

Indiana Advisory Commission on Intergovernmental Relations

Wednesday July 29, 1998 Meeting, 7:00 PM

University Center

Indiana University Southeast

New Albany

MINUTES

CALL TO ORDER AND WELCOME

Chair William W. Bailey called the meeting to order at approximately 7:10 p.m. He welcomed commission members and attendees and introduced Douglas B. England, Mayor of New Albany, Jerol Miller, Floyd County Commissioner, and Chancellor at Indiana University Southeast who also welcomed members and attendees to the campus and community.

A quorum was not in attendance at the meeting. The following IACIR Members were in attendance: Representative William W. Bailey, Representative Sheila J. Klinker, Representative Gloria J. Goeglein, James Beery, Susan Craig, John Fernandez, Gerald Gilles, Sue Paris, Joyce Poling, and Linda Williams. IACIR staff members, John L. Krauss and Jamie L. Palmer also were in attendance.

The following non-commission members were in attendance: Douglas B. England (New Albany), Jerol Miller, (Georgetown), Chancellor at Indiana University Southeast, Craig Berndt (Huntingburg), Janet Robbins (Porter County), Arthur Kurth (Porter County), Carl Malyszcz (New Albany), Mary Lassiter (Porter County), Jack Wildman (Sellersburg), Don Brown (Henryville), Tim Sells (Hamburg), Bill Ryall (New Albany), Rich Lassiter (Porter County), John Steward (Georgetown), Garry Eckard (Carmel), John Rosenbarger (New Albany), Tonya Galbraith (Indiana Association of Cities and Towns), Representative Connie Sims (New Albany), Russell *** (New Albany), Arthur McKin (New Albany)

Following his welcome, Bailey asked John Krauss to explain the ground rules for discussion at the meeting. Krauss explained that following a brief presentation of results, the non-commission members in attendance would be given a chance to offer comments on annexation issues in Indiana. The attendees at each of the tables in the room would discuss the issue amongst themselves. Following the discussion, each table would appoint a spokesperson to report the table's discussion. Krauss asked that each succeeding table report only the issues and concerns that had not yet been presented.

Krauss took questions about the process. One audience member expressed concern that the IACIR has only two citizen members and is dominated by representatives from various governments. She also articulated concern that the commission is dominated by members of the Indiana Association of Cities and Towns. She expressed additional concern that the northwest corner, location of significant

annexation controversy, was not chosen as the location of one of the five annexation forums. She referred to a display showing “hot spots” for annexation and the locations of the five forums.

Krauss explained that the IACIR was formed to moderate discussion of intergovernmental issues. Annexation was an issue assigned to this already standing commission made up of government officials from various levels and units of government and two citizen members.

Bailey explained that the commission operates under limited resources and as a result chose to have 5 forums, four in the quadrants of the state and one near to Indianapolis. Commission members had tried to locate the forums in places that would allow the most participation by citizens. As such, the commission chose locations in the central part of the four quadrants of the state.

AGENDA	
- Welcome and Call to Order	Chair Bailey Mayor Douglas B. England County Commissioner Jerol Miller Chancellor ???
- Presentation of Annexation Research Results	John L. Krauss Jamie L. Palmer
- Public Discussion Period	Commission Members Meeting Attendees
- Next Meeting is set for August 12, 1998 at 7 p.m. at the Hulman Memorial Student Union at Indiana State University in Terre Haute.	
- Adjournment	

PRESENTATION OF ANNEXATION RESEARCH RESULTS

John Krauss and Jamie Palmer presented selected results from the ongoing annexation study. Copies of the overheads and the issue guide prepared for the meeting are attached.

One participant asked about the definitions of COIT, CAGIT, and CEDIT. Jim Beery, IACIR member, explained the limitations of each of these local option income taxes.

Another participant indicated that the lack of annexation in twenty-three counties serves as an indicator that municipal growth is not necessary for municipalities to prosper. Communities in those counties have not disincorporated.

PUBLIC DISCUSSION

Each table of participants and IACIR members discussed the issues surrounding annexation. Following the discussion, each table chose a spokesperson to report the issues raised in each discussion. The issues raised by each table are listed below.

Table 1

- ?? Municipalities often have regular access to legal assistance that is paid for by the taxpayers. Remonstrators cannot match municipalities with resources to wage effective battles.
- ?? If an annexation is defeated or denied by a court, there is only a two-year moratorium on initiating further actions.
- ?? Annexation is used by cities and towns that want revenue but can't afford to provide services to the newly annexed area.
- ?? Abatements are not offered to lessen the blow of increased property taxes.
- ?? Extraterritorial planning and zoning power can extend with municipal boundaries
- ?? Need adjustments in notice to the public/property owners
- ?? Annexation often is selective; cities and towns choose the most desirable areas for annexation
- ?? Annexation is a tool advantageous to developers; cities and towns provide utilities that make the land more valuable.
- ?? Communities often annex territory that they don't necessarily want in order to annex property that is farther out.
- ?? Fifty-one percent of property owners should have to consent to annexation.

Table 2

- ?? Annexation increases property taxes for newly annexed property owners
- ?? Current process is anti-democratic; it lacks choice for property owners.
- ?? The current remonstrance period is too short; remonstrators must scramble to be able to file within 60 days.
- ?? Municipalities need to give some credit for improvements previously made to properties. Property owners that have newly installed a well or septic system should not have to hook up to municipal infrastructure because they don't need it.
- ?? Annexation creates higher land use densities; changes rural character.
- ?? The legislature should respect home rule and not impose an unnecessary number of requirements.
- ?? Looking forward to information about what other states are doing.

Table 3

- ?? Property owners should have more say in the beginning stages of the fiscal planning process.
- ?? Annexation increases taxes for newly annexed property owners.
- ?? Annexation creates political and social upheaval.
- ?? Some cities are inefficient; property owners should not have to subsidize poorly managed government.
- ?? The requirements in the Indiana Code regarding contiguity, density, subdivision of property, and land use are sufficient to ensure that land being annexed is urban.

- ?? Cities have responsibility to provide services within newly annexed areas
- ?? Contiguous areas often already are part of the economic and social fabric of the city/town.
- ?? A referendum system is preferred.
- ?? Need for more communication between cities and counties.

Table 4

- ?? There is not enough opportunity for real input; should be able to vote.
- ?? Annexation is related to urban sprawl; it is an inefficient use of land resources and contributes to inner city decline.
- ?? There often are tax inequities between residents of a municipality and residents of the fringe; many citizens on the fringe benefit from city expenditures but pay no taxes.
- ?? Contributes to the consumption of valuable farmland; the state does not have rules to protect farmland.

Table 5

- ?? Communities don't necessarily need to grow to prosper.
- ?? There are few remonstrances because it is so difficult to win.
- ?? There is a presumption in favor of municipalities.
- ?? Property owners should be allowed to vote.

Following reports from all tables, Krauss asked the group if the discussion format used during the meeting was effective.

Most participants agreed that it was preferable to a traditional public hearing format. One participant noted that with a much larger group the discussion format may not give commission members an accurate reflection of the balance of sentiments expressed by attendees.

Bailey thanked the group for their attendance and participation. He concluded the meeting with a few comments. First, he indicated that the issue guide presented early would be modified to reflect that there are cases in which cities/towns do not have to grow to prosper. He next indicated that anyone wanting copies of the overheads would receive them in the mail.

Several participants produced written comments for the meeting. Bailey indicated that they would be entered into the minutes of the meeting.

NEXT MEETING

Representative Bailey indicated that a set of proposed meeting dates would be circulated to commission members within ten days.

ADJOURNMENT

The meeting was adjourned at approximately 9:15 p.m.

