

Transcript of **FIRST STREET REDEVELOPMENT HEARING**

Date: January 20, 2015

Case: ST. CHARLES CITY COUNCIL MEETING

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1	BEFORE THE CITY COUNCIL	
2	OF THE CITY OF ST. CHARLES	
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5	In Re:	
6	Public Hearing Concerning)	
7	Amendment to First Street)	
8	Redevelopment Project Area)	
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13	REPORT OF PROCEEDINGS	
14	St. Charles, Illinois 60174	
15	January 20, 2015	
16	6:50 p.m.	
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19		
20	Job No.: 74055A	
21	Pages: 1 - 17	
22	Reported by: Melanie L. Humphrey-Sonntag,	
23	CSR, RDR, CRR, CCP, FAPR	
24	Notary Public, Kane County, Illinois	

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1	Report of proceedings held at the location of:	
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3	ST. CHARLES CITY HALL	
4	2 East Main Street	
5	P.O. 79847	
6	St. Charles, Illinois 60174	
7	(630) 377-4400	
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11		
12	Before Melanie L. Humphrey-Sonntag, a	
13	Certified Shorthand Reporter, Registered Diplomate	
14	Reporter, and a Notary Public in and for the State of	
15	Illinois.	
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1	PRESENT:		
2	MR.	RAYMOND ROGINA, Mayor;	
3	MR.	DAN STELLATO, Alderman;	
4	MR.	RONALD SILKAITIS, Alderman;	
5	MS.	RITA ANNE PAYLEITNER, Alderman;	
6	MR.	ARTHUR J. LEMKE, Alderman;	
7	MR.	TODD BANCROFT, Alderman;	
8	MR.	WILLIAM TURNER, Alderman;	
9	MR.	JAMES E. MARTIN, Alderman;	
10	MS.	JO KRIEGER, Alderman;	
11	MS.	MAUREEN LEWIS, Alderman; and	
12	MR.	ED BESSNER, Alderman.	
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14	ALSO PRESENT:		
15	MS.	NANCY GARRISON, City Clerk; and	
16	MR.	JOHN MC GUIRK, City Attorney.	
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4 1 PROCEEDINGS 2 MAYOR ROGINA: Good evening. I'd like to call 3 this public hearing to order. 4 This public hearing is a hearing on the second 5 amendment to the First Street Redevelopment Plan and 6 Project Area. 7 Per the Tax Increment Allocation Development 8 Act, the City Council is required to hold a public 9 hearing considering any proposed amendments to the existing TIF redevelopment plan and project area. 10 11 This public hearing concerns the second 12 amendment to the City's First Street Redevelopment Plan and Project Area. 13 14 Per State statute, notices of this hearing 15 were published twice in the Kane County Chronicle, on December 23rd, 2014, and January 6th, 2015, and a Joint 16 Review Board, JRB, was convened on December 16th, 2014. 17 That being said, I hereby convene the public 18 19 hearing to consider the approval of an amendment to a 2.0 redevelopment plan and project for the redevelopment 21 project area known as the First Street Redevelopment 22 Project Area. 23 Tonight we will take public comment from all 2.4 interested persons concerning the approval of this

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1	matter. City Council may choose to close the public
2	hearing if they feel enough information has been
3	gathered. Once the public hearing is closed, the
4	City Council must take action on the proposed amendments
5	between 14 and 90 days after the date of the public
6	hearing.
7	And with that, I'd have Nancy call the roll.
8	CLERK GARRISON: Stellato.
9	ALDERMAN STELLATO: Here.
10	CLERK GARRISON: Silkaitis.
11	ALDERMAN SILKAITIS: Here.
12	CLERK GARRISON: Payleitner.
13	ALDERMAN PAYLEITNER: Here.
14	CLERK GARRISON: Lemke.
15	(No response.)
16	CLERK GARRISON: Turner.
17	ALDERMAN TURNER: Here.
18	CLERK GARRISON: Bancroft.
19	ALDERMAN BANCROFT: Here.
20	CLERK GARRISON: Martin.
21	ALDERMAN MARTIN: Here.
22	CLERK GARRISON: Krieger.
23	ALDERMAN KRIEGER: Here.
24	CLERK GARRISON: Bessner.

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1	ALDERMAN BESSNER: Here.
2	CLERK GARRISON: Lewis.
3	ALDERMAN LEWIS: Here.
4	MAYOR ROGINA: At this time we will have a
5	presentation from Kane, McKenna, and Associates, the
6	City's consultants in this matter.
7	Gentlemen.
8	MR. RYCHLICKI: Thank you, Mr. Mayor, members
9	of the City Council. Good evening.
10	I'm Bob Rychlicki with Kane, McKenna, and
11	Associates; my colleague, Will Coblentz.
12	We're going to have a short presentation as it
13	relates to the purpose of the amendments and the
14	designation of the amended area and how you have
15	satisfied the requirements under State law.
16	(Alderman Lemke joined the proceedings.)
17	MAYOR ROGINA: If I may, let the record
18	reflect that Alderman Art Lemke has now joined us.
19	Proceed.
20	MR. COBLENTZ: I would just like to point out
21	that this is the second amendment to the First Street TIF
22	District.
23	The agenda for the presentation is we will go
24	over the redevelopment project and plan, TIF mechanism,

7 1 the factors qualifying the area, and key elements of the 2 plan. 3 The area is approximately 11 acres in size. 4 The TIF District will expire in 2025, no matter what 5 action is taken tonight. The amendment to the area that 6 is proposed is removing the properties east of 7 First Street and adding properties on Main Street between 8 Second and Third. 9 This area of the TIF was created in 2002. The 10 first amendment happened in 2006 to expand the budget and correct some scriveners' errors. The rationale for the 11 12 redevelopment is really the continuation of the original 13 TIF plan and project, which is to encourage development 14 in the downtown area. The City is focusing on the second 15 amendment to continue those goals and focus on those achievements. The recession caused a setback in the 16 17 original TIF plan, and the second amendment is seen as a 18 way to pick up that original purpose. 19 The area meets all of the statutory 20 requirements: It's 1 1/2 acres in size, it meets the 21 but-for requirement, and we find that it qualifies 22 underneath the conservation area. MR. RYCHLICKI: Okay. I just want to point 23 2.4 out again, as Will indicated, you know, this amendment

8 1 did not happen in a vacuum. This continues City policy 2 and City objectives as it relates to the First Street TIF 3 by removing certain property, which will be in the TIF 4 following this in terms of the Central Downtown TIF, 5 adding some property, and repositioning the TIF as it 6 relates to -- hopefully, as the economy improves -- to be 7 able to take advantage of that. Just a little primer or primer on TIF: 8 9 not a new tax. As it relates to any taxpayers or owners 10 within the room, it is not a new tax. It's not similar 11 to a special service area or special assessment. It 12 basically is the existing tax, but it's divided in a different way. 13 Property within the TIF -- same with property 14 15 outside of the TIF -- is uniformly assessed. Property is then -- taxes are uniformly extended against that 16 17 property. 18 What changes with the TIF is any increase in 19 tax, whether it be through an expansion or increase in 2.0 tax rate -- for whatever reason -- if it's over the 21 base -- and that's going to be determined by the County 22 Clerk's office in consultation with the Assessor's 23 office. 2.4 Any increase over those base revenues go into

another bucket, so to speak, that could be spent within the TIF district.

2.4

So if you were a property outside of the TIF and you were paying a hundred dollars in taxes and you had the exact same property inside of the TIF, you both would pay a hundred dollars in taxes.

What happens is, if \$20 of that was an increase due to -- an increase in taxes over the base revenues because of an improvement to the property, that increase is what the City would utilize as part of its TIF program.

Again, the building block with TIF is equalized assessed valuation. As the equalized assessed valuation increases over the base -- in this case, it would be -- the amended area would have the 2013 base; the other area, the base has not changed, nor has the determinative base changed for the First Street. But any increase, as that blue line indicates, is what the City would capture and utilize for economic development purposes within the TIF.

Again, as we found out over the last five or six years, you know, there are some pitfalls as it relates to the projections on the TIF; you know, to the extent that, if you had your way, in the long run you

1 | would want that blue line to continue to increase.

2.4

There may be some short dips or so, but the idea is that the blue line would continue to increase, and the City, when it turns the keys to that car over as the TIF has expired, the values have increased to the benefit not only of the City but the other taxing districts.

In order to qualify the TIF -- and, actually, this qualification only goes to that amended area, which is on the west side of the TIF. The other area has already been deemed to qualify.

In order to qualify, it can either be a conservation or blighted area. In this case, we made the findings of conservation area due primarily to the age of the buildings. The threshold factor relates to 50 percent or more of the structures have to be 35 years old or greater, and we found that all of those buildings, as it related to age, was found to be in play.

And then there's 13 factors in the TIF Act, and you have to have 3 out of the 13. We identified five.

These are basically kind of a summary of the 13 factors, and the 5 that we identified at Kane,

McKenna -- in terms of consultation with the City

staff -- identified the 5 factors that are in the plan and were discussed with the Joint Review Board on December 16th: Declining equalized assessed valuation or value, excessive coverage, obsolescence, deleterious layout, and deterioration.

2.4

So the minimum three factors are found as well as an additional two. And, again, in order to make the case for a conservation area, you first have to have the age threshold, which we've already done.

The next chart indicates the character of the area. You can see that, unfortunately, it hit the Trifecta in terms of five years, more than three -- you only need three but we had five -- and, also, decline behind the CPI.

In terms of excessive coverage, again, this is a factor we find in many older downtown areas; it's not exclusive to St. Charles. It has to do with the age of the buildings when they were developed and what their original purpose was.

And as you try to reconfigure or recalibrate the area for modern market uses, you know, issues that you find relate to access and egress, unloading and loading, as well as central or coordinated parking.

And, again, we found that, in terms of the age

of the buildings -- again, 100 percent or all nine of the buildings were over 35 years old.

2.4

In terms of infrastructure for the buildings, whether it's HVAC, electrical, or layout, again, we found that the age in many cases was a detriment, and that's also reflected in some of the loss in value, as well.

Deleterious layout. Again, not uncommon in older downtown areas, based on the original layouts or design for many of the buildings and, again, trying to be more competitive with outlying areas in terms of either more available parking, different retail layouts, and coordination with the residential areas that buffer and are nearby the downtown.

The last factor identified was deterioration, and this was mainly found in many of the site improvements, although in the rear of some of the structures we did find some evidence of deterioration.

So in summary, the amended area was felt to qualify under the TIF Act as a conservation area.

And then we also amended certain portions of your existing TIF plan for First Street. We added some property, deleted some property.

The base EAV or the base is now amended to be -- it's estimated to be 4,191,829, which is a

combination of the area by Walnut and Main, as well as the existing area that's left in the TIF, and that will be confirmed by the County Clerk's office once the City adopts the ordinances and files them.

2.4

We increased the EAV slightly in terms of the projected EAV based upon some of the deletion of properties as well as some of the additions, and the TIF budget was increased slightly to 33,750,000 over the previous amendment.

And, again, just to point out, the TIF budget is a maximum amount that's put in place over the 23 years. The City does have the flexibility to reallocate items between -- or amounts between the line items as long as the comp -- or the budget item is not exceeded.

So as it relates to the process, we're about two-thirds of the way through it. All the notifications, as the Mayor described, have been in play for this public hearing.

You may not take any action tonight; however, you would get any public comment. And once the hearing is closed, you do have a meter running. You have to consider the adoption of the amended ordinances no sooner than 14 days after the close of the meeting -- or the

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1	public hearing, I should say and no more than 90 days.
2	Mr. Mayor, that concludes our presentation.
3	MAYOR ROGINA: Thank you. Thank you very
4	much.
5	First of all, I'd like to ask the City Clerk,
6	have there been any written comments filed with the
7	Clerk's office?
8	CLERK GARRISON: We have one.
9	MAYOR ROGINA: Would you read that into the
10	record, please.
11	CLERK GARRISON: On January 16th, 2015, to the
12	St. Charles City Council.
13	"The addresses at 10 South Third Street,
14	12 South Third Street, and 225 West Main Street are
15	already within two separate special service area tax
16	levies, SSA 1A and SSA 1B, and the City of St. Charles is
17	considering an additional tax levy on the property. The
18	property mentioned above doesn't appear to be in an
19	appropriate zone for such an assessment. The inclusion
20	of any property west of Route 31 should not fall within
21	the zone of First Street. The First Street retail
22	project zone is unfairly taxing properties west of
23	Route 31.
24	"Do not include property west of Route 31 in

	15
1	this assessment. There are other ways to generate
2	revenue. Don't burden those already burdened with
3	Special Service Area Tax Levies SSA 1A and SSA 1B.
4	"Edward J. Seaman."
5	MAYOR ROGINA: Thank you.
6	That was the only comment; correct?
7	CLERK GARRISON: Yes.
8	MAYOR ROGINA: All right. Then at this time
9	would any of the Aldermen like to make any comments for
10	the record?
11	(No response.)
12	MAYOR ROGINA: Hearing none, at this time I'd
13	like to ask if City staff has any additional comments to
14	make.
15	(No response.)
16	MAYOR ROGINA: Thank you.
17	And at this time those wishing to comment
18	should step forward to the microphone, state their name
19	and address and the party they're representing for the
20	record, and I will take public comment if there is any.
21	(No response.)
22	MAYOR ROGINA: Thank you.
23	Now I'll entertain a motion to close the
24	public hearing.

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1		ALDERMAN STELLATO: Motion to close the public
2	hearing.	
3		ALDERMAN SILKAITIS: So moved.
4		ALDERMAN TURNER: Second.
5		MAYOR ROGINA: Moved and seconded.
6		All in favor signify by saying aye.
7		(Ayes heard.)
8		MAYOR ROGINA: Opposed?
9		(No response.)
10		MAYOR ROGINA: The motion's carried.
11		The first public hearing is now closed.
12		(Off the record at 7:04 p.m.)
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17 1 CERTIFICATE OF SHORTHAND REPORTER 2 3 I, Melanie L. Humphrey-Sonntag, Certified 4 Shorthand Reporter No. 084-004299, CSR, RDR, CRR, CCP, 5 FAPR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing 6 7 proceedings were taken, do certify that the foregoing 8 transcript is a true and correct record of the 9 proceedings, that said proceedings were taken by me 10 stenographically and thereafter reduced to typewriting 11 under my supervision, and that I am neither counsel for, 12 related to, nor employed by any of the parties to this 13 case and have no interest, financial or otherwise, in its 14 outcome. 15 IN WITNESS WHEREOF, I have hereunto set my 16 hand and affixed my notarial seal this 3rd day of 17 18 February, 2015. 19 20 My commission expires: May 31, 2017 21 22 Notary Public in and for the 23

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State of Illinois

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