

RESOLUTION 2020-5

**A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN ESTABLISHING A
POLICY FOR THE PROVISIONS OF SERVICES TO AN ANNEXED AREA
(HT 2 RENTALS PROPERTY)**

RECITALS

A. The Common Council of the City of Columbia City (respectively, the “Council” and the “City”) has held a public hearing regarding Ordinance 2020-7 which contemplates the voluntary annexation of certain territory to be annexed into the City of Columbia City (the “Annexation Territory”) pursuant to Ind. Code Section 36-4-3-5.1.

B. Ind. Code Section 36-4-3-3.1 requires that the City develop and adopt a written fiscal plan and establish a definite policy by resolution of the Council that meets the requirements set forth in Ind. Code Section 36-4-3-13, and that said resolution is adopted prior to adopting an annexation ordinance under Ind. Code Section 36-4-3-5.1.

C. It is the desire of the Council to provide such a written fiscal plan, and comply with Indiana law.

D. The written fiscal plan attached hereto as Exhibit A (the “Fiscal Plan”) is acceptable and appropriate for the Annexation Territory.

E. The Fiscal Plan complies with the requirements of Indiana law to provide services of a non-capital nature to the Annexation Territory within one 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 corporate boundaries, regardless of similar topography, patterns of land use, and population density.

F. The Fiscal Plan complies with the requirements of Indiana law to provide services of a capital nature to the Annexation Territory within three years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Columbia City, State of Indiana, that:

Section 1. The above recitals are incorporated herein by reference and shall be deemed part of the Fiscal Plan.

Section 2. The Fiscal Plan, including the summary of the plan and its Exhibits, is adopted for the annexation set forth in Ordinance 2020-7.

Section 3. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 4. The Fiscal Plan and the policies for implementing the Fiscal Plan provided in attached Exhibit A are incorporated into this Resolution and adopted as the fiscal plan for the annexation proposed by Ordinance 2020-7.

Section 5. This Resolution shall be in full force and effect from and after the date of its passage and any publication as is required by law.


Section 6. Introduced and filed on the 25 day of Feb, 2020. Duly resolved and passed the 25 day of Feb, 2020 by the Common Council of the City of Columbia City, Whitley County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

[Signature Page Follows]

Resolution 2020-8

CITY OF COLUMBIA CITY, INDIANA, BY ITS COMMON COUNCIL

DATE: February 25, 2020




Walter C. Crowder

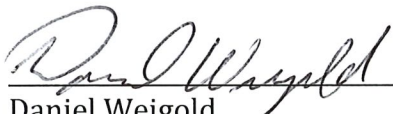
Jennifer Reffitt



Jennifer B. Zartman-Romano



Theodore J. Varga, Jr.



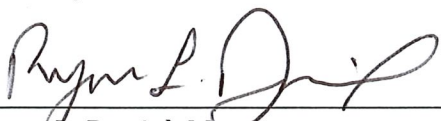
Daniel Weigold

ATTEST:



Rosie Coyle, Clerk-Treasurer

Approved this 2nd day of March,
2020 by:



Ryan L. Daniel, Mayor