



ST. CHARLES  
SINCE 1834

## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Motion to Approve An Ordinance Proposing Approval of a Redevelopment Plan and Project for the Designation of the Central Downtown Redevelopment Project Area and the Adoption of Tax Increment Allocation Financing Therefor, Convening a Joint Review Board, Calling <u>for a Public Hearing in Connection Therewith.</u>
Presenter:	Rita Tungare, Director of Community & Economic Development

*Please check appropriate box:*

<input type="checkbox"/> Government Operations	<input type="checkbox"/> Government Services
<input type="checkbox"/> Planning & Development	<input checked="" type="checkbox"/> City Council – New Business (11/17/14)

Estimated Cost:	N/A	Budgeted:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

Per the Tax Increment Allocation Redevelopment Act, Illinois Compiled Statutes, chapter 65, Section 5/11-74.4-1et.seq. (the “TIF Act”), as amended, the City Council is required to approve an Ordinance that formally states that the City is proposing the establishment of a new TIF District and outline the following procedural requirements:

- Confirming an interested parties registry has been created.
- Convene a Joint Review Board meeting of all required Taxing Districts, ***(December 16<sup>th</sup>, 2014, at 5:00 PM in the City Council Chambers).***
- Establish a time and place for the required public hearing in front of the City Council, ***(January 20, 2015 at 6:55 PM in the City Council Chambers).***
- State that a Redevelopment Plan for the proposed TIF District has been placed on file.
- State the procedures for mailing the required notices for the public hearing.

The required Ordinance is being presented to the City Council for their approval to proceed with the formal process to establish the proposed Central Downtown TIF.

**Attachments:** *(please list)*

An Ordinance Proposing Approval of a Redevelopment Plan and Project for the Designation of the Central Downtown Redevelopment Project Area and the Adoption of Tax Increment Allocation Financing Therefor, Convening a Joint Review Board, Calling for a Public Hearing in Connection Therewith.

**Recommendation / Suggested Action** *(briefly explain):*

Motion to Approve An Ordinance Proposing Approval of a Redevelopment Plan and Project for the Designation of the Central Downtown Redevelopment Project Area and the Adoption of Tax Increment Allocation Financing Therefor, Convening a Joint Review Board, Calling for a Public Hearing in Connection Therewith.

<i>For office use only</i>	Agenda Item Number:    IE
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**City of St. Charles**  
**Ordinance No. 2014-M-\_\_**

**An Ordinance Proposing Approval of a Redevelopment  
Plan and Project for the Designation of the Central Downtown  
Redevelopment Project Area and the Adoption of Tax Increment  
Allocation Financing Therefor, Convening a Joint Review Board,  
Calling for a Public Hearing in Connection Therewith.**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, as supplemented and amended (the "*TIF Act*"), the Mayor and City Council (the "*Corporate Authorities*") of the City of St. Charles, DuPage and Kane Counties, Illinois (the "*Municipality*"), has heretofore determined and does hereby determine that it is advisable and in the best interests of the Municipality and certain affected taxing districts that the Municipality approve a proposed redevelopment plan (the "*Redevelopment Plan*") and project (the "*Project*") for and designate a proposed redevelopment project area to be known as the Central Downtown Redevelopment Project Area (the "*Redevelopment Project Area*") as further described in EXHIBIT A attached hereto and that the Municipality adopt tax increment allocation financing for the proposed Redevelopment Project Area; and

WHEREAS, pursuant to Section 11-74.4-4.2 of the TIF Act, the Municipality is required to create an interested parties registry for activities related to the proposed Redevelopment Project Area, to adopt reasonable registration rules, and to prescribe requisite registration forms for residents and organizations active within the Municipality that seek to be placed on said interested parties registry, and the Corporate Authorities have heretofore, and it hereby expressly is, determined that the City has created such registry, adopted such registration rules and prescribed such requisite registration forms and give public notice thereof; and

WHEREAS, the TIF Act requires the Municipality also to convene a joint review board and conduct a public hearing prior to the adoption of ordinances approving a redevelopment plan and project, designating a redevelopment project area, and adopting tax increment allocation financing therefor, at which hearing any interested person or affected taxing district may file with the City Clerk written objections to and may be heard orally with respect to the proposed Redevelopment Plan and Project; and

WHEREAS, the TIF Act further requires that such joint review board consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, township, fire protection district and county that will have authority to directly levy taxes on the property within the proposed Redevelopment Project Area at the time that the proposed Redevelopment Project Area is approved, a representative selected by the Municipality and a public member to consider the subject matter of the public hearing; and

WHEREAS, the TIF Act further requires that the time and place of such public hearing be fixed by ordinance or resolution adopted by the Corporate Authorities; and

WHEREAS, the TIF Act further requires that not less than 10 days prior to adopting such ordinance or resolution fixing the time and place of a public hearing, the Municipality must make available for public inspection a redevelopment plan or a separate report that provides in reasonable detail the basis for the proposed Redevelopment Project Area's qualifying as a "redevelopment project area" under the Act; and

WHEREAS, the firm of Kane, McKenna & Associates, Inc., has conducted an eligibility survey of the proposed Redevelopment Project Area and has prepared its report (the "Report") that said proposed area qualifies as a "redevelopment project area" as defined in the TIF Act, which survey and findings have been presented to the Corporate Authorities and are now on file in the official files and records of the Municipality; and

WHEREAS, the Report has heretofore been on file and available for public inspection for at least 10 days in the offices of the Municipal Clerk as required under the TIF Act; and

WHEREAS, the TIF Act requires that notice of the public hearing be given by publication and mailing; and

WHEREAS, the Corporate Authorities have heretofore and it hereby is determined that it is advisable to convene a joint review board and hold a public hearing to consider the proposed approval of the proposed Redevelopment Plan and Project; and

WHEREAS, the Corporate Authorities have heretofore and it is hereby expressly found that the Redevelopment Plan and Project does not contain 75 or more inhabited residential units and will not displace residents from 10 or more inhabited residential units:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of St. Charles, DuPage and Kane Counties, Illinois, as follows:

1. *Preambles.* The Corporate Authorities hereby adopt by reference the foregoing preamble clauses as if fully set forth herein.

2. *Redevelopment Plan and Project Proposed.* The approval of the Redevelopment Plan and Project, the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefore are hereby proposed.

3. *Interested Parties Registry Created.* There has been created an interested persons registry (the "Registry") for the proposed Redevelopment Project Area. The City Clerk is hereby expressly authorized and directed to maintain the Registry for the proposed Redevelopment Project Area.

4. *Registration Rules and Forms.* The registration rules for the Registry have been previously approved by the City and are available from the City Clerk.

5. *Joint Review Board Convened.* A joint review board as set forth in the TIF Act is hereby convened and the joint review board shall meet, review such documents and issue such report as set forth in the TIF Act. The first meeting of said joint review board shall be held at 5:00 p.m. on the 16th day of December, 2014, at the City Council Chambers, 2<sup>nd</sup> Floor, St. Charles City Hall, 2 East Main Street, St. Charles, Illinois 60174. The Municipality hereby expressly finds and determines that said date is at least 14 days but not more than 28 days after the notice to affected taxing districts hereinafter authorized in (Section 7 of) this ordinance will be mailed.

6. *Time and Place of Public Hearing Fixed.* A public hearing (the "Hearing") shall be held by the Mayor and City Council of the Municipality at 6:55 p.m. on the 20th day of January, 2015, at the City Council Chambers, 2<sup>nd</sup> Floor, St. Charles City Hall, 2 East Main Street St. Charles, Illinois 60174, for the purpose of hearing from any interested persons or affected taxing districts regarding the proposed approval of the Redevelopment Plan and Project, designation of the Redevelopment Project Area, and adoption of tax increment allocation financing therefor.

7. *Publication of Notice of Hearing.* Notice of the Hearing, substantially in the form attached hereto as EXHIBIT B, shall be published at least twice, the first publication to be not more than 30 nor less than 10 days prior to the Hearing, in a newspaper of general circulation within the taxing districts having property in the proposed Redevelopment Project Area.

8. *Mailing of Notice of Hearing Authorized.* Notice of the Hearing, substantially in the form attached hereto as EXHIBIT B, shall be mailed by certified mail not less than 10 days prior to the date set for the Hearing, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the proposed Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property. Notice shall also be given within a reasonable time after the adoption of this ordinance by first class mail to all residential addresses located outside the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area and to those organizations and residents that have registered with the Municipality for that information in accordance with the registration guidelines herein established by the Municipality. Notice shall also be given by certified mail to all taxing districts of which taxable property is included in the proposed Redevelopment Project Area and to the Illinois Department of Commerce and Economic Opportunity not less than 45 days prior to the Hearing, and such notice (i) shall advise the taxing bodies represented on the joint review board of the time and place of the first meeting of the joint review board and (ii) shall also include an invitation to each taxing district and the Illinois Department of Commerce and Economic Opportunity to submit written comments prior to the date of the Hearing to the City, to the attention of the City Clerk, 2 East Main Street, St. Charles, Illinois 60174 concerning the subject matter of the Hearing. Each such mailed notice to the taxing districts shall include a copy of the

Report, the name of an appropriate person to contact for additional information, and a copy of the proposed Redevelopment Plan.

9. *Supersedes; Effective Date.* All ordinances, resolutions, motions or orders in conflict with the provisions of the Ordinance are, to the extent of such conflict, hereby repealed. This Ordinance shall become effective upon its adoption.

10. This Ordinance shall become effective upon its adoption and passage in accordance with law.

Presented to the City Council of the City of St. Charles, Illinois, this 17<sup>th</sup> day of November, 2014.

Passed by the City Council of the City of St. Charles, Illinois, this 17<sup>th</sup> day of November, 2014.

Approved by the Mayor of the City of St. Charles, Illinois, this 17<sup>th</sup> day of November, 2014.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Garrison, City Clerk

Council Vote:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE:\_\_\_\_\_

**Exhibit A**  
**Legal Description of Central Downtown TIF Redevelopment Project Area**

**EXHIBIT A**  
**LEGAL DESCRIPTION OF CENTRAL DOWNTOWN TIF REDEVELOPMENT  
PROJECT AREA**

That part of the South Half of Section 27 and the North Half of Section 34 in Township 40 North, Range 8 East of the Third Principal Meridian in the City of St. Charles, Kane County, Illinois, described as follows:

Beginning at the southwesterly corner of Block 22 in the Original Town of St. Charles, recorded May 8, 1837, in Book 19, page 2; thence southeasterly, 340 feet along the easterly line of 3<sup>d</sup> Avenue to the northwest corner of Block 6 of said subdivision; thence southwesterly, 260 feet along the southerly line of Main Street to the northwest corner of Block 4 of said subdivision; thence southeasterly, 608.3 feet along the easterly line of Second Avenue to a line parallel with and 111.7 feet northerly of (as measured along the easterly line thereof) the southerly line of Block 15 in said subdivision; thence westerly, along said parallel line to the westerly line of said Block 15; thence southeasterly, along said westerly line and the southeasterly extension thereof to the easterly extension of the northerly line of Brownstone, recorded January 2, 2001, as Document No. 2001K000149; thence southwesterly, along said extension and said northerly line, to the northwest corner of said Brownstone; thence southeasterly, along the westerly line of said Brownstone to the easterly extension of the southerly line of Lot 7 in Phase I of First Street Redevelopment Subdivision, recorded March 29, 2007, as Document No. 2007K035551; thence South 78 degrees 42 minutes 53 seconds West along said extension and the southerly line of said Lot 7 to the southwest corner thereof; thence North 11 degrees 17 minutes 02 seconds West, 231.95 feet along the west line of Lots 7 and 14 in said subdivision to the northwest corner of said Lot 14; thence North 78 degrees 35 minutes 36 seconds East, 66.48 feet along the north line of said Lot 14 to the northeast corner thereof; thence North 11 degrees 30 minutes 41 seconds West, 25.00 feet along an east line of Lot 5 in said subdivision to the southeast corner of Lot 6 in said subdivision; thence South 78 degrees 35 minutes 36 seconds West, 84.96 feet along the south line of said Lot 6 to the southwest corner thereof; thence North 11 degrees 39 minutes 20 seconds West, 197.00 feet along a westerly line of said Lot 6 to a jog in said westerly line; thence South 78 degrees 20 minutes 40 seconds West, 41.90 feet along said jog to the westerly line of said Lot 6; thence North 11 degrees 13 minutes 55 seconds West along said westerly line and the northerly extension thereof to the southerly line of Lot 3 in the Amended Phase II First Street Redevelopment Subdivision, recorded July 8, 2008, as Document No. 2008K056095; thence North 78 degrees 37 minutes 37 seconds East along the southerly line of said Lot 3 to a curve in said southerly line; thence northeasterly, 44.24 feet along said curve, having a radius 28.00 feet, the chord of said curve bears North 33 degrees 21 minutes 37 seconds East, 39.78 feet to the easterly line of said Lot 3; thence North 11 degrees 54 minutes 23 seconds West, 441.52 feet along the easterly line of Lots 3 and 13 in said subdivision to the northeast corner of said Lot 13; thence North 78 degrees 29 minutes 30 seconds East, 12.31 feet along the easterly extension of the north line of said Lot 13 to the westerly line of 1<sup>st</sup> Street, according to the plat recorded January 25, 1844, in Book 4, page 342; thence northwesterly, 37.52 feet along said right-of-way to an angle point in said line; thence northwesterly, 59.15 feet along said right-of-way to the

northerly line of Block 39 in said Original Town of St. Charles; thence northeasterly along said northerly line to the northeast corner thereof; thence northerly to the southeast corner of the Hotel Baker Subdivision, recorded December 2, 1982, as Document No. 1623173; thence northeasterly along the northerly line of Illinois Route 64 (Main Street) to the southwest corner of Lot 5 in Block 2 of County Clerk's 1899 Assessment Division East of the Fox River; thence continuing northeasterly along the southerly line of said Block 2 to the northwesterly right-of-way line of Illinois Route 64 (Main Street) and 1<sup>st</sup> Avenue per Document Number 96K045968; thence northeasterly 21.22 feet along said line to the easterly line of said Block 2; thence northwesterly along the westerly line of 1<sup>st</sup> Avenue to the southeast corner of Block 3 in said County Clerk's 1899 Assessment Division; thence northeasterly, 580 feet along the north line of Cedar Avenue to the Point of Beginning.



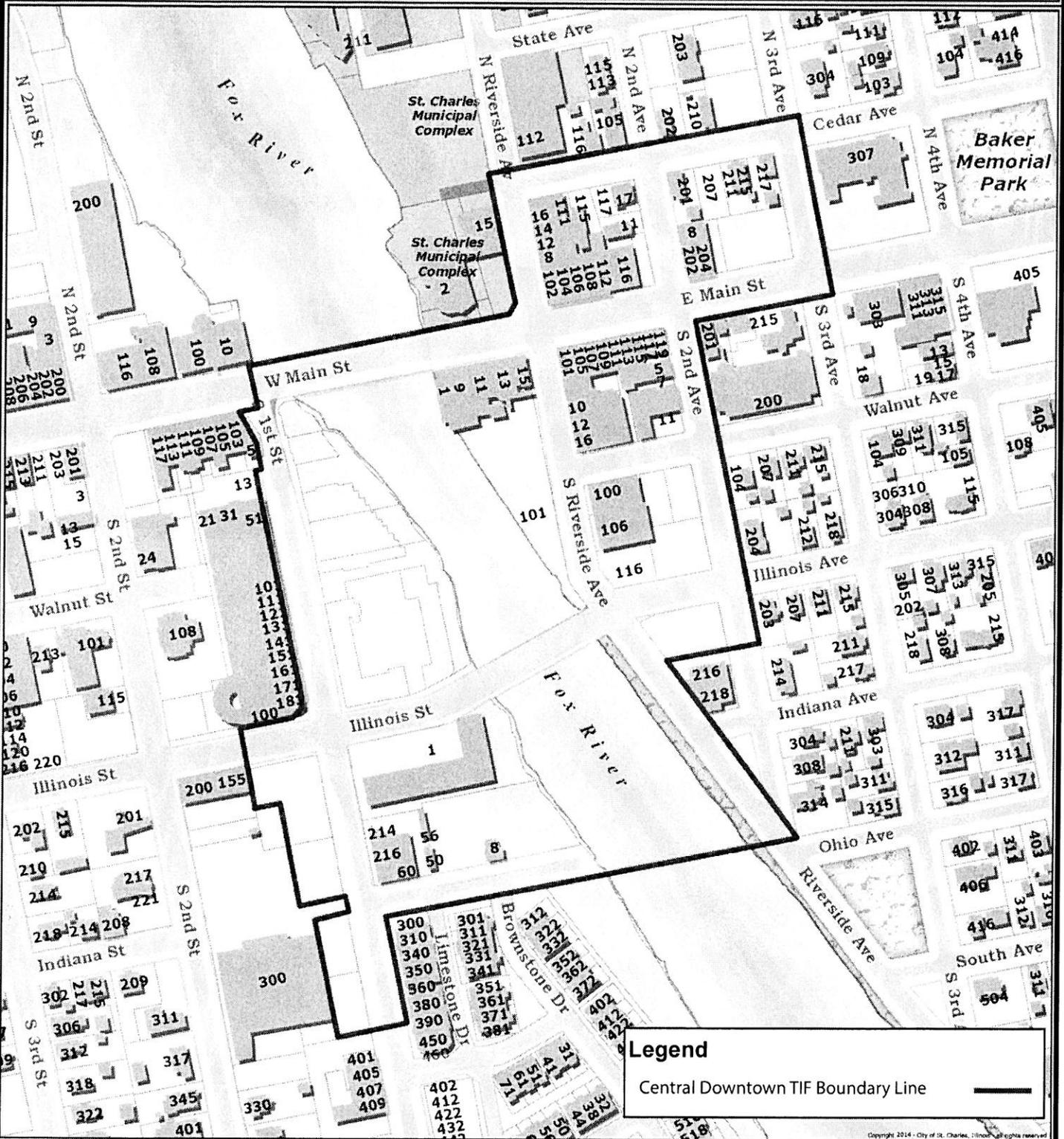
# City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

## Precision GIS

RAYMOND ROGINA  
MARK KOENEN

Mayor  
City Administrator



**Legend**  
 Central Downtown TIF Boundary Line



Data Source:  
 City of St. Charles, Illinois  
 Kane County, Illinois  
 DuPage County, Illinois  
 Coordinate System: Illinois State Plane East  
 Projection: Transverse Mercator  
 North American Datum 1983  
 Printed on: September 26, 2014 11:00 AM



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**Exhibit B**  
**Notice of Public Hearing**

CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS  
PROPOSED CENTRAL DOWNTOWN  
REDEVELOPMENT PROJECT AREA

NOTICE IS HEREBY GIVEN that on the 20th day of January, 2015 at 6:55 p.m. at the City Council Chambers, 2<sup>nd</sup> Floor, St. Charles City Hall, 2 East Main Street, St. Charles, Illinois 60174, a public hearing will be held to consider the approval of the proposed redevelopment plan (the "*Redevelopment Plan*") and the designation of that certain proposed redevelopment project area to be known as the Central Downtown Redevelopment Project Area (the "*Redevelopment Project Area*"). The Redevelopment Project Area consists of the territory legally described in Exhibit 1 attached and is generally described below:

The Redevelopment Project Area is generally bounded by 1<sup>st</sup> Street on the west, 3<sup>rd</sup> Avenue on the east, Indiana Street on the south and Main Street (west of Fox River) and Cedar Avenue (east of Fox River) on the north.

At the hearing, there will be considered the approval of the Redevelopment Plan and Project for and the designation of the proposed Redevelopment Project Area and adoption of tax increment allocation financing therefor. The proposed Redevelopment Plan and Project is on file and available for public inspection at the office of the City Clerk, City Charles City Hall, 2 East Main Street, St. Charles, Illinois. Pursuant to the Redevelopment Plan and Project the Village proposes to alleviate conservation area and blighted area conditions in the Redevelopment Project Area and to enhance the tax base of the City and the taxing districts having taxable property within the Redevelopment Project Area by utilizing tax increment financing to fund various eligible project costs to stimulate private investment within the Redevelopment Project Area. These eligible project costs may include, but may not be limited to, studies, surveys, professional fees, property assembly and rehabilitation costs, construction of public improvements and facilities, financing, administrative and other professional costs, all as authorized under the Tax Increment Allocation Redevelopment Act, as amended. The Redevelopment Plan objectives include promoting and protecting the health, safety, morals and welfare of the public by establishing a public/private partnership, establishing economic growth, development and training in the City by working within the guidelines of the business attraction and retention strategies developed by the City, encouraging private investment while conforming with the City's comprehensive plan, restoring and enhancing the City's tax base, enhancing the value of the proposed Redevelopment Project Area, improving the environmental quality of the proposed Redevelopment Project Area, and retaining and attracting employment opportunities within the proposed Redevelopment Project Area. To achieve these objectives, the Redevelopment Plan proposes to provide assistance by paying or reimbursing costs related to the acquisition, construction and installation of public facilities, property assembly and rehabilitation, site preparation and improvement, job training and other eligible redevelopment project costs, the execution of one or more redevelopment agreements and the payment of financing, administrative and other professional costs.

Prior to the date of the hearing, each taxing district having property in the Redevelopment Project Area and the Illinois Department of Commerce and Economic Opportunity may submit written comments to the City, to the attention of the City Clerk, 2 East Main Street, St. Charles, Illinois 60174.

There is hereby convened a joint review board to consider the proposed Redevelopment Plan and Project for and the designation of the proposed Redevelopment Project Area and the adoption of tax increment allocation financing therefor. The joint review board shall consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, township, fire protection district and county that will have the authority to directly levy taxes on the property within the Redevelopment Project Area at the time that the Redevelopment Project Area is approved, a representative selected by the City, and a public member. The first meeting of said joint review board shall be held at 5:00 p.m. on the 16th day of December, 2014, at the City Hall, 2 East Main Street, St. Charles, Illinois.

At the hearing, all interested persons or affected taxing districts may file written objections with the City Clerk and may be heard orally with respect to any issues regarding the approval of the Redevelopment Plan and Project for and the designation of the Redevelopment Project Area and the adoption of tax increment allocation financing therefor. The hearing may be adjourned by the Mayor and City Council of the City without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

/s/ Nancy Garrison,  
City Clerk, City of St. Charles,  
DuPage and Kane Counties, Illinois