

CITY COUNCIL HEARING

**Harris, N.A., as Trustee, James Schaeffges
and Liberty Craft Builders**

With Regard to an Annexation Agreement

January 24, 2006 – 6:30 P.M.

Mayor Nolan called the public hearing to order at 6:30 p.m. Clerk Wells called roll. Aldermen present: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. Also present were Treasurer Meseck, Administrator Nelson, Supt. Utilities Gibson, Chief Oparyk, Building Inspector Santeler, Attorney McArdle and Gary Rozwadowski, Smith Engineering Consultants. Attorney Barney Papp was present on behalf of the petitioners.

Mayor Nolan inquired and noted that the parties of interest in the petition were present. City Clerk Wells noted the Certificate of Publication in the Northwest Herald with a publication date of January 7, 2006.

Mayor Nolan asked for the identification and recording of any objectors and noted that the hearing was specifically in regard to the Annexation Agreement. No objectors were recorded.

Attorney Papp gave an overview of the Annexation Agreement for the proposed development which is located at the north side of Crowley Rd., at the northeast corner of its intersection with Harvard Hills Rd. and consists of 199.926 acres.

Mayor Nolan asked if there were any questions by City Council members. Alderman Berg inquired about two blanks contained in the annexation agreement: one regarding the provision for the developer's portion towards the purchase and installation of an Early Warning System and the cost of annexation fees. Mayor Nolan responded that the developer's portion for the cost for the Early Warning System in this development is \$9,800. The amount for the annexation fee is \$500 per acre (fractional acreage is not prorated but rounded up). On behalf of the petitioners, Attorney Papp was in agreement to insert the figures into the annexation agreement as discussed.

Attorney Papp reviewed the developer donation that will be paid to Harvard School District #50, Harvard Diggins Library, Harvard Fire Protection District and Parks. In the event there is a delay in construction, there is an inflation clause applicable to the schedule based upon the consumer price index. The Annexation Agreement also contains provisions for what is commonly referred to as transition fees payable to the City and School District #50 which covers the lag time between the date the property is constructed and occupied and the date on which the first levy on property taxes is actually received. Alderman Berg also noted a provision in the agreement which requires an additional \$2,500 water treatment plant fee, per residential unit, payable to the City.

Mayor Nolan asked for public comment with respect to the Annexation Agreement. The following individuals addressed the City Council:

- Don Larson, 17301 O'Brien Rd., inquired if the annexation agreement requires improvements to Crowley Road. Mayor Nolan stated that the developer will be required to improve the road to the end of his property.
- Susan Gerstenberger, 19703 Oak Grove Rd., inquired about mitigation towards surrounding property owners or an environmental impact statement referring to wetlands. Administrator Nelson stated that Endangered Species Report and all wetland reports have been submitted to the State of Illinois and any appropriate laws will be followed.
- Mike Jenkins, 19107 Crowley Rd., inquired if the approval of the annexation also approves the size of the lots. Mayor Nolan noted that would be addressed at the City Council meeting.
- Michele Mellor, 19107 Crowley Rd., recommended that the property not be annexed due to the irregular shape of the property and that the growth would not be self-sustainable

- Dave Levitan, 19206 Crowley Rd., inquired if Crowley Road would remain unimproved from where it meets with Route 173 west and what the total dollar amount of the impact fee is per lot. Mayor Nolan noted that the portion of Crowley Road in question is after the subject property and is township road. The impact fee for a 3-bedroom home is \$18,000; fees increase depending on the number of bedrooms. Alderman Berg noted that the township will realize about \$255,000 per year in additional tax revenues with less road to maintain. Mayor Nolan noted discussion with the developer about patching the road further on.

There were no further questions or comments. At 6:46 p.m., moved by Berg, seconded by Logan to adjourn the hearing. Aldermen voting aye: Leyden, Marzahl, Ulmer, Berg, Adams, Logan, Perkins and Hay. All ayes. Motion carried.

Submitted by:

Andy Wells,
City Clerk

Date