

RESOLUTION NO. 8/15/2024-7

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA, ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF CERTAIN TERRITORY INTO THE TOWN OF BRISTOL, INDIANA

WHEREAS, the Town Council (the “Council”) of the Town of Bristol, Indiana (the “Town”) is considering the voluntary annexation of certain territory into the Town; and

WHEREAS, the area to be annexed is legally described and depicted in Appendix II to the Fiscal Plan (as defined herein) (the “Annexation Territory”); and

WHEREAS, pursuant to Indiana Code § 36-4-3-3.1(d), the Council is required to adopt a written fiscal plan and establish a definitive policy, by resolution, that meets the requirements set forth in Indiana Code § 36-4-3-13 for the Annexation Territory, prior to adopting an annexation ordinance; and

WHEREAS, the required fiscal plan, included as Exhibit A (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to this Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol, Indiana meeting in regular session as follows:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. The Fiscal Plan is hereby approved and adopted for the Annexation Territory.
- Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

* * * * *

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA THIS
15th DAY OF AUGUST, 2024.

TOWN COUNCIL
OF THE TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Dean Rentfrow

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

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EXHIBIT A

FISCAL PLAN

(To be attached)

**ANNEXATION FISCAL PLAN
FOR THE
TOWN OF BRISTOL**

Mottville Road Annexation

August 14, 2024

Prepared by:



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INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of parcels to the north of the existing corporate limits on the north side of Bristol (the "Annexation Area"). The Annexation Area is adjacent to the Town of Bristol (the "Town"). The requirements of the Indiana Code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the Town Council. The Indiana Code 36-4-3-13(d) states that this fiscal plan must include and provide:

- 1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
- 2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use and population density;
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria;
- 6) The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation;
- 7) The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation;

INTRODUCTION

- 8) Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation; and
- 9) A list of all parcels of property in the annexation territory and the following information regarding each parcel:
 - (A) The name of the owner of the parcel.
 - (B) The parcel identification number.
 - (C) The most recent assessed value of the parcel.
 - (D) The existence of a known waiver of the right to remonstrate on the parcel.

This Fiscal Plan may include additional materials in connection with the foregoing. It was developed through the cooperative efforts of the Town's various administrative offices and the Town's financial advisors, Baker Tilly. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

The Annexation Area is contiguous to the Town for the purposes of Indiana Code 36-4-3-1.5, and there is a written Fiscal Plan, herein provided, that has been approved by the Town Council.

SECTION I

AREA DESCRIPTION

A. Location, Area Size and Contiguity

The proposed Annexation Area is located on the north side of the existing corporate boundaries on the north side of the Town. A map and legal description of the area to be annexed has been included in attached Appendix II.

The Annexation Area is approximately 39 acres. The perimeter boundary of the Annexation Area is more than 25% contiguous to the existing corporate boundaries of the Town.

B. Current Land Use

The Annexation Area consists of vacant and agricultural land.

C. Zoning

Existing Zoning: Residential (R-1) and Agricultural (A-1)

Proposed Zoning: Residential (R-1) and Manufacturing (M-1)

D. Current Population

The current population of the Annexation Area is estimated at 0, as there are no occupied homes within the Annexation Area.

E. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$244,067. This represents the net assessed value as of January 1, 2023 for taxes payable 2024.

SECTION II

NON-CAPITAL SERVICES

A. Cost of Services

The current standard and scope of non-capital services being delivered within the Town and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing Town's municipal boundary.

The Town will provide all non-capital services to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Police Protection

The Elkhart County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Bristol Police Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Town of Bristol Police Department's primary purpose is the prevention of crime. The Police Department patrols within the boundaries of the Town on a daily basis and responds to all alarm calls. In addition, the Police Department provides other services such as detection and apprehension of offenders, traffic control and preservation of civil order. The Police Department does not distinguish between different areas of the Town. The same services are provided throughout the Town. Due to the location and character of the Annexation Area, the Town does not anticipate that the Police Department will incur any additional costs as a result of the

C. Fire Protection

The Annexation Area is currently served by the Washington Township Volunteer Fire Department ("WTVFD"). The WTVFD serves the Town of Bristol through a contractual agreement. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for fire services will be negligible.

D. Emergency Medical Services

Currently, the WTVFP provides emergency medical services to the Annexation Area. These services include, but are not limited to, emergency medical response. Given the relatively small Annexation Area, it is anticipated that any increase in the cost of the contractual arrangement for emergency medical services will be negligible.

SECTION II

(Cont'd)

NON-CAPITAL SERVICES

E. Street Maintenance

All dedicated state roads in the Annexation Area are currently maintained by the State of Indiana and this will not change as a result of the annexation.

F. Storm Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. The Town and County have maintained their drainage areas very similarly, therefore it is not anticipated that there will be any additional cost to the Town. Any future development in the area will have to have its storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers. Nevertheless, all non-capital storm water services will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

G. Parks

There are currently four downtown parks in the Town of Bristol. Hermance Park has a rental pavilion and Congdon Park has a rental gazebo. Raber Golf Course is town-owned and is located across from Bay Ridge on the west end of Town. It is anticipated that no additional parks will be added as a result of annexation, therefore there will be no additional costs to the Town.

H. Governmental Administrative Services

The Town does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the Town's offices, agencies and departments. All non-capital services of the administration of the Town will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the Town.

The Governmental Administrative Services of the Town include, but are not limited to, the services provided by the following:

- Town Council
- Town Manager
- Clerk Treasurer

SECTION III

CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing Town's corporate limits.

The Town will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the Town regardless of topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as soon as practically possible, but not later than December 31, 2024.

B. Water Service

A portion of the Annexation Area is currently not served. The Bristol Municipal Water Utility provides water service in the surrounding area and has the capacity to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and water assessment charges. It is important to note that the Water Utility is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Water Department will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

C. Wastewater Service

A portion of the Annexation Area is currently not served. The Bristol Municipal Sewage Works provides wastewater service in the surrounding area and has the capacity to serve the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and sewer assessment charges. It is important to note that the Sewage Works is a separate proprietary fund of the Town that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Wastewater Department will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION III

(Cont'd)

CAPITAL IMPROVEMENTS

D. Storm Water and Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the Town's current storm water and drainage system throughout the Town. Any future development in the area will have to have its storm water plan approved by the Town, and any associated storm water and drainage costs will be borne by the developers, therefore it is not anticipated that there will be any additional cost to the Town. Regardless, all capital services of the Town will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

E. Street Construction

Construction of any new streets within the Annexation Area will be the responsibility of the appropriate developer in accordance with the applicable Town Code. The existing streets within the Annexation Area are in very similar condition to existing Town streets; it is not anticipated that any additional costs will be required to improve them to Town standards. Regardless, all capital services of the Street Department, including evaluation and construction services, will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION IV

FISCAL IMPACT

As a result of this annexation, based on assessed values of the Annexation Area as of January 1, 2023, the net assessed value for the Town is anticipated to increase by \$229,400 to \$306,877,703. This represents an increase of approximately 0.07%. The net impact of increasing the Town's net assessed value will result in additional property tax revenues to the Town, which may be used to offset the cost of providing services to the Annexation Area.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2024. Based on the assumed effective date, Annexation Area property owners will not pay property taxes to the Town until 2025 payable 2026, or until the parcels are no longer municipal tax-exempt. However, the Town will begin providing non-capital municipal services to the property owners within one (1) year after the effective date of the annexation, and it will begin providing capital municipal services to the property owners within three (3) years after the effective date of the annexation.

It is anticipated that there will be no additional costs to the Town as a result of the annexation.

It is anticipated that the Town will realize an increase in its levy of approximately \$1,679 (\$1,596 net of circuit breaker) as a result of the annexation. However, the percentage increase in the levy will not exceed the percentage increase in the Town's assessed value; therefore, there is not anticipated to be a tax rate increase as a direct result of this annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

Based on the assumed annual growth factors noted on page 10, the additional levy will be approximately \$1,751 (\$1,668 net of circuit breaker) in 2027, \$1,814 (\$1,731 net of circuit breaker) in 2028, and \$1,887 (\$1,804 net of circuit breaker) in 2029. The impact to other taxing units in the district will be as follows:

County	\$	36
Township		1
Town		83
School		82
Library		<u>4</u>
Total	\$	<u><u>206</u></u>

SECTION V

ASSUMED INDEBTEDNESS

As required by Indiana Code 36-4-3-10, the Town will assume and pay any unpaid bonds or other obligations of Washington Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Washington Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the Town is already liable for the indebtedness.

Washington Township currently has no outstanding debt.

Appendix I

TOWN OF BRISTOL, INDIANA

Mottville Road Annexation

ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT

(Assumes first year of tax collections from Annexation Area is 2025 pay 2026)

<u>Assessment Year</u>	<u>Estimated Net Assessed Value of Annex. Area</u>	<u>Estimated Net Assessed Value of Town</u>	<u>Total Est. Net Assessed Value of Town</u>	<u>Est. Property Tax Levy of Town</u>	<u>Total Est. Property Tax Rate</u>
(1)	(2)	(3)	(4),(5)	(6)	(6)
2023 Pay 2024	N/A	\$278,139,050	\$278,139,050	\$2,563,052	\$0.9215
2024 Pay 2025	N/A	292,046,003	292,046,003	2,658,109	0.9102
2025 Pay 2026	\$229,400	306,648,303	306,877,703	2,777,157	0.9050
2026 Pay 2027	229,400	321,980,718	322,210,118	2,888,123	0.8963
2027 Pay 2028	229,400	338,079,754	338,309,154	2,986,374	0.8827
2028 Pay 2029	229,400	354,983,742	355,213,142	3,098,659	0.8723

- (1) Based on current net assessed value of the real property, less municipal tax-exempt agricultural assessed land, in the Annexation Area as gathered from the Elkhart County Assessor's office.
- (2) Assumes the assessed value for the Town of Bristol, excluding the Annexation Area, grows at a rate of 5%.
- (3) Represents the net assessed value for the Town, including the Annexation Area, used to calculate the tax rate.
- (4) Assumes controlled property tax levies increase at an annual growth factor of 4% for 2025, 4.8% for 2026, 4.3% for 2027, 3.6% for 2028, and 4.0% for 2029.
- (5) Assumes the Town receives an automatic increase in its levy equal to its percentage increase in net assessed value as a result of the annexation. Assumes that the debt levy remains constant. Also, assumes the CCD rate remains constant, which results in additional levy due to NAV growth.
- (6) Based on the Est. Property Tax Levy of Town divided by the Total Est. Net Assessed Value of Town.

TOWN OF BRISTOL, INDIANA

Mottville Road Annexation

PARCEL LIST

<u>Parcel ID</u>	<u>Owner</u>	<u>'23 Pay '24 Net Assessed Value</u>	<u>Remonstrance Waiver</u>
20-03-23-177-002.000-030	AWT, Inc.	\$229,400	No
20-03-23-326-002.000-031	Lux Property Corporation	14,667 *	No
20-03-23-177-001.000-030	Lux Property Corporation	16,700	No
		<u>Total</u>	
		<u>\$244,067</u>	

*Based on the annexation of the portion of the parcel that wasn't already part of corporate limits.

Appendix II

LEGAL DESCRIPTION

All that part of the following described tract of land lying North of the South line of the Northwest quarter and East of the West line of the East half of Section 23, Township 38 North, Range 6 East, Washington Township, Elkhart County, State of Indiana.

DR 2005-32086

Part of Section 23, Township 38 North, Range 6 East, Washington Township, Elkhart County, State of Indiana, described as follows: Commencing at the southeast corner of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of said Section 23; thence Westwardly along the south line of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of said Section 23 a distance of 12.29 Chains to the center of the Bristol-Mottville Road (State Road 15); thence Southwestwardly along the centerline of said Road a distance of 3.73 chains to its intersection with the southerly line of land conveyed to Richard P. & Evelyn G. Schamehorn in DR 193, pg. 463, being the southeast corner of land conveyed to Thomas M. & Stacey B. Nickel in DR 92-029475, said point also being on the easterly extension of the northerly line of Lots 4 and 5 as shown on the plat of Happer's Acres; thence on an assumed bearing of North 36 degrees 09 minutes 30 seconds East along the centerline of said Road a distance of 125.78 feet (Deed: 125.94 feet) to a masonry nail at the northeasterly corner of said Nickel land, said nail being the place of beginning of this description; thence North 53 degrees 50 minutes 30 seconds West along the northerly line of said Nickel land a distance of 300 feet to an iron stake at the northwesterly corner of said Nickel land; thence South 36 degrees 09 minutes 30 seconds West along the westerly line of said Nickel land a distance of 270.19 feet (Deed: 270.35 feet) to an iron stake on the southerly line of said Schamehorn land, said stake being the southwest corner of said Nickel land; thence North 79 degrees 37 minutes West along the southerly line of said Schamehorn land and along the northerly line of said Lots 4 and 5 in Happer's Acres and said

line extended a distance of 1,116 feet more or less to the easterly water's edge of the St. Joseph River; thence meandering Northwardly along the easterly water's edge of said River to a point on the south line of the Indiana East-West Toll Road, said point being 150 feet (measured at right angles) southerly of the centerline of said Toll Road; thence South 77 degrees 03 minutes 20 seconds East along the southerly line of said Toll Road a distance of 399 feet more or less to the point of T.S. of said Toll Road; thence Eastwardly along the spiral, along the southerly 150' right-of-way line of said Toll Road to a chord distance of South 77 degrees 23 minutes 30 seconds East 202.62 feet to the point of S.C. of said spiral; thence Eastwardly along a curve to the left, along the southerly 150' right-of way line of said Toll Road ($R = 5879.58$ feet) a distance of 520.37 feet (chord: South 80 degrees 35 minutes 30 seconds East 520.20 feet) to an iron stake on the southerly line of land conveyed to Mary Ellen Koons in DR 303, pg. 263; thence South 53 degrees 50 minutes 30 seconds East along the southerly line of said Koon's land a distance of 1,296.10 feet to a masonry nail on the centerline of said Road, said nail being the southmost corner of said Koon's land; thence South 36 degrees 09 minutes 30 seconds West along the centerline of said State Road a distance of 1,217.94 feet to a masonry nail; thence North 53 degrees 50 minutes 30 seconds West a distance of 50 feet to an iron stake on the westerly 50' right-of-way line of said Road; thence South 36 degrees 09 minutes 30 seconds West along the westerly 50' right-of-way line of said road a distance of 165 feet to an iron stake; thence South 53 degrees 50 minutes 30 seconds East a distance of 50 feet to a masonry nail on the centerline of said Road; thence South 36 degrees 09 minutes 30 seconds West along the centerline of said Road a distance of 325.89 feet to the place of beginning of this description.

DR 2006-03507

A part of Section 23, Township 38 North, Range 6 East, Washington Township, Elkhart County, more particularly described as follows: Beginning in the center of the Bristol and Mottville Roads at the Northeasterly corner of land owned by Elmer B. Foreman and Louise M. Foreman as shown in Elkhart County Deed Record 175, page 516 (said corner being described as 12.29 chains West and 33.845 chains North 37 degrees East of the Southeast corner of the North Half of the Southwest Quarter of said Section 23; thence Southwesterly along the centerline of said Road 15 feet to the beginning point of this description; thence North 53 degrees West parallel with the North line of said Foreman land to the South line of the Indiana East-West Toll Road; thence Westerly along the South line of the Indiana East-West Toll Road; thence Westerly along the South line of said Toll Road to the Southwest property line of the said Foreman land (described in Deed Record 175, page 516); thence Southeasterly along the Southwesterly line of the said Foreman tract to the Southeasterly corner of said tract, being the centerline of the Bristol and Mottville Road; thence Northeasterly along the centerline of said Bristol Mottville Road to the place of beginning.

Containing 38 acres more or less

Subject to survey

MAP OF THE ANNEXATION TERRITORY

