2008050591 ANNEXATION $31.00
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Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
7 day of Oct, 2008
Robin N. Miller Auditor of Hamilton County
Parcel #

ORDINANCE 08 - 25

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council has the authority to annex lands into the municipality as defined by IC 36-4-3; and,

WHEREAS, the City has an interest in providing an annexation ordinance that will provide for the Westfield residents' public welfare and security, and also an economic development opportunity; and,

WHEREAS, the City is able to provide non-capital public services within one year and capital services within three years as required by statute to the proposed area to be annexed; and,

WHEREAS, the proposed land to be annexed described in Exhibit "A" meets the contiguity requirements of IC 36-4-3-1.5 and also the annexation requirements further defined in IC 36-4-3-13 (c)(1) and (2) and (d).

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-471 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. That the real estate legally described in Exhibit "A" hereto, and generally to be known as the "SE Area #8", adjacent to East 169th Street and contiguous with the city limits of the City of Westfield, Indiana and the same is hereby annexed to and declared to be a part of the City of Westfield, Indiana.

See attached legal description and attached map Exhibit "A"

Section 2. That the real estate legally described in Exhibit "A" is to further include the contiguous public highways and rights-of-way of the public highways (per IC 36-4-3-2.5) which is adjacent to the above annexed land.

Section 3. This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance. These uses include but not limited to:

(A) the production of grain row crops; vegetable or truck farms; fruit orchards; the growing and harvesting of timber or wood products; etc. This includes the operation of farm equipment twenty-four (24) hours a day if necessary in the fields and on the City roads; application or spraying of typical fertilizers, including manure; application or spraying of typical agricultural herbicides and pesticides; and the on-farm storage of these crops, including the operation of silos, grain augers, and grain dryers; and facilities for the sorting or distribution associated with said agricultural crops;

(B) raising of livestock, including but not limited to sheep, cattle, chickens and turkeys and the breeding, stabling and boarding of horses, breeding and kenneling of dogs;

(C) any other activity or use, permitted under Indiana law or under the AG-SF1 zoning classification under Westfield-Washington Township Zoning Ordinance WC Section 16.04.030 attached herein as Exhibit "C" and incorporated by reference herein, prior to the annexation, which would not require a change in zoning, including, but not limited to peripheral non-commercial recreational uses and open burning of wood and vegetative material.

Section 4. After the effective date of the annexation, the City of Westfield shall pass no new ordinance, and shall enforce no existing ordinance, with regard to property in the annexation territory which would restrict the usage of the real estate from any activity associated with the uses and activities listed in Section 3, (A), (B), and (C) of this Ordinance.

Section 5. The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation. Forced connections, if any, will be the result of public health and safety concerns and will be instigated and enforced by the County or State Health Departments.

Section 6. That the above described real estate is hereby assigned to City Council District "1" and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 7. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinance or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ALL OF WHICH IS ORDAINED THIS 24 DAY OF Sept 2008.

WESTFIELD CITY COUNCIL

VOTING FOR	VOTING AGAINST	ABSTAIN
John Dippel	John Dippel	John Dippel
Bob Horkay	Bob Horkay	Bob Horkay
Ken Kingshill	Ken Kingshill	Ken Kingshill
Bob Smith	Bob Smith	Bob Smith
Tom Smith	Tom Smith	Tom Smith
Rob Stokes	Rob Stokes	Rob Stokes
Melody Sweat	Melody Sweat	Melody Sweat

ATTEST:

Cindy Gossard, Clerk/Treasurer

I hereby certify that ORDINANCE 08-25 was delivered to the Mayor of Westfield on the 26 day of Sept, 2008, at 11:30 A m.

Cindy Gossard

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 08-25
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 08-25
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

This document was prepared by:
Gregory J Anderson, AICP
Director, Community Development
City of Westfield

"I affirm, un[illegible] that I have [illegible] each Social [illegible] document [illegible]

C. Gossard

Signed

Exhibit "A"
Legal Description

A part of the Southeast Quarter of Section 5, Township 18 North, Range 4 East, Washington Township, Hamilton County, State of Indiana, being more particularly described as follows:

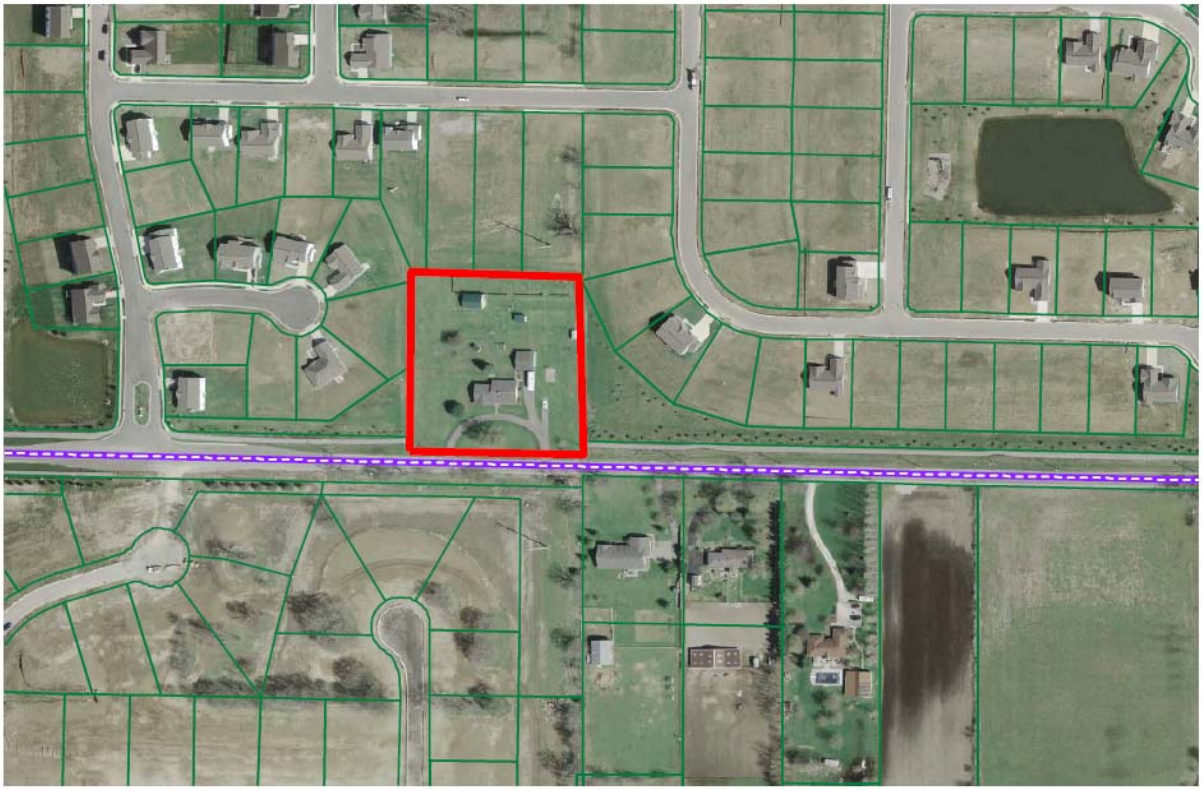
Commencing at the Southeast corner of the North Half of the Southeast Quarter of said Section 5; thence Westerly, along the South line thereof, approximately 1336.63 feet to the POINT OF BEGINNING of this description and a Southwest corner of a Previous Annexation, designated 04-08, the following three (3) calls being along some Western, Southern, and Eastern lines thereof; 1) thence Northerly approximately 321.79 feet; 2) thence Westerly approximately 290.00 feet; 3) thence Southerly approximately 321.79 feet to a point on the South line of the aforementioned North Half Quarter Section; thence Easterly, along said South line, approximately 290.00 feet to the POINT OF BEGINNING, containing approximately 2.14 Acres, more or less.

(Note: This description was prepared without benefit of a real estate boundary survey and should not be used for transfer of ownership.)

Generally Described as follows:

PIN:	08-10-05-00-00-013.000	**PIN:**	
Address:	4535 169th Street	**Address:**	
Owner:	Mendell, Donald W. Jr. & Carolyn	**Owner:**	
Acres:	2.170	**Acres:**	
Value:	201500	**Value:**	

Exhibit "B"
Aerial / Location Map



Subject Property

Exhibit "C"
Zoning Ordinance

B. AG-SF1 – Agriculture/Single-Family 1 - The purposes of this district are to accommodate agricultural land uses and large-lot single-family residential land uses.

1. Permitted Uses -

- ☐ Accessory buildings as related to agriculture or large lot single family residential use
- ☐ Cemeteries
- ☐ Churches
- ☐ Child care home - in accordance with IC 36-7-4-1108
- ☐ Farms and farm buildings for livestock and crops
- ☐ Fire stations
- ☐ Golf courses
- ☐ Nurseries, greenhouses, truck gardens, farms, or related products produced and sold on site
- ☐ Public Parks
- ☐ Public and private camps
- ☐ Residential facility for mentally ill - in accordance with IC 12-28-4-7
- ☐ Schools - public or private - without dormitory accommodations
- ☐ Signs as permitted by sign ordinance
- ☐ Single family dwellings on large lots
- ☐ Stables (on lots of 3 acres or more with a minimum of 200 foot setback from any adjoining property line)
- ☐ Temporary buildings for construction purposes for a period not to exceed such construction
- ☐ Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a Municipal governing body

2. Special Exceptions -

- ☐ Airports and landing fields
- ☐ Cemeteries - pet
- ☐ Convents, monasteries, theological schools rectories and parish houses
- ☐ Fraternities and lodges
- ☐ Heliports
- ☐ Lake developments - recreational
- ☐ Large animal hospitals
- ☐ Private clubs and lodges
- ☐ Public or private schools with dormitories
- ☐ Radio, facsimile, TV, micro-wave towers
- ☐ Raising animals for biological purposes
- ☐ Raising animals for furs or pets
- ☐ Riding stables
- ☐ Zoos

Exhibit 'C'

Miscellaneous Businesses

Type of Business	AG – SF1
Airports & Landing Fields	SP.EX
Amusement Parks	SP.EX
Boarding & Lodging Houses	
Book Stores, Adult	
Cemeteries	X
Cemeteries - Pet	X
Christmas Tree Sales	SP.EX.
Convents, Monasteries, Theological Schools, Rectories, Parishes	SP.EX.
Fraternities, Lodges	
Day Care Centers	
Golf Courses - Country Clubs	SP.EX. SF 1-2
Heliports	SP.EX. SF 1
Hospitals, Major	
Kennels - Including Outdoor Runs	SF 1 SP.EX.
Livestock Auction Sale Barns	SP.EX. SF 1
Large Animal Hospital	SP.EX. SF 1
Mobile Home Parks	
Multi-Family Housing	
Nursing Homes	
Office Buildings - General Purpose	
Private and Public Schools with Dorms	SP.EX. SF 1
Private Clubs, Lodges	SP.EX. SF 1
Public & Private Camps	SF 1
Raising Small Animals for	SP.EX. SF 1

Exhibit 'c'

Type of Business	AG – SF1
Biological Purposes	
Raising Animals for Furs or Pets	SP.EX. SF 1
Riding Academies	SP.EX. SF 1
Riding Stables	SP.EX. SF 1
Sanitariums	
Schools and Kindergartens	X
Stockyards - Shipping, Holding & Sale of Animals	SP.EX.
Tennis & Swim Clubs	SP.EX. SF 1-2
Utilities-Regulated by Indiana Utility Regulatory Commission	
Utilities - Not Regulated by Indiana Utility Regulatory Commission	
Wireless Communication Service Facilities (including Cell Towers)	

P = Eligible in Planned Business Development

NOTE: General Purpose Office Buildings are also Eligible to be Located in LB-H, SB-PD
NOTE: Where this table conflicts with other sections of the zoning ordinance that address "permitted uses" or "special exception uses" in the various zoning districts, then this table shall supercede those other sections.
NOTE: Land uses not listed on Figure 2 or in other sections of the zoning ordinance that address "permitted uses" or "special exception uses" in the various zoning districts shall be prohibited.
(As amended by Ordinance 01-05 on July 9, 2001)

2008050592 MISC $84.00
10/07/2008 02:13:04P 37 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

RESOLUTION 08-44

A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF LANDS DEFINED IN ORDINANCE 08-25

WHEREAS, the lands proposed to be annexed are contiguous to the City boundaries of the City of Westfield; and,

WHEREAS, IC 34-4-3-13 requires the City Council to adopt, by resolution, a fiscal plan for serving the area proposed to be annexed.

NOW THEREFORE BE IT RESOLVED that a fiscal plan is hereby attached to this Resolution and is incorporated as part of the Resolution as Exhibit "A".

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	Voting Against	Abstain
Kenneth Kingshill	Kenneth Kingshill	Kenneth Kingshill
Robert Horkay	Robert Horkay	Robert Horkay
John Dippel	John Dippel	John Dippel
Bob Smith	Bob Smith	Bob Smith
Tom Smith	Tom Smith	Tom Smith
Rob Stokes	Rob Stokes	Rob Stokes
Melody Sweat	Melody Sweat	Melody Sweat

ATTEST:

Cindy Gossard, Clerk-Treasurer

This resolution prepared by:
Gregory J Anderson, AICP
Director Community Development
City of Westfield

I hereby certify that RESOLUTION **08-44** was delivered to the Mayor of Westfield on the 26 day of SEPTEMBER, 2008, at _____ ____m.

Cindy Gossard

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION **08-44,**

this 26 day of Sept., 2008.

J. Andrew Cook, Mayor

I hereby VETO RESOLUTION **08-44,**

this _____ day of _____, 2008.

J. Andrew Cook, Mayor

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

C. Gossard

Signed

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Fiscal Plan for the Annexation of Real Estate Contiguous to the City of Westfield, Indiana

Generally described as the real estate located....

on the North side of 169th Street, approximately 1,300 feet West of Gray Road.

This Fiscal Plan Supports Ordinance 08-25

This Fiscal Plan is Exhibit "A"

as referenced by
Resolution 08-44

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Introduction

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of Westfield (the "City") and the 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 "Mendell, Donald W. Jr & Carolyn P." property and is generally described as being on the North side of 169th Street, approximately 1,300 feet West of Gray Road and within Westfield-Washington Township.

The Indiana Statutes (IC.36-4-3-13(d)) governing annexation activity by the City of Westfield require the preparation of a written fiscal plan and the establishment of an annexation policy by resolution, as of the date of the annexation ordinance. The fiscal plan is required to present cost estimates and a plan for the extension of municipal services to the areas proposed for annexation. Municipal services of a non-capital nature are required to be provided within one (1) year of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits. Likewise, municipal services of a capital improvement nature are required to be provided within three (3) years of the effective date of the annexation ordinance.

This report contains an estimate of the development revenues and expenditures that will result from the annexation of certain territory by the City. While the City is committed to providing the highest quality service to all areas of the community, the dollar figures presented here are only estimates and are subject to change. Variations may occur depending upon the rate and extent of future development, an increase or decrease in the cost of providing municipal services, or fluctuations in future property assessments.

Participants Involved in Fiscal Plan Preparation

City of Westfield

J. Andrew Cook	Mayor / Executive Officer
Bruce A. Hauk	Deputy Mayor / Chief Administrative Officer
Kevin Jowitt	Police Chief
Todd Burtron	Fire Chief
Kurt Wanninger	Director of Public Works
Joseph Plankis	Director of Economic Development
William Lundy	Director of Information Technology
Cindy Gossard	City Clerk / Treasurer
Gregory J Anderson, AICP	Director of Community Development

Financial Consultants

Buzz Krohn, O.W. Krohn Associates

Report prepared by:

Gregory J Anderson, AICP

Director, Community Development

City of Westfield

City of Westfield

Annexation Philosophy and Plan

The proposed Annexation is part of a larger, more comprehensive annexation plan and philosophy that has been in existence in the Westfield community for more than ten (10) years.

Although not currently confirmed through a resolution, the following philosophy will be forthcoming to represent the City's annexation plan.

Fiscal Policy of the City

It is appropriate to state that the annexation policies of the City are expected to correspond with the fiscal policies of the City. Therefore, it is the policy of the City of Westfield that annexation should only be undertaken under circumstances which are not adverse to the fiscal interests of the current residents and taxpayers of the City of Westfield.

General Philosophy and Plan

The philosophy and plan of the City of Westfield is to annex real estate into its corporate limits in accordance with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The adoption of an ordinance authorizing such annexation shall:

- *Provide the residents of the City of Westfield with a broad, stable and growing economic tax base; and,*

- *Provide a plan for the quality and quantity of urban development in a coordinated manner; and,*

- *Provide for preservation and enhancement of the public's overall health, safety, and welfare, regarding all of the City's residents; and,*

- *Allow for the provision of services to the annexed area in a cost effective manner that will not significantly impact existing residents.*

Further the City Shall:

- First seek the voluntary annexations of new development contiguous to the current City boundaries. It is certainly the preference of the City of Westfield to implement annexation action under the most amenable conditions possible; therefore in cases where it is practical and possible to achieve consensus the City prefers to proceed with annexation under the "voluntary" provisions of the statute (IC36-4-3-5).

- Enhance the existing assessed valuation of our municipality through voluntary annexations such that future annexations of "built out" neighborhoods can be achieved without tax differentials being the overriding issue being debated.

- Consider any requests for voluntary annexation from existing neighborhoods.

- Consider any involuntary annexations that will positively impact the future economic development opportunity of the community.

Financial Incentives in Support of Annexation

Aside from the issue of municipal services, the City has developed annexation and growth policies with support for the concept of applying economic incentives to the annexation policies as a basis for building public support and popular consensus. The financial incentives possibly considered by the City of Westfield include:

- tax abatement provided by IC 36-4-3-8.5;

- delay of the effective date of the annexation provided by IC 36-4-3-8;

- negotiation of supplemental services (based on surplus tax revenues);

- elimination of utility services surcharges;

- appropriate arrangements as provided by IC36-4-3-21; and,

- agricultural tax liability exemption for municipal taxes provided by IC36-4-3-4.1.

It is the fundamental position of the City, however, that the extension of such financial incentives shall be made primarily in those cases where it is appropriate to the fiscal and governmental interests for the City of Westfield.

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Requirements of Indiana Law

The City Council for the City of Westfield is granted the authority under Indiana law to annex land that conforms with the terms of Title 36, Article 4, Chapter 3 of the Indiana code. The minimum criteria used to determine the eligibility of land for annexation must establish that:

- The territory sought for annexation is contiguous to the corporate boundary of the municipality; or

- The territory sought for annexation is not contiguous to the corporate boundary of the municipality, but is occupied by a municipally owned or operated airport or landing field; or

- The territory sought for annexation is not contiguous to the corporate boundary of the municipality, but is occupied by a municipally owned or regulated sanitary landfill, golf course, or hospital.

Additionally the following criteria are also used to further determine the eligibility of land for annexation and must establish that:

- The boundary of the area proposed for annexation must be at least 1/8 contiguous to the present corporate limits of the municipality, and:

    - have a population density of at least three persons per acre; or

    - be zoned for commercial, business, or industrial use; or

    - be at least 60% subdivided.

- The boundary of the area proposed for annexation must be at least 1/4 contiguous to the corporate limits of the municipality, and the area must be needed and can be used by the municipality for its development in the reasonably near future. The preparation of a written fiscal plan is also required to outline the provisions for:

    - The cost estimates of planned services to be furnished to the area proposed for annexation;

    - The method or methods of financing the planned services;

    - The plan for the organization and extension of planned services;

    - The provision of planned services of a non-capital nature within one (1) year of the effective date of annexation; and,

    - The provision of planned services of a capital improvement nature within three (3) years of the effective date of annexation.

The fiscal plan must also discuss the provisions to be made to ensure the delivery of capital and non-capital services in a manner equivalent in standard and scope to those services currently being provided to other areas within the corporate boundary regardless of topography, patterns of land use, and population density. This document is intended to serve as the aforementioned fiscal plan.

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Parcel Analysis

Location

The area proposed for annexation is generally described as the real estate located on the North side of 169th Street, approximately 1,300 feet West of Gray Road**.**

(*reference attached Exhibits "B" – Legal Description and "C" – Aerial Map*)

Contiguity

The area considered for annexation is contiguous to the corporate boundary of the City of Westfield. The perimeter of the parcels measure approximately 1,185 feet which is 0.22 miles.

The area (property boundary) that is contiguous to the City Limits is 0.22 miles, which exceeds the statutory requirements of one-eighth (1/8) contiguity.

Size

The area proposed for annexation encompasses an area of approximately 0.003 square miles or approximately 2.2 acres.

Population

The population of the area proposed for annexation is estimated to be 1.00 persons, should this property be developed. Census Tract and Block statistics from the 2000 Census of Population and Housing indicate an average of 0.48 persons per dwelling unit for Washington Township. The parcels do not have a population density greater than three (3) persons per acre.

US Census Information - 2000	
State:	Indiana
County:	Hamilton
County Subdivision:	Washington Township
Census Tract:	1105.03
Block Group:	2
Block:	2039
Congressional Dist:	6
Congressional Dist:	5
State Legislative (Upper):	21
State Legislative (Lower):	39
School District, Unified:	Westfield-Washington
Super Public Use Microdata Area:	18070
Public Use Microdata Area:	01901
MSA/CMSArea:	Indianapolis, IN MSA
3-Digit Zip Code:	460
5 Digit Zip Code:	46060
Total Block Population:	8146
Block Area (size = acres):	17056
Average Population / Acre:	0.48
Estimate of Annexation Population:	1.00

Structures

The area under consideration has an existing structure type as follows:

Existing Structures		
Type of Structure	**# of Units**	**Pop.**
Single-Family Detached	1	3
Single-Family Attached	0	0
Multiple-Family	0	0
Commerical / Retail	0	
Industrial / Manufacturing	0	
Industrial / Manufacturing	0	
Total:	1	3

Patterns of Existing Land Use

Existing land use as determined by a field investigation and review of the attached aerial photograph (Exhibit "C") of the following:

Land Use (Acres)		
Single-Family Detached:	2.2	100%
Single-Family Attached:	0.0	0%
Multiple-Family:	0.0	0%
Commercial / Retail:	0.0	0%
Industrial / Manufacturing:	0.0	0%
Institutional [schools/parks]:	0.0	0%
Public R.O.W.:	0.0	0%
Undeveloped / AG:	0.0	0%
Total Acres:	2.2	100%

Zoning

The area proposed for annexation is currently located within the planning and zoning jurisdiction of the City of Westfield through a joinder agreement with Washington Township served by the Advisory Plan Commission (APC). If annexed, the parcels will remain in the same planning jurisdiction.

Zoning designations in the proposed annexed area include the following districts:

Zoning Districts	
Zone	Description
SF-3	Single Family - 3

See attached Map, Exhibit E.

Upon the annexation of the properties stated herein, none of the adjoining properties zoning designations will in effect change from this annexation.

Property Tax Assessment

The pay 2009 total net assessed valuation of all real property and its improvements located within the area proposed for annexation is $201,500.00 .

Municipal Property Tax Rate

The existing 2008 pay 2009 property tax rate assessed to all real property and its improvements within the area proposed for annexation is $2.44 per $100.00 of assessed valuation. This is the total Westfield-Washington Township tax rate assessed to all real property and its improvements.

City Council District

The areas for the proposed annexation shall be incorporated into Council District 1.

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Municipal Services

The City of Westfield currently extends to its citizens a diverse range of public services. These services are provided by six different municipal departments. Each department has a unique and separate function within the municipal service system of the City. These departments include: Administration (Executive Office), Police, Fire, Public Works, Economic Development, Information Technology, Parks and Recreation, City Clerk/Treasurer and Community Development.

Each of the 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.

Fiscal impact analysis has been used throughout the United States for nearly seventy-five years as a means of objectively evaluating development proposals, including those involving annexation. Throughout its tenure as a fiscal management tool of local government, fiscal impact analysis has evolved along with the maturation of the towns and cities in which it has been used. We are using two of the methods of fiscal impact analysis known as Per Capita Multiplier and Case Study.

Per Capita Multiplier

The "*Per Capita Multiplier*" method is the most widely used and relies on average municipal costs per person as an indicator of future costs incurred due to various types of development. This method is commonly employed in situations where service infrastructure bears a close relationship to service demand such that average costs of providing services to current users is as reasonable approximation of the cost to provide similar services to future users.

Case Study

The "*Case Study*" method of fiscal impact analysis is applied in very large, stable or declining cities, or very small, rapidly growing rural fringe areas. These communities typically exhibit excess or deficient service capacity. It projects future costs based on future demand determined by interviewing municipal department heads. This method assumes that each department head knows best the functional capacity of their agency and can respond most accurately to specific questions about existing and future service demands and the costs associated with the extension of services.

All municipal departments were analyzed to determine the extent of the affect of annexation. The Police, Fire, Public Works, Information Technology, Administration, Parks and Recreation and Community Development departments were identified as being affected by the annexation of new territory.

The effect on some of these departments was determined to be minimal and is likely to create no demand for additional personnel and associated expenditures. It can therefore be assumed that these departments are characterized by having adequate or possibly excess service capacity, and that the area proposed for annexation will not affect the workload of these departments or cause the need for additional expenditures associated with the provision of services.

The existing levels and costs of service provisions for each department are outlined on the next several pages of this report.

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Police Department

The thirty-eight (38) sworn officers of the City of Westfield Police Department provide the citizens of Westfield 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 Westfield City Council.

Annual operating costs associated with the addition of a uniformed police officer includes employees salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead in the amount of sixty-five thousand ($65,000.00).

Capital one time costs associated with the addition of a uniformed police officer includes a patrol vehicle and related equipment in the amount of fifty-five thousand ($55,000.00). These costs have been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The area identified for annexation includes 2.2 acres and an estimated population of 1.00 persons. The City of Westfield will provide police service to the proposed annexation area upon the effective date of annexation through the extension of an existing patrol area.

Provisioning of planned service of a non-capital nature within one year.
The services can be provided for the annexed area with existing personnel. The additional cost for the police officers to patrol this newly annexed area will be above and beyond the existing budgeted amount. The department will see an annual increase to its budget in the amount of $421.36 .

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.

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Fire Department

The fifty-eight **(**58**)** Firefighters and EMS personnel employed by the City of Westfield Fire Department respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies throughout the corporate limits of Westfield and throughout the remainder of Washington Township, Hamilton County.

The personnel of the Fire Department are assigned to two (2) fire stations located on Dartown Road (Headquarters) and 151st Street, respectively. 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 Washington Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel. The Geographic Information System (GIS) Study regarding the Emergency Services Response Capabilities, which was presented and released in 2008, further analyzes and expounds upon the annexation of new territory.

Provisioning of planned service of a non-capital nature within one year.
The services can be provided for the annexed area with existing personnel because currently the City provides the services to the entire township.

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

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Public Works Department

Transportation Division

The *Transportation Division of the Public Works Department* of the City of Westfield is part of the Public Works Department and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the City Limits of Westfield. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance and replacement, roadside drainage, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and removal of dead or damaged trees from the City rights-of-way.

Other responsibilities include resurfacing and reconstruction of all public roads with the exception of the roads falling under the jurisdiction of the Indiana Department of Transportation or the Hamilton County Highway Department. These operations are primarily funded from the Motor Vehicle Highway (MVH) fund, the Local Road and Street Fund (LR&S), and the Road and Street Improvement Fund.

There is approximately 288 lineal feet (0.05 miles) of public roads proposed in the annexation area. These roads include parts of the following named roads:

169th Street

Provisioning of planned service of a non-capital nature within one year.

The Transportation Division services can be provided for the annexed area with existing personnel with possible overtime expenditure not to exceed **$**1368.00. This additional expenditure can be accommodated with the additional revenue generated from the properties herein.

Provision of planned service of a capital nature within three years.

The capital services required for the new area will be achieved through increased MVH and LR & S funds received through the expanded road mileage formulas that result in funds from the State. Road improvements are evaluated each year and the new annexed area would be in that annual review process for consideration of improvements.

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Public Works Department

Water and Sewer Services

The *Water and Sewer Services* will be provided by Westfield Public Works Department / Water and Wastewater Divisions, which are responsible for the operation of the Water and Wastewater works for the City of Westfield. Services for both water and sewer are provided within the corporate limits and into certain areas of Washington Township currently.

The proposed area for annexation is currently not served by City water and sewer service and would have to be provided within the three (3) year capital service requirements.

Utility Service

The City of Westfield will provide access to sewer and water utility service for any proposed development and/or individual land owner, with the costs for connecting to that utility service to be borne by the developer/owner, in accordance with the policies and fee structure set forth by the Westfield City Council.

The development policies of the City of Westfield and the Westfield-Washington Advisory Plan Commission have required developers to install sewer and water utilities within their developments for the vast majority of developed sites within the City and/or Township for many years. In most cases, the developer installs such infrastructure and then adds this cost to the price of the developed parcel. This means that the cost of such infrastructure is paid by each individual property owner. However, in some cases, based upon the specific request of the developer or owner, the development has been allowed to proceed without utility connections.

The City's policy for utility connection shall be that the developer or owner may choose not to connect the proposed development to the municipal utility systems, and thus avoid the immediate cost of said connection. However, *when utility connections are later required, for whatever reason, the system of fees and charges promulgated by the Westfield City Council shall apply to that utility connection.* In this manner, the cost of installation of utility infrastructure is equitable to all property owners within the service area of the utility, whether the owner decides to connect to the utility systems when the development first occurs, or whether the owner decides to connect at some later date. The City currently has a method for allocating the cost of utility connections in a manner which is favorable to the property owners.

The City also reserves the right to consider other options for providing utility services when working with proposed annexation areas. Options which may be considered include, but are not limited to: payment plans, enlargement of payment periods, discounts, Barrett Law funding, bonds, inter-local agreements and BOT agreements.

Municipal Water Utility

The *municipal water utility* through its Public Works Water Division, provides potable water service to properties within the service area of the water utility and in many cases outside of the corporate limits of the municipality. The municipal water utility technically provides the service of pumping water from the water source, treating the water to some level, distributing the water

into the system of municipal water lines, storing the water for peak demand and fire protection purposes, and maintaining the system, in its entirety. This policy states that the water utility meets the parameters of providing access to water utility service, to a property, when a municipal water distribution line is within the distributive area of a main trunk line or lateral line. When water lines are already developed with respect to a specific property, the water utility is made directly available to that property when a water line is located within three hundred (300) lineal feet of the nearest property line of the developed parcel. Water utility service and connection costs are handled in a manner similar to that of the wastewater utility.

In some cases, property owners have not connected their property to the municipal water system and use private water sources (primarily wells) instead. This election is made by the property owner in accordance with the development standards of the property at the time of the original development. The municipal water system also extends beyond the corporate limits of the municipality and service is provided to property in unincorporated areas. The water utility is administered by the Westfield Board of Public Works who is responsible for recommending user charges to the legislative body of the municipality for implementation. The legislative body of the municipality may consider changes to the user charge system to reflect special situations, as well as changes in policy with regard to the type of customer and/or the location (inside or outside of the corporate limits of the municipality).

The policy of providing municipal water service is not to be construed as being "*free*" in any respect, and these costs are certainly not covered by property taxes. The water utility is supported by a system of user charges (*impact fees*) which is administered by the Westfield City Council. In addition, the development policies and standards of the municipality require the developer or owner to pay any capital costs associated with the extension of water distribution facilities into any proposed development and/or area of the City or Township. The major capital expenditures covered by the water utility (outside of the service extensions afforded by the developers) are the capital cost of constructing and maintaining water pumping and treatment and storage facilities. These are paid either directly or indirectly through the utility's user charge system. The cost of extending distribution lines is to be borne by the property owner or developer.

Property tax revenues are not a part of the water utility budget. The water utility sets a system of user charges which are generally paid on a monthly basis. Those user charges cover both the capital and operating costs of the water utility. In addition to monthly service charges, the water utility may consider and/or establish a system of fees or other services such as various connection fees, or supplemental fees for special facilities installed to meet the needs and demands of customers. The water utility is also subject to some regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

Fire Hydrants

Fire hydrants are generally supported by the user charge system of the water utility. As stated with regard to other services, the municipality may seek changes in the system of revenues used to pay for such services; however, at this time the policy of the City is that the developer of the

site – without regard to the nature of the development – is responsible for installing the fire hydrants necessary to protect the proposed development from catastrophic fire.

Municipal Wastewater Utility

The *municipal wastewater utility* through its Public Works Water Division, provides access to wastewater collection, treatment and disposal service to all properties within the corporate limits of the municipality. This policy states that the municipality meets the parameters of providing access to municipal wastewater service when the parcel is within the drainage watershed of a major interceptor, trunk or lateral sewer ***which ultimately delivers wastewater to the municipal wastewater treatment plant.*** In cases where sewer laterals are made available to developed parcels, the standard for service is met when a municipal sewer is located within three hundred (300) lineal feet of the nearest property line of the parcel.

In some cases, property owners have chosen not to connect their development to the municipal sewer system and use private wastewater disposal facilities (primarily septic tanks), instead. This decision is based purely upon the owner's election and the development standards of the original property development. As noted above, the general policy of the City is that the developer pays the cost of installing wastewater utility service in accordance with the schedule of fees and charges in effect at that time, and then adds that cost to the price of the developed parcel. In this manner, the property owner ultimately pays for the cost of the wastewater utility connection.

In the case of developers or owners who elect not to pay the cost of wastewater utility connections for whatever reason, it is the policy of the City of Westfield to respect that decision. However, when those private wastewater facilities become dysfunctional, it is the policy of the City of Westfield to provide such wastewater utility connections at the capital expense of the owner, and in accordance with the schedule of fees and charges set forth by the Westfield City Council at the time the work is undertaken. In this manner, the provision of wastewater utility services is equitable to all property owners.

The municipal wastewater system extends beyond the corporate limits of the municipality and municipal wastewater service is provided to property in unincorporated areas. The wastewater utility is also administered by the Westfield Board of Public Works which is responsible for developing and recommending a system of user charges for implementation. These user charges must cover the cost of both capital and operations of the wastewater utility. The municipality may consider changes to the user charge system to reflect special situations, as well as changes in policy with regard to the type of customer or the location (inside or outside of the corporate limits of the municipality).

The policy of providing municipal wastewater service is also not to be construed as being "*free*" in any respect, and the costs of such services are certainly not covered by property taxes. The wastewater utility is supported by a system of user charges which is administered by the Westfield Board of Public Works to cover both capital and operating expenses, in cooperation with the municipality. Property tax revenues are not a part of the wastewater utility budget. The development standards of the municipality are such that the capital cost of wastewater utility services are afforded by the developer as part of the development of the property (and that cost is

ultimately passed on to property owners). In addition to monthly service charges, the wastewater utility has established a system of fees for other services such as various connection fees, and/or supplemental fees for special facilities installed to meet the needs and demands of various customers. The cost of extending distribution lines is to be borne by the property owner or developer. The wastewater utility is also subject to regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

Wastewater utility services which are within the wastewater service area of the City of Westfield will be extended to any property desiring wastewater services and charges for the capital and non-capital cost of extending these wastewater services will be paid by the property owner in accordance with the approved schedule of rates and charges of the wastewater utility, and in accordance with approved annexation policies of the City. Currently, private developers install the local collector sewers as part of their development costs and pay access, as well as, capacity fees for the interceptor and treatment plant costs.

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Economic Development

The Westfield Economic Development Department is funded by its departmental budget approved by the City Council of the City of Westfield.

The proposed annexation is not anticipated to have an appreciable affect on the activities associated by the existence of this department within the City of Westfield.

Provisioning of planned service of a non capital nature within one year
The services can be provided for the annexed area with the existing budget.

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

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Information Technology

The Westfield Information Technology Department and its services are funded by the general fund of City of Westfield.

The proposed annexation is not anticipated to have an appreciable affect on this department and no additional costs for this function are anticipated.

Provisioning of planned service of a non capital nature within one year
The services can be provided for the annexed area with the existing budget.

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

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Parks and Recreation

The Westfield Parks and Recreation services are funded out of the Parks and Recreation departmental budget with the City of Westfield and user fees associated with the various functions and activities of the department.

The inventory of facilities include: Quaker Park, Simon Moon Park, Asa Bales Park, Liberty Park, Hadley Park and Freedom Trails park. These parks and recreation operations are supported by the City's General Fund and user fees.

The proposed annexation is not anticipated to have an appreciable affect on existing park facilities and no additional costs for this function are anticipated.

Provisioning of planned service of a non capital nature within one year
The services can be provided for the annexed area with the existing budget.

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.

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Clerk-Treasurer

The Clerk-Treasurer of the City of Westfield is responsible for the maintenance of all City records as it relates to the actions of the City Council and City finances.

The proposed annexation is not anticipated to have an appreciable affect on existing operations and no additional costs for this function are anticipated.

Provisioning of planned service of a non capital nature within one year.
The services can be provided for the annexed 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.

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Community Development Department

Planning Division

The Planning Division of Community Development is responsible for all of the planning and zoning support for the Advisory Plan Commission and the Board of Zoning Appeals. These responsibilities currently involve all of Washington Township; therefore, no service level increases are expected for this department with respect to the proposed annexation area.

Provisioning of planned service of a non capital nature within one year.

The services can be provided for the annexed area with exiting personnel who already serve the entire Township area.

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.

Code Enforcement Division

The Code Enforcement Division of Community Development is responsible for all of the code and ordinance enforcement within the City of Westfield corporate limits. No service level increases are expected for this department with respect to the proposed annexation area.

Provisioning of planned service of a non capital nature within one year.

The services can be provided for the annexed area with existing personnel who already serve the entire City area.

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.

Building & Inspections Division

The Building & Inspections Division of Community Development processes building permits throughout all of the Washington Township, Hamilton County area. It conducts inspections on new buildings and unsafe structures. Since this department currently functions throughout the entire Township, no service level increases are expected for this department with respect to the proposed annexation.

Provisioning of planned service of a non capital nature within one year.

The services can be provided for the annexed area with exiting personnel, who already serve the entire Township.

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.

Financial Summary and Recommendations

The area proposed for annexation has been researched and analyzed in accordance with the terms of the Indiana Code, title 36, Article 4, Chapter 3.

Financial Summary

The primary source of revenue for the City of Westfield is that which is received from property taxes and COIT (County Option Income Tax).

The net assessed valuation of all real property and its improvements within the area proposed for annexation is $201,500.00 .

As a result of additional population and roadways, the City of Westfield also receives revenue from other sources that include Alcohol Gallonage Taxes, Cigarette Tax, Vehicle Excise Tax, MVH road miles tax, and LR& S road mile tax.

Assuming the annexation occurs prior to January 1, 2009, the property within the area proposed for annexation will then be entered into public record and assessed for taxation as an incorporated area.

Revenue received by the City of Westfield from property assessed on or before March 1, 2009 will not be realized until May and November of 2010. The delay in the collection of property taxes will cause the City to experience a cost of services from existing budgets due to the required provision of non-capital services in the first year following annexation. To the extent that real costs exceed revenue as a result of this annexation, the City of Westfield is prepared to use funds from other budgeted line items in order to assure that services required by State Statute are provided to the proposed annexation area.

The following tables show the net assessed valuation that would be achieved through the proposed annexation. This takes into account the exempt properties and the tax abatement applied to all of the other parcels.

With the exception of calendar year 2009, the City of Westfield will accrue a net addition to budget line items that support the operating costs of the newly annexed area.

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Estimated Net Assessed Valuation Table

		2008	2009	2010	2011
Total AV of Annexed Area		$ 201,500	$ 207,545	$ 213,771	$ 220,184
Less AV Agr. (Exempt)		$ -	$ -	$ -	$ -
			0%	0%	0%
Total AV Non-Agriculture		$ 201,500	$ 207,545	$ 213,771	$ 220,184
Less Abatement			$ -	$ -	$ -
			0%	0%	0%
Est. AV net of Abatement			$ 207,545	$ 213,771	$ 220,184

Estimated Revenue and Expense Table

		2008	2009	2010	2011
Revenue Sources					
COIT		$ -	$ 670	$ 690	$ 711
Property Tax Rev.		$ -	$ 882	$ 909	$ 936
Other Revenue		$ -	$ 314	$ 324	$ 333
MVH		$ -	$ 1,349	$ 1,389	$ 1,431
LRS		$ -	$ 658	$ 678	$ 698
TOTAL:		**$ -**	**$ 3,873**	**$ 3,990**	**$ 4,109**
Operating Costs		$ -	$ 1,795	$ 1,840	$ 1,886
Net Realized		$ -	$ 2,078	$ 2,150	$ 2,223

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Capital Services for Water

The total estimated cost to provide for water services to the annexed area is anticipated to be funded through its connection fees (assuming the equivalent of three (3) units per acre) associated with the 2.2 acres of land would generate approximately $15,180.00 of the estimated $37,300.00 necessary to construct the water system.

If the 2.2 acres would build out in 10 years, *a conservative estimate*, the recovery of connection fees over that time period would provide an income stream of approximately $1,518.00 annually to support the bond payments.

In addition, annual user fees for service, would add another $1,853.28 per year once the area is completely built out.

This evaluation indicates that the City of Westfield could provide these services to the annexed area.

Capital Services for Wastewater

The total estimated cost to provide for wastewater services to the annexed area is anticipated to be funded through its connection fees (assuming the equivalent of three (3) units per acre) associated with the 2.2 acres of land (6.6 dwelling units), which would generate approximately $31,020.00 of the estimated $48,575.00 necessary to construct the wastewater system.

If the 2.2 acres would build out in 10 year(s), *a conservative estimate*, the recovery of connection fees over that time period would provide an income stream of approximately $3,102.00 annually to support the bond payments.

In addition, annual user fees for service would add another $3,627.36 per year to the revenue stream once the area is completely built out.

This evaluation indicates that the City of Westfield would be able to provide these services to the annexed area.

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RECOMMENDATIONS

Annexation is recommended due to its conformity with the Indiana State Statutes governing annexation by a municipality, as noted below. The effective date of the annexation is expected to be ninety (90) days following its passage and publication as required by law. Pursuant to I.C. 36-4-3-1.5, the area proposed for annexation is at least one-fourth contiguous to the existing corporate limits of the City of Westfield. Furthermore, this report has established a plan and cost estimate for the provision of municipal services to the area proposed for annexation and outlined provisions for the following, pursuant to IC 36-4-3-13(d).

- The cost estimates of planned services to be furnished to the area proposed for annexation;
- The method or methods of financing the planned services;
- The plan for the organization and extension of planned services;
- The provision of planned services of a non-capital nature within one (1) year of the effective date of the annexation; and,
- The provision of planned services of a capital improvement nature within three (3) years of the effective date of the annexation.

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EXHIBIT "A" - TIMELINE

Feasible Timeline for City of Westfield

Introduction of Annexation:	June 23, 2008
Public Hearing:	August 25, 2008
Ordinance Adoption:	August 25, 2008
Ordinance Effective:	December 29, 2008

Exhibit "B" - Legal Description

SEA Group
Land Surveyors
494 Gradle Drive
Carmel, IN 46032
Phone: 317.844.3333
Fax: 317.844.3383
www.SEAGroupLLC.com

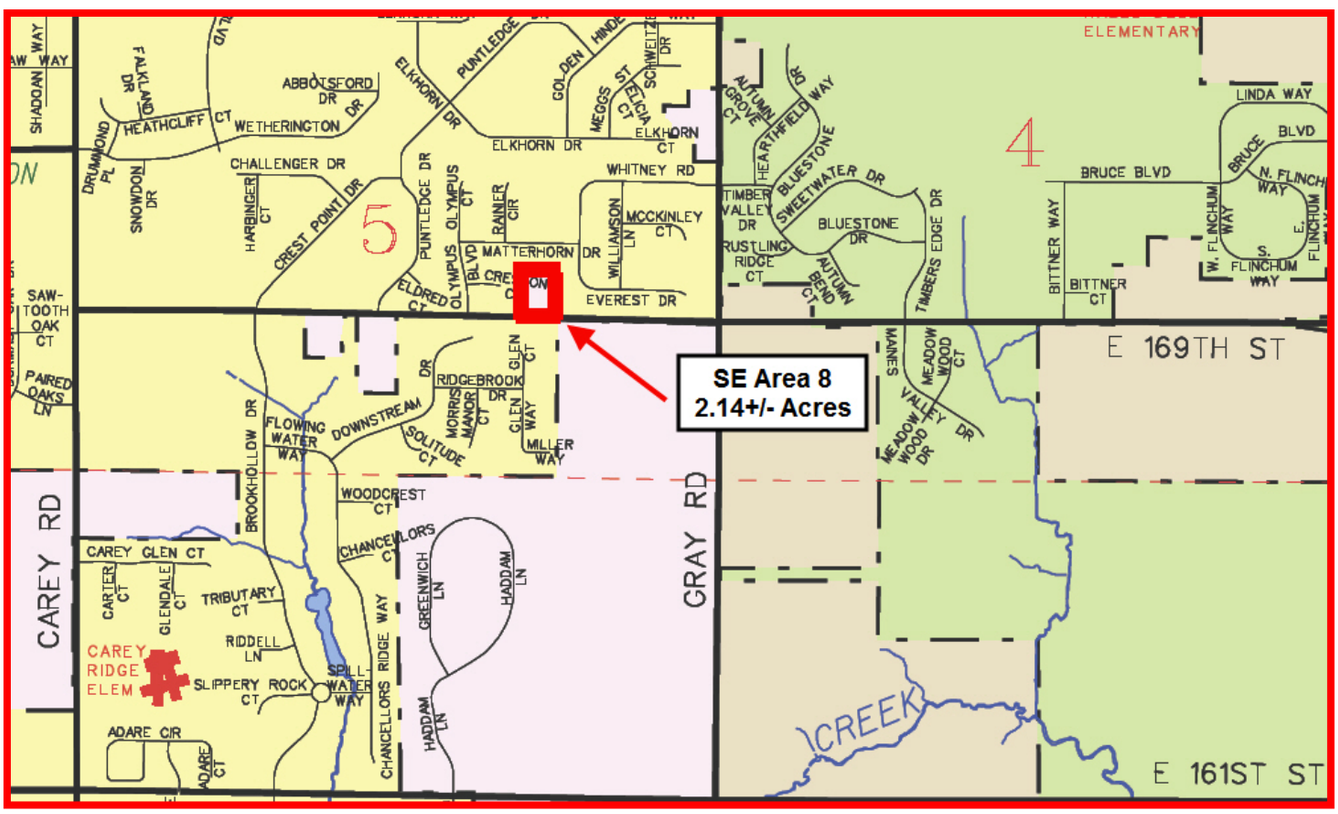
City of Westfield, Hamilton County, State of Indiana – Annexation Description

Southeast Area Eight

A part of the Southeast Quarter of Section 5, Township 18 North, Range 4 East, Washington Township, Hamilton County, State of Indiana, being more particularly described as follows:

Commencing at the Southeast corner of the North Half of the Southeast Quarter of said Section 5; thence Westerly, along the South line thereof, approximately 1336.63 feet to the POINT OF BEGINNING of this description and a Southwest corner of a Previous Annexation, designated 04-08, the following three (3) calls being along some Western, Southern, and Eastern lines thereof; 1) thence Northerly approximately 321.79 feet; 2) thence Westerly approximately 290.00 feet; 3) thence Southerly approximately 321.79 feet to a point on the South line of the aforementioned North Half Quarter Section; thence Easterly, along said South line, approximately 290.00 feet to the POINT OF BEGINNING, containing approximately 2.14 Acres, more or less.

(Note: This description was prepared without benefit of a real estate boundary survey and should not be used for transfer of ownership.)

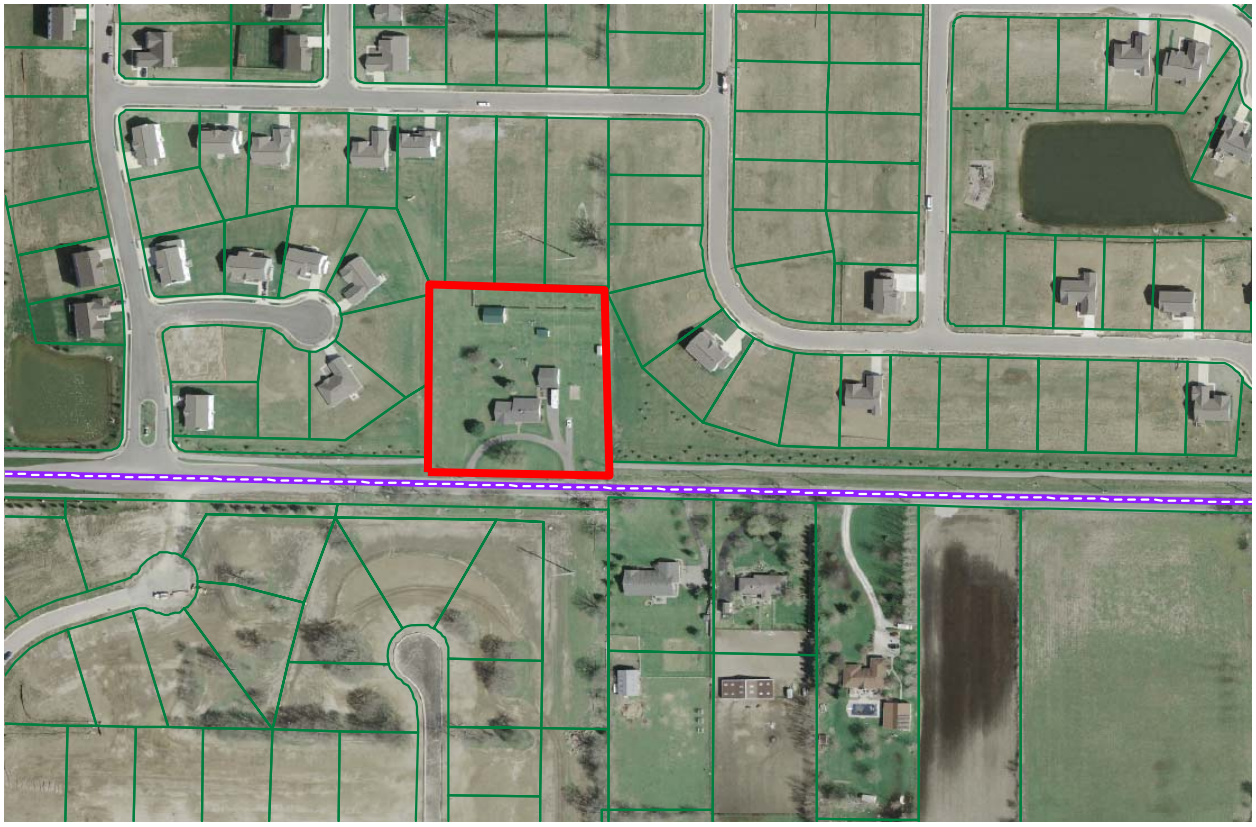


Consisting of the following Parcel Numbers:

08-10-05-00-00-013.000

EXHIBIT _____

EXHIBIT "C" – AERIAL MAP



Subject Property

EXHIBIT "D" – PROPERTY IDENTIFICATION

Generally Described as follows:

PIN:	08-10-05-00-00-013.000	**PIN:**	
Address:	4535 169th Street	**Address:**	
Owner:	Mendell, Donald W. Jr. & Carolyn	**Owner:**	
Acres:	2.170	**Acres:**	
Value:	201500	**Value:**	

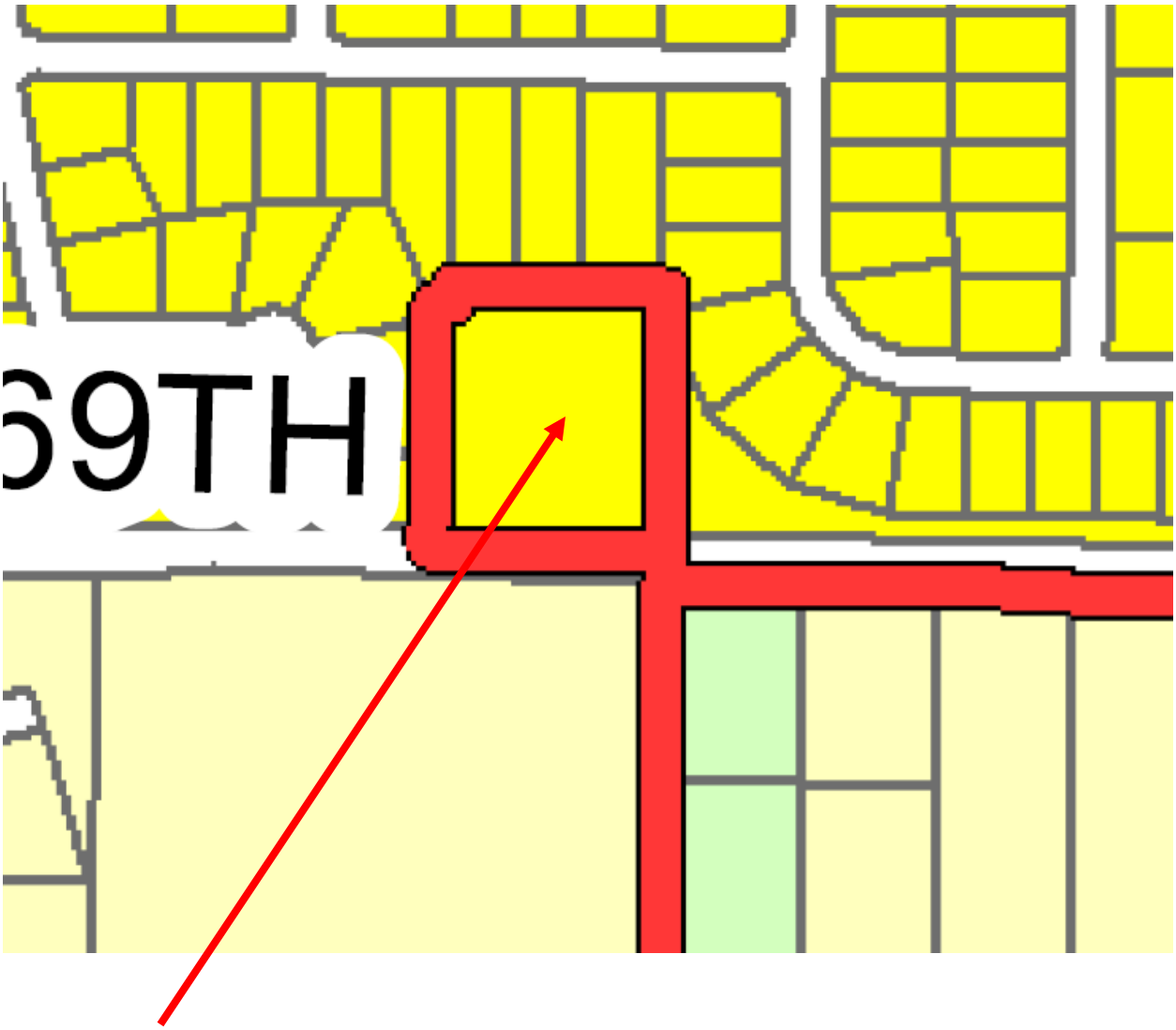
PIN:		**PIN:**	
Address:		**Address:**	
Owner:		**Owner:**	
Acres:		**Acres:**	
Value:		**Value:**	

PIN:		**PIN:**	
Address:		**Address:**	
Owner:		**Owner:**	
Acres:		**Acres:**	
Value:		**Value:**	

PIN:		**PIN:**	
Address:		**Address:**	
Owner:		**Owner:**	
Acres:		**Acres:**	
Value:		**Value:**	

Total Acres:	**2.170**
Total Value:	**$ 201,500**

EXHIBIT "E" – ZONING MAP



Subject Properties

Zoning Districts	
Zone	Description
SF-3	Single Family - 3