

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION )  
OF THE TOWN OF WINFIELD, LAKE )  
COUNTY, INDIANA, FOR APPROVAL )  
OF A REGULATORY ORDINANCE )  
ESTABLISHING A SERVICE )  
TERRITORY FOR THE TOWN'S )  
MUNICIPAL SEWER SYSTEM )  
PURSUANT TO IND. CODE § 8-1.5-6 )  
ET. SEQ. )

CAUSE NO. 45992

CITY OF CROWN POINT'S EXHIBIT 1  
DIRECT TESTIMONY AND ATTACHMENTS OF GREG FALKOWSKI

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Indiana

**I. INTRODUCTION**

**Q1. PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.**

A1. My name is Gregory Falkowski, and I am Crown Point's Economic Development Director.

My business address is 101 East St., Crown Point, Indiana.

**Q2. PLEASE SUMMARIZE YOUR PROFESSIONAL AND EDUCATIONAL QUALIFICATIONS AND EXPERIENCE.**

A2. I have a BA degree from Valparaiso University. Professionally I have served in several capacities:

- I worked as Chief Operations Officer for the South Shore Convention and Visitors Authority from September 2022 through January 2024, where my responsibilities included operations, long-range planning, contracting, long-range planning capital projects and personnel. In this role, I built partnerships with five cities, eight towns, and Lake County Council.
- I worked as the Crown Point Chief of Staff and Planning Administrator from July 2014 through September 2022. In that role, I determined City objectives and increased community value and social / quality of life for Crown Point residents and businesses. I also managed and coordinated city infrastructure projects and secured local, state and federal funding.
- From 2009 through 2014, I worked as a Union Carpenter on various commercial and industrial projects. I coordinated scaffolding builds for multiple crafts during the BP Whiting Refinery Modernization Project.

- From 2008 to 2009, I was the Planning Administrator for Lake County Planning Commission and prepared reports of staff recommendations for new development. I also assisted with planning, zoning, and building permits and review.
- From 2002 through 2010, I was a United States Army Staff Sergeant assigned to Eighth Army, Korea and European Command Intelligence Units. I was also a Trained Imagery Analyst with AS in Intelligence Operations.

**Q3. PLEASE DESCRIBE YOUR POSITION AT THE CITY OF CROWN POINT, INDIANA (“CROWN POINT”) AND YOUR SPECIFIC EXPERIENCE WITH CROWN POINT, AND ITS MUNICIPAL SEWER AND WATER UTILITIES.**

A3. I have been the Economic Development Director of Crown Point since 2024. In that role, I and other staff work to promote business growth, retention, and employment attraction and thereby secure a strong revenue base for the city. We actively identify opportunities for development and redevelopment in our commercial, industrial, and residential areas of the city. We look for ways to enhance quality of life elements for current and future residents through employment, recreation, income creation, and housing opportunities. Overall, the primary goal is to help Crown Point residents and businesses by growing Crown Point's economic activity, increasing area employment and revenue streams, and increasing public social, athletic, health and happiness opportunities. In short, we work to make Crown Point an enjoyable, enriching, prosperous place to live and do business.

The above is not possible without regional collaboration. The city has strong partnerships with our county government and the vast majority of surrounding municipalities. I also work on a regular basis with many other regional and economic development groups, such as the Northwest Indiana Regional Development Authority,

1 Northwest Indiana Forum, Northwest Indiana Regional Planning Commission, One  
2 Region, and the Lake County Economic Alliance – on which I have served on the board  
3 of directors.

4 My experience with Crown Point sewer and water utilities started in 2014 when I  
5 began working as the City Planning Administrator and later the Chief of Staff for Crown  
6 Point. In both roles, I regularly worked with our utilities departments for current and  
7 future improvements and economic developments.

8 **Q4. MR. FALKOWSKI, HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE**  
9 **INDIANA UTILITY REGULATORY COMMISSION (“COMMISSION”)?**

10 A4. No, I have not.

11 **Q5. ARE YOU FAMILIAR WITH CROWN POINT’S ORDINANCE NO. 2025-02-08**  
12 **AND THE TOWN OF WINFIELD, INDIANA’S (“WINFIELD”) ORDINANCE NO.**  
13 **358?**

14 A5. I am familiar with Ordinance No. 2023-08-19, passed by the Crown Point Common  
15 Council on August 7, 2023, and the service territory identified therein. I am also familiar  
16 with the Crown Point Ordinance No. 2025-02-08 (the “Crown Point Ordinance”), passed  
17 on March 3, 2025, which updates Ordinance No. 2023-08-19. The updates include a revised  
18 territory map for what I will refer to as the “Crown Point Expansion Area,” and a new  
19 schedule of water and sewer rates and charges. I am additionally familiar with Ordinance  
20 No. 358, passed by the Winfield Town Council on December 12, 2023 (the “Winfield  
21 Ordinance”) and the service territory identified therein. Further, I am familiar with the  
22 overlapping area of service territory common to both the Crown Point Ordinance and the  
23 Winfield Ordinance that is the subject of this dispute (the “Disputed Area”). I understand

1 that the Commission will decide in this Cause the issue of whether the Disputed Area will  
2 be a part of Crown Point's proposed regulated territory or Winfield's proposed regulated  
3 territory.

4 **Q6. HAVE YOU REVIEWED AND ARE YOU FAMILIAR WITH THE CROWN**  
5 **POINT AMENDED PETITION ("PETITION") IN CAUSE NO. 46035 WHICH**  
6 **SEEKS COMMISSION APPROVAL OF CROWN POINT'S ORDINANCE NO.**  
7 **2025-02-08?**

8 A6. Yes. A copy of the Amended Petition in Cause No. 46035, with all attachments, is attached  
9 hereto as Attachment A.

10 **Q7. DO YOU BELIEVE THE PETITION ACCURATELY REFLECTS CROWN**  
11 **POINT'S INTENTIONS?**

12 A7. Yes, I do.

13 **Q8. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY IN THIS**  
14 **PROCEEDING?**

15 A8. To explain and demonstrate Crown Point's ability to promote economic development in  
16 the Crown Point Expansion Area created by the Crown Point Ordinance that is pending  
17 approval by the Commission in this Cause and Cause No. 46035. The Disputed Area is  
18 located within the southeast corner of the Crown Point Expansion Area. My testimony will  
19 demonstrate that the inclusion of the Disputed Area in the Crown Point Expansion Area  
20 will positively improve economic development in the Disputed Area.

21 I also describe the results of Crown Point's successful efforts to work with  
22 neighboring municipalities to reach agreement on utility service boundary lines.

23 **Q9. WHO ELSE WILL TESTIFY FOR CROWN POINT AT THIS TIME?**

1 A9. Mr. Al Stong from Commonwealth Engineering describes Crown Point's detailed plans for  
2 serving the Disputed Area in the Crown Point Expansion Area and Crown Point's ability  
3 to provide wastewater utility service to the Disputed Area. Mr. Gregory Guerrettaz from  
4 Financial Services Group testifies regarding Crown Point's financial ability to provide  
5 sewer service to the Disputed Area in the Crown Point Expansion Area.

6 **Q10. PLEASE DESCRIBE WHAT IS MEANT BY THE TERM "ECONOMIC**  
7 **DEVELOPMENT."**

8 A10. Economic development is a multi-faceted process aimed at improving the economic well-  
9 being and quality of life of a community or region encompassing job creation, business  
10 growth, increased commerce, increased revenues for business and government, and overall  
11 societal improvements and progress. Economic development encompasses broader  
12 improvements in economic and social conditions, including poverty reduction, human  
13 capital development, and environmental sustainability.

14 Creating a favorable business environment, promoting tourism, developing  
15 infrastructure such as roads, utility services and government support systems are all  
16 reasonable components of economic development.

17 **Q11. WHY IS ECONOMIC DEVELOPMENT IMPORTANT TO A COMMUNITY?**

18 A11. A community that pursues and achieves economic development is a community where  
19 people have sufficient incomes, adequate recreational opportunities, adequate safety and  
20 health support systems. An area that pursues and achieves smart economic development is  
21 a great place to work and live. Crown Point is such an area.

22 **Q12. IS THERE A RELATIONSHIP BETWEEN ECONOMIC DEVELOPMENT AND**  
23 **THE AVAILABILITY OF UTILITY SERVICES?**

1 A12. Yes, absolutely. Economic Development basically cannot occur without the availability of  
2 a full array of reliable, adequate and well operated utility services.

3 **Q13. CAN YOU OFFER AN EXAMPLE TO ILLUSTRATE YOUR STATEMENT?**

4 A13. Yes. Currently there is little to no economic development in the Crown Point Expansion  
5 Area, which includes the Disputed Area, in large part because of a lack of reliable, adequate  
6 and well-operated water and sewer services. Crown Point is prepared to fill that void.

7 **II. CROWN POINT'S ECONOMIC DEVELOPMENT AND RESULTING QUALITY OF LIFE**  
8 **ACHIEVEMENTS AND DISTINCTIONS**

9 **Q14. COMPARED TO ITS PEER COMMUNITIES, HOW HAS CROWN POINT**  
10 **FARED IN PROVIDING A SUPERIOR PLACE TO LOCATE BUSINESSES,**  
11 **WORK AND LIVE?**

12 A14. Very well. Crown Point has been awarded the Best Place to Live in Northwest Indiana over  
13 10 times since 2010 and the Best Downtown in Northwest Indiana every year since 2010.  
14 Crown Point has excelled at creating recreational, athletic, and social opportunities in a  
15 safe, fun, and welcoming atmosphere and the economic benefits that flow there from it.  
16 This promotes further economic development by making Crown Point a very attractive,  
17 economically vibrant place for new businesses, business commerce and a very desirable  
18 place to live. Crown Point's sewer and water infrastructure is a critical component to these  
19 achievements.

20 **Q15. DESCRIBE SOME OF THE ECONOMIC DEVELOPMENT ACHIEVEMENTS**  
21 **CROWN POINT HAS CREATED IN THE PAST.**

22 A15. Crown Point has a time-proven track record of economic growth and business attracting  
23 social achievements that make it the make it the best venue and promoter of economic

1 development in the Crown Point Expansion Area. People want to be here. Crown Point's  
2 population has nearly doubled in the past 20 years – going from 19,000 in 2000 to over  
3 34,000 in the 2020 census – and more growth is underway.

4 Crown Point's downtown area is an energized attraction of many shops,  
5 restaurants, businesses, live music and nightlife. The City has invested in making the  
6 downtown square Americans with Disabilities Act ("ADA") and pedestrian compatible,  
7 with the construction of bump outs, ADA ramps and outdoor seating areas for  
8 restaurants. In addition to the physical improvements, the City has created, through the  
9 State and the Indiana Alcohol & Tobacco Commission ("ATC"), a "Historic Downtown  
10 Liquor License" that is an innovation available to new dining establishments in Crown  
11 Point, which can later be sold and used elsewhere in Crown Point. This has created new  
12 economic development business which creates opportunities for additional dining and  
13 entertainment options throughout the City. It is my understanding that only Crown Point  
14 and Valparaiso meet the criteria to for offering Historic Downtown Liquor Licenses.

15  
16 Some examples of socially and economically enriching facilities Crown Point has  
17 previously invested in include:

- 18 • Bulldog Park – a two-plus acre community facility which includes a 16,000  
19 square foot building that houses senior activities, not for profit meetings, parties,  
20 and office space. Bulldog Park also features a full NHL-sized hockey rink under a  
21 covered pavilion, an open space and splash pad area, and a fully outfitted  
22 amphitheater with turf seating for concerts, plays, and performances.



- 1 • Crown Point Sportsplex – a 95-acre sports campus with two turf  
2 football/soccer/lacrosse fields, 10 baseball/softball fields (seven turf), a 120,000  
3 square foot indoor dome, and a 12,000 square foot concrete skate park. This  
4 complex brings in hundreds of thousands of visitors per year, which supports our  
5 local economy.
- 6 • As the Lake County seat, Crown Point is home to the Lake County Government  
7 Center – employing and assisting thousands of people per day. Also within the  
8 city, we have the Lake County Fair Grounds that offers the annual Lake County  
9 Fair activities, ongoing business activities, expositions, area meetings, and  
10 outdoor activities.

11 Crown Point has worked to attract new businesses and help existing businesses to  
12 grow. In the past 20 years, the City has experienced unprecedented growth in both the  
13 commercial and industrial sectors. The state road and interstate access available to Crown  
14 Point and to the Disputed Area bolster new business opportunities. Having three state  
15 highways (U.S. 55, U.S. 53, and U.S. 231), and two I-65 interchanges (109th Avenue and  
16 U.S. 231) in the Cty, Crown Point is experienced at attracting transportation focused  
17 economic development opportunities. Crown Point is planned, prepared, and situated to  
18 support and grow new economic development in the full Crown Point Expansion Area,  
19 including the Disputed Area.

20 The City supports multiple developments and seven Tax Increment Financing TIF  
21 Allocation Areas, including the I-65/109th allocation area. These seven TIF allocation  
22 areas allow property tax revenue to be spent on investments that promote economic  
23 development in the West 109th/Broadway allocation area, Delaware & Mississippi

1 allocation areas, U.S. 231 allocation area, Sportsplex allocation area, and Main Street  
2 allocation area. Crown Point has direct economic growth and is prepared to support  
3 continued economic growth expansion.

4 Some of the specific projects that have created jobs and raised Crown Point's  
5 valuation to over 2 billion dollars are: Franciscan Hospital campus, University of  
6 Chicago Micro Hospital, Lakeshore Bone & Joint hospital and headquarters, Community  
7 Stroke & Rehabilitation Center, Point 65 Business Tech Park (including the recently  
8 opened CoreX Cold Storage, 300,000 square foot and under construction Arcadia Cold  
9 Storage, 240,000 square foot), Crown East Industrial Park (95% built out), Millenium  
10 Industrial Park (Summit Street), and Beacon Hill Commercial (multiple national chain  
11 restaurants, shops, and hotels continue to develop). We continue working to attract new  
12 economic development opportunities.

13 Crown Point has also had success in attracting suitable industry. We have an  
14 industrial/manufacturing business park, Point 65 Business Tech Park, where two cold  
15 storage distribution centers have recently located. There are over 200 acres within the  
16 business park shovel-ready for development. Our targets for that business park are  
17 companies that do not diminish quality of life and offer good-paying jobs. The jobs and  
18 tax revenues from those businesses support the local economy.

19 These and other Crown Point achievements have made Crown Point a great place to  
20 locate businesses, work, and live. Crown Point's proven social and commerce enhancing  
21 economic development abilities and utility support systems will be used promote new  
22 commerce and quality of life in the Crown Point Expansion Area including the Disputed  
23 Area as it develops.

1 None of the above would have been possible without the availability of reliable,  
2 adequate well-operated water and sewer utilities.

3 **Q16. FURTHER DESCRIBE SOME OF CROWN POINT'S EFFORTS TO ATTRACT**  
4 **ECONOMIC DEVELOPMENT WHILE DIRECTLY PROMOTING QUALITY OF**  
5 **LIFE FOR ITS BUSINESSES AND RESIDENTS.**

6 A16. Crown Point strives to be a wise governing planner and administrator and a strong regional  
7 neighbor. We plan and work to improve our utilities. We support the local business and  
8 hometown feeling while growing new economic opportunities. We have not pursued big  
9 box stores and retailers like those in both Merrillville and Hobart to our north.

10 We have attracted, and will continue to attract, substantial growth in the medical  
11 and professional service sector to land in our commercial areas to create both access to  
12 top-level care and the ability to provide high-paying and quality jobs within our own  
13 community. We also have attracted businesses to our industrial area. I will later further  
14 describe these businesses.

15 Crown Point did make the use of the "big box store" paradigm in the design and  
16 many uses of our Sportsplex facility. Therein the vast array of sports activities facilities  
17 nationally and locally attracts amateur athletes in many sports and promotes additional  
18 economic activity in Crown Point. The Sportsplex complex is in addition to our Cal  
19 Ripkin, five-field Little League complex located just outside the downtown square, and  
20 our Center Ross, two-field full size baseball complex located adjacent to the current  
21 wastewater treatment facility. These state-of-the-art complexes provide our community  
22 endless possibilities for recreational activities during the week and on most weekends  
23 turn into a tournament complex drawing visitors and competitors from throughout the

1 Midwest, improving the local and Crown Point economies. The Little League complex  
2 hosted the Cal Ripken 10u World Series in 2023 and 2024 bringing teams from as far  
3 away as Australia, Europe, Asia, and Hawaii. The Sportsplex has been the home to the  
4 NSA Northern World Series over the last 10 years and regularly brings in over 200 teams  
5 from throughout the Midwest for an entire week to Crown Point. In addition to our local  
6 teams, the full-size baseball complex is also home to the Lake County Corndogs, a semi-  
7 professional baseball team. All of these athletic complexes not only create opportunities  
8 for our residents, but support our business community with the thousands of guests who  
9 come into the city and spend their disposable income at our shops, restaurants, hotels, and  
10 gas stations.

11 Crown Point's successful hard work in achievements such as these and the  
12 economic and social benefits that they create demonstrate our ability to grow economic  
13 development, promoting public benefits and improved quality of life for those who live  
14 and work here.

15 Bulldog Park is another Crown Point economic development and quality of life  
16 amenity. Bulldog Park is also adjacent to the historic downtown square, located on an  
17 over two-acre parcel of land, which contains a 16,000 square foot building with multiple  
18 community rooms, hosting our local non-for-profit meetings and events, senior activities,  
19 youth groups, and city offices. Adjacent to the building is a community splash pad, 120 x  
20 240 open air pavilion, and bandshell with open turf seating. During the spring, summer,  
21 and fall months this location hosts a variety of community events such as local farmers  
22 markets, concert series, and festivals. During the winter months the facility turns into a  
23 NHL-sized (80x200) ice rink under the pavilion. We provide open skating, lessons, and

1 in-house hockey leagues in addition to multiple high school and collegiate hockey games.  
2 Currently under construction, in partnership with the Crown Point Community School  
3 Corporation is a 8,000 sq ft. building which will host four locker rooms, storage space  
4 and a new concession stand – this building will be utilized by both the school corporation  
5 and events at Bulldog Park. Bulldog Park brings residents and visitors to our downtown  
6 which will support the local economy.

7 Finally, another quality of life economy enhancing project was the over 80,000  
8 square foot expansion of the Crown Point YMCA – this expansion created one of the  
9 largest YMCAs in the Midwest, featuring two indoor pools, outside pool and water  
10 recreation areas, multiple outdoor athletic fields, and countless community programs; the  
11 Crown Point YMCA now has over 40,000 members. With this success, the Crown Point  
12 YMCA has just broken ground on a 100,000 square foot facility that will have multiple  
13 basketball, volleyball, and pickleball courts.

14 The money spent by those who use and those who spectate at these athletic, sports  
15 and healthy exercise facilities ripples through and improves the entire area's economy.  
16 All of these projects have been possible with the utilization of TIF funds because of  
17 Crown Point's intelligent, well-managed growth and development in our commercial and  
18 industrial areas.

19 **Q17. WHAT DO THESE PAST CROWN POINT ECONOMIC DEVELOPMENT AND**  
20 **QUALITY OF LIFE ACHIEVEMENTS MEAN FOR THE DISPUTED AREA**  
21 **REQUESTED BY CROWN POINT IN THIS CAUSE?**

22 A17. The same Crown Point economic development and social benefit efforts and experience  
23 that created these past achievements will be deployed in the Disputed Area. Crown Point's

1 provision of wastewater in the Disputed Area will allow economic development of the area  
2 that is similar to all of the Crown Point development I have described in my testimony.

3 **Q18. HOW RESPONSIVE IS CROWN POINT TO THE SEWER INQUIRIES AND**  
4 **SERVICE NEEDS OF ITS RESIDENTS AND BUSINESSES?**

5 A18. To provide quality reliable sewage service, Crown Point continues to invest in, maintain  
6 and upgrade our current utility facilities. We directly address the inquiries of each individual  
7 customer. Our utility customers receive prompt local phone or in-person service from a  
8 utility employee. We also work directly with local businesses and developers to reach  
9 mutually beneficial economic development results.

10 Our engineering witness Mr. Stong will describe how Crown Point has carefully  
11 and fully planned for service to existing customers and for customer growth in Crown  
12 Point and in the Crown Point Expansion Area, including the Disputed Area.

13 **Q19. HOW IS THE PRESENT AND FUTURE ECONOMIC DEVELOPMENT IN THE**  
14 **DISPUTED AREA IMPACTED BY CROWN POINT'S PROPOSED SEWER**  
15 **SERVICE TO THE DISPUTED AREA?**

16 A19. Approval of Crown Point's request to provide sewer service to the Disputed Area will  
17 promote new economic development by application of Crown Point's economic  
18 development abilities in the Disputed Area. Crown Point's construction of the large new  
19 South East Waste Water treatment Plant ("SE WWTP") will accommodate new  
20 development growth and new customers in the Disputed Area for many years. As Mr.  
21 Stong testifies, Crown Point's current wastewater treatment plant has the capacity to timely  
22 meet initial development needs in the Disputed Area. Then the new South East Waste  
23 Water Treatment Plant will support even broader economic development for many

1 decades. Crown Point will also promote economic development by providing quality  
2 potable water in the Disputed Area where it is currently is not available. Adequate and well  
3 operated water and sewer services are both essential requirements for economic  
4 development

5 **Q20. WHY SHOULD CROWN POINT BE THE EXCLUSIVE WASTEWATER**  
6 **UTILITY SERVICE PROVIDER IN THE DISPUTED AREA?**

7 A20. For many reason. It would be wasteful to have two different utilities install duplicate lines  
8 and other appurtenances to serve the same area. Intervenor LBL Development LLC  
9 ("LBL") owns or controls the bulk of the Disputed Area. LBL's desire for service from  
10 Crown Point is so strong that it donated 44 acres of land to be used as the location of the  
11 new SE WWTP. In exchange for the 44-acre land donation from LBL, Crown Point has  
12 committed to offer wastewater utility service to LBL's real estate near the 44-acre donated  
13 parcel, where Crown Point will build its new wastewater treatment plant.

14 Crown Point's economic development experience and record of success will  
15 result in enhanced economic development in the Disputed Area. Crown Point's economic  
16 successes and goals of quality jobs and quality of life will best serve the new area. Crown  
17 Point has successfully operated its water and sewage utility for many years.

18  
19 Crown Point cannot deploy its full array of economic development resources in the  
20 Disputed Area without the assurance that reliable and timely water and sewer service will  
21 be available. The only way Crown Point can be certain of the availability and timing of  
22 sewer deployment in the Disputed Area is to be the exclusive provider of sewer service.  
23 The provision of essential utility services, like water and sewer service, go hand-in-hand

1 with economic development services. Both services can only be practically provided by a  
2 single, exclusive, provider. As I latter detail Crown reached out to all neighboring  
3 municipalities to agree to the borders of the Crown Point Expansion Area their municipal  
4 borders and reached agreement with 5 out of 6. Only Crown Point can provide both high  
5 quality economic development services and water and sewer service to the Disputed Area.

6 As Mr. Stong explains, the Crown Point Expansion Area is part of Crown Point's  
7 comprehensive planning. The financial, technical and managerial abilities of Crown Point  
8 to serve the Crown Point Expansion Area are absolute, as Mr. Guerrettaz and Mr. Stong  
9 explain in further detail.

10 As Mr. Guerrettaz testifies, new customers in the Crown Point Expansion Area  
11 will allow Crown Point's utility fixed costs to be spread over a larger customer base,  
12 promoting rate stability. It will also provide revenue needed to support the costs of  
13 providing service in the Expansion Area.

14 **Q21. FROM THE PERSPECTIVE OF ECONOMIC DEVELOPMENT AND QUALITY**  
15 **OF LIFE FOR DISPUTED AREA RESIDENTS AND BUSINESSES, WHO**  
16 **SHOULD PROVIDE SEWER SERVICE TO THAT AREA?**

17 A21. Crown Point has proven itself to be a superior provider of economic development through  
18 both its ability to attract and retain economic development and its provision of reliable  
19 sewer service.

20  
21 **III. CROWN POINT'S AGREEMENTS TO UTILITY SERVICE BOUNDARY LINES WITH**  
22 **NEIGHBORING MUNICIPALITIES AND UTILITIES**



1 **Q22. DID CROWN POINT CONTACT ALL OF THE WASTEWATER AND WATER**  
2 **UTILITIES OPERATING NEAR ITS REGULATED TERRITORY TO DISCUSS**  
3 **IF THERE WERE ANY CONCERNS REGARDING CROWN POINT'S AUGUST**  
4 **8, 2023 REGULATORY ORDINANCE?**

5 A22. Yes, it is my understanding that on or about August 28, 2023, Crown Point's attorney sent  
6 copies of its Regulatory Ordinance to counsel for area water and wastewater utilities,  
7 including: Winfield, Schererville, St. John, Cedar Lake, Lowell, Merrillville Conservancy  
8 District and Indiana American Water (collectively, the "Affected Utilities").

9 **Q23. DID CROWN POINT SUBSEQUENTLY HAVE BOUNDARY DISCUSSIONS**  
10 **WITH THE AREA UTILITIES?**

11 A23. Yes.

12 **Q24. ARE YOU AWARE OF THE RESULTS OF THE DISCUSSIONS?**

13 A24. Yes. Crown Point entered into separate agreements with Town Of St. John, Town Of  
14 Lowell and Merrillville Conservancy District. In the agreements, with St. John and Lowell  
15 Crown Point agreed to reduce its then-proposed adjacent Crown Point Regulated Territory.  
16 Each of those two Towns agreed to support final approval of Crown Point's Amended  
17 Regulated Territory and Crown Point's provision of service therein. Merrillville  
18 Conservancy District agreed that it has no objections to Crown Point's request for approval  
19 of its Regulatory Ordinance. Similarly; Crown Point also reduced its requested regulated  
20 area near Cedar Lake to accommodate Cedar Lake's requested boundary change. A  
21 subsequent agreement to reduce Crown Point's requested area near Schererville was  
22 reached with Schererville as described in the prefiled testimony in Schererville's case in  
23 Cause No. 46126. All those reductions in the Crown Point Expansion Area were reflected

1 in the map attached to the Amended Crown Point Ordinance No. 2025-02-08. That change  
2 in the Crown Point Expansion Area. No agreement with Winfield was reached.

3 **Q25. DO YOU BELIEVE THOSE AGREEMENTS ARE REASONABLE?**

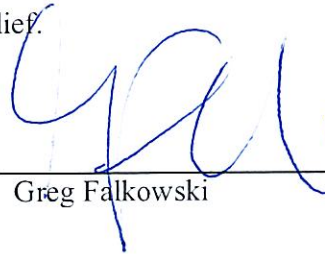
4 A25. Yes. Those service area adjustments are reflected in the map of Crown Point's Amended  
5 Regulatory Ordinance. Crown Point believes neighboring utilities should, when possible,  
6 work together to reach agreement on utility service area boundaries. This accommodates  
7 each other, and promotes good working relationships between neighboring utilities and  
8 municipalities.

9 **Q26. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

10 A26. Yes, it does at this time. However, Crown Point's First Set of Data Requests to Winfield  
11 remains unanswered at this time. When received, I may need to provide additional  
12 testimony.

**VERIFICATION**

The undersigned affirms under the penalties for perjury that the foregoing testimony is true to the best of his knowledge, information and belief.

A handwritten signature in blue ink, appearing to read 'G. Falkowski', is written over a horizontal line.

Greg Falkowski

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing has been served upon the following counsel of record by electronic mail this 21<sup>st</sup> day of April, 2025:

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/s/ Mark W. Cooper  
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## STATE OF INDIANA

## INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF THE  
CITY OF CROWN POINT, AND CROWN POINT  
CITY UTILITIES FOR APPROVAL OF A  
REGULATORY ORDINANCE ESTABLISHING A  
SERVICE TERRITORY FOR THE CITY'S  
MUNICIPAL WATER AND SEWER SYSTEMS  
PURSUANT TO IND. CODE CH. 8-1.5-6.

CAUSE NO. 46035

**AMENDED VERIFIED PETITION**

The City of Crown Point, Indiana, ("Crown Point" or "City") and its Crown Point City Utilities ("CPU") (collectively "Petitioner"), by counsel, respectfully petitions the Indiana Utility Regulatory Commission ("Commission") for approval of a regulatory ordinance establishing a service territory for Petitioner's municipal water and wastewater systems in accordance with Ind. Code § 8-1.5-6 *et seq.* In support, Petitioner states as follows:

**I.****Commission Jurisdiction**

1. The City is an Indiana municipality located in Lake County, Indiana, which by and through CPU, owns and operates a municipal water utility and a wastewater (sewer) utility.
2. CPU provides water and wastewater utility service to customers in the City's corporate boundaries.
3. The water and wastewater utilities are *municipal utilities* as defined in Ind. Code § 8-1.5-6-1.
4. As discussed in Part II below, the Common Council of the City of Crown Point, Indiana, ("Common Council") adopted, and the Mayor of the City approved, a

*regulatory ordinance* as that term is defined in Ind. Code § 8-1.5-6-3. The regulatory ordinance establishes a water and wastewater *Regulated Territory* as that term is defined in Ind. Code § 8-1-5-6-2 for CPU.

5. Petitioner is not filing a *wholesale sewage petition* as that term is defined in Ind. Code § 8-1.5-6-5.
6. Because Petitioner requests that the Commission approve the Regulatory Ordinance adopted by the Common Council, the Commission has jurisdiction over the subject matter of this request pursuant to Ind. Code § 8-1.5-6-6 and Ind. Code § 8-1.5-6-9.

## II.

### Approval of Regulatory Ordinance

7. On August 7, 2023, Petitioner's Common Council adopted Ordinance No. 2023-08-19, which was a *regulatory ordinance* (as defined in Ind. Code § 8-1.5-6-3) that established an exclusive service area for CPU's water and wastewater utility services, and regulated the furnishing of water and wastewater sewage services therein. On March 3, 2025, Petitioner's Common Council adopted Ordinance No. 2025-02-08 which amended Ordinance No. 2023-08-19 by revising CPU's exclusive water and sewer service area established by Ordinance No. 2023-08-19. Ordinance No. 2025-02-08 is a *regulatory ordinance* (as defined in Ind. Code § 8-1.5-6-3) establishing an exclusive service area for CPU's water and wastewater utility services, and regulating the furnishing of water and wastewater services therein (the "Regulatory Ordinance"). Petitioner seeks Commission approval of Regulatory Ordinance No. 2025-02-08 and the described water and wastewater service area ("Regulated Territory"). A copy of the Regulatory Ordinance is attached as Exhibit 1.

8. The Regulated Territory is defined as those specific areas within four (4) miles outside the City's boundaries, as shown on the map attached to Ordinance No. 2025-02-08. The Regulated Territory excludes any customer(s) that may be connected to another water or wastewater utility, and any area within the exclusive, authorized service area of another sewage

utility, including but limited to, a municipal sewage utility, as of the date Ordinance No. 2023-08-19 was passed, August 7, 2023.

9. The boundaries of the water and wastewater Regulated Territory established by the Regulatory Ordinance are outlined on the map attached to Exhibit 1.

10. The enforceability of the Regulatory Ordinance is subject to the approval of the Commission pursuant to Ind. Code §§ 8-1.5-6-6 and 8-1.5-6-9.

11. The rates and charges for water and sewer service for all customers located in the Regulated Territory will be the same rates and charges that CPU charges to its customers. Ordinance No. 2025-01-03 and Ordinance No. 2025-01-02 enacted on March 3, 2025, respectively, establish the current rates and charges for CPU's water and sewer utility service and are attached hereto as Exhibit 2 and Exhibit 3. Ordinance No. 2024-02-07 is for seasonal sewer rates. Ordinance No. 2020-11-21 and Ordinance No. 2020-11-20 are for water and sewer system development charges. Those Ordinances are attached hereto as Exhibit 4, Exhibit 5 and Exhibit 6, respectively.

12. The Regulatory Ordinance is the subject of an administrative proceeding to the extent the Town of Winfield has, in IURC Cause No, 45992, requested approval of a regulatory ordinance that creates a disputed area overlap at the southeast corner of Crown Point's requested Regulated Territory. .

13. Upon information and belief, the sewer utilities that may be near the Regulated Territory are as follows:

- a. Merrillville Conservancy District
- b. Winfield Municipal Sewer Utility;
- c. Cedar Lake Municipal Sewer Utility;
- d. St John Municipal Sewer Utility; and
- e. Schererville Municipal Sewer Utility.

14. Upon information and belief, the water utilities that may be near the Regulated Territory are as follows:

- a. Winfield Municipal Water Utility ;
- b. Cedar Lake Municipal Water Utility;
- c. St John Municipal Water Utility;
- d. Schererville; Municipal Water Utility and
- e. Indiana American Water Co.

15. Any customers of record receiving service from the utilities referenced in Paragraph 13 and 14 above as of August 7, 2023 are excluded from the Regulated Territory.

16. The Petitioner has in writing made the entities listed in paragraphs 13 and 14 above, or their counsel, aware of this Amended Petition and the Regulatory Ordinance.

17. The Petitioner is not aware of any neighboring utility that objects to the requested Regulated Territory at this time, other than as described in Paragraph 12, above.

### **III.**

#### **Conclusion**

18. Consistent with Ind. Code § 8-1.5-6 *et seq.*, the Crown Point respectfully requests that the Commission approve Regulatory Ordinance No. 2025-02-08.

### **IV.**

#### **Counsel**

19. The City is represented in this matter by the following counsel who respectfully request service of all Commission Orders and/or filings by any parties in this matter:

Robert M. Glennon, Atty. No. 8129-49  
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3697 N. 500 E Danville IN. 46122  
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Attorney at Law, No. 4139-49  
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THEREFORE, the City of Crown Point, Indiana, and Crown Point City Utilities respectfully request that the Commission hold an evidentiary hearing on, and thereafter approve, Ordinance No. 2025-02-08, and for all other necessary and proper relief.


Respectfully submitted,

/s/ Robert Glennon  
Robert Glennon

/s/ Mark W. Cooper  
Mark W. Cooper

VERIFICATION

I affirm that the foregoing statements are to the best of my knowledge true and accurate.

  
ALEX KUTAWOWSKI, CITY ATTORNEY

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing "Amended Petition" was served upon the following  
via electronic mail this 17<sup>th</sup> day of April, 2025:

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Indiana Office of Utility Consumer Counselor  
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/s/ Robert M. Glennon

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**CITY OF CROWN POINT ORDINANCE NO. 2025-02-08**

**AN ORDINANCE AMENDING ORDINANCE 2023-08-19 ESTABLISHING THE CITY OF CROWN POINT WATER AND WASTEWATER SERVICE AREAS AND REGULATING THE FURNISHING OF SERVICES THEREIN**

WHEREAS, the City of Crown Point, Indiana (the "City") owns and operates the City of Crown Point Water and Wastewater Utility; and

WHEREAS, Ind. Code § 36-9-2-16 permits a municipality to regulate the furnishing of the water and wastewater service to the public; and

WHEREAS, Ind. Code § 36-9-2-18 permits a municipality to exercise powers granted by Ind. Code § 36-9-2-16 in areas within four (4) miles outside its corporate boundaries; and

WHEREAS, Ind. Code § 8-1.5-6, *et seq.*, permits the City to adopt a regulatory ordinance creating a "Regulated Territory" which is then submitted to the Indiana Utility Regulatory Commission for review and approval and said regulatory ordinance allows the municipality to regulate the furnishing of water and wastewater utility service in the Regulated Territory within four (4) miles outside the City's corporate boundaries; and

WHEREAS, the City has made a determination as to the establishment of a certain defined exclusive water and wastewater service Regulated Territory for the City within four (4) miles of the City's corporate limits; and

WHEREAS, it is the intent of this Ordinance to amend Ordinance 2023-08-19 and prior Ordinance 2023-05-15, Ordinance 2022-11-21 and Ordinance 2022-11-22 related to the subject matter to more accurately define the water and wastewater service Regulated Territory; and

WHEREAS, the City has planned to accommodate beneficial area growth through capital improvements to, and service from, its Water and Wastewater utilities;

WHEREAS, the City wishes to establish a specific water and wastewater service territory as a Regulated Territory area that is within four (4) miles of its corporation boundaries as permitted by Indiana law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CROWN POINT, INDIANA, that:

**Section 1.** That this Ordinance shall not, in any way, prevent the City from: (i) later seeking and obtaining from the nearby municipalities or others the right to provide water and or wastewater service in any area; (ii) retaining any and all rights to acquire any or all of other's assets used in providing water or wastewater services in any service area; or (iii) exercising any power it has under Indiana law including Indiana Code §§ 8-1.5-1 *et seq.* or 36-9-23 *et seq.*



**Section 2.** The City of Crown Point Water and Wastewater Service Areas are hereby defined and established as those areas within the corporate boundaries of the City, as well as certain "Regulated Territory" within four (4) miles outside the City's boundaries as shown on the attached map marked as Exhibit "A".

**Section 3.** Upon adoption of this Ordinance and its approval by the Indiana Utility Regulatory Commission, the City shall hold an exclusive license to furnish water and wastewater service to and shall be the exclusive provider of water and wastewater service to the public within the Regulated Territory.

**Section 4.** As a matter of law the City is and shall remain the exclusive provider of water and wastewater service within its corporate boundaries.

**Section 5.** Upon adoption of this Ordinance and its approval by the Indiana Utility Regulatory Commission, no other utilities are permitted to provide water and wastewater service within the Regulated Territory, except for those customers located in Regulated Territory that are connected to another water or wastewater service provider on the date this Ordinance is approved by the City. This Ordinance does not mandate the City to extend service to areas where technically or financially not feasible, rather, this Ordinance expressly prohibits other utilities from furnishing water or wastewater service to customers within the City or within the City of Crown Point Water and Wastewater Regulated Territory. Nothing in this Ordinance shall be construed to prohibit the City from authorizing other water and/or wastewater service providers to assist the City in providing service in the City of Crown Point Regulated Territory.

**Section 6.** No end service user shall permit a connection to water or wastewater service within the City of Crown Point Water or Wastewater Regulated Territory by any other water or wastewater service provider without the consent of the City.

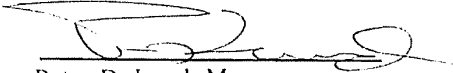
**Section 7.** This Ordinance shall not be construed to prohibit an individual property owner in the City of Crown Point Regulated Territory from providing his or her own private water service and/or septic service to such property owner's lot through the installation of lawfully approved facilities on such property so long as such private wells and/or private septic facilities are permissible under all applicable laws, rules, orders and regulations.

**Section 8.** Any person, firm or corporation who violates this Ordinance may be subject to a civil action and any penalty fines imposed under the City's Municipal Code or other applicable law.


**Section 9.** The City's existing rules and regulations, and rates and charges for water and wastewater service as amended from time to time shall apply to and within the City of Crown Point Water and Wastewater Regulated Territory.

Section 10. If any one or more of the terms, provisions, or sentences of this Ordinance, or portions of this Ordinance, shall be deemed by a court or a tribunal of competent jurisdiction to be contrary to law, then such term or provision shall be deemed severable from the remaining terms and shall in no way affect the validity of the other provisions of this Ordinance

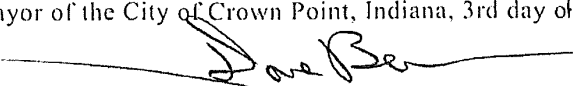
PASSED AND ADOPTED by the Common Council of the City of Crown Point, Lake County, Indiana, on this 3rd day of February, 2025.

  
Peter D. Land, Mayor


ATTEST:

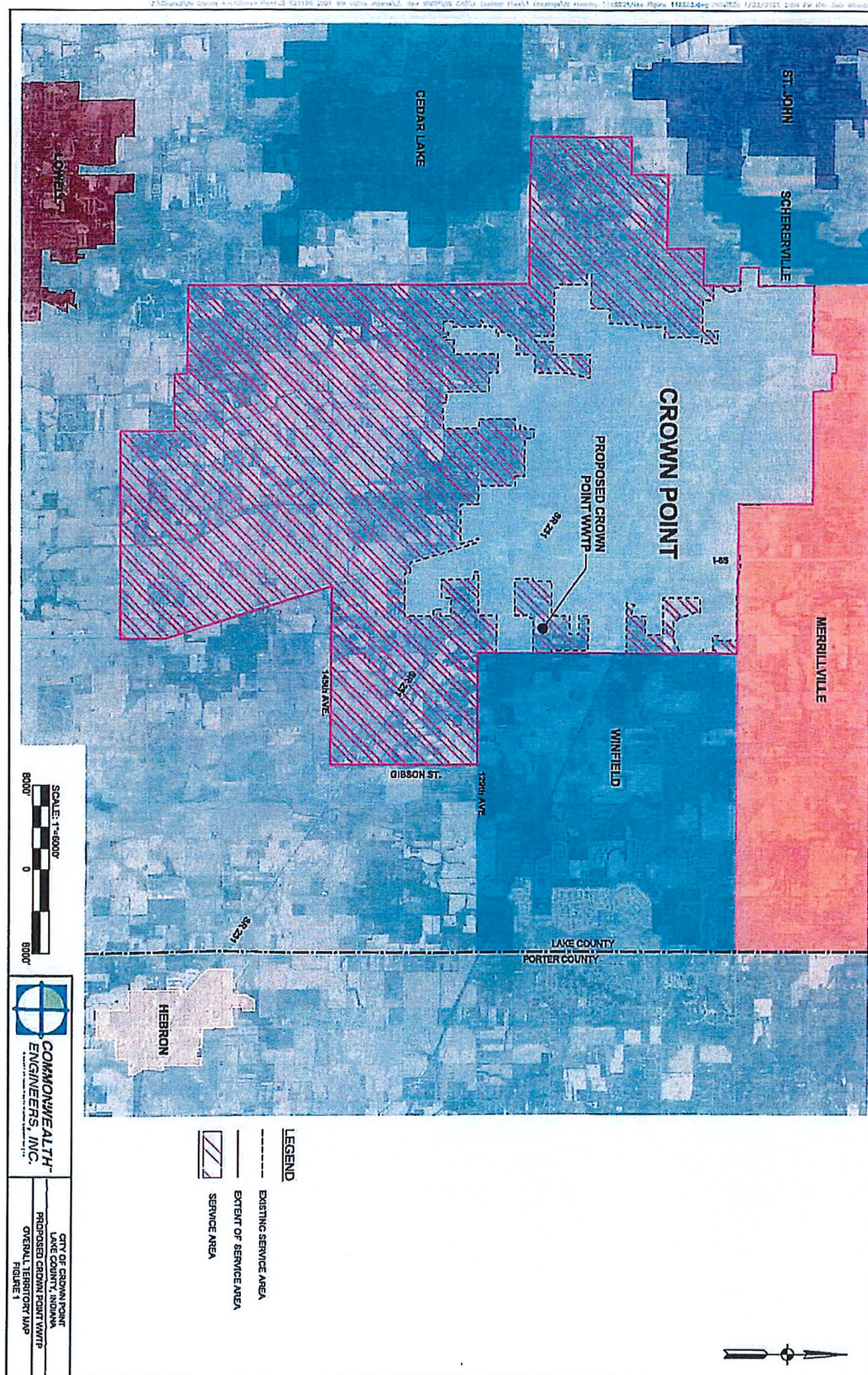
  
David B. Benson, Clerk/Treasurer

Presented by me to the Mayor of the City of Crown Point, Indiana, 3rd day of February, 2025.

  
David B. Benson, Clerk/Treasurer

Approved by me, the Mayor of the City of Crown Point, Indiana, 3rd day of February, 2025.

  
Peter D. Land, Mayor





## ORDINANCE NO. 2025-01-03

AN ORDINANCE AMENDING ORDINANCES 1845, 2003-07-19, 2008-07-20, 2010-07-09, 2012-09-24, AND 2022-06-08  
CONCERNING WATER UTILITY RATES AND CHARGES

WHEREAS, Financial Solutions Group, Inc. was retained to review and recommend changes in the Crown Point Water Utility's ("Utility") rates and charges necessary to fund the proposed construction of additions and improvements to its waterworks system; and

WHEREAS, Financial Solutions Group, Inc. has delivered to the City the Rate Consultant's Report dated September 26, 2024 ("Rate Study"); and

WHEREAS, the Rate Study recommends an increase in the water rates and charges with such increase to be implemented in three phases; and

WHEREAS, based upon the Rate Study, the Common Council has determined that it is in the best interests of the Utility and necessary to amend Ordinance 1845, Ordinance 2003-07-19, Ordinance 2008-07-20, Ordinance 2010-07-09, Ordinance 2012-09-24 and Ordinance 2022-06-08 as found in Municipal Code §50.02 (A), (B), (D) and (E).

NOW, THEREFORE, IT IS ORDAINED BY THE CROWN POINT COMMON COUNCIL, THAT:

Section 1. Ordinance 1845, Ordinance 2003-07-19, Ordinance 2008-07-20, Ordinance 2010-07-09, Ordinance 2012-09-24 and Ordinance 2022-06-08, as amended and adopted to date and as found in Crown Point Municipal Code §50.02 (A), (B), (D), & (E), are hereby amended to reflect the rates recommended in the Rate Study as follows:

§50.02: RATES AND CHARGES FOR WATER

(A) Monthly Metered Rates - Per 1,000 Gallons

Rates Per 1,000 Gallons

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
First 3,000 Gallons per month	\$14.32	\$14.89	\$15.49
Next 7,000 Gallons per month	12.08	12.56	13.06
Next 40,000 Gallons per month	9.91	10.31	10.72
Over 50,000 Gallons per month	7.74	8.05	8.37

113546677.2



(B) Minimum Monthly Charges

<u>Meter size</u>	<u>Gallons Allowed</u>	<u>Rate Per Month</u>		
		<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
5/8 & 3/4 inch meter	1,500	\$21.48	\$22.34	\$23.24
1 inch meter	5,000	67.12	69.79	72.59
1 1/2 inch meter	10,000	127.52	132.59	137.89
2 inch meter	14,000	167.16	173.83	180.77
3 inch meter	31,000	335.63	349.10	363.01
4 inch meter	53,000	547.14	569.14	591.80
6 inch meter	136,000	1,189.56	1,237.29	1,286.51
8 inch meter	230,000	1,917.12	1,993.99	2,073.29

(D) Annual Fee for Fire Sprinkler Protection Systems

<u>Size of Tap</u>	<u>Fee</u>		
	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
2 inch tap	\$228.58	\$237.72	\$247.23
3 inch tap	278.18	289.31	300.88
4 inch tap	412.48	428.98	446.14
6 inch tap	919.39	956.17	994.42
8 inch tap	1,630.00	1,695.20	1,763.01

(E) Annual Private Hydrant Rental Charge

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
Per Hydrant	\$1,284.28	\$1,335.65	\$1,389.08

Section 2. The effective dates for the rates and charges approved in this ordinance shall be as follows:

Phase I Upon adoption of this ordinance

Phase II August 1, 2025

Phase III August 1, 2026

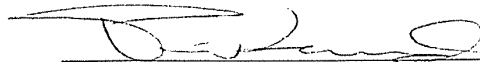
Rates and charges shall be applied to the first full billing cycle of the Utility following the above effective dates.

Section 3. The foregoing amendments to Ordinances 1845, 2003-07-19, 2008-07-20, 2010-07-09, 2012-09-24 and 2022-06-08, as amended to date and as found in Municipal Code §50.02 (A), (B), (D) & (E), shall be in full force and effect upon passage of and adoption of this ordinance and approval by the Mayor. All other ordinances and provisions thereof not in conflict with the above shall remain in full force and effect.




Passed and adopted by the Common Council of the City of Crown Point, Indiana, this  
3 day of March, 2025.


COMMON COUNCIL OF THE CITY OF CROWN  
POINT

  
\_\_\_\_\_  
Presiding Officer

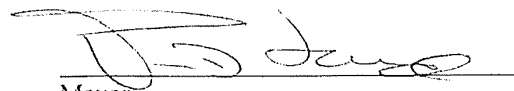
ATTEST:

  
\_\_\_\_\_  
Clerk-Treasurer

Presented by me to the Mayor of the City of Crown Point, Indiana, this 3 day of  
March, 2025.

  
\_\_\_\_\_  
Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Crown Point, Indiana, this 3 day  
of March, 2025.

  
\_\_\_\_\_  
Mayor

## ORDINANCE NO. 2025-01-02

AN ORDINANCE AMENDING MONTHLY RATES AND CHARGES FOR  
THE USE OF AND SERVICES RENDERED BY THE SEWAGE WORKS OF  
THE CITY OF CROWN POINT, INDIANA

WHEREAS, the Common Council of the City of Crown Point, Indiana ("City") has previously established its sewer rates and charges pursuant to ordinance which sewer rates and charges are promulgated in the City's Municipal Code ("Code"), for the use and services rendered by the sewage works system of the City; and

WHEREAS, the City has caused a financial study of the City's municipal sewage works ("Rate Study") to be made by Financial Solutions Group, Inc. in connection with a proposed project for the construction of additions and improvements to the sewage works to be financed by the issuance of sewage works revenue bonds; and

WHEREAS, based upon such Rate Study, the Common Council of the City finds that the existing sewer rates and charges established by the Code are insufficient to enable the City to properly operate its sewage works plant, service its bonds and finance additions and improvements to its sewage works system and should be increased;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CROWN POINT, INDIANA, AS FOLLOWS:

Section 1. Section 51.27 (B) (1), (2) and-(3) of the Code, as previously set forth in Ordinance 2022-12-29, is hereby amended and restated as follows:

	<u>Phase I</u>	<u>Phase II</u>
(1) Billing and operation, maintenance and replacement rate per 1,000 gallons of usage per month:	\$9.95	\$12.54
(2) Local Capital Charge per 1,000 gallons of usage per month	6.76	8.52
(3) Minimum Rate Per Month		

4931-0608-0512.2



Meter Size	<u>Phase I</u>	<u>Phase II</u>
5/8-inch meter	\$ 50.13	\$ 63.18
3/4-inch meter	72.25	91.04
1-inch meter	128.33	161.70
1 1/2-inch meter	288.79	363.88
2-inch meter	513.48	646.98
3-inch meter	1,155.26	1,455.63
4-inch meter	2,053.75	2,587.73
6-inch meter	4,620.95	5,822.40

Section 2. The effective dates for the rates and charges approved in this ordinance shall be as follows:

Phase I      Upon adoption of this ordinance

Phase II      January 1, 2026

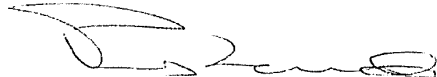
Rates and charges shall be applied to the first full billing cycle of the Utility following the above effective dates.

Section 3. All other provisions of and all other rates and charges established by the Code shall remain in full force and effect, including Section 51.39 of the Code which imposes an additional charge for user's of the City's sewage works located outside the corporate limits of the City in the amount of 25% of the billing for said sewer usage computed at the rates established in Section 1 above.

Section 4. This ordinance shall be in full force and effect from and after its passage and execution by the Mayor.

Passed and adopted by the Common Council of the City of Crown Point, Indiana, this  
3 day of March, 2025.

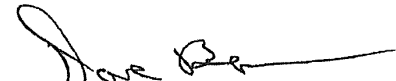
COMMON COUNCIL OF THE CITY OF CROWN  
POINT

  
\_\_\_\_\_  
Presiding Officer

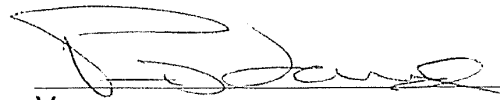
ATTEST:

  
\_\_\_\_\_  
Clerk-Treasurer

Presented by me to the Mayor of the City of Crown Point, Indiana, this 3 day of  
March, 2025.

  
\_\_\_\_\_  
Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Crown Point, Indiana, this 3 day  
of March, 2025.

  
\_\_\_\_\_  
Mayor

**ORDINANCE NO. 2024-02-07****AN ORDINANCE AMENDING THE SEWER RATE ORDINANCE TO  
REDUCE AND CLARIFY SEASONAL RATE REDUCTION**

**WHEREAS**, a part of Ordinance 2009-03-11, codified in the Code of Ordinances of Crown Point in Title V, Chapter 51, Sections 51.27(G) and (H), addresses seasonal and extraordinary sewer rates, commonly referred to as a “summer sewer credit”; and

**WHEREAS**, a clearer understanding of Code Sections 51.27(G) and (H) would be achieved by amendment of those sections to clarify the intentions of the City of Crown Point;

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Crown Point, Indiana that Crown Point Municipal Code Section 51.27(H) is DELETED in its entirety, and Section 51.27(G) is amended in its entirety to read as follows:

(G) Seasonal Sewer Rates. *A reduced seasonal usage rate is hereby established for single-family residential dwelling users for water used during the months of June through September, inclusive, (as billed in August through November), which are months in which it has been established that much of the water used does not pass through the sanitary sewage system of the user, and shall be applied as follows:*

(1) *If the monthly water consumption by a single-family residential dwelling user during any of the months of June through September, inclusive, is greater than the average monthly water consumption for the preceding three months of January, February and March for water used on the property or premises subject to all other rates and charges; then the billing for that month shall be based upon the average metered water usage for the months of January, February and March; and the water consumption subject to such rates and charges so determined shall constitute the basis for monthly sewage service charges for water used during the months of June through September, inclusive.*

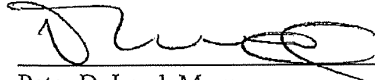
(2) *If the monthly water consumption by a single-family residential dwelling user during any of the months of June through September, inclusive, is less than or equal to the user's average monthly water consumption for the preceding three months of January, February and March, then the seasonal sewer reduction shall not apply.*

(3) *In the event that no sewage service bill was rendered for a property during all or a portion of the months of January, February and March, the city shall use a calculation of 4800 gallons of metered water entering the sewage system per month for each of those 3 months in which no sewage service bill was rendered for the entire month, as a basis for the monthly sewage service charges during the months of June through September, inclusive.*


The foregoing Ordinance shall be in full force and effect upon its passage and adoption.




**PASSED AND ADOPTED** by the Common Council of the City of Crown Point, Lake County,  
Indiana, on this 4 day of March, 2024.

  
Peter D. Land, Mayor

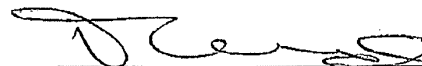
ATTEST:

  
David B. Benson, IAMC/CMC  
Clerk/Treasurer

Presented by me to Mayor of the City of Crown Point, Indiana, this 4 day of March, 2024.

  
David B. Benson, IAMCC/CMC  
Clerk/Treasurer

Approved by me, the Mayor of the City of Crown Point, Indiana, this 4 day of  
March, 2024.

  
Peter D. Land, Mayor

**ORDINANCE NO.2020-11-21  
AN ORDINANCE AMENDING ORDINANCE NO. 2020-09-16,  
CLARIFYING THE UTILITY SYSTEM DEVELOPMENT CHARGE  
COLLECTION FEE IN SECTION (D).**

**Ordinance No. 2020-09-16  
An Ordinance Amending Ord. Nos. 722 and 1748-4 and 1871-A  
CONCERNING SEWER CONNECTION CHARGES and a  
SYSTEM DEVELOPMENT CHARGE**

**WHEREAS**, the Board of Public Works and Safety retained Municipal Consultants of Indianapolis, Indiana to perform a study of the existing sewer connection charges as required by Ordinance 1734; and

**WHEREAS**, FSG Inc. the City's consultants completed a study entitled " CROWN POINT MUNICIPAL WASTEWATER UTILITY, System Development Charge" (hereinafter The Study") on September 2, 2020 which is attached hereto and is approved, adopted, and incorporated herein by reference.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Crown Point, Lake County, Indiana:

**Section 1.** The Common Council now finds that it is in the best interests of the City of Crown Point to amend Ordinances 772 and 1748-A, as found in §51.13 of the Crown Point Municipal Code, are hereby amended to read as follows:

**A) Definitions:**

**Base Unit:** shall be equal to or mean each single family house and each individual apartment, condominium or other single family living unit in any multiunit building, structure or complex, or any other facility, that supplies not in excess of 300 gallons per day to the sanitary sewer system, in accordance with 327 I.A.C. Article 3 Construction Permit Sanitary Sewer Designed Summary Form, as amended from time to time, which is incorporated herein by reference.

**B)** A charge is hereby established in the amount of \$3590.00 per Base Unit for each permit issued pursuant to this ordinance. For any commercial, governmental, industrial, institutional or other facility applying for a permit the total charge under this ordinance shall be equal to the number of Base Units, plus the fractions thereof as determined by the City Engineering Department, times the charge per Base Unit as established in this ordinance.



C) A permit shall not be validly issued until the \$3,590.00 connection fee per Base Unit, and fractions thereof if applicable, plus any applicable surcharges or other been each paid in full. Said charge, plus any surcharges as hereinafter or otherwise provided, shall be paid to the Clerk-Treasurer by the person securing the permit at the time of the issuance of the permit. Said connection fee shall be reviewed on a bi-annual basis after its initial enactment and implementation to ensure that said connection fee is cost-based, fair and equitable to all users.

D) The study by FSG, Inc. dated September 2, 2020, and entitled CROWN POINT MUNICIPAL WASTEWATER UTILITY "**UTILITY SYSTEM DEVELOPMENT CHARGE**" attached hereto as Exhibit "A", the fee schedule listed below, and referenced in **ORDINANCE 2020-11-20** are hereby incorporated by reference as part of this ordinance:

#### UTILITY SYSTEM DEVELOPMENT CHARGES

Meter Size	Water Fee	Number of EDUs	Sewer Fee <b>(1)</b>	Total Fee <b>(2)</b>
5/8"	\$ 1,369	1	\$ 2,052	\$ 3,421
3/4"	\$ 2,053	2	\$ 4,104	
1"	\$ 3,421	3	\$ 6,156	
1 1/2"	\$ 6,843	4	\$ 8,208	
2"	\$ 10,948	5	\$ 10,260	
3"	\$ 20,528	6	\$ 12,312	
4"	\$ 34,213	7	\$ 14,364	
6"	\$ 68,427	8	\$ 16,416	
8"	\$ 109,482	9	\$ 18,468	
10"	\$ 157,381	10	\$ 20,520	
12"	\$ 294,234	11	\$ 22,572	

**(1) Sewer fee is based on \$2,052 per EDU (estimated 300 gallons per day)**

**(2) Fees collected shall be deposited in the respective utility listed above**

**Section 3.** The foregoing amendment to Ordinances 772 and 1748-A and 1871-A shall be in full force and effect upon its adoption as required by law.



COMMON COUNCIL OF CITY OF CROWN  
POINT, INDIANA

PASSED and ADOPTED on this the 2 day of November, 2020



David D.F. Uran, Presiding Officer

Attest:



David B. Benson, Clerk-Treasurer

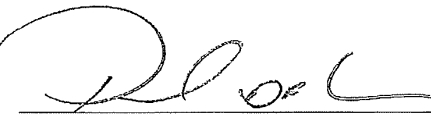
Presented by me to David D.F. Uran, Mayor of the City of Crown Point, Indiana, this 2<sup>nd</sup> day  
of November, 2020.



David B. Benson, Clerk Treasurer

This ordinance signed and approved by me, the Mayor of the City of Crown Point, Indiana,

this 2 day of November, 2020.



David D.F. Uran, Mayor

**ORDINANCE NO. 2020-11-20****AN ORDINANCE AMENDING ORDINANCE NO. 2020-09-14, CLARIFYING THE  
UTILITY SYSTEM CHARGE COLLECTION FEE IN SECTION 1.****ORDINANCE NUMBER 2020-09-14****AN ORDINANCE AMENDING ORDINANCE 2007-03-10 AND  
COMBINING/REPLACING  
PORTIONS OF SAID ORDINANCE WITH PORTIONS OF ORDINANCE NO. 16-09-24**

**WHEREAS**, The Common Council has from time to time passed Ordinances regarding the establishment of new fee structures such as in Ordinance 2007-03-10 and the following Ordinance whose title has been quoted in the formulation of Ordinance 2007-03-10, as amended, and the Ordinance listed below;

**AN ORDINANCE AMENDING THE CITY OF CROWN POINT CODE OF  
ORDINANCES §50.02(F), §50.02(1), AND §50.14 REGARDING CERTAIN WATER  
METER CONNECTION AND INSPECTION FEES**

**WHEREAS** The Common council is aware of the growth of the City and the City's need to provide adequate infrastructure for the new residents purchasing and building within the City, and

**WHEREAS**, The City Council also realizes that the need for new infrastructure to service new residents is a financial burden that should not fall upon existing residents who have by and through the payment of property taxes paid for the existing infrastructure, primarily Water, Sewer and Stormwater, and

**WHEREAS**, The City's Financial Advisor, FSG, has been directed to evaluate the existing fee payment rate structure and also determine the anticipated growth under current economic conditions to determine a fair and equitable manner in which to insure the City's continued ability to serve both its existing customer base and it's anticipated new customers, and

**WHEREAS**, certain fees for the installation and providing of water meters throughout the City need to be revised periodically to reflect increased costs and the actual costs of the service; and

**WHEREAS**, certain inspection fees for the installation of water service throughout the City need to be revised periodically to reflect increased costs and the actual costs of the service; and

**WHEREAS**, the continued growth call for the establishment of a new Connection Fee, Meter Fee, and new Utility System Development Charge to be assessed as of the date of the passage and adoption of this said Ordinance, and

**WHEREAS**, within all systems, existing or newly established, certain inspections need to be performed and enforced for the continued safety and function of the City water system;



**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Crown Point that:

Section 1. The City of Crown Point Code of Ordinances §50.02(F) shall be amended to read as follows:

(F) Customers shall be charged a fee prior to connection to the water system which shall include the cost of a suitable water meter along with a Connection Fee and a System Development Charge; all as listed below. For any meter larger than 1", the customer shall be charged the actual cost of the meter, plus 10% for shipping and handling, plus tax each time such a meter is installed. For any meter larger than 1", the installation and maintenance of such meter shall be performed by a licensed plumber at the customer's expense.

**CONNECTION FEES AND METER FEES:**

<u>Meter Size</u>	<u>Fee</u>
5/8"	\$1,573.10
3/4"	\$1,573.10
1"	\$1,883.10
1 1/2"	\$343.10 + Meter Cost
2"	\$348.44 + Meter Cost
3"	\$359.12 + Meter Cost
4"	\$369.80 + Meter Cost
6"	\$515.31 + Meter Cost
8"	\$770.30 + Meter Cost
10"	\$1,285.61 + Meter Cost
12"	\$2,055.90 + Meter Cost

**UTILITY SYSTEM DEVELOPMENT CHARGES**

<u>Meter Size</u>	<u>Water Fee</u>	<u>Number of EDUs</u>	<u>Sewer Fee (1)</u>	<u>Total Fee (2)</u>
5/8"	\$ 1,369	1	\$ 2,052	\$ 3,421
3/4"	\$ 2,053	2	\$ 4,104	
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12"	\$ 294,234	11	\$ 22,572	

**(1) Sewer fee is based on \$2,052 per EDU (estimated 300 gallons per day)**

**(2) Fees collected shall be deposited in the respective utility listed above**

Section 2. The City of Crown Point Code of Ordinances §50.02(1)(1),(2),(5), (6), and (7) shall be amended to read as follows:

- (1)(1) A fee of \$75 is established for each water service shut-off, disconnection, or re connection due to nonpayment.
- (2) A fee of \$75 is established for each water tap or service line inspection and final inspection performed by the City of Crown Point. There will be a \$75 charge for each re-inspection.
- (5) A fee of \$75 is established for each time a water meter is removed from service at the request of the customer to terminate water service; and a fee of \$75 is established for each time a meter is installed or reinstalled at the request of a customer to start water service.
- (6) A fee of \$75 is established for each customer who requests three (3) consecutive service calls for suspected water leaks within any 12-month period where the Water Department finds no evidence of a water leak on three (3) consecutive service calls.
- (7) A fee of \$75 is established for every customer who schedules a service call time and date with the Water Department and the customer, or their agent, fails to be present on the scheduled time and date to allow the Water Department employees to enter upon the customer's premises to perform the scheduled service call.

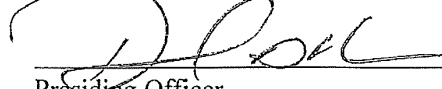
Section 3. The City of Crown Point Code of Ordinances §50.14 shall be amended to read as follows:

**§50.14 Inspection.**

The customer's water system shall be open for inspection at all reasonable times to authorized representatives of the Water Department. These inspections may include, but are not limited to, inspections for cross-connections, structural or sanitary hazards, violations of this sub-chapter or regulations which are adopted through this sub-chapter, or meter function. In the event that access to the customer's premises for the purpose of any such inspection is not granted within five (5) business days of a request by the Water Department, water service shall be shut off until such time as the inspection is completed and any necessary repairs are completed.

Section 4. This Ordinance shall be in full force and effect upon the date of its passage and adoption and all other ordinances or resolutions in conflict therewith are hereby amended by reference.

COMMON COUNCIL OF CITY OF CROWN  
POINT, INDIANA



Presiding Officer

Attest:



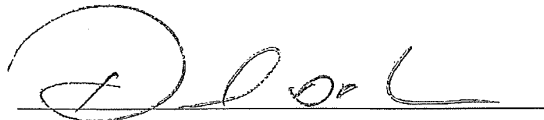
Clerk-Treasurer

Presented by me to the Mayor of the City of Crown Point, Indiana, this \_\_\_\_ day of November 2020.



Clerk Treasurer

This ordinance signed and approved by me, the Mayor of the City of Crown Point, Indiana,  
this 2<sup>nd</sup> day of November 2020.



Mayor