

**REDEVELOPMENT COMMISSION MEETING
JUNE 27, 2013**

President Nicksch called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Recording Secretary Gena Knapp took Roll Call. Members answering the roll call were Doug Nicksch, Jim Langen, Anthony Muscari, Phillip Kuiper, and Craig Earley. Tri-Creek School Representative, Tim Cottingham, was not in attendance. Also present were Building Administrator Tom Trulley, Town Planner Jim Mandon, one press and two citizens.

APPROVAL OF MINUTES

Mr. Kuiper made a motion to approve the April 25, 2013 regular meeting minutes, seconded by Mr. Langen and carried by voice vote.

OLD BUSINESS

Activity on the Doctors' 20 Acres – Tom Trulley – Status on Drainage – Mr. Trulley stated that he had just received a drawing showing the plans for the doctors' property. Mr. Trulley presented the drawing to the Commission. Mr. Langen stated he has an agreement signed by the seller, but not the buyer yet. Mr. Nicksch stated his biggest concern is the drainage. Mr. Trulley stated the drainage would be taken care of. Discussion followed. Mr. Earley asked if Mr. Trulley was satisfied with what was going on right now. Mr. Trulley stated Mr. Langen is working out the purchase agreement right now. Mr. Earley stated this process has taken quite a while. Mr. Trulley stated that is because you are getting two different attorneys involved. Mr. Nicksch asked if this plan would satisfy the Council's opinion on the drainage. Mr. Earley stated he could not speak for the whole Council, but he is satisfied with what is happening right now. Mr. Nicksch asked Town Council President Edgar Corns, who was in the audience, if he was satisfied with the plan that was proposed. Mr. Corns stated he was and asked who would be doing the drainage. Mr. Trulley stated himself, Jeff Bann, and Greg Shook, went to the Lake County Surveyor's office and met with their drainage people. When we left they said if we do anything with this property, as long as we give them an easement, they would make sure that Mr. Lotton puts the drainage through to complete his subdivision. Mr. Langen asked if Mr. Lotton was on board with the plan. Mr. Trulley stated Mr. Lotton has not seen the drawing yet because it just came over, but it is a better plan all the way around.

Revisit Buckley Homestead – Mr. Nicksch stated last month we did not have a quorum so we did not have an official meeting. He stated he was still not satisfied with the Buckley Homestead property, so he directed Matt Reardon, informally, to write a letter to start some sort of dialogue. We have already received the information that Buckley does not want the Town involved, which is fine. We are not trying to take over Buckley Homestead, but we are trying to work together with them to get something going that would bring them more revenue. If we are planning on annexing down Route 2, then lets

start a dialogue to see if we were to annex them, maybe we could take some frontage and they could rent it out or sell it for commercial purposes to earn them more income. Mr. Kuiper asked if we had received a response. Mr. Niksch stated there was a phone call, but there has not been any dialogue. Mr. Trulley stated they had called him as well. Bob Nickovich and Larry Klien said the agreement they have with that piece of property is that it can only be used for recreational park uses. If the Town wants to put a golf course in, that would be fine, but it cannot be used for commercial use. Mr. Earley stated we seemed to be backed against a wall. He stated he would love to be able to develop the frontage, but if it is going to take a ton of money or legal action, we may not be able to do it. He asked what the Commission could do to tell the County what we would like to see in that area. Mr. Niksch stated we are trying to reach out to them to start that sort of dialogue. He stated they are currently leasing that land out to be farmed, so they may already be breaking the rules right there. Mr. Trulley stated he was not sure about that. Mr. Kuiper stated they are probably not breaking any rules since it was initially farmland anyway. Discussion followed on ideas of what could be on that property. Mr. Earley stated we do not have a focal point in this community. Other communities have something that is a focal point, like the lake in Cedar Lake.

Mr. Earley asked Jim Mandon what angle we need to approach the County about what the Town would like to see there. Mr. Mandon stated there are a lot of recreational uses that produce revenue. A golf course is tough these days because several have closed over the past ten years. If you do not have to make a profit or have private investors, you may have a better chance of at least breaking even if it is open to the public. There are a lot of recreational uses, like a water park, that could be beneficial. You could also scale the uses and start small, and then start building. He stated he is sure that the Parks Department has some sort of master plan, and it would be interesting to see what they have planned for the future. Mr. Langen stated baseball fields would also be nice out there. Mr. Kuiper stated we have to be careful with that because we are trying to develop Freedom Park, and that could take away from property that we own. Mr. Niksch stated he is not asking for a decision to be made, just for a discussion to start with the County. Discussion followed. Mr. Niksch stated if we decide to go east we are kind of being held hostage in that area. Mr. Earley stated if we could get that developed to bring people in to Lowell, then we need to pursue something with them. He stated he agreed with Mr. Kuiper in that we are trying to develop some field within Freedom Park, but something like a golf course could be a possibility.

Costas Property – Mr. Trulley stated Costas owe close to \$100,000 right now in delinquent taxes. They are scheduled to go on the tax sale, but that will not be until next year. Mr. Niksch asked if it does not go on the tax sale, would it go to the Commissioner's sale in the fall. Mr. Trulley stated they do not always go spring and then fall, it just depends on when they can get one together. Mr. Kuiper asked what happened to the previous person who bought it on a tax sale. Mr. Trulley stated he bought it, but he did not realize that once you buy something under the Commissioner's sale, while you are waiting for the sale to go through, you have to start paying taxes. He ended up owing around \$20,000 and he did not have it. We have asked the Commissioners to try and get it straight to the Commissioner's sale. Mr. Earley asked if they sounded receptive. Mr.

Trulley stated if the Town could show a use for it. Mr. Earley asked about the seriousness of some of the inquiries. Mr. Trulley stated some people sounded serious until they found out how much the taxes owed are. Discussion followed on how to move forward with the property. Mr. Trulley stated if the Town can come up with a use for it, we could go straight to the Commissioners to see if we can get it off of the tax sale. Mr. Mandon asked what would happen if the Town purchased the building, but sell it to a private party. Would the taxes have to be reinstated? Mr. Niksch stated from his understanding, no. Mr. Earley stated maybe we should come up with some ideas, and if someone inquires about the building, we can let them in on our plan for that area. Mr. Langen stated it could be a good area for an office complex. Mr. Niksch stated that is what SEH does. We need to let them investigate it to see what possibilities are out there, and to see what the consequences would be for us to take the control. He stated he would talk to SEH off the record to see if they could think of some possibilities.

Tri-Creek Assistance with Town's Web Page & Promotion – Tim Cottingham – Mr. Niksch stated we have talked to Mr. Cottingham about getting the school involved in helping the Town design a website. He has taken it to the school board and there has been interest, but Mr. Cottingham has not been able to make the past couple of meetings to give us an update.

NEW BUSINESS

Discussion on Potential Activity Towards the East of Town – Mr. Niksch stated he has read in the papers about what the Town Council is looking in to for the water situation. He stated he has noticed the talk about the quarry and getting water from them, but there is also another quarry that is potentially going out by I-65. Mr. Kuiper stated there is definitely going to be a quarry. Mr. Niksch stated the Town had a hindrance about annexing out towards I-65 because they could not guarantee water. Mr. Earley stated it was because of the time it was going to take to get to I-65, not because of water. Mr. Niksch stated the minutes stated it was because of water. We have to provide water within three years, but we do not own the utility company out there. Mr. Earley stated we do not have to use that utility company. Mr. Trulley stated Mr. Shook told him if we go that far, we would have to build another plant. Mr. Niksch stated we do not have the rights to the utilities on the east side of I-55. Mr. Corns stated you could get a hold of it from Mr. Bergstrom. Mr. Niksch stated so could Crown Point. He stated his suggestion is to look in to the purchase of that utility company and joint it with ours. If you look at the dollars, it probably would not cost us very much money based on the revenue. This way we would have water and utilities all the way out to I-65. Mr. Earley asked if we could purchase a utility company that is not in our Town. Mr. Kuiper stated we could. Mr. Earley asked if the Town of Lowell should be involved in the water utility business. Mr. Langen asked aren't we already? Mr. Earley stated we have to provide water within our community, but that area is not in our community. Mr. Niksch stated if that quarry goes out there, they would have around ten million gallons a day, which would provide for our children and our grandchildren. We should explore this option rather than making a trench that we do not know will work or not. We do not have to annex, but it could potentially prevent anyone else from doing it. Mr. Earley asked what utility company

they are talking about. Mr. Langen stated Apple Valley. Mr. Niksch stated we do not know exact numbers, but we do know a round about figure of revenue. Mr. Earley asked if they had the figures on purchasing. Mr. Niksch stated we do not know the figures exactly, but we do think it is affordable. He stated he was just looking for permission from the members to look in to the possibility. Mr. Kuiper stated he would vote no. Mr. Niksch asked why. Mr. Kuiper stated because this is something the Redevelopment Commission should not decide on. Mr. Niksch stated he agreed, but wanted to bring it up to the Town Council as something to look in to. Discussion followed on the purchase of the utilities and how we would extend water from I-55 to Town. Mr. Langen made a motion to make a recommendation to the Town Council to investigate a possible purchase by the Town of Lowell of Apple Valley Utility Company, seconded by Mr. Kuiper and carried by a four to one vote, with Mr. Earley voting no.

PUBLIC COMMENT

ADJOURNMENT

With no further questions or comments, Mr. Langen made a motion to adjourn the meeting at 7:06 PM, seconded by Mr. Earley and carried by voice vote.

Doug Niksch, President

Anthony Muscari, Secretary