

**ANNEXATION COMMITTEE MEETING
MAY 22, 2014**

President Niksch called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. Recording Secretary Gena Knapp took Roll Call. Members answering the roll call were Doug Niksch, Richard Kelley, LeAnn Angerman, Edgar Corns, David Shilling, and Steve Kings. Also present were Planning Consultant Jim Mandon, Town Council Vice-President Donald Parker, and one member of the press.

APPROVAL OF MINUTES

Mr. Corns made a motion to approve the February 27, 2014 regular meeting minutes, seconded by Mr. Kelley and carried by voice vote.

NEW BUSINESS

Review and Identify Addition Pockets within the Town Limits – Refer to Map – Mr. Niksch explained the background of the pockets that were not part of the corporate Town limits. He stated there are still three large pockets that are out there, one of them being the Novak property, which is on the Council's agenda. There have also been pockets that we have not pursued due to the expense that there would be to provide utilities to them. Mr. Niksch stated he would like to see if there are any more pockets that exist. He stated his definition of a pocket is an area where residents are unable to get to their homes without going through our town. If they have water and sewage in front of them and they are using our roads and police services, we should take a look at annexing them. Mr. Niksch pointed out a few areas on North Burr Street where the residents cannot get to their house without using the Town roads. He then pointed out an area directly in front of Freedom Park that had not been annexed either. Mr. Corns stated the Council did look in to that area, but they do not have water and sewer available to them, and it would be too expensive to provide it. Discussion followed regarding providing utilities to the potential pockets that exist. Mr. Kings stated it would be nice to see a map that shows where the water and sewer lines run and where hook-ups exist. Mr. Corns stated the large area off of Nichols has septic tanks and wells, but they are in the Town of Lowell. They get snow plowing and fire and police protection. Mr. Niksch stated that parcel was never on the old list, but it does need to be included. Mr. Niksch also reiterated that the Ordinance states that we have to provide police protection, fire protection, snow removal, etc. within one year of being annexed. We then have to provide utility services to them within three years of being annexed. Mr. Mandon stated they always have the right to waive that, but it has to be an action of the property owners. If the whole point is to get them on sewer and water, you may not be able to do that if they do not want it and they are not within the distance of hook-up. Mr. Shilling stated the main point is to get their taxes so that they are paying for the services they receive. Mr. Kelley stated he believed the Town should annex them. Mr. Niksch stated even after three years, if we do not provide those services, they would have to remonstrate and go through the process of being dis-annexed. Mr. Mandon stated you should still want to know what the cost would be to provide those services versus the revenue that you will make off of taxes. You could also look in to re-subdividing the parcels that are left to see if you can recoup money that is spent on providing utilities. Discussion followed.

Mr. Niksch asked if there was a map that shows the water and sewer structures. Mr. Mandon stated there is a water atlas, but it may be out of date. Mr. Corns stated they are in the process of updating it. Town Council Vice-President Donald Parker stated you have water at 173rd, but you also already have a booster station there. Just because you know the location of the water it does

not mean that we have the capacity. Mr. Mandon stated there are already issues in that area with water pressure. Mr. Shilling asked about the spot just west of Austin and south of Commercial. Mr. Parker stated they were not annexed with the recent 80 acres because they did not want to be and we did not want to tie our hands by having to provide utilities there. Mr. Niksch stated we do not have service there. Mr. Parker stated hopefully someday when that property develops, we will have the developer put in the structure necessary to provide the utilities. Mr. Mandon stated he could talk to the staff about the areas discussed to see if there are any updates and to see if it is worth expending the funds to do a facility plan. Discussion followed regarding creating a chart with a cost benefit for each area to reference. Mr. Corns stated there was an agreement made in the 1940's between the Town and the VFW that states they would not be annexed. Since then, no one has tried to pursue it. Mr. Shilling stated there are still the houses surrounding the VFW that are not annexed either. Mr. Niksch agreed that that particular area should be added to the list to look in to.

Review the map of Property South of Reiter Including Location of Current Utilities – Mr. Niksch presented a map to the members. He stated one family owns most of the green area, which is Carlson Farms. We have always said that one of the biggest assets to this town is the location of the CSX Railroad. There are many possibilities of advancement and industrial growth by annexing that property. Mr. Niksch stated his suggestion is that we proceed with annexing that property without a fiscal plan as a no-impact annexation. We would not change any of the zones unless they want to. This way the Council can say, we are going to annex you, but your taxes will not go up and you will still have the right to farm. The Hallmark Group owns the area in the blue, just southeast of the Carlson property, and they would like to be annexed. By annexing this property, it will increase the attractiveness of it. Discussion followed regarding the order of annexation and that it would be done in one step. Mr. Corns made a motion to make a recommendation to the Town Council to pursue the annexation of the Carlson Farms and the property owned by the Hallmark Group as a no-impact annexation, seconded by Mr. Kelley and carried by voice vote.

Mr. Parker stated he agreed that the Town needs to be annexing, but we also need to stay focused. Mr. Mandon has a lot of ideas and there could be potential concerns about this property that you have not thought about. He stated he understood that the motion has already passed, but there may need to be further discussion. Mr. Niksch asked if anyone had anything else to discuss. Mr. Mandon stated we have a disagreement on the land use in that area, plus there is a few concerns. This area is not suited for industrial property according to the master plan, and it diverts your attention from where you should be annexing according to the annexation plan. There is other property that you can annex and bring in to your Town that will develop faster, which is the whole idea behind annexation. Mr. Niksch stated he disagreed with everything that Mr. Mandon said. He asked what made Mr. Mandon think that this parcel is not ideal for industrial. Mr. Mandon stated primarily because you have no good way out. It is well suited for large lot single family because of the density that is already surrounding it. You would be dragging traffic past a school on an inadequate roadway to an intersection that is inadequate and cannot handle it. You are also ensuring that the Town has a lot of extra expense prior to having it become a reality. Mr. Niksch stated if you go down Belshaw Road and get the bridge fixed and the people that come in there are not only looking at Belshaw Road going to Route 41, but also Belshaw Road going back to Clark Street and taking Clark Street to I-65 because of the Illiana coming through, what could be more conducive? There are so many companies looking at that railroad right now. Mr. Mandon stated you are remote from both highways, and you have an inadequate roadway that would connect you to each of the highways. You should want to annex along the highway to the west and get to Route 41 and eventually the Illiana as quickly as possible, where we are already working on utility extensions to all of those annexed areas. He stated he feared that the Town

would defuse its resources by heading off in another direction that is counter to the best land use for that area, in my opinion and the master plan's opinion.

Mr. Niksch stated that he still disagreed. Mr. Mandon stated the original idea was to annex that property so that you could annex your facilities. You can now do that without the Carlson Farm. Mr. Niksch stated that was never the situation on the Carlson Farm. It was well in advance of wanting to get the utilities. This all started at the beginning of the Redevelopment Commission. That was one of the areas of redevelopment that we came up with because of the fact that the railroad is so valuable. Mr. Mandon asked what about the other railroad. Mr. Niksch stated that is not in Town. Mr. Mandon stated it should be in Town, and that is the whole point. It is in an area that is suited for industrial and it is right next to the highway. Mr. Niksch stated he was all for going out in that direction too. In terms of the master plan, this property was always one of the very first ones to be annexed, and the master plan was written as a guideline. Mr. Parker stated his goal with the Carlson Farm was to get to the utilities. He stated he has heard for a couple of years how everyone is interested in this property, but he has never had any conversations with the official people that are interested, and no one has ever approached the Town. This would be beneficial, but this area would not support industrial due to the infrastructure. It would support industrial by the railroad, but not by the rest of the property. Mr. Parker stated as a Town Council member his focus is to get to Route 41, and that he had a year and five months to do that. Mr. Parker went on to describe the areas that need to be looked at and annexed in order to get west to Route 41. Mr. Niksch stated the whole reason to go after this property is because it is no-impact. This should be a no-brainer because it will only make this property more valuable for development. You are not going to sell it to any industry unless they want it, and if they want it, then they have to answer all of the questions that you are talking about. Discussion followed.

Discuss Possibilities for Annexation Towards Route 41 – Mr. Shilling stated he has said all along that Route 41 is what we need. We need to get west as quickly as possible. Mr. Niksch stated he agreed. As a committee we have not supported or denied anything as far as the Council's decision to pursue the landfill. He stated his recommendation is to go for the landfill as quickly as possible. We have a process set up and whatever happens in terms of negotiating, there is still a process to follow. If we go for the landfill, we will immediately get the area on the other side of the railroad tracks, which will take us directly to Route 41. Mr. Kelley asked how the votes looked on the Council for the landfill. Mr. Parker stated we have had a meeting with the people out there. They are supposed to create some sort of document, which we have not seen, so we do not really know right now. Both sides are talking and seem to be receptive to working together, so hopefully we will see something in the next few weeks. Mr. Niksch stated we would still have a loop on the south side of Route 2 all the way to Route 41 and a major gap to the north. He asked what it would take for us to do the annexation on the north side of Route 2. Mr. Mandon stated primarily utility expansion. The north side is well occupied by a combination of homes, businesses, and industries. If they demand the utilities, then we have to have the ability to provide them. The south side is much sparser until you get to the intersection of Route 41 and Route 2. In the recommendations, going north is next. You should annex both sides of Route 2 to get to Route 41 and then gain control over all four corners of that intersection and begin to head north. Discussion followed regarding having developers come in and pay for the infrastructure to provide utilities in order to expand.

Mr. Parker stated when you look at a map, there are farm fields out there, and some of those farmers have indicated that they would consider annexation because of the ordinance that Mr. Corns worked on. If you can go out there and pick the agricultural property out, it is not a huge burden on the Town at this time and it opens up a lot of opportunities. Mr. Niksch stated his

intent for this discussion was to let the Council know that they have our support and if there is anything we can do, we are here to help. Mr. Parker stated we just need support. The professionals that we have talked to can see the benefit of taking the landfill. There is a stigma that comes with the landfill and some people do not want anything to do with it, but we need to figure out how to use it to our benefit. Sooner or later, the Town will have to deal with the landfill on the north side as well. He stated he believed we should take the landfill and get that control as to what goes on out there and keep going west to Route 41. We could be to Route 41 by spring of next year. Mr. Corns stated that landfill is probably the cleanest landfill out there because it has a rubber bottom. Mr. Parker stated they did that because they never want the finger to be pointed at them for anything that is going on. Discussion followed.

Discuss new Statute for 'Island' Annexation - Mr. Niksch stated this item has been on the list for quite a while, but we now have a bill that allows us to annex our utilities even if they are not contiguous to the Town. This includes the water treatment plant and our wells. This bill will be in effect beginning July 1, 2014. Mr. Mandon reminded the Committee that once these islands are annexed, they could not be used as contiguous property.

PUBLIC COMMENTS

ADJOURNMENT

With no further questions or comments, Mr. Shilling made a motion to adjourn the meeting at 8:00 P.M., seconded by Mr. Corns and carried by voice vote.

Doug Niksch, Chairman

LeAnn Angerman, Secretary