

**ANNEXATION COMMITTEE MEETING  
SEPTEMBER 26, 2013**

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, Randy Hall, Edgar Corns and David Shilling. Michael Mears was not present. Also present were Planning Consultant Jim Mandon and Building Official Tom Trulley.

**APPROVAL OF MINUTES**

Mr. Niksch stated that the agenda says we are approving the June 27<sup>th</sup> meeting, but that should be corrected to May 23<sup>rd</sup>. Mr. Kelley made a motion to approve the May 23, 2013 regular meeting minutes, seconded by Mr. Corns and carried by voice vote.

**OLD BUSINESS**

Tom Trulley – Update and Discussion of Current Status of Annexation – Pocket Annexation – All Parcels – Property on West Side of Town – Other Proposals – Mr. Trulley stated that all of the pockets that we have been working on are finished except for the Novak property, which is the property north of Speedway. Mr. Novak has hired an attorney so our attorney is working with him on coming in friendly. He stated as far as the west side of Town, we did have the first reading for that property at the last Town Council meeting. Mr. Corns stated the final reading will be October 28<sup>th</sup>, and then ninety days after that, it will be completely legal. Mr. Trulley stated there are other ideas going both directions, but nothing has really come on board as to which way we will go next. Mr. Niksch explained the recent annexations that have taken place and explained that the Annexation Committee has laid low since the Council has been working on so much stuff lately, but that he does not want this Committee to go in to a hiatus.

**NEW BUSINESS**

Review the Newly Approved Annexation Plan – Town Planner Jim Mandon stated there were not many changes to the plan from the time you saw it to the time that the Town Council approved it. There were three main areas that were emphasized which were the area to the east of the current limits for commercial uses primarily, the area to the west for a small amount of commercial and the rest industrial, and then the third large group of parcels that have the potential of being annexed are directly south of the center of the community because of the possibility of a rail related use. There are a couple of things that will occur that will help clear the vision of where you should pursue your next recommendations. One of the things that were recently approved by the Council is the drafting of a Thoroughfare Plan. Mr. Mandon explained what would be included in the Thoroughfare Plan and how it will help support the traffic that will be created while moving forward with the Future Land Use Plan. He stated there would also be a clear understanding of responsibilities when development is taking place. There has also been discussion of a water and sewer master plan being done. Mr. Trulley stated SEH is working up a cost and then we will present that to the Council. Mr. Mandon stated that study is important because the expense of extending utilities drives where property gets developed and where it does not. If there are a lot of initial expenses to getting water and sewer to certain parcels, there will be a lot more pressure on the municipality to come up with the money to do that as opposed to properties that are easily serviced now with utility capacity that is near by. Even though the Annexation Plan identifies those parcels, we will now have some actual cost estimates of what the improvements will cost. From that point on we can make recommendations as to who pays for

some of those utility extensions. Mr. Mandon explained some questions that will come up when extending utilities and examples on how to make educated recommendations.

Mr. Nicksch asked if the Thoroughfare Plan and Water and Sewer Plan would be based on the annexation map. Mr. Mandon stated they would all dovetail off of that. Those are the areas they are looking at as far as utility expansion, and as far as the Thoroughfare Plan, we have to connect to roadways outside of the municipality. Mr. Nicksch asked if the Thoroughfare Plan would include the Illiana Expressway. Mr. Mandon stated it definitely would. Another thing the plan does is looks at the existing intersections and makes recommendations about channelization and signalization changes to squeeze more capacity out of the intersections you have currently. Mr. Mandon gave an example of some improvements that could be made inexpensively and short term.

Mr. Corns asked if we have received a permit from IDEM for Bergstrom's lake. Mr. Trulley stated he does not know because that would go straight to Public Works Director Greg Shook. Mr. Corns stated we have talked to Mr. Bergstrom twice about putting in a pump to get additional water. The new quarry cannot tell us for a year or so how much water they will have. Discussion followed.

Mr. Nicksch asked if we had an idea of when the plans will be completed. Mr. Mandon stated the Thoroughfare Plan should take about four months. Mr. Trulley stated the water and sewer plan will be centralized on the system in Town to see what needs to be done with it, and then they will expand. We will move west first, and then start east because the south is pretty well covered since that is where the utilities are. It should take about six months due to the surveying that has to be done. Mr. Corns asked if we knew the condition of the infrastructure throughout town. He stated we are hoping to have \$500,000 next year to repave streets, but should we be upgrading the water lines first before we repave the road. Mr. Trulley stated Mr. Shook would look at that before he would say which road to repave. Discussion followed regarding the streets that need to be paved.

Determine Next Opportunity (Including Pockets) for Committee – Mr. Nicksch asked what would we, as a group, like to do next. We now know what we are working with and we have been successful in annexing properties. We can see a lot of the directions that the Town is going in, like heading out to the west, and there is still the anticipation of the Illiana coming in. He stated we should also look at if we have any more pockets that need to be taken care of. We need to go ahead and start planning something to start moving forward. Mr. Shilling asked how we could find more pockets. Mr. Nicksch stated it is pretty well mapped out. When we did the study for the ten pockets that have been annexed, there were other pockets at that time that were not taken care of as well. Discussion followed regarding pockets in town that have not been annexed, such as the eight or nine houses north of the VFW. Mr. Nicksch stated, in his opinion, a pocket is someone who has a residence where we are providing service to them and they are not part of the Town. We should take a look at and revisit the fiscal plans that have been done for these pockets. As long as we are losing money, we are losing money. Mr. Trulley stated we do not provide any water or sewer in the area just north of the VFW. Mr. Nicksch stated the Town pays for the deterioration of the streets that they use to get to their residence. Discussion followed. Mr. Nicksch also mentioned the parcels heading north on Burr Street, just south of Malibu Woods. Those parcels are not annexed and there are no sidewalks in that area. These are the items we need to look at.

Mr. Nicksch stated we should also look at the property south of Rieter and review going down to our Town utilities. Once we review this area we can take it to the Council as a recommendation.

Something will happen in this area some day, and we will not be ready. Discussion followed regarding if the landfill was included in the 117 acres that is in the process of being annexed. Mr. Corns stated there might be a proposal coming up for the landfill in October.

Mr. Trulley stated if you go over to "G" on the map, which is the County park, and over to "S", on the corner of Hendricks and Commercial, a church owns that property and they would like to build within the next couple of years, but they are hoping the Town will be out there when they are ready. You could annex the park as a friendly, which would be no benefit to us, but it would get us to the next area. Mr. Nicksch asked if they would come in friendly for sure. Mr. Trulley stated he had talked to them and they said they would, but it is no benefit to them or us. Mr. Nicksch stated the benefit would be that we could use that parcel as contiguous property. Discussion followed on the process of a friendly annexation. Mr. Kelley stated if we annexed that area, areas "H" and "I" would probably follow. Mr. Mandon stated the only issue is the availability of utilities in that area. If you annex something well in advance of when it will be developed, it really does not help you a great deal. If you do not have utility support in that area, then other areas may be more attractive to develop. Mr. Nicksch stated if the park would ask us to be friendly, they would not need our utilities. Mr. Mandon stated we would still have to take the utilities through there. Mr. Nicksch stated more than likely they would not remonstrate, though, if we could not provide utilities within three years since they would not need them. Mr. Trulley stated we would have to get an agreement in writing for that.

Mr. Mandon stated he believed that the Committee should look at the balance of "A" and area "G". Discussion followed regarding the income that the Town has lost by not having the landfill within the Town boundaries. Mr. Kelley stated he believed the Town needed to be more aggressive when it comes to annexation. If you do not get the utilities in within three years, what can anyone really do? Mr. Nicksch stated they have to actually file and if they do not file, then nothing happens. Mr. Corns stated we have to be worried about defending ourselves before we get shut out by every town. Discussion followed regarding the situation that Hobart and Merrillville were in twenty years ago.

Mr. Nicksch asked for some suggestions as to what should be on next month's agenda. Mr. Kelley stated discussion on areas "A", "G", and "S". Mr. Trulley stated we should start with "A" and "G" because you cannot get to "S" without "G". Mr. Mandon stated after "G", "B" would be a logical choice. Mr. Nicksch stated if we went to "G" there would be portions that would cross Belshaw Road. Discussion followed on the potential of having to split lots due to a roadway. Mr. Mandon stated you could split lots, but if someone wants the entire lot to come in friendly, then let them.

Mr. Nicksch asked what the next step would be as far as approaching the County about the park. Mr. Trulley stated he could talk to them and see how they feel about it. Mr. Nicksch asked if Mr. Trulley could also pull up the property lines that show where that property fits on the annexation map. Mr. Trulley stated he would. Mr. Nicksch stated he would suggest leaving "A" alone until the Council finalizes the 117 acres. Mr. Corns stated that will be complete after October 28<sup>th</sup> and then the ninety days proceeding. Mr. Nicksch asked if there was a fiscal plan drafted for C&D Landfill. Mr. Shilling stated he did have a copy of that. Mr. Corns stated that discussion could come up at the next Council meeting. Mr. Nicksch stated we will put the remainder of area "A" on hold, then, and look at the remaining pockets. He asked Mr. Mandon if he could highlight the pockets on a map to have for the next meeting. Mr. Mandon stated he could and asked what would be considered pockets. Mr. Nicksch stated it will be a resident or building where they cannot get to their place without coming through the Town. He asked Mr. Trulley if there was a fiscal plan for the two subdivisions. Mr. Trulley stated there is one for the one by the VFW that

is not that old, but they had determined that the cost was going to be too much. Mr. Nicksch stated he would like to review that one again, then.

Mr. Shilling stated the C&D Landfill fiscal plan does not say anything about tipping fees. It actually shows that the cost is more than the revenue by about \$70,000 per year, but if the tipping fees were included, it may be different. Mr. Nicksch stated that would be part of the negotiations, which would be up to the Town Council. Discussion followed on the potential revenue that could be made from the landfill.

Mr. Nicksch stated for next month we will discuss the pockets, the fiscal plans for pockets #3 & 4, and the County Park. Mr. Trulley stated he would try to get one of the County Park's representatives at the next meeting. Mr. Mandon stated the park is only part of "G", but if they want to come in friendly and the rest do not, then we can always just take the park at this point. That will still get you the frontage and it gets you closer east.

### **PUBLIC COMMENTS**

### **ADJOURNMENT**

With no further questions or comments, Mr. Hall made a motion to adjourn the meeting at 7:50 P.M., seconded by Mr. Kelley and carried by voice vote.

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Doug Nicksch, Chairman

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Randy Hall, Secretary