

DEKALB COUNTY REGIONAL PLANNING COMMISSION
MEETING MINUTES
January 26, 2006

The DeKalb County Regional Planning Commission (RPC) met on January 26, 2006 at 7:00 p.m. in the DeKalb County Administration Building, Conference Room East, in Sycamore, Illinois. In attendance were Commission members Cheryl Aldis, Frank Altmaier, Mike Becker, Rich Gentile, Dan Godhardt, Mike Heiderscheidt, Jim Knox, Becky Morphey, Bill Nicklas, Don Pardridge, Martha Bay, Paul Rasmussen, Roger Steimel, and Jerry Thompson. Audience members in attendance were Laurie Curley, Suzanne Sedlacek, Bob Gleeson and Carol Zar. Also in attendance were staff Paul Miller and Derek Hiland.

1. **Roll Call** -- *Mr. Nicklas noted that all members were in attendance except Ross Dueringer from Maple Park.*
2. **Approval of Agenda** – *Mr. Rasmussen moved to approve the agenda, seconded by Ms. Aldis, and the motion carried unanimously.*
3. **Approval of Minutes** – *Ms. Aldis moved to approve the minutes of the November 10, 2005 meeting of the Regional Planning Commission with two amendments made by Chairman Nicklas, seconded by Mr. Godhardt, and the motion carried unanimously.*
4. **Annexation Agreement Law Revision**

Mr. Miller explained that in 2005, the RPC took up the issue of whether or not to endorse a possible change to one provision of municipal annexation law. DeKalb County has requested a change to the provisions of **65 ILCS 5/11-15.1-2.1**, which allows that a municipality may enter into an annexation agreement with the owner of a property that is not contiguous with the boundaries of the municipality, and thus cannot be annexed, and subsequently allow development to occur on that property as though it were within the municipal boundaries. Staff explained that this law poses a risk to the efforts of municipalities and counties to implement comprehensive plans and manage growth because the authority granted by this provision has no geographic restriction; any municipality can allow development on any property, regardless of how far away from the municipality that property may be.

Mr. Nicklas handed out an email he had received from a representative of the Illinois Municipal League regarding the latest version of a bill sponsored by State Representative Robert Pritchard to amend the provision of State law regarding the authority to permit development via an annexation agreement alone. Mr. Miller clarified that no vote has been taken on the Bill, and that there were negotiations to occur before it would go to vote. He explained that Cook and the collar counties currently operate under different rules than the rest of the counties in the State, to the effect that the extra-jurisdictional development authority is restricted in those

counties to properties that are actually adjacent to the municipality that approves the annexation agreement. Representative Pritchard's amendment would list those counties by name, rather than use a population threshold, and would include DeKalb County and the other metro counties. Mr. Miller added that nothing in the Bill would prohibit municipalities from entering into annexation agreements with non-contiguous properties, but that development could not occur until such properties were contiguous or were under common ownership with adjacent properties that were contiguous to the municipality. He stated that the RPC is being asked to consider whether or not to endorse the Bill.

Ms. Aldis asked that if in fact the origin of such a bill came from the recent Supreme Court case from Sangamon County, why was Sangamon County not included within the Bill? Mr. Miller stated that many of the southern Counties of Illinois do not have county-wide zoning and that the language in the current Bill really does not effect those counties, hence not being included in the Bill. He also pointed out that DeKalb County has requested this change regardless of the Sangamon County case.

Mr. Rasmussen stated that the City of DeKalb considered this Bill to represent only a reduction in municipal authority, and that is outweighed by the minor threat that the current legislation poses in the form of the ability of other municipalities to approve development next to DeKalb's borders. DeKalb is considering an ordinance that would endorse Representative Pritchard's Bill, and noted that the City's Comprehensive Plan includes a policy that, "the City supports well-planned compact contiguous growth." He noted that annexation agreements are seen as an effective way to control growth and development. Mr. Rasmussen clarified that this proposed Ordinance is purely at a staff level and has not yet been reviewed by nor adopted by the City Council.

Mr. Thompson stated that he did not want to turn over any more power to the government. He went on to state that he is opposed to this Bill. Mr. Altmaier asked Mr. Thompson to think of a situation or a practical reason why this Bill would be bad. Mr. Thompson thought that the unincorporated areas between Malta and DeKalb could be potentially bad for a little village like Malta. Mr. Miller responded by stating that may be true, however those issues could be resolved by signing boundary agreements between the two municipalities.

Several Commission members indicated that before they would be comfortable voting on whether or not to endorse the Bill, they would prefer to see the language of a resolution to that effect. Others indicated that they do not have the authority to vote on their community's behalf on this issue until their board/council discusses it can gives them direction. Following further discussion, the Commission agreed that the item should be tabled pending a possible revision to House Bill 4468 following further negotiations between Representative Pritchard and the Illinois Municipal League.

Following no further discussion, Mr. Nicklas left the meeting and Mr. Steimel, Vice-Chairman, took over as Chair.

5. Regional Development Institute Presentation – Carol Zar & Bob Gleeson

Mr. Steimel introduced Bob Gleeson and Carol Zar from the Regional Development Institute, based at Northern Illinois University. Mr. Gleeson explained that the Regional Development Institute grew from, and now includes, the Center for Governmental Studies. The Regional Development Institute is interested in studying and helping to foster a regional approach toward growth and development in Northern Illinois. Mr. Gleeson stated that his group is interested in interviewing groups like the RPC regarding regionalism, what, in the opinion of the RPC, has worked and what has not. He conducted a question and answer session regarding the pros and cons of regionalism. The Commission identified the DeKalb County Unified Comprehensive Plan as a strong example of a regional approach. Commissioners indicated that when regionalism works, communities can learn from each other, can share ideas and compare similar experiences and problems to find quicker and tried solutions. Some negatives the Commission mentioned was the idea of a regional planning board where there would be one commission making the recommendations for all unincorporated areas of the County. The Commission emphasized this idea by stating that would appear that the County itself would be establishing more control than it needed to. Mr. Gleeson summed up the input of the Commission by stating that it only exists when there is a shared value system. He concluded by asking the members how far could regionalism go? Some ideas for further cooperation were on issues of transportation, drainage and stormwater management, landfills, systematic issues, and a public open space/forest preserves.

6. Municipal Development projects

Mr. Gentile reported that the Village of Genoa will be moving into their new municipal building in September 2006. He said that the work to convert the old “AG” building is making steady progress.

Mr. Pardridge reported that the Village of Shabbona’s assisted living facility is crawling along but progress is being made.

Mr. Thompson from the Village of Malta reported that the Village would like to enlarge the wastewater treatment plant and erect a water tower to enlarge the Village’s service area. No new developments are on the table.

Ms. Morphey of the Village of Somonauk reported that the Village is now in the preliminary plat process of a 341-unit mixture of townhouses and single family homes. She also stated that the Village will begin construction on a new water tower in March.

Mr. Godhardt of the Village of Hinckley reported that Cambridge Homes is working towards developing 680 out of 900 acres. Land Partners is moving slowly through the review process for its subdivision, and Royal Estates is still in the pending status. Mr. Godhardt stated that the Village is updating all the policies on development to prepare for the growth of the Village, and that there would be workshops in Hinckley to help educate the public. The Village will also be conducting a new sewage treatment plan study. Mr. Godhardt concluded by stating that the Village is trying to the phase development to control growth.

Mr. Becker of the Village of Kirkland is working with a developer for a 120-acre Heritage Estates which will have planned 200 homes. He stated that the biggest concerns of the Village regarding new growth is how the Village can increase capacity for the water, sewer and school system. Mr. Becker finished by stating that his Village is still working on a boundary agreement with Kingston.

Mr. Heiderscheidt of the Village of Waterman reported that Kennedy Homes has already constructed 50 homes. The Village is collecting impact fees and tap on fees for the new sewage treatment plant. Mr. Heiderscheidt continued by stating that two developers intended to construct over 1,500 homes and will be presented with preliminary plans in March. All the homes will be east of Route 23 and north of Route 30.

Mr. Rasmussen of the City of DeKalb reported that Hitchcock Design Group was hired look into downtown redevelopment. Hitchcock Design Group will be evaluating: streetscaping, slowing/quieting of truck traffic, and downtown businesses. Mr. Rasmussen stated that two Brownfield Sites have been remediated and are currently being looked at for purchase. He continued by stating that a \$400,000 Assessment Grant was applied for and could be a pilot project for the 4th Street Remediation Project. Mr. Rasmussen concluded by saying that the Target Distribution Center will begin operations in March.

Ms. Bay stated that the Village of Lee is trying to clean up the junkyard that is located partially in the City and the County.

Ms. Aldis reported that a lot of things are going on in Cortland, but little has come to a conclusion yet. The Village will be conducting public hearings regarding special service areas. Ms. Aldis stated that Cortland will be passing its version of the Model Stormwater Management Ordinance, with a little bit different rate of release than the County uses. Ms. Aldis stated that on the horizon for the Village includes a new sanitary treatment plant, a well and a water tower. She concluded by stating that until those expansions occur, no new development can occur.

Mr. Altmaier reported that the Village of Kingston has had two development meetings with other affected governmental units (i.e. Fire Department, Police Department, Supervisor of School, Park District, Developers et al.) to discuss any upcoming development and who would be impacted. The Village gave to potential developers a copy of the Comprehensive Plan and instructed the developers to develop within the Comprehensive Plan.

Mr. Knox of the City of Sandwich reported that the City will be planning for sewer line extensions, a new water tower and a new well. He stated the City is evaluating four different subdivisions. He concluded by stating that a grocery store, motel and a hospital expansion might be forthcoming.

Mr. Steimel of the DeKalb County Board stated that the recent decision by the Second Appellate Court regarding a lawsuit brought by Janice Nelson against the County for the County's action of denying approval of a proposed planned development on a 30-acre tract in Pierce Township ruled in the County's favor. The Appellate Court affirmed the decision of the Circuit Court, which found in favor of the County. Mr. Miller added that the County Board's commitment to the Unified Comprehensive Plan serves the citizens of the County well and by having the weight of an Appellate Court's decision behind the Comprehensive Plan will only continue to strengthen the validity of the Comprehensive Plan and the regulations adopted to implement it.

The Commission discussed what needs to be placed on the agenda for the next meeting. The list includes: appointing a new chairperson, annexation agreement law and rescheduling the Informational Seminar.

7. **Adjournment** -- *Mr. Steimel motioned to adjourn, seconded by Mr. Pardridge, and the motion carried unanimously.*

Respectfully submitted,

Roger Steimel
Vice Chairman, DeKalb County Regional Planning Commission

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