

**CITY COUNCIL HEARING - ANNEXATION AGREEMENT
TIMOTHY AND PAMELA RECKAMP, TRUSTEES
AND CONTRACT PURCHASER PASQUINELLI, INC.
PASQUINELLI'S COUNTRY BROOK SUBDIVISION
JANUARY 7, 2004 - 6:30 P.M.**

Mayor Henning called the public hearing to order. Clerk Wells called roll. Aldermen present: Nolan, Marzahl, Hinterlong (6:50 p.m.), Berg, Dikun, Bellon, Perkins and Hay. Also present were Administrator Nelson and Attorney Mike Cortina. Present on behalf of the petitioners were Attorney Lawrence Freedman, Anthony Pasquinelli and Rick Murphy.

Mayor Henning inquired and noted that the parties of interest in the petition were present. Clerk Wells noted the Certificate of Publication with a publication date of December 13, 2003. Mayor Henning asked for the identification and recording of any objectors. There were no objectors. Attorney Lawrence Freedman was present on behalf of Pasquinelli, Inc. Rick Murphy and Anthony Pasquinelli representing the contract purchasers, Pasquinelli, Inc. were sworn in. Anthony Pasquinelli gave an overview of the proposed Country Brook Subdivision which is comprised of 56.9671 acres. Said property is located in Dunham Township and is assessed Permanent Property Index Numbers 06-02-300-002, 06-02-141-003 and 06-02-176-004. The developers are requesting R2 Single Family and Two Family Residence Use District with the parcel north of Airport Road consisting of 32 duplex lots and the parcel south of Airport Road consisting of 106 single family lots (both parcels without any variations). The proposed subdivision contains a walking path around the perimeter, a park which serves as a dry detention area, a tot lot and gazebo. Attorney Freedman indicated that they are working with City staff and the City Attorney to finalize a few specifics on the annexation agreement.

Mayor Henning asked for comments and questions from the City Council. Alderman Berg inquired if the developers were aware of the City's requirement that homes of the same architectural style may not be adjacent to each other and require a separation of 330'. Mr. Pasquinelli stated that they can meet those requirements although there will be some similarity between the units. Alderman Dikun inquired about what sort of improvements will be made to Airport Rd.; Mr. Pasquinelli stated they will comply with all county requirements. Administrator Nelson stated that the county will require intersection improvements based on traffic studies and anticipated that the county will require turn lanes in and out of the subdivision. Alderman Dikun inquired about the soils report as it pertained to marginal soils; Mr. Pasquinelli stated there wasn't anything in the report that would be detrimental to building or that would prohibit them from proceeding. Alderman Dikun also inquired about extending the public utility easements on both sides of the lot lines in particular with the two central parts; this item will be discussed during final platting.

John Killeen, 341 Marengo Road, Harvard, stated he doesn't have any objections to the subdivision, but he has concerns with increased traffic on Marengo Rd. which is a residential street and suggested that Marengo Rd. be made a dead-end street at either Route 173 or Airport Rd.

Joanne Boppart, 17001 McGuire Rd., Harvard, stated she was in favor of controlled growth, but expressed her concerns with a special service area for improvements.

Marge Emricson, Dunham Township Assessor, noted that homeowners in Shadow Creek Subdivision did not understand the special service area. City Attorney Mike Cortina stated that before a special service area can be imposed, a public hearing must be scheduled and held

at a later point time which would be the appropriate time for people to present whether or not they agree with the special service area.

There were no further questions or comments. At 7:00 p.m., moved by Hay, seconded by Dikun to adjourn the hearing. Roll call vote: Nolan, aye; Marzahl, aye; Hinterlong, aye; Berg, aye; Dikun, aye; Bellon, aye; Perkins, aye and Hay, aye. Motion approved eight to zero.

Submitted by:

Andy Wells,
City Clerk

Date