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TIPPECANOE COUNTY RECORDER

05/18/2020 03:57:01PM

MISCELLANEOUS 25.00

Submitted by Tyler Ochs of Ball Eggleston

**Resolution No. 03-20**

**A RESOLUTION OF THE CITY OF WEST LAFAYETTE ADOPTING A FISCAL PLAN AND DEFINITE POLICY FOR ANNEXATION OF 3464 BETHEL DR. ANNEXATION AREA**

WHEREAS, The City of West Lafayette Indiana Common Council is considering an annexation of 3464 Bethel Dr. area pursuant to I.C. § 36-4-3-5.1; and

WHEREAS, State law and proper planning require the City to develop a written fiscal plan and establish a definite policy, by resolution of the Common Council; and

WHEREAS, a copy of the written fiscal plan and definite policy for the 3464 Bethel Dr. Annexation is attached hereto and made a part hereof; and

WHEREAS, the written fiscal plan and definite policy shows as follows:

- 1) The cost estimates of planned services to be furnished to the Annexation Area are minimal;
- 2) The method of methods of financing the planned services, together with an explanation of how specific and detailed expenses will be funded;
- 3) The plan for the organization and extension of services, detailed the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a noncapital nature will be provided to the Annexation Area within one year after the effective date of the annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries, regardless of similar topography patterns of land use, and population density; and
- 5) That planned services of a capital improvement nature will be provided to the annexation area within three years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of West Lafayette, that:

Section 1. The above recitals are incorporated herein by reference and shall be deemed part of the written fiscal plan and definite policy.

Section 2. Attached as Exhibit A is the written fiscal plan and definite policy which is incorporated by reference. Two copies of the attached are kept on file in the office of the Clerk-Treasurer for public inspection.

Section 3. The Common Council of the City of West Lafayette, Indiana hereby adopts the materials set forth in the attached as the written fiscal plan and definite policy for the annexation area which is the subject of Ordinance No. 03-20.

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER

MAY 18 2020

AUDITOR OF TIPPECANOE CO.

Section 4. The sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

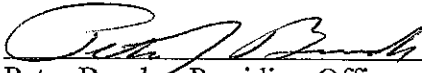
Section 5. This Resolution shall be in full force and effect from and after the date of its passage.

INTRODUCED ON FIRST READING ON THE 2 DAY OF March, 2020.

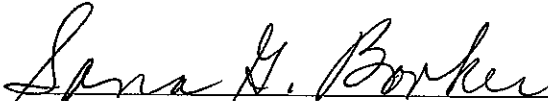
MOTION TO ADOPT MADE BY COUNCILOR DeBoer, AND SECONDED BY COUNCILOR Thomas.

DULY RESOLVED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 2 DAY OF March, 2020, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Bunder	✓			
DeBoer	✓			
Kang	✓			
Leverenz	✓			
Parker	✓			
Sanders			✓	
Thomas	✓			
Wang			✓	

  
Peter Bunder, Presiding Officer

Attest:


  
Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 4 DAY OF March, 2020.

  
Sana G. Booker, Clerk

THIS RESOLUTION APPROVED AND SIGNED BY ME ON THE 6 DAY OF  
March, 2020.

  
John R. Dennis, Mayor

Attest:

  
Sana G. Booker, Clerk



**Exhibit A**  
**Resolution No. 03-20**

**Fiscal Plan for the Voluntary Annexation of Real Estate Contiguous to the City of West Lafayette, Indiana**

Described as real estate located at 3464 Bethel Dr.

**This Fiscal Plan Supports Ordinance No. 03-20**

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of West Lafayette, Tippecanoe County, Indiana (the "City") and ability of the City to provide necessary municipal capital and non-capital services to an area proposed for annexation. The area proposed for annexation that is analyzed in this report is referred to as the "Annexation Area", as further described herein, and is located adjacent to the existing corporate limits of the City. The annexation is one hundred percent (100%) voluntary. The Indiana Statute (I.C. § 36-4-3-13(d)) governing annexation activity by the City requires the preparation of a written fiscal plan and the establishment of an annexation policy, by resolution, as of the date of the annexation ordinance.

**Parcel Analysis**

A. Description

The Annexation Area is located at 3464 Bethel Dr. and encompasses an area of approximately 1.202 acres. Parcel ID number is 79-06-02-329-003.000-023.

B. Contiguity

Property contiguous with the City's corporate limits may be annexed into the City's corporate limits (I.C. § 36-4-3-1.5). I.C. § 36-45-3-1.5 provides that property is considered "contiguous" if at least one-eighth (1/8) of the aggregate external boundaries of the property coincides with the boundaries of the City's corporate limits. In determining if property is a contiguous, a strip of land less than one hundred fifty (150) feet wide connects the City's corporate limits to the Annexation Area is not considered a part of the boundaries of either the City's corporate limits or the property to be annexed. The Annexation Area meets the contiguity requirements of I.C. § 36-45-3-1.5.

C. Population and structures

The Annexation Area currently remains undeveloped land. The plan is for sale of the property in which a commercial business will be constructed on the land.

D. Zoning

The Zoning designation of the Annexation AREA is: GB, General Business.

E. Property Tax Assessment

The 2018 pay 2019 total gross assessed valuation of all real property and its improvements located within the Annexation Area is three hundred sixty-four dollars and ten cents (\$364.10). For a more accurate tax assessment after development, 3460 Bethel Dr., a commercial business, owed seven thousand four hundred seventy-six dollars and thirty-six cents (\$7,476.36).

F. Assessed Value of the Property

The assed value of the property as of January 1, 2019 is twenty four thousand five hundred dollars (\$24,500.00).

G. Council District

The Annexation Area will be incorporated into Council District 6.

H. Proposed Build-out

Upon completion of the Annexation process, a commercial retail liquor store with parking will be constructed on the undeveloped land.

I. Landowners

Currently, the property is owned by Cathy Russell, Patrick Cunningham, and Gregg Sutter. Each party owns a (1/3) undivided interest in the property.

### **Municipal Service**

The City currently extends to its citizens a range of public services. These services are provided by different municipal departments. Each department has a unique function within the municipal service system of the City. These departments include: Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development among others.

Municipal service sectors are analyzed in this section to determine the impact of annexation on their ability to provide both capital and non-capital services to the area proposed for

annexation as required by Indiana law. The method used to determine the fiscal impact of annexation is known as "fiscal impact analysis".

Fiscal impact analysis is a method of evaluation that is used to measure and project the direct public costs and revenues associated with residential and non-residential growth within a municipality. It explores public (government) costs and revenues. It does not consider private costs of public actions. Therefore, special assessments on real property or the value of land dedications required of developers are considered private revenues. Individual services contracted for homeowners' associations, neighborhoods, and similar groups are also considered private.

Municipal departments were analyzed to determine the extent of the effect of annexation. None of the current City Departments will be impacted by the addition of the Annexation area. A careful analysis was prepared to meet all the requirements of Indiana Code § 36-4-3.

In each case, it is shown in this report, that service is being/will be proposed to the Annexation Area, in a manner equivalent in standard and scope to the services being providing within the City's corporate boundaries.

The existing levels and costs of service provisions for each department are outlined below:

#### **A. Police Department**

The uniformed officers of the Police Department of the City provide the citizens of the City with public safety and emergency response service throughout the corporate limits of the City. The individual services include: neighborhood patrols for the prevention of crime; detection and apprehension of criminal offenders; resolution of domestic disputes; anti-crime and anti-drug public education; traffic control and accident reporting; and the creation and maintenance of a general feeling of safety and security throughout the community.

The services provided by the Police Department vary in their individual requirements for personnel and financial resources and are subject to annual review and approval by the City Council. Annual operating costs associated with the incremental cost of one (1) uniformed police officer(s) include salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead.

Capital one-time costs associated with the addition of one (1) uniformed police officer(s) include a patrol vehicle and related equipment. These costs have not been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The City will provide police service to the Annexation Area upon the effective date of annexation through the extension of an existing patrol area with existing personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned services of a capital improvement nature within three years: Any additional capital requirements can be accommodated in future budgets through the annual budgeting process.

## **B. Fire Department**

The Firefighters, EMS and Paramedics personnel employed by the Fire Department of the City respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies throughout the corporate limits of the City, Wabash Township ("Township") and Tippecanoe County. The personnel of the Fire Department are assigned to fire stations located across West Lafayette. Each station is the primary respondent to emergencies within its assigned geographical area. Secondary response is provided by personnel and equipment by volunteer and paid city and town fire departments in adjacent communities. The existing Fire Department currently has the entire responsibility for services throughout the Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel because current services already serve the Township.

Provision of planned service of a capital nature within three years: The capital services required for future growth in the fire services for the Township will be managed through the annual budgeting process.

## **C. Public Works Department**

### **a. Street Division**

The Street Division is part of the Public Works Department of the City and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the corporate limits of the City. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance replacement, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and policing of rights-of-way to support safe travel.

Other responsibilities include resurfacing and reconstruction of all public roads except for the roads falling under the jurisdiction of the Indiana Department of Transportation.

Provision of planned service of a non-capital nature within one year: Street Division services can be provided for the Annexation Area with existing personnel, based upon estimated 0 miles of new road miles to be built by the developer within the Annexation Area.

Provision of planned service of a capital nature within three years: The intent of the City with respect to future road construction is to require future developers to improve or contribute financially to the improvement of existing roadways in accordance with the

impact of any proposed development. Potential road improvements are evaluated each year and the Annexation Area will be part of that annual review process.

#### **b. Wastewater and Sewer Services**

There are two sewer/wastewater service providers in the Annexation Area: West Lafayette and American Suburban. The Annexation does not propose to change the provider of sewer service for any existing sewer customer. The Annexation also does not propose to require any landowner currently served by an adequately functioning septic tank to connect to existing sewers.

Since the Annexation is a single lot that will pay for service for sewage services, there is no additional impact on the City as a result of the Annexation. All capital costs associated with extension of municipal sewage and wastewater infrastructure into the Annex Area will be borne by the developer, or by the landowner requesting service extensions, and the determination of those costs will be made directly through established systems of user charges. There is no projected "out-of-pocket" cost to the City.

#### **D. Parks and Recreation**

The non-capital services of the municipal parks department are already available to the landowners and potential purchaser of the Annexation Area. West Lafayette parks are open to the general public, generally without restriction. The annexation is not projected to generate a need for construction.

Provision of planned service of a non-capital nature within one year: The Annexation Area will have full access to existing park facilities.

Provision of planned service of a capital nature within three years: The capital services required for future growth in parks will be accomplished through the annual budgeting process.

#### **E. City Administration**

The services of the City Administration are considered non-capital municipal services. The services of the City Administration are generally considered to include the services of the following municipal departments and offices:

- Mayor
- Clerk-Treasurer
- City Council
- City Court
- City Legal
- Human Resources
- City Engineer
- Department of Development



Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years: The capital services required for this department can be accomplished through the annual budgeting process.

### **Conclusion**

Given the nature of a voluntary IC § 36-4-3-5.1, the addition of the Annexation Area will have minimal impact on the City of West Lafayette's departments. The addition will not add any cost to West Lafayette or require West Lafayette to allocate any additional resources to accommodate the Annexation Area.

The proposed development will add additional tax base for the City of West Lafayette, while not adding any additional burdens onto the City.

### **EXHIBIT A to Fiscal Plan**

Lot numbered three (3) in Brindon Commercial Subdivision, Phase Two as per the plat thereof dated March 2, 2001, recorded March 29, 2001 in Plat Cabinet 6, Slide 163, Document Number 01006823 in the Office of the Recorder of Tippecanoe County, Indiana. Located in Wabash Township, Tippecanoe County, Indiana.