

Common Council

Agenda Item

Cover Sheet

MEETING DATE: September 10, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

ITEM or ORDINANCE: #RC-38-24

PRESENTED BY: Joyceann Yelton

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

RESOLUTION NO. RC-38-24

**A RESOLUTION ESTABLISHING A FISCAL PLAN FOR THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

**5263 E. 156th Street
Super-Voluntary Annexation**

WHEREAS, the City of Noblesville (the "City"), Indiana, is desirous of the annexation of certain territory into its municipality as provided by a "super-voluntary annexation" application; and

WHEREAS, the area to be annexed is located at 5263 Street in Noblesville Township, Hamilton County, Indiana as described in in **Exhibit A** (Legal Description) and **Exhibit B** (Annexation Territory);

WHEREAS, pursuant to Indiana Code 36-4-3-13(d), the Common Council of the City of Noblesville, Indiana, is required to adopt a written fiscal plan prior to the passage of such annexation ordinance, and prior to annexation of property under IC. 36-4-3; and

WHEREAS, the City of Noblesville has had prepared such fiscal plan outlining the City's intent to provide services to the newly annexed area pursuant to Indiana law and that the plan is attached hereto as **Exhibit C**.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville meeting in regular session that the fiscal plan as **Exhibit C** is hereby approved and adopted for the area sought to be annexed.

ADOPTED this _____ day of _____, 2024

COMMON COUNCIL

AYE	COUNCIL	NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	David M. Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____
 Evelyn L. Lees, City Clerk

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Presented by me to the Mayor of the City of Noblesville, Indiana this _____ day
of _____, 20_____ at _____ M.

Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

I, affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Joyceann Yelton, Declarant

Prepared by: Joyceann Yelton, Development Services Manager, City of Noblesville, 16 South 10th Street, Noblesville, IN 46060 (317) 776-6325

LEGAL DESCRIPTION

A part of the East Half, of the East Half, of the Northwest Quarter of Section 16, Township 18 North, Range 4 East, in Hamilton County, Indiana and being more particularly described as follows:

Beginning at the Northeast corner of said Half, Half, Quarter; thence on the East line thereof, South 00 degrees 29 minutes 31 seconds East 332.00 feet; thence parallel with the North line of the said Half, Half, Quarter; South 89 degrees 41 minutes 30 seconds West 393.65 feet; thence parallel with the East line of the said Half, Half, Quarter; North 00 degrees 29 minutes 31 seconds West 332.00 feet to the North line of the said Half, Half, Quarter; thence on the North line thereof, North 89 degrees 41 minutes 30 seconds East 393.65 feet to the Point of Beginning.

Annexation includes any public right-of-way adjacent to the above described land not previously annexed by the City of Noblesville, Indiana shall be included as a part of this annexation. The adjacent full right-of-way includes East 156th Street.



9/5/2024, 1:41:58 PM

- centerlines
- Parcels

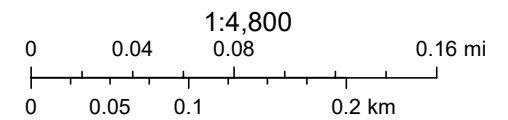
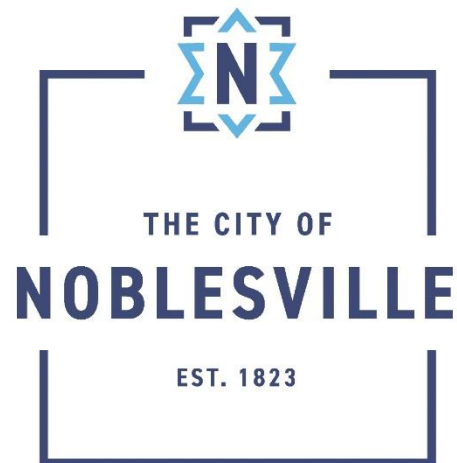


EXHIBIT C

**FISCAL PLAN FOR THE VOLUNTARY ANNEXATION OF
APPROXIMATELY 3.0 ACRES OF REAL ESTATE CONTIGUOUS TO THE
CITY OF NOBLESVILLE KNOWN AS 5263 EAST 156th STREET**



April ##, 2024

This Fiscal Plan Supports Ordinance No. ##-##-24

This is Exhibit C for Resolution RC-##-24

*Prepared by:
Bruce Bittner, C.P.A.
Andrew Wert, A.I.C.P.
Church Church Hittle + Antrim
2 North 9th Street
Noblesville, IN 46060*

INTRODUCTION

This report outlines the estimated fiscal impact of annexation of real estate to the City of Noblesville, Hamilton County, Indiana (the “City”) and the capacity of the City to provide necessary capital improvements and non-capital services to the subject area. The real estate proposed for annexation in this report is referred to as the “Annexation Area” as further described herein, and is located adjacent to the corporate limits of the City as of the date of adoption of this report. This annexation is 100% voluntary.

Indiana State Statutes require the legislative body of a municipality to adopt a resolution when approving an annexation ordinance. Specifically, I.C. 36-4-3-13(d) requires the resolution to show cost estimates and a plan for extension of municipal services. State law also requires that within one (1) year of annexation, the City provide the annexed area with “planned services of a non-capital nature” which are “equivalent in standard and scope” to those non-capital services provided to similar areas of the City. In addition, the law states that services of a capital improvement nature...be provided within three (3) years of the effective date of the annexation, in the same manner as those services are provided” to other areas within the City. The City of Noblesville will provide police and fire protection, traffic control, planning and building inspection services, and road maintenance upon annexation. In addition, access to the sanitary sewer system to be provided by the City and City park facilities will be available to residents of the subject area.

This report contains an analysis of the projected revenues and expenditures as well as a description of services to be provided to the newly annexed area, as required by law. While the City is committed to providing services in the same manner as similar areas currently within city limits, dollar figures presented here are estimates and are subject to change. Variations may occur and are dependent on the rate and extent of future development, fluctuations in future property assessments, and an increase or decrease in the cost of providing municipal services.

PROPERTY ANALYSIS

The subject property is located at 5263 East 156th Street in Noblesville Township, Hamilton County. It is further described in **EXHIBIT A** and depicted in **EXHIBIT B** and encompasses 3.0 acres, more or less, (the “Annexation Area”).

The Annexation Area is contiguous to the City’s corporate limits and is in compliance with the statutory contiguity requirements outlined in I.C. 36-4-2-1.5. This Statute 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. The Annexation Area is contiguous on its south, east and west boundaries.

The Annexation Area, as of this writing, is residential in use and contains, at this writing, one under-construction single family home. The property carries a zoning classification of “R1 Low to Moderate Density Single Residential”. It is anticipated that the Annexation Area will be subdivided into three residential lots.

The 2023 payable 2024 total gross assessed valuation of all real property and its improvements within the Annexation Area is \$103,600. The existing 2023 payable 2024 property tax rate assessed to all real property and its improvements is 1.2725 per \$100 of assessed valuation. This is the total Noblesville Township tax rate assessed to all real property and its improvements subject to any property tax caps which may apply.

The build-out of the Annexation Area is planned to consist of three single family homes.

MUNICIPAL SERVICES

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 with the municipal service system of the City of Noblesville. These departments include Administration, Fire, Police, Wastewater, Parks and Recreation, Street and Planning Departments.

The estimated impact on these services are provided for each department.

Police Department

This area will fall under the jurisdiction of the Noblesville Police Department immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or are in danger of physical harm, the resolution of day-to-day conflicts among residents, and the creation and maintenance of a sense of security in the community. The Police Department is also involved in court proceedings and protection of constitutional guarantees. Furthermore, they are responsible for the control of traffic and the promotion and preservation of civil order.

With the annexation of this area, the Noblesville Police Department would add no existing streets to its patrol area. The Annexation Area fronts East 156th Street and has 393.65 feet of frontage on this public street. The approved zoning for this parcel calls for three residences to be constructed. The annexation will involve an extension of an existing patrol area, and will consist of responses to calls regarding injuries, damage to equipment or property, and other criminal activity.

The Noblesville Police Department has estimated that this residential development will have minimal annual impact on the department's funding.¹ Police services will be provided to the Annexation Area immediately upon annexation.

¹ Source: City of Noblesville Police Department

Fire Department

The Noblesville Fire Department currently provides fire protection services to the Annexation Area through a Fire Protection Services Agreement with Noblesville Township. Though the subject property will be located within the Noblesville fire protection area, it is appropriate to note that the annexation area falls within the jurisdiction of Citizens energy Group for water service.

The subject area will be served by Fire Station #76 located at 16800 Hazel Dell Road, approximately 1.75 miles from the Annexation Area. The Noblesville Fire Department has estimated minimal annual impact for routine fire and EMS protection.¹ Fire services will be continue to be provided to the Annexation Area by the Noblesville Fire Department immediately upon annexation.

Street Department

The subject annexation area will derive access from East 156th Street. State Statutes require annexation ordinances to incorporate the entire right-of-way the property fronts. This annexation will result in adding 0.075 miles (393.65 feet) of existing public road to the City. Street maintenance costs have been calculated using a cost per mile figure obtained from the Indiana Department of Highways. Two figures are given, one for routine maintenance and the other long term revitalization costs.

Routine maintenance has been calculated at \$7,867 annually per mile.² This category would include such items as street sweeping, pothole patching, sign maintenance, traffic markings, snow removal and street treating, and brush pickup. Cost breakdown is as follows: 0.075 miles x \$7867 = \$320.

Revitalization costs have been calculated at \$6,010 annually per mile.² This would be the amount necessary for an asphalt overlay every 20 years. Cost breakdown is as follows: 0.075 miles x \$6010 = \$451. This cost would not become apparent until year 2044.

Solid Waste Disposal

Following current City policy, single-family residential lots within the annexation area would be provided with trash pickup upon the effective date of annexation. In January 2016, the City adopted a trash fee requiring owners of residences receiving City trash pickup to pay for the cost, which is to be added to the monthly sewer bill. The current contract is based on \$13.85 per month per unit. Each new residence inside city limits would add \$13.85 per month to the City's cost. This cost will be recouped in monthly billings to residents. The figure presented in this report is based on the assumption that future renegotiations of the solid waste contract would factor in additional units at the same rate.

$$3 \text{ new residence} \times \$13.85 \times 12 \text{ months} = \$498.60$$

With consideration given to the trash fee reimbursement, adding three new residences would result in no additional cost to the City for solid waste disposal.

¹ Source: Noblesville Fire Department

² Source: City of Noblesville, Resolution RC-16-18, Fiscal Plan for the Voluntary Annexation of approximately 460 acres of Real Estate Contiguous to the City of Noblesville to be known as Parkside At Finch Creek, with 3% annual increase.

Sanitary Sewer

There is an existing sanitary sewer manhole located approximately 125 feet southwest of the subject parcel in the common area of Westmoor At Noble West subdivision. Extending sewer service to the proposed homes would involve the extension of a sewer line from this manhole.

Upon annexation, the City would be required to provide sewer service to the area within a period of three years. This fact has already been taken into account by the nature of expansion of the Master Plan. With the existing system of financing, sanitary sewer service is generally independent of property tax support from the General Fund. Because of the factors mentioned above, it is not necessary to account for additional costs for providing sanitary sewer service to the annexation area. The City is, however, committed to serve the annexation area with sanitary sewers immediately upon the effective date of annexation.

Storm Water Management

In 1987, the United States Congress adopted amendments to the Clean Water Act regulating storm water discharges from municipal separate storm sewer systems (MS4s). In 1999, additional regulations were handed down by the Environmental Protection Agency which placed Noblesville under the National Pollutant Discharge Elimination System's (NPDES) Phase II Program. The City has an approved Storm Water Quality Management Plan in place which requires developers to submit a Storm Water Pollution Prevention Plan for any new project.

Upon annexation, the City of Noblesville would become the responsible party for management of storm water discharge.

Planning, Zoning and Building Services

Indiana State Statutes allow the extension of zoning and building inspection services two miles from the corporate limits. Noblesville has exercised this power in Noblesville Township. Planning services are largely fee supported. For this reason, no additional planning costs will be incurred by the City as a result of this annexation. Planning, zoning, and building services will continue to be provided to the annexed area upon annexation.

Parks And Recreation

The annexation area contains no existing public parks. Dr. Jame A. Dillon Park is located approximately one and a half miles to the southeast. It is a 77.5-acre full-service city park with playgrounds, trails, ball courts, shelters and a splash pad.

SUMMARY

This financial analysis of the proposed annexation area is intended to be used as a tool in reaching a decision on extending the City's boundaries. While it is not feasible to analyze every possible scenario, the cost and revenue figures presented here are reasonable estimates.

Costs not considered here include the incremental need for additional administrative staff as city boundaries expand. Revenues not considered include the fact that with each annexation, variables used in the formula for distribution of various taxes to the City are modified with a resulting change in tax revenue. Nevertheless, it is the City's intent to provide services, both capital and noncapital, to the annexation area immediately upon the effective date of annexation. To the extent that there may be unforeseen costs in rendering those services, which may be over and above revenue indicated in this study, the City is prepared to use Local Income Tax (LIT) funds to provide these services.

Comparing projected revenues with projected expenditures, shows that this annexation will be a fiscally sound and beneficial action. Most of the costs for the proposed development will not be incurred immediately as the current use is agricultural and will remain as such during the infrastructure installation. Based on these figures, the City will be financially able to provided services of both a non-capital and capital improvement nature within one (1) year and three (3) years after the effective day of annexation, respectively.

It is recommended by this report that the proposed area be annexed into the corporate limits of Noblesville. It is further recommended that the newly annexed area be assigned to Council District Number 2, to which it is adjacent.

SCHEDULE 1

Pre and Post Development Assessed Values

<i>Parcel ID</i>	<i>Acreage</i>	<i>Pre-Value</i>	<i>Post-Value</i>
10-11-04-00-00-027.000	5.94	\$ 3,500	\$3,375,000 ¹

SCHEDULE 2

Estimated Tax Revenues

Property Tax

Assessed value (estimated ¹)	\$ 3,375,000
Less Deductions ²	<u>- 144,000</u>
Net Assessed Valuation	\$ 3,231,000

$$\$3,231,000/100 \times 1.1 \text{ (City Tax Rate)} = \$ 29,373$$

$$\$3,231,000/100 \times 2.7717 \text{ (Total Tax Rate)} = \$ 87,305$$

$$\$3,375,000 \times 0.01 \text{ (Circuit Breaker)} = \$ 33,750$$

$$\text{City Rate/Total Rate} = 40.7\%$$

$$\text{City Revenue: } \$33,750 \times 0.407 = \$33,750$$

$$\text{Total City Property Tax Revenue: } \underline{\$13,736}$$

Local Income Tax

Incremental percentage of total COIT distribution yields \$5,598

Motor Vehicle Highway (MVH): \$634

Local Road & Street (LRS): \$376

¹ – value of three homes estimated by property owner Tim Juergensen; figure represents 75% of market value

² – assumes standard homestead credit of \$48,000 for each unit

SCHEDULE 3

Projected Revenues For The Proposed Annexation Area

Real Property Tax	\$ 13,736
Local Income Tax	\$ 5,598
Motor Vehicle Highway	\$ 634
Local Road & Street	\$ <u>376</u>
TOTAL	\$ <u>20,344</u>

SCHEDULE 4

Projected Expenditures For The Proposed Annexation Area

Police	\$ 0
Fire	\$ 0
Street Maintenance	\$ 771
Solid Waste Collection	\$0
Sanitary Sewer Availability	\$0
Planning & Building Services	\$0
Parks & Recreation	\$0
TOTAL	\$ <u>771</u>

SCHEDULE 5

Estimated Revenues and Costs By Year

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
Total Revenue	\$0	\$0	\$7,454	\$13,900	\$20,244
Total Costs	\$0	\$771	\$ 771	\$ 771	\$ 771
Surplus (Deficit)	\$0	\$ <u>(771)</u>	\$ <u>6,883</u>	\$ <u>13,129</u>	\$ <u>19,573</u>

SCHEDULE 6

Calculation of Estimated District Tax Rate Impact

	<u>Noblesville Township</u>
Estimated Tax Rate ¹	2.7021
Estimated Increase/Decrease ²	0
Net Tax Rate Impact due to annexation	2.7021
Estimated District Tax Rate with Annexation	2.7021
Estimated Tax Rate Increase/decrease	0
Estimated Percentage Change	0

SCHEDULE 7

Estimated Tax Rate Impact by Political Subdivision

<u>Before Annexation</u>	<u>Estimated Tax Rates (Years 1 – 5)</u>
Hamilton County	0.2737
Noblesville Township	0.2379
School District	1.2725
Library	0.0495
Solid Waste District	0.0025
City of Noblesville	-----
TOTAL	<u>1.8361</u>

<u>After Annexation</u>	<u>Estimated Tax Rates (Years 1 – 5)</u>
Hamilton County	0.2737
Noblesville Township	0.0039
School District	1.2725
Library	0.0495
Solid Waste District	0.0025
City of Noblesville	<u>1.1000</u>
TOTAL	<u>2.7021</u>

¹ Based upon certified 2023 payable 2024 tax rates, Hamilton County Auditor's Office

² The estimated increase in property tax levy needed to provide revenue to fund the increases in the City's budget as a result of the annexation is assumed to be negligible due to the limited municipal services required to be provided to a 3-lot subdivision. Therefore, no tax rate impact is shown.

SCHEDULE 8

Summary of Site and Construction Schedule

3 single family homes

5263 East 156th Street, Noblesville, Indiana 46062

Zoning classification is R-1

Site Work Infrastructure began March 2023

Buildout, first four years after building construction start

January – December 2024/Assessed Value \$1,125,000

January – December 2025/Assessed Value \$2,250,000

January – December 2026/Assessed Value \$3,375,000

January – December 2027/Assessed Value \$3,375,000

Estimated lineal feet of Public Street January 2024: 393.65 feet

Estimated lineal feet at full buildout: 393.65 feet

Estimated Assessed Value at full buildout: \$3,375,000

EXHIBIT A

LEGAL DESCRIPTION

A part of the East Half, of the East Half, of the Northwest Quarter of Section 16, Township 18 North, Range 4 East, in Hamilton County, Indiana and being more particularly described as follows:

Beginning at the Northeast corner of said Half, Half, Quarter; thence on the East line thereof, South 00 degrees 29 minutes 31 seconds East 332.00 feet; thence parallel with the North line of the said Half, Half, Quarter; South 89 degrees 41 minutes 30 seconds West 393.65 feet; thence parallel with the East line of the said Half, Half, Quarter; North 00 degrees 29 minutes 31 seconds West 332.00 feet to the North line of the said Half, Half, Quarter; thence on the North line thereof, North 89 degrees 41 minutes 30 seconds East 393.65 feet to the Point of Beginning.

EXHIBIT B

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PROPERTY DEPICTION

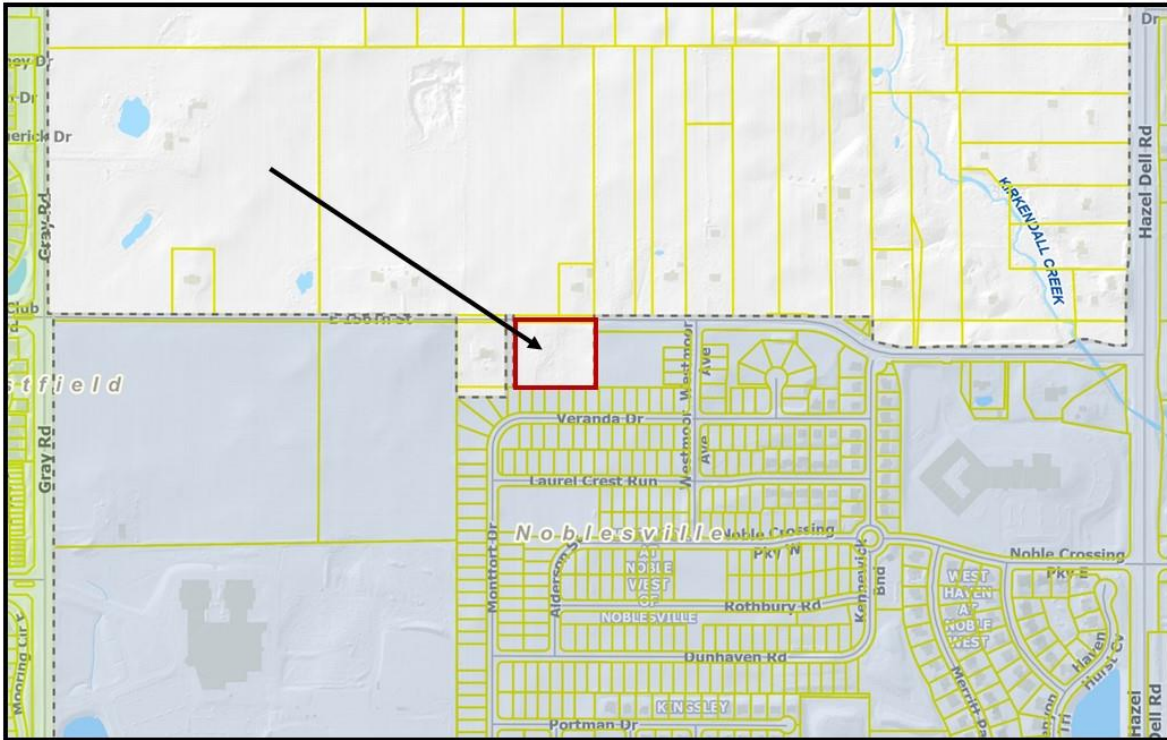


EXHIBIT B

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