
19 **CHARGES?**

20 Initially, yes. Customers in the Proposed Service Area will pay the same rates and charges  
21 in effect for Monrovia's existing customers, which are approved by the Town Council and  
22 adjusted from time to time. I expect that Monrovia will establish reasonable non-recurring  
23 charges for service extensions to customers in the Proposed Service Area based on the cost  
24 of a requested service extension and the anticipated revenue to be collected from the

1 customer(s) requesting the extension. Additionally, Monrovia intends to work with mega  
2 load customers in the Proposed Service Area to establish fair and reasonable rates that  
3 could be established by a special contract.

4 Monrovia also has access to funds to make replacements to maintain its system in  
5 compliance with all state and federal requirements. Extensions into current unserved areas  
6 of the proposed service territory will be market and development driven. Monrovia will  
7 enact extension policies to accommodate future service requests that protect ratepayers and  
8 ensure that extensions are not made based on speculative development.

9 **13. DO YOU HAVE AN OPINION AS TO WHETHER THE COMMISSION**  
10 **AUTHORIZING MONROVIA TO SERVE THE PROPOSED SERVICE AREA**  
11 **WILL HAVE A POSITIVE EFFECT ON MONROVIA'S RATES AND CHARGES**  
12 **FOR SERVICE?**

13 A. Depending on the growth and investments needed to serve the Proposed Service Area, the  
14 addition of customers in the Proposed Service Area could result in more customers to share  
15 the costs and expenses of the utility, which could have the effect of mitigating the extent  
16 of future rate increases for all customers.

17 **14. HOW DO MONROVIA'S CURRENT RATES COMPARE WITH OTHER**  
18 **UTILITIES IN THE SURROUNDING AREA AND HOW WILL THEY COMPARE**  
19 **IF THE COMMISSION APPROVES ORDINANCE NO. 2025-06?**

20 A. Monrovia's current rates and charges are, and will remain after the approval of Ordinance  
21 No. 2025-06, quite affordable in comparison with other Indiana wastewater utilities.  
22 According to the Commission's 2025 Annual Wastewater Bill Analysis as of January 1,



2025, the average monthly wastewater bill for 4,000 gallons ranges from \$26.09 to \$122.55. (See: <https://www.in.gov/iurc/files/2025-Wastewater-Billing-Survey-Final-website.pdf>). Monrovia's rates and charges are, and will continue to be, in the middle of that range.

**15. IF THE COMMISSION APPROVES ORDINANCE NO. 2025-06, WILL THE UTILITY'S RATES BE JUST, EQUITABLE, AND BASED ON THE COST OF SERVING ITS CUSTOMERS?**

A. Yes. As a municipality, Monrovia's rates are designed to not produce a profit, and the Town has historically been reluctant to impose rate increases that will adversely impact its residents.

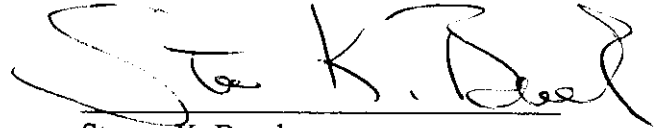
**IV. CONCLUSION**

**16. DOES THIS CONCLUDE YOUR TESTIMONY?**

A. Yes, it does.

**VERIFICATION**

I affirm under the penalties for perjury that the foregoing testimony is true to the best of my knowledge, information, and belief.


A handwritten signature in black ink, appearing to read "Steven K. Brock", written over a horizontal line.

Steven K. Brock

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Verified Direct Testimony and Exhibits of Steve Brock was served upon the following by electronic mail this 9<sup>th</sup> day of May, 2025:

William Fine  
Dan LeVay  
Indiana Office of Utility Consumer Counselor  
[wfine@oucc.in.gov](mailto:wfine@oucc.in.gov)  
[dlevay@oucc.in.gov](mailto:dlevay@oucc.in.gov)  
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)

  
Nikki G. Shoultz, #1650941

Bose McKinney & Evans LLP  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204  
(317) 684-5000

ORDINANCE NO. 11-1999

An ordinance establishing a schedule of rates and charges by the Town of Monrovia, from the users of the Town's wastewater treatment works and other matters connected therewith.

WHEREAS, the Town of Monrovia is constructing a wastewater treatment works (the "Treatment Works"); and

WHEREAS, it is the Town's intent to establish proportionate user charges that places the costs of abatement directly on the sources of pollution, conserves potable water, and maintains financial self-sufficiency, and

WHEREAS, the Town must pay the expenses associated with the said Treatment Works and charge the users of said Treatment Works accordingly:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL, of Monrovia that the following user charges are established.

ARTICLE I

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the Town to collect charges from all users who contribute wastewater to the Town's Treatment Works. The proceeds of such charges so derived will be used for the purpose of operating and maintaining the public Treatment Works.

ARTICLE II

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation or organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 250 mg/l and a suspended solids concentration of not more than 250 mg/l and ammonia in excess of 30 mg/l; phosphorus in excess of 4 mg/l; and fats, wax, grease, or oils, collectively, whether emulsified or not, in excess of 100 mg/l. Additional charges for treating stronger-than-normal domestic sewage shall be made as set out in Article IV.

Section 3: "Operation and Maintenance" shall mean those functions that result in expenditures during the useful life of the Treatment Works for materials, labor, utilities and other items which are necessary for managing and which such works were designed and constructed. The term "operation and maintenance" includes replacement as defined in section 4.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 5: "Residential User" shall mean any contributor to the Town's Treatment Works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.

Section 6: "Commercial User" shall mean all retail stores, restaurants, office buildings, laundries, and other private business and service establishments.

Section 7: "Industrial User" shall include any non-governmental, non-residential user of publicly owned treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A - Agriculture, Forestry, and Fishing; Division B - Mining; Division D - Manufacturing; Division E - Transportation, Communications, Electric, Gas and Sanitary; and Division I - Services.

Section 8: "Institutional User" shall include social, charitable, religions, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

Section 9: "Governmental User" shall include legislative, judicial, administrative, and regulatory activities of Federal, State and local governments.

Section 10: "Shall" is mandatory; "May" is permissive.

Section 11: "SS" (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 12: "Toxic Pollutants" shall mean concentrations of any pollutant or combination of pollutants defined in standards issued pursuant to Section 307 of the Clean Waters Act (as amended).

Section 13: "Treatment Works" shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing,

treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Section 14: "Useful Life" shall mean the estimated period during which a treatment works will be operated.

Section 15: "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the Treatment Works.

### ARTICLE III

Section 1: The revenues collected, as a result of the user charges levied for operation and maintenance, shall be deposited in a separate non-lapsing fund know as the *Operation and Maintenance Fund*.

Section 2: Fiscal year-end balances in the Operation and Maintenance Fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the Operation and Maintenance Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

### ARTICLE IV

Section 1: Each user shall pay for the services provided by the Treatment Works based on a flat fee (or other appropriate methods) acceptable to the Council.

Section 2: For residential, industrial, institutional and commercial users, *monthly* user charges will be based on a flat fee.

Section 3: Each user shall pay a flat fee based on the following schedule:

#### Monthly Charge for Sewer Service

Residential Customer	\$ 56.73
Commercial Customer (non-residential)	56.73
Institutional (School)	1,567.43

Section 4: For those users whose wastewater has a *greater strength* than normal domestic sewage, a *surcharge* in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

\$ .50 per pound BOD, in excess of 250 mg/l  
 \$ .50 per pound SS, in excess of 250 mg/l  
 \$ .60 per pound ammonia, in excess of 30 mg/l  
 \$1.50 per pound phosphorus in excess of 4 mg/l  
 \$ .25 per pound fats, wax, grease, or oils, collectively, whether emulsified or not  
 in excess of 100 mg/l

The determination of suspended solids, biochemical oxygen demand, ammonia, phosphorus, and fats, wax, grease, or oils, whether emulsified or not, contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Elimination of Water, Sewage and Industrial Wastes," as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in accordance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," 40 CFR Part 136, as hereinafter amended, supplemented, or replaced.

Section 5: Any user which discharges any Toxic Pollutants which cause an increase in the cost of managing the effluent of the sludge from the Town's Treatment Works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the Treatment Works, shall pay for such increased costs. The charge to each such user shall be as determined by the appropriate financial personnel and approved by the Council.

Section 6: The user charge rates established in this article apply to all users of the Treatment Works.

## ARTICLE V

Section 1: All users shall be billed *monthly*. Billings for any particular *month* shall be made within *ten (10) days* after the end of the *month*. Payments are due within *twenty (20) days* after the end of the month. Any payment not received within *thirty (30) days* after the end of the month shall be delinquent.

Section 2: A late payment penalty of ten percent (10%) of the first \$3.00 and three percent (3%) on the excess over \$3.00 of the user charge bill will be added to each delinquency. When any bill is *more than ninety (90) days* in default, water and/or sewer service to such premise shall be discontinued until such bill is paid.

Section 3: When any bill (including interest and penalty) remains unpaid for six (6) months after the date due, such bill shall be recorded in the land records of the Morgan County Recorder's Office by the Clerk-Treasurer of Monrovia, and shall constitute a lien on the property. If such lien (including interest and penalty) remains unpaid after date of recordation, such property shall be subject to public sale by the Sheriff of Morgan County..

## ARTICLE VI

All users contributing more than 10,000 gallons per month and whose waste strength is greater than 250 mg BOD/l or 250 mg SS/l or 30 mg/l ammonia shall prepare and file with the Council a report that shall include pertinent data relating to the wastewater characteristics, including the methods of sampling and measurement to obtain these data, and these data shall be used to calculate the user charge for that user. The Council shall have the right to gain access to the waste stream and take its own samples. Should the Council do so and should the results be substantially different as determined by the Council from the data submitted by the user, the user charge for that user shall be revised for the next billing cycle/period.

## ARTICLE VII

Section 1: Any user who feels his user charge is unjust and inequitable may make written application to the Council requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and/or strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made.

Section 2: Review of the request shall be made by the Council and if substantiated, the user charges for that user shall be recomputed based on the revised flow and/or strength data and the new charges shall be applicable to the next billing cycle/period.

## ARTICLE VIII

Section 1: The Council will review the user charges at least annually and revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: The Council will notify each user at least annually of the rate or the portion of the total charge for wastewater treatment that is attributable to operation, maintenance including replacement of the Treatment Works.



ARTICLE IX

Passed by the Town Council of the Town of Monrovia, Indiana, this 27th day of September, 1999

BY: Robert Wooden

Doug L. Kenworthy

Robert Masley

Martha A. Gannon

Edward R. Olleman

ATTEST:

Brenda Proulx  
Clerk

**ORDINANCE 05- 2002**  
**AVAILABILITY ORDINANCE**

WHEREAS the Town of Monrovia has created a waste water treatment plant ("the system") to serve its citizens and those members of the surrounding community within its buffer zone, and;

WHEREAS members of the Town of Monrovia and surrounding areas already have hooked on to the system, and:

WHEREAS, the Town expects additional property owners to build homes and businesses in and around the Town, all of whom are required to hook on to the system and who will be required to pay for such hook ons;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Monrovia, Indiana the following:

1. There is hereby created an availability on fee of One Thousand Five Hundred Dollars (\$1,500) per equivalent dwelling unit (EDU), to be paid as follows:

i) Seven Hundred Fifty Dollars (\$750) per EDU shall be paid at the time any property owner applies for a permit for new construction or upon plat approval, whichever is earlier. This fee is non-refundable. If construction is not completed within one year of issuance of the permit, an additional Seven Hundred Fifty Dollars (\$750) shall be paid at the time a new permit is obtained or the first permit is extended.

ii) Seven Hundred Fifty Dollars (\$750) per EDU shall be paid upon completion of construction prior to actually hooking on to the system.

iii) If no permit or plat approval is necessary (i.e., an existing home or business hooking on to the system), the availability fee shall be paid in full within one hundred eighty (180)


days of the property coming under the Town's jurisdiction, or prior to hook on, whichever is earlier.

2. The above payment schedule may be modified by the Town Council from time to time, either as to gross amount, in which case an amendment to this ordinance is required, or as to the percentage of payment at the time of application for permit and completion of construction, in which case no amendment is required. If the Town Council changes the percentage of payment to any particular user/developer, it shall do so by Resolution


3. No property owner shall hook on to the system before the availability fee is paid in full.

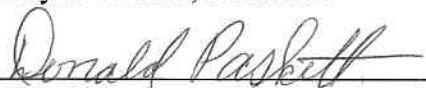
PASSED AND ADOPTED by the Town Council of the Town of Monrovia, Indiana, this


22<sup>ND</sup> day of July, 2002.

  
Robert Marley, President


  
Ed Olleman, District 1

  
Elayne Chatter, District 2

  
Donald Paskett, District 3

  
Dennis Morris, District 4

ATTEST:

  
Phyllis A. Eubanks, Clerk-Treasurer  
Town of Monrovia, Indiana

AMENDMENT TO ORDINANCE 11-1999

Ordinance 11-1999, previously adopted by the Town of Monrovia, is hereby amended as follows:

1. Art. IV, §3 is amended to delete the monthly charge for sewer service for the School of \$1567.43. A new §7 is added, as follows:

Beginning March, 2003, the School agrees to pay a monthly sewer rate of \$964.41. This rate shall be subject to review annually, beginning in March, 2004.

PASSED AND ADOPTED by the Town Council of the Town of Monrovia, Indiana, this 14th day of April, 2003.

Robert Marley Yes  
Robert Marley, President

Loren Moore yes  
Loren Moore, District 1

Greg Shields (Yes)  
Greg Shields, District 23

Jack Ferguson YES  
Jack Ferguson, District 2

Dennis Morris - I  
Dennis Morris, District 4

ATTEST:  
Christa M. Seibert  
Clerk-Treasurer  
Town of Monrovia, Indiana

**ORDINANCE 4-2003**

WHEREAS, the Town of Monrovia ("Monrovia") has spent considerable sums of money designing, building, and implementing its wastewater treatment facility ("the system"); and

WHEREAS, Monrovia residents are, through monthly sewer fees, paying for the cost of said system; and

WHEREAS, Monrovia has an interest in growth and making its system available to new users;

WHEREAS, Monrovia has an interest in ensuring that appropriate standards are followed for installation of new systems and removal of old storage tanks,

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Monrovia, Indiana the following:

1. There is hereby established an availability fee of One Thousand Five Hundred Dollars (\$1,500) for all new connections to the system. The availability fee will be based according to the following Equivalent Dwelling Unit (EDU) table, with the Unit Equivalent for each user being multiplied by the then-existing availability fee:

**EQUIVALENT DWELLING UNIT TABLE**

<b><u>Type of User</u></b>	<b><u>Unit Equivalent</u></b>
Single Family Residences and Condominiums	1.00
Multi-Family Residences	
1 Bedroom	.64
2 Bedroom	.96
3+ Bedrooms	1.00
Assembly Halls, Lodges, Veteran Organizations	.01/seat
Barber Shops	.60/chair

Bars and Cocktail Lounges	
Bowling Alleys	.10/seat
Churches	.32/lane
Day Care Centers	.01/seat
Doctor/Dentist Office	.03/child and staff
Drive-In/Drive-Thru restaurant	2.00/1000 sq. ft. of building area
Hospital	.40/car space
Institutions other than hospitals	.50/bed
Kennel	.40/bed
Laundromats	.10/cage
Mobile Home parks	1.00/washing machine
Motels/Hotels	.75/space
Nursing Home	.32/room
Offices/Governmental Agencies	.30/bed
Restaurants	.50/1000 sq. ft. of building area
Retail Space	.10/seat
w/ fountain space, add	1.00/1000 sq. ft. of building area
Rooming Houses	.10/seat
Schools	.30/renter
w/ cafeterias and/or showers	.05/pupil and staff
Service Station	.09/pupil and staff
Theatres	.70/island
Warehouses	.01/seat
Manufacturing facilities	.04/1000 sq. ft. of building area
	depends on type of industry

(usage shall be estimated and converted to EDUs based on 310 gpd)

#### Other Facilities

#### Negotiated

2. Said fee is to be paid as follows: one half (1/2) of said fee must be paid prior to the issuance of any building permit, and one half (1/2) of said fee is to be paid prior to occupancy. In the event that the owner/developer has not received zoning approval and/or completed the project within 2 years from the date of application, the initial payment shall be forfeited to Monrovia. Any extension of time for completion shall be permitted upon written approval of Monrovia.
3. In order to provide an equitable method of assessing fees between non-residential and residential users, projected flows are converted to equivalent single-family residences using an EDU factor equal to 310 gallons per day usage rate.
4. Utility line extensions shall be the responsibility of the project developer and shall be constructed to Monrovia's specifications and standards. Upon completion and after approval based on inspections by Monrovia, the constructed facilities and all necessary easements shall be donated to Monrovia as public facilities, after which Monrovia shall be responsible for their maintenance. Extensions shall be constructed to the point of service for the particular development. The developer is required to extend said utility through the project area to the limit of its property boundary. The developer is required to grant such easements in favor of Monrovia to permit the extension of the line for future development.
5. All sewer lateral installations shall conform to the latest edition of the Uniform Plumbing Code. A mandatory inspection of lateral lines and connections must be completed prior to any hook-on. For scheduling purposes, the developer/owner must contact Monrovia at least 24 hours in advance of the inspection.

6. The following minimum standards must be used:
  - A. A "Y" cleanout must be installed within 3' of the building's exterior.
  - B. Minimum schedule of pipe is SRD35. Minimum pipe size is four inches in diameter.
  - C. Minimum slope of lateral from the building to the main is 1/4" per foot.
  - D. Backfill material must be either sand or pea gravel.
  - E. At time of inspection, pipe must be bedded to 1/2 the diameter of the pipe. All sections and joints must be exposed. After inspection, pipe must be backfilled with the equivalent of the pipe's diameter (e.g., 4" diameter pipe will have 4" sand or pea gravel at the top, bottom, and each side).
  - F. Either glue or gasketed slip joint must be the type of pipe connection.
  - G. The use of 90° elbows is prohibited. Use of two 45° elbows is acceptable, but must be a minimum of 1' of pipe between each 45° elbow.
  - H. Clear water discharges are prohibited into or with the lateral tie-in such as foundation/footing drains, sump pumps, roof drains/downspouts, heat pump/cooling water.
  - I. Joint sealant for concrete tanks must be butyl rubber and meet or exceed the requirements of ASTM C-990, *Standard Specification for Joints for Concrete Pipe, Manholes, and Precast Sections Using Preformed Flexible Joint Sealants*, §6.2 Butyl Rubber Sealant, and be installed according to manufacturer's installation recommendations.
  - J. Drain holes in precast concrete tanks must be plugged with hydraulic cement or a plug provided by the manufacturer before the tank is put into use.
  - K. Manufacturer's recommendations for the anchoring of fiberglass and polyethylene tanks must be followed.
  - L. Where the water table is above the base of the tank during installation, one or more of the following measures must be used:
    1. The tank must be filled with water.
    2. Soil material must be placed over the top of the tank.
    3. Groundwater must be pumped from the excavation until the backfill operation is complete.
  - M. Pipe installed in connectors must be restrained from movement during backfill operations.
  - N. Backfill with soil material:
    1. Stones or debris must be no greater than 3".
    2. Soil material must be placed in layers 12"-24" thick. Depth of layers must be adjusted according to soil material used.
    3. Each layer of soil material must be compacted to prevent uneven settling.
  - O. The final grade must divert surface water away from the tank access opening covers.
  - P. When the tank(s) is abandoned and/or removed, the following measures are to be followed:
    1. The owner/developer is responsible for abandonment/removal of all tanks.
    2. Tanks must be abandoned and/or removed when the useful life of the tank has been exceeded or when an OSS is abandoned.



3. If the tank is abandoned,
  - a. The tank must be pumped of all contents by a licensed wastewater management business.
  - b. The tank cover must be collapsed into the tank or removed.
  - c. The tank must be filled with debris-free sand, or other granular or soil material that is compacted to prevent settling.
4. If the tank is removed,
  - a. The tank must be pumped of all contents by a licensed wastewater management business.
  - b. The tank must be removed.
  - c. The remaining excavation must be filled with with debris-free sand, or other granular or soil material that is compacted to prevent settling.

PASSED AND ADOPTED by the Town Council of the Town of Monrovia, Indiana, this  
14<sup>th</sup> day of July, 2003.

Robert Marley Aye  
 Robert Marley, President

Greg Shields Nea  
 Greg Shields, District 3

Loren Moore  
 Loren Moore, District 1

Jack Ferguson  
 Jack Ferguson, District 2

Dennis Morris AYE  
 Dennis Morris, District 4

ATTEST:

Horatia M. Seibert  
 Clerk-Treasurer  
 Town of Monrovia, Indiana

*Original with  
- 2003 -  
ordinance  
ps.*

Attachment SKB-1

**COPY**

**2<sup>nd</sup> AMENDMENT TO ORDINANCE 11-1999**

Ordinance 11-1999, previously adopted and amended by the Town of Monrovia, is hereby amended as follows:

[NOTE: New text is indicated in bold; ~~deleted text is indicated by strikethrough~~]

1. Art. IV, §1 is amended as follows:

Each user or any person, business, or institution that is, pursuant to Ordinance 12-1999, or I.C. 36-9-23-30, required to be connected to Monrovia's Wastewater Treatment Plant, shall pay for the services provided by the Treatment Works, **whether of not said person, business, or institutional facility is actually connected to the line**, bases on a flat fee (or other appropriate methods) acceptable to the Council..

2. Art, §2 is amended as follows:

For residential, industrial, institutional and commercial users, monthly user charges will be based on a flat fee, **unless, after proper publication and public hearing, the Town decides to establish a different rate(s) or rate structure.**

3. Art. IV, §3 is amended as follows:

Each user shall pay a flat fee based on the following schedule:

Monthly Charge for Sewer Service

Residential Customer	\$56.73
Commercial Customer (non-residential)	\$56.73
Institutional (School)	\$1567.43

**The flat fee rate is subject to amendment pursuant to §§1 and 2, above.**

4. Art.V §2 is amended as follows:

A late payment penalty of ten percent (10%) ~~of the first \$3. and three percent (3%) on the excess over \$3.00~~ of the user charge bill will be added to each delinquency. When any bill is

more than ninety (90) days in default, water and/or sewer service to such premise shall ~~may~~ be discontinued until such bill is paid, **and the Town may pursue all other legal remedies to recover the amount owed. If legal action is necessary, jurisdiction shall be in Morgan County, and attorneys fees, pre- and post-judgment interest are recoverable.**

PASSED AND ADOPTED by the Town Council of the Town of Monrovia, Indiana, this 25th day of August, 2003.

Robert Marley  
Robert Marley, President

Greg Shields  
Greg Shields, District 3

Loren Moore  
Loren Moore, District 1

Jack Ferguson  
Jack Ferguson, District 2

Absent D.B.  
Dennis Morris, District 4

ATTEST:

Norietta M. Sicking  
Clerk-Treasurer  
Town of Monrovia, Indiana

**AMENDMENT TO ORDINANCE 4-2003**

Ordinance 4-2003 is hereby amended, in part, as follows: [Replaced text is Indicated by ~~striketrough~~; new text is indicated in **bold.**]

1. There is hereby established an availability fee of ~~One Thousand Five Hundred~~ **Three Thousand** Dollars ( ~~\$1,500~~ **\$3000**) for all new connections to the system. **This Amendment is effective upon its passage, except that those entities that have already received approval from the Planning commission and/or Town Board to begin construction, or who have negotiated a rate under Ordinance 4-2003 prior to this amendment, shall pay the prior-referenced availability fee.**

PASSED AND ADOPTED by the Town Council of the Town of Monrovia, Indiana, this 9<sup>th</sup> day of May, 2005.

Robert Marley *yes*  
Robert Marley, President

Gregg Shields *yes*  
Gregg Shields, District 1

Loren Moore *yes*  
Loren Moore, District 2

Jack Ferguson *yes*  
Jack Ferguson, District 3

absent *no*  
Dennis Morris, District 4

ATTEST:

Shirley B. Luster  
Clerk-Treasurer, Town of Monrovia

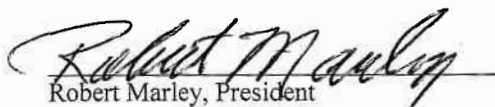
## Amendment to Ordinance 4-2003

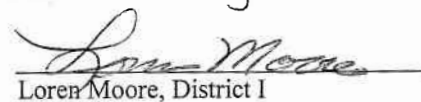
Rate Ordinance 4-2003, previously adopted by the Town of Monrovia, is hereby amended as follows: [Old text is indicated by ~~strike through~~; new text is indicated in **bold**.]

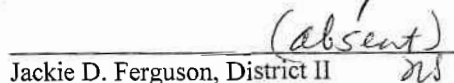
### Equivalent Dwelling Unit Table

<u>Type of User</u>	<u>Unit Equivalent</u>
Single Family Residences and Condominiums	1.00
Multi-Family Residences	
1 Bedroom	<del>.61</del> <b>.65</b>
2 Bedrooms	<del>.96</del> <b>.97</b>
3+Bedrooms	1.00
Assembly Halls, Lodges, Veteran Organizations	.01/seat
Barber Shops	<del>.60</del> <b>.50</b> /chair
Bars and Cocktail Lounges	.10/seat
Bowling Alleys	<del>.32</del> <b>.40</b> /lane
Churches	.01/seat
Day Care Centers	.03/child & staff
Doctor/Dentist Office	<del>2.00</del> <b>1.00</b> 1000 sq. ft. of building area
Drive-In Drive-Thru Restaurant	<del>.10</del> <b>.20</b> /car space
Hospital	<del>.50</del> <b>.65</b> /bed
Institution other than hospitals	<del>.10</del> <b>.32</b> /bed
Kennel	<del>.10</del> <b>.02</b> /cage
Laundromats	1.00 washing machine
Mobile Home Parks	<del>.75</del> <b>.65</b> /space
Motels/Hotels	.32/room
Nursing Home	<del>.30</del> <b>.32</b> /bed
Offices/Governmental Agencies	<del>.50</del> <b>.30</b> /1000 sq. ft. of building area
Restaurants	<del>.10</del> <b>.11</b> /seat
Retail Space	1.00/1000 sq. ft. of building area
w/fountain space, add	.10/seat
Rooming Houses	.30/renter
Schools	.05/pupil and staff
w/cafeterias and/or showers	.09/pupil and staff
Service Station	<del>.70</del> <b>1.00</b> /restroom
Theatres	<del>.01</del> <b>.02</b> /seat
Warehouses	.04/1000 sq. ft. of building area
Manufacturing facilities	depends on type of industry

The above rate change amendment was passed and adopted at a public hearing by the Town Council of the Town of Monrovia, Indiana this 23<sup>rd</sup> day of August, 2004.

  
Robert Marley, President

  
Loren Moore, District I

  
(absent)  
Jackie D. Ferguson, District II

  
Gregg Shields, District III

Page 2, continued, Amendment to Ordinance 4-2003

Dennis Morris

Dennis Morris, District IV

Attest:

Norieta M. Sichtung

Norieta M. Sichtung, Clerk-Treasurer

AMENDMENT TO ORDINANCE 11-1999

Ordinance 11-1999, previously adopted and amended by the Town of Monrovia, is hereby amended as follows:

[NOTE: New text is indicated in bold; ~~deleted text is indicated by strikethrough~~]

1. Art. IV, Section 1 is amended as follows:

Each user or any person, business, or institution that is, pursuant to Ordinance 12-1999, or I.C. 36-9-23-30, required to be connected to Monrovia's Wastewater Treatment Plant, shall pay for the services provided by the treatment Works, whether or not said person, business, or institutional facility is actually connected to the line, based on a flat fee (or other appropriate methods) acceptable to the Council.

2. Art. IV, Section 2 is amended as follows:

For residential, industrial, institutional and commercial users, monthly user charges will be based on A flat fee, unless, after proper publication and public hearing, the Town decides to establish a different rate(s) or rate structure.

3. Art. IV, Section 3 is amended as follows:

Each user shall pay a flat fee based on the following schedule:

Monthly Charge for Sewer Service

Residential Customer	\$56.73	
Commercial Customer (non-residential)	56.73	
Institutional (School)	<del>964.44</del>	\$1,350.00

The flat fee rate is subject to amendment pursuant to Sections 1 and 2, above.

4. Art. V, Section 2 is amended as follows:

A late payment penalty of ten percent (10%) of the user charge bill will be added to each delinquency. When any bill is *more than ninety (90) days* in default, water and/or sewer service to such premise may be discontinued until such bill is paid, and the Town may pursue all other legal remedies to recover the amount owed. If legal action is necessary, jurisdiction shall be in Morgan County and attorney's fees pre- and post-judgment interest are recoverable. This ordinance passed and adopted this 12<sup>th</sup>

*Robert Marley - President*  
Robert Marley

*Gregg Shields*  
Gregg Shields

*Loren Moore*  
Loren Moore

*Thomas Collins*  
Thomas Collins

*Jack Ferguson*  
Jack Ferguson

Attest:

*Norieta M. Sichtung*, Norieta M. Sichtung, Clerk - Treasurer