

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, APPROVING OF THE ISSUANCE OF SPECIAL REVENUE BONDS BY THE CITY OF MICHIGAN CITY, INDIANA, SANITARY DISTRICT RELATING TO THE EXTENSION OF SEWAGE WORKS SERVICES TO A PORTION OF THE TOWN OF LONG BEACH, INDIANA, AND ALL MATTERS RELATED THERETO

WHEREAS, pursuant to IC 36-9-25, as amended (the “Act”), the Board of Commissioners (the “Board”), governing body of the Sanitary District (the “District”) of the City of Hobart, Indiana (the “City”), has heretofore established, constructed and financed its sewage works (the “Sewage Works”), and now owns and operates said Sewage Works pursuant to the Act; and

WHEREAS, the Town Council of the Town of Long Beach, Indiana (the “Town”) previously adopted Resolution No. 2020-005 on June 30, 2020, requesting that a portion of the Town, generally located along the north and south side of Lake Shore Drive in the Town and consisting of approximately 330 properties, be incorporated into the District (the “Town of Long Beach Project Area”) for purposes of the District undertaking a project to provide sewage treatment services to the Town of Long Beach Project Area to alleviate failing septic issues in the Town of Long Beach Project Area; and

WHEREAS, the Board adopted Resolution No. 1424-20 on August 26, 2020, determining pursuant to Indiana Code 36-9-25-14(b) to incorporate the Town of Long Beach Project Area in the District; and

WHEREAS, the Board has been considering (i) the installation of approximately 12,500 lineal feet of 8-inch, 10-inch, and 12-inch diameter gravity flow sanitary sewer and associated manholes, and public side laterals; (ii) installation of three (3) new wastewater lift stations (West, Middle, and East) and associated force main; (iii) capacity improvements to the existing Shoreland Hills Lift Station; (iv) installation of a parallel force main from Shoreland Hills; and (v) associated restoration including pavement replacement and site restoration and other related and necessary improvements to provide for the collection, and transporting of wastewater generated in the Town of Long Beach Project Area (the “Project”); and

WHEREAS, the Board expects the costs of the Project will be funded by special revenue bonds issued by the District evidencing a loan the District expects to receive from the State Revolving Fund loan program which bonds would be payable solely from revenues received by the District constituting a local capital charge from the owners of properties and users located in the Town of Long Beach Project Area (the “Local Capital Charge”); and

WHEREAS, the Board adopted Resolution No. _____ on May 25, 2022 (the “Bond Resolution”), authorizing the issuance of its Sanitary District Special Revenue Bonds, Series 2022 (Town of Long Beach Project) (the “Bonds”) in an aggregate principal amount of not to exceed \$13,000,000, payable semiannually on February 1 and August 1 over a period not to exceed thirty-five (35) years from the date of issuance to fund the costs of the Project with such Bonds being payable solely from the Local Capital Charge and not payable from any other revenues of the District; and

WHEREAS, the Common Council desires to approve of the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA:

1. All of the stated “WHEREAS” clauses are incorporated herein by reference.
2. The Common Council hereby approves of the issuance of the Bonds by the District in an aggregate principal amount of not to exceed \$13,000,000, payable semiannually on February 1 and August 1 over a period not to exceed thirty-five (35) years from the date of issuance to fund the costs of the Project with such Bonds being payable solely from the Local Capital Charge and not payable from any other revenues of the District and having such other terms and conditions as provided for in the Bond Resolution.
3. This Resolution shall be in full force and effect from and after passage by the Common Council and upon compliance with the procedures required by law.

[Remainder of Page is Blank]

Adopted at a meeting of the Common Council of the City of Michigan City, Indiana, held on this ____ day of _____, 2022.

Introduced by: _____
Bryant Dabney, Member

Dahlia Zygas, Member

Don Przybylinski, Member

Passed by the Common Council of the City of Michigan City, Indiana, this ____ day of _____, 2022.

Angie Nelson Deutch, President of the Common Council

Approved by me on the ____ day of _____, 2022.

(SEAL)

Duane Parry, Mayor of
the City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, City Clerk of the City
of Michigan City, Indiana