

VILLAGE OF WAUCONDA

TIF DISTRICT

REDEVELOPMENT PROJECT AREA 1

TRIANGLE AREA

PUBLIC INFORMATION MEETING

at

Wauconda Village Hall

101 N. Main Street

Wauconda, Illinois

on

Wednesday, October 9, 2013

at

5:00 p.m.

LIDDELL COURT REPORTING
(847) 529-5552

1 MR. MILLER: I think we will start the meeting.
2 Let me start the meeting. It's five after -- or ten
3 after 5:00. And we will start with a roll call and
4 start with Lake County College. No one here. Lake
5 County. No one here. Lake County Forest Preserve.
6 No representative. Wauconda Township. Stephanie --

7 MS. MAROIELLO: Stephanie Maroiello.

8 MR. MILLER: -- who is here representing
9 Wauconda Township tonight and we have myself, Chris
10 Miller, representing the Village of Wauconda.

11 We have Dan Coles representing the
12 school district here. We have Dave Dato, Chief Dato,
13 here as representing the fire district and we have
14 Nancy Burton representing the park district and we
15 have no representative from the library and we have
16 Laurel Deboer, our public member representative, here
17 tonight.

18 Just before we get started there is a
19 couple of things I would like to clean up that I
20 didn't address or enter into the record last time. I
21 sent certified mailings to the various taxing
22 districts as well as to the Department of Commerce and
23 Economic Development.

24 I also sent a public hearing notice

1 of the Village Board meeting that's scheduled for
2 November 20th and an ordinance that was passed by the
3 board announcing that.

4 Also, we sent to all interested
5 parties -- there is an interested parties registry.
6 At the time of the meeting on November -- or
7 September 9th meeting we had one member. We now have
8 five members that signed up as interested party. They
9 also received a copy of the public hearing notice as
10 well as the notice of the Joint Review Board meeting
11 that began on September 25th.

12 This is a continuation of the
13 September 25th meeting of the Joint Review Board for
14 the public. It's made up of taxing bodies that are
15 affected by the -- as well as one public
16 representative. That's Laurel Deboer.

17 And with that I think we're ready
18 to -- to go into our -- continuing our meeting and the
19 Board had a number of questions that have been
20 answered. I provided hard copies to all the members
21 here tonight and, Jeramiah, if you want to go through
22 those questions and review them with the --

23 MR. YEKSAVICH: Yeah. I will start off here.
24 If anyone -- everyone can hear me? If not, I can use

1 the microphone, but I just want to make sure -- it's
2 kind of squawky so I didn't want to turn it on unless
3 everybody couldn't hear me.

4 First question I'm probably going to
5 turn over to the Village attorney and he can provide
6 the answer, but I will read off the question.

7 Previously the Joint Review Board had wondered how a
8 Tax Increment Financing would affect the funding of
9 Lake Michigan water and the facilities that the
10 Village is investing in; namely, will the Tax
11 Increment Financing District have an effect on the
12 funding of Lake Michigan water extension? I.e., will
13 the Tax Increment Financing District take away funds
14 from that Lake Michigan water program and, if so, to
15 what extent?

16 MR. MAGNA: As reported to the Board, the short
17 answer is no, it will not have an effect on the
18 funding of the Lake Michigan water as it's currently
19 planned.

20 The current plan as most of you know,
21 if not all of you, is the floating of general
22 obligation bonds that were referendum-approved to the
23 amount of \$41 million.

24 The county clerk, Kip Wilson, over at

1 the county clerk's tax extension department and I
2 conversed yesterday because I wanted to verify his
3 understanding.

4 I also spoke with Kelly Kost at
5 Chapman & Cutler, who is the Village's bond counsel,
6 and once the base EAV is established -- and the base
7 EAV meaning the equalized assessed valuation. As of
8 the date the Village Board passes the ordinance
9 designating the TIF area, the EAV that exists at that
10 time with the minor adjustments for homestead
11 exemptions for the few residences that are in there
12 that base EAV is -- is the basis for computation for
13 that area of the rate that the county clerk will
14 establish to levy the taxes sufficient to meet the
15 debt service on the bonds.

16 I wish this was easier to explain
17 because it does take a little bit of knowledge about
18 how the tax system works, but I think for the Board
19 members you do have a working knowledge of it, but
20 that -- that base EAV is added to the EAV of the rest
21 of the village for the particular catch here which the
22 rate is being established and the overall rate will be
23 an amount at a level sufficient to generate an amount
24 of taxes needed to do debt service.

1 I mean there's no margin in there.
2 It's the debt service principal interest on the bonds.
3 Right now the Village has \$9.5 million of the
4 authorized \$41 million presently issued and
5 outstanding. So there are bond issues to come as the
6 project moves forward. So the short answer is no, it
7 doesn't affect the funding of the Lake Michigan water
8 project.

9 MR. MILLER: Any questions on that?

10 CHIEF DATO: Yeah.

11 So, Rudy, as far as the tap-on fee,
12 all those properties that may be developed would still
13 be subject to those fees or not?

14 MR. MAGNA: Yeah. The ordinances are general
15 application --

16 CHIEF DATO: Still --

17 MR. MAGNA: -- still apply throughout the
18 village.

19 CHIEF DATO: Right.

20 MR. MAGNA: Now, we're here to talk candidly.
21 If an incentive -- you know, now I'm talking about the
22 Village's side.

23 CHIEF DATO: Right.

24 MR. MAGNA: You may be implicating maybe the

1 impact fees that the Village --

2 CHIEF DATO: And those --

3 MR. MAGNA: The Village has always been
4 consistent in terms of charging that, but on the
5 internal expenses such as the Village's tap-on fee and
6 in some cases -- although this Village has never done
7 it, I have seen it done in other villages -- even the
8 water rate itself but, again, that's a Village
9 in-house controlled charge or charges.

10 Sometimes those are modified, waived,
11 maybe even subdivided through the incremental revenue
12 fund of the TIF District itself as part of the
13 incentive package to get that development into the TIF
14 District, but in terms of what might affect a fire
15 district or a school district or park district,
16 library district, those impact fees are ordinances of
17 general application and those would remain.

18 And most of the time, not -- I know
19 there's a couple of exceptions, but most of the time
20 they are meaningful if there's residential development
21 and this TIF really isn't being set up as an incentive
22 to residential-type development simply because the --
23 the goal is to get commercial industrial.

24 There might be some incidental

1 residential that comes in, but it is not the main
2 focus of this TIF to put in residential TIFs.
3 Those -- those have difficulty working for everybody.

4 CHIEF DATO: And then as far as the base EAV
5 being frozen at the time the ordinance is passed,
6 because the Geo bonds are paid out of the property
7 taxes in the -- let's say the property is developed
8 and, obviously, (inaudible), those properties wouldn't
9 see an increase to pay off those bonds or would they?
10 And then where do the dollars flow to? So the
11 regular, you know, property tax dollars are put back
12 in the TIF. Where do those Geo bond payment dollars
13 go?

14 MR. MAGNA: Into the incremental revenue fund.

15 CHIEF DATO: It does.

16 MR. MAGNA: Any enhancement in value over the
17 basis the increment -- as you know, that's the
18 increment that's -- that's really the purpose of the
19 TIF --

20 CHIEF DATO: Sure.

21 MR. MAGNA: -- is to develop that potential for
22 that increment because those incremental revenues are
23 what are used to provide the incentives to do the
24 sidewalk and road work and sewer and water work

1 through that incremental revenue fund, but there is
2 only an incremental revenue fund and then only a
3 meaningful incremental revenue fund if there is
4 development which significantly enhances the assessed
5 valuation over the base.

6 CHIEF DATO: Okay. Thank you.

7 MR. MILLER: Any further questions? Anyone?

8 (No verbal response.)

9 MR. MILLER: You want to --

10 MR. YEKSAVICH: We're going to probably skip
11 over number two because that's for the Village
12 engineer. We're waiting for him to get here to
13 answer. He'll be coming anytime. I will read out his
14 answer and answer with our knowledge of the problem.

15 Question No. 3. "The section of the
16 Redevelopment Plan covering the impact on the
17 Village's services should be tweaked to include
18 possible information concerning the maintenance of new
19 utility lines, et cetera."

20 We agreed at a staff level that it
21 needed a little tweaking. We added comments to the
22 tax pads presented that basically says there's
23 potential for services to increase above what they are
24 right now to that area because of new development and

1 that that will need to be addressed some way through
2 the Village.

3 One of the ways it will be addressed
4 through the Village in the future is through the
5 increase in incremental revenue at the end of the 23
6 years. It should pay for whatever increases in
7 services at that time.

8 The RPA can pay some services such as
9 infrastructure and personnel to manage the TIF, but
10 the Village will have to make up any significant
11 increase in services although we don't foresee of that
12 in the future because the infrastructure is going to
13 be new that goes in so it shouldn't beef up service.

14 Police service should be sufficient
15 to service the area, building and zoning should be
16 service. So all of the routine services should be of
17 a sufficient level from the Village's end, but at the
18 end of that 23 years, yes, there may be some
19 maintenance and things of that nature because the
20 infrastructure will be maybe 23 years old so -- and at
21 the end of the 23 years when the increment comes back
22 to the Village on its normal level, it should be
23 sufficient to cover the services. So that's how we
24 tried to address them in the tax.

1 We will go back -- oh, any questions
2 on that?

3 MR. MILLER: Any questions?

4 (No verbal response.)

5 MR. MILLER: I hear none.

6 MR. YEKSAVICH: We're going to go back to
7 question two. Bill Rickert is here from the Village
8 engineer's office. I will read off question number
9 two. The JRB had questions concerning the ability of
10 the Village to service development now with its
11 utilities and (inaudible).

12 So to what extent can the Village
13 accommodate new development with its current utility
14 capacity and generally how quickly can the Village
15 accommodate new development? I.e., what's the other
16 signs of the proposal and (inaudible).

17 MR. RICKERT: Okay. Good evening, everyone. I
18 got to experience the ports of good quality
19 infrastructure with the water main break on 176
20 driving over here, but in terms of water supply, the
21 Village with its existing well supply system currently
22 has as I pointed out in the text, an excess beyond
23 what's projected for the ultimate development of the
24 Village by the year 2040.

1 The current well supply with the
2 largest well on services is four million gallons per
3 day and the projected peak day is 2.8 million gallons.
4 So there's plenty of reserve and the Lake Michigan
5 water supply that's being planned it will be designed
6 for the same 2040 peak demand.

7 In terms of wastewater treatment
8 plant capacity, there's also an excess there. The
9 plant has a rated capacity of 1.9 million gallons per
10 day.

11 Using the rated criteria that the
12 Illinois EPA uses for treatment plants existing or
13 utilized capacity the Village is at about 61 percent
14 of that capacity right now. So there's -- there is
15 plenty of adequate capacity to accommodate the
16 anticipated growth within the Village.

17 In terms of timing for public
18 infrastructure projects, the timeline varies
19 depending, obviously, on the size of the development
20 and the complexity of the infrastructure permitting
21 requirements if there's special issues such as
22 wetlands or flood plains, other environmental issues
23 that can drag the process out.

24 So it's hard to say kind of what an

1 average timeline is. I gave some general ranges of
2 something like nine to 24 months. Nine months would
3 be for a small very simple project and 24 months would
4 be a large, complex project, but it really -- it
5 really depends. It's really a case-by-case basis for
6 these types of projects.

7 MR. MILLER: Any questions?

8 CHIEF DATO: No. I think -- and I'm not -- I
9 think this question was totally captured, but I think
10 this was driven on my point that I made about the
11 importance of acquiring Lake Michigan water for the
12 purpose of selling the development, if you will.
13 Selling the TIF.

14 So I think that's mainly where that
15 came from, and if our argument for the Lake Michigan
16 water is that, you know, our expectation of available
17 water in the future is questionable or the quality is
18 questionable for whatever the reasons were that we
19 enumerated for the referendum, then it's a little hard
20 for us to say well, let's go develop when developers
21 who come in they want a secured source.

22 And I think my point was just simply
23 let's make sure we secure that source because it's a
24 little ironic. We've been sitting here talking about

1 this when, you know, our -- our Board member
2 counterparts here were out at the other meeting. That
3 was all.

4 MR. MILLER: Okay.

5 MR. MAGNA: We may want to put into the record,
6 though, Chief Dato's comments in consideration of Lake
7 Michigan water. The Village Board did authorize our
8 Village engineer to put -- commence the preparation of
9 the Phase 1 of the internal improvements that are
10 going to be necessary to receive Lake Michigan water
11 from whatever source, but there are internal
12 improvements within the Village that must be
13 accomplished in order to be able to receive and
14 distribute Lake Michigan water and you kind of crawl
15 before you walk.

16 So Phase 1, but Phase 1 was -- how
17 many -- how much was Phase 1?

18 MR. RICKERT: The total estimated cost
19 including contingencies and engineering was about \$3.5
20 million.

21 MR. MAGNA: Yes. And plans are being prepared
22 now. They're moving forward with an estimated
23 starting date of sometime next spring/early summer.
24 So I mean that's the schedule. So this is commencing.

1 We just have to nail the source.

2 CHIEF DATO: That's correct. I mean I have
3 seen some of the surveyors out surveying for that
4 particular purpose. So I know it is moving forward
5 but, again, my point simply is we need to secure a
6 source.

7 MR. YEKSAVICH: Okay. Question No. 4 kind of
8 dovetails into the previous one concerning bond
9 obligations and tax rates and things of that nature.
10 The Joint Review Board had questions concerning how
11 the TIF affects the overall tax rate of their each
12 respective district and how it essentially
13 maybe shifts some burden of EAV and increase away from
14 the TIF District onto other areas within the taxing
15 districts. The full effect.

16 "What effect does the TIF District
17 have on a taxing district's overall property tax
18 limits and rates? I.e., does a taxing district get to
19 include the total EAV of the TIF District in
20 consideration of their total EAV for tax rates as well
21 as the EAV increases of the TIF District?"

22 I have included from the property tax
23 extension limitation of law technical manual, the
24 formula for calculating the limiting rates. Some of

1 you might be familiar with this; some of you may not.

2 The long and short of it with respect
3 to TIF, the base EAV remains a taxing district in
4 perpetuity and whatever happens to that EAV over the
5 23 years of the TIF District.

6 So the maximum it can be is that
7 total EAV, but if it goes down, that base limits rate
8 when the TIF District is dedicated that's what remains
9 with you. So if it goes down, it also goes down with
10 your overall rate.

11 Any increment is taken out from your
12 calculation of cap rate. It is subtracted on the
13 bottom of the denominator in the formula and any taxes
14 that were collected on that increment rate and paid to
15 the TIF incremental funds are also removed from your
16 total tax bill rate so that that goes into the CPI
17 inflationary -- the numerator part of the calculation.
18 Now, what that does is kind of creates a phantom of
19 EAV hanging out that doesn't exist within the regular
20 taxing rate of your district.

21 In terms of the shift, the big
22 question is is there a shift and to the extent that
23 all property naturally increases with an inflationary
24 process, if all property is inflating to some

1 extent -- what we call a natural growth -- yes, that
2 burden is not captured by your taxing district. That
3 increment is lost.

4 But what the TIF is intended to do
5 is -- and I'm not using the word gamble, but take the
6 conscientious investment approach to make an
7 investment in the TIF to increase it to such an extent
8 that whatever you naturally would get as a taxing
9 district over the 23 years is not as big of a payoff
10 as at the end of the 23 years from what you will get
11 from the investments paid into the TIF.

12 And that's part of what you're here
13 to decide as the taxing districts, has the Village
14 proven that yes, this is a sound investment, that this
15 area but for doing the TIF would not see that increase
16 on EAV from investing incremental funds.

17 So long and short is yes, the EAV as
18 a total is removed for the 23 years what increment,
19 but the base always remains with you and whatever
20 happens to the base is the base.

21 And as I have stated at the previous
22 meetings, there are a few ways to make the districts
23 whole in terms of service increases. For the library
24 district and school district there is a formula for

1 paying fees from the incremental funds based on a
2 specific formula rate for any new housing units for
3 students that are included in the TIF District.

4 As Rudy stated, the intention is not
5 to do housing development, but there may be some mixed
6 unit development; namely, retail on the first floor
7 and upper story condo potentially, which usually have
8 a lower generation rate or senior housing for
9 students, but there is a way of recapturing funds and
10 paying it out through the actual Act.

11 There's also payments in lieu of
12 taxes allowed. If there's something that is perceived
13 as an unfair burden such as if the Village acquires
14 property in the TIF District that decreases from that
15 base rate, the Village can take incremental funds to
16 make it whole for what you would receive on what they
17 have.

18 So basically when the Village buys
19 property, the EAV goes to zero. So whatever naturally
20 you would have gotten from that when it was owned in
21 private hands, the Village can compensate through the
22 EAV -- or the incremental tax rate funds that are
23 collected.

24 There's also the potential to pro

1 rate a share from the EAV incremental funds back to
2 each of the taxing districts based on the taxing rate
3 if there is a surplus through the Act.

4 And, finally, as mentioned, any of
5 the redevelopment contract -- I shouldn't say --
6 any of the redevelopment projects that go on are
7 party-to-party contracts.

8 So the Village can evaluate on a
9 case-by-case basis ways to compensate if a development
10 needs to be serviced and that's for a particular tax
11 district.

12 I highlighted. If there's a lot of
13 trucks needed for the fire department, there's a way
14 to pay through the funds with that. If there's
15 additional open space needed for the park district,
16 there's a way to do that.

17 There's ways to compensate through
18 that party-to-party negotiations for service demands
19 or some type of unique facility the park district
20 would need isn't accommodated elsewhere; maybe the
21 developer can include it in his development.

22 So there are a number of ways to make
23 the districts whole in the EAV but overall, yes, you
24 are here to make a decision on that but for statement.

1 You know, is this the right thing to do, has the
2 Village proven what it needs to prove and is this the
3 best investment in the way people see redevelopment
4 going forward.

5 MR. MAGNA: Just a footnote to Jeramiah. The
6 redevelopment agreement with developments that,
7 hopefully, will be coming, we can equate those to
8 annexation agreements, which I know you all have some
9 familiarity to and how we deal with. In lieu of
10 impact fees we get covenants of -- for particular
11 contributions.

12 So we have that latitude in a
13 redevelopment agreement with a redeveloper within that
14 TIF District. That door is open. We don't have that
15 latitude -- as you may or may not know, if there's a
16 20-acre piece already within the Village, we don't
17 have an annexation agreement opportunity with that.
18 We strictly just have our impact fee ordinance that
19 covers it.

20 So we do -- the Village does have
21 some latitude as Jeramiah explained to look at
22 specific impacts or needs. Whether it be a fire truck
23 or some kind of lag time fee, we can do that if -- if
24 needed.

1 UNIDENTIFIED SPEAKER: And so communication
2 and, obviously, vigilance and observation are going to
3 be important through the whole process, but -- but
4 there are those opportunities with the Village.

5 CHIEF DATO: I think, Rudy, from the standpoint
6 of -- and, Jeramiah, I appreciate the fact that you're
7 willing to buy a truck, an ambulance and that kind of
8 thing. In the big scheme of life capital investments
9 like that are inexpensive.

10 What are expensive -- or what's
11 expensive to us as a fire district is the personnel
12 needed to, you know, cover any required services.
13 I.e., places similar to Liberty Arms where we're over
14 there every day, the tax break -- or the taxes
15 probably aren't where they should have been, you know,
16 on that particular property. Things like that.

17 And I'm sure that the other districts
18 have similar concerns, what's the burden of need
19 that's created more so than simple capital items, you
20 know, because, again, capital items are -- you pay for
21 them, they're there, they amortize and just -- 30
22 years from now you just buy another one. Whereas, the
23 cost of personnel to service is the biggest concern we
24 have.

1 So, you know, I would ask that the
2 Village Board if they, in fact, do move forward with
3 this and the future Village Boards because this is
4 going to go on for 23 years, you know, look at any
5 project judiciously and determine what the impact is
6 not only for the Village services but to the other
7 districts that serve, you know, the residents that --
8 or the businesses that will move into the TIF area.

9 DR. COLES: I have a question. Dan Coles,
10 superintendent of schools. Once the TIF is adopted by
11 the Village and it goes into effect if any of the
12 other taxing bodies, township, library, park district,
13 fire, school district were to be successful in having
14 a referendum, how does that affect the collection of
15 those new dollars when this TIF is in place?

16 I understand the concept that as the
17 properties increase in the TIF District that the --
18 any new -- new dollars that are gained are pumped
19 right back into the TIF, but -- but that's based on
20 the current EAV.

21 In other words, there's a cutoff,
22 there's a benchmark, there's a line drawn in the sand,
23 however you want to say it, as to what that EAV is and
24 then everything above and beyond that is years to come

1 as the development comes and is improved, those
2 dollars get pumped back into the TIF, but what about
3 other taxing bodies that because of their own needs
4 have to explore a referendum and pass a referendum?

5 You know, the thought is that, you
6 know, that referendum is -- is an increase to all
7 taxpayers to pay for whatever that governmental entity
8 is vying for, not unlike the water referendum that was
9 done by the Village.

10 MR. MAGNA: So, Superintendent Coles, I asked a
11 similar although not exact question, but I think they
12 are a one-to-one relationship to bond counsel and to
13 Kip Wilson, who does the bonding service for the
14 clerk's office.

15 My interest in asking that question
16 at the time was the Village still has bonding
17 authority up to -- from 9.2 -- between 9.5 and \$41
18 million. So what about new bonds? And I think
19 there's a -- I think there's very much a one-to-one
20 relationship.

21 If you got referendum approval for
22 new bonds, I think his answer applies to this also
23 because I had that -- that very same question and
24 concern.

1 Uniformly I was told that the base
2 EAV is what is used in calculating the rate that would
3 be sufficient to meet the debt service on the new
4 bonds. So it doesn't -- it doesn't affect, number
5 one, the ability to issue new -- new Geo bonds if
6 referendum authorized.

7 It's just the way they would
8 calculate the rate to spread it over the -- the entire
9 district, which would include only the base EAV of the
10 TIF as whatever its percentage of your entire EAV is.

11 So it was told to me that in the
12 scope of things it's a very small amount, but the EAV
13 of the TIF, the base EAV, goes into the calculation
14 rather than the current EAV.

15 DR. COLES: Okay. So the TIF area does pick up
16 some of the cost --

17 MR. MAGNA: Yes, it does.

18 DR. COLES: -- of a new bond or a new
19 referendum, but it would not pick up what it would
20 normally pick up because of the difference between
21 that base EAV and the new EAV that's established over
22 time?

23 MR. MAGNA: Actually, the EAV the taxpayer --
24 let's say there's a -- a Mariano's Supermarket that

1 goes in there, you have its base EAV, which is going
2 to be incredibly low compared to the available piece
3 of property that was there, and you have its current
4 EAV. Total EAV. There's an increment there. The
5 rate that's established using the base EAV for the
6 whole district is applied to the entire EAV of the TIF
7 District --

8 DR. COLES: Okay.

9 MR. MAGNA: -- its total EAV, but the
10 difference is -- the difference in the taxes becomes
11 increment for incremental revenue fund purposes. The
12 school will be assured that it's going to get its debt
13 service needed from its bond ordinance and -- its levy
14 and its bond ordinance so that -- that's assured, but
15 there will be something extra paid by that taxpayer
16 based on the rate applied to the total EAV.

17 DR. COLES: Okay.

18 MR. MAGNA: So they actually paid a little bit
19 more --

20 DR. COLES: Thank you for answering that.

21 MR. MAGNA: -- that goes into the incremental
22 revenue.

23 DR. COLES: Thank you for answering the
24 question.

1 MS. BURTON: It stays in that fund, though,
2 right?

3 MR. MAGNA: It stays in that fund for TIF
4 purposes, but it does not affect the amount of revenue
5 that the school district would receive to meet its
6 debt service obligation on its bonds.

7 DR. COLES: And that goes back to the answer
8 that Jeramiah gave, which was the original question,
9 as to over time any of the taxing bodies if they have
10 excess CPI from one year to the next, that taxing
11 district gets its money, but the burden of that
12 whatever the difference is the TIF District gets
13 shifted to the non-TIF properties for the length of
14 the TIF.

15 MR. YEKSAVICH: It would be the natural growth.
16 That's the intention is that if there was natural
17 growth, yes. Whatever that amount would be.

18 DR. COLES: And the reason I bring that up is
19 every one of our governmental entities, you know,
20 we -- rightly so we get questions about our tax rates,
21 we get questions about the amount of taxes that we
22 collect. The school district we're the number one
23 offender in terms of the amount of dollars we collect.

24 I just want everyone to go into this

1 with their eyes wide open that there's -- it's not
2 great, but there is an extra burden that is shifted to
3 the non-TIF properties, whether it's the Village of
4 Wauconda, the park district, fire district, the
5 township or the school district, any time that entity
6 accesses new dollars through (inaudible) or the tax
7 dollars and CPI or -- or a portion of CPI. So I just
8 want that in the record that everyone needs to
9 understand that and we go into it with our eyes wide
10 open.

11 There was an -- ironically an article
12 in the Daily Herald yesterday that talked about this,
13 and it's not in our -- our area. It's down in
14 Palatine and Schaumburg and they're looking at doing a
15 TIF down there and the school officials down there
16 stated very pointedly that TIFs are one way that the
17 local tax burden is shifted more on the homeowners.

18 So I have made my point. It doesn't
19 mean that I'm against commercial and retail
20 development in Wauconda. I stated at the last meeting
21 I commend the Village for developing a plan and taking
22 some action on a plan. I think it's much needed, but
23 that needs to be stated.

24 Additionally -- and I think this goes

1 sort of along with the notion that this Joint Advisory
2 Board -- we stated this last time for the folks that
3 weren't here -- we really have no authority of much
4 consequence.

5 If we all unanimously voted no, the
6 Village of Wauconda could still move forward with the
7 TIF and I chided the state of Illinois for developing
8 a process that puts in place a Joint Advisory Board
9 that has absolutely no authority.

10 My concern, you know, beyond that --
11 and that's not the Village's fault. That's the state
12 of Illinois. Let me be very clear. If anyone would
13 like to know all the other things that I find wrong
14 with the state of Illinois, just stick around. I
15 would be happy to give you a long list.

16 Is the possibility of the residential
17 growth in this TIF District and it was stated here --
18 and I appreciate that -- there would be opportunity
19 for any one of the taxing bodies to participate in
20 discussions as to the -- the notion that there should
21 be some sort of recapture because of the possible
22 additional burden, whether it's on the fire department
23 or the park district, library, whatever taxing body it
24 is or in my case the school district.

1 You know, new residences has the
2 potentiality of new students. It's expensive to
3 educate students in 2013. And certainly we don't want
4 any additional shifts of burden on the non-TIF
5 properties if there's this multiple unit development
6 going on within the TIF itself.

7 My hope is that the lag fees and the
8 impact fee ordinances that are in effect would be
9 followed, but additionally, especially if the TIF is
10 recapturing those new dollars, the difference again
11 between the base and wherever it's at at that time and
12 there's kids coming from that area, my hope is that we
13 can have some conversations about that.

14 But, again, my understanding also is
15 is that aside from pitching our case and providing
16 data and the need, the individual taxing bodies we
17 really have no decision making in that. That is
18 solely up to the Village; is that correct?

19 MR. MAGNA: That is correct. It's like the
20 impact fees. I mean that's the same question. It's
21 like the impact fees, but I think the tradition and
22 the practice has been that the Village does work with
23 the other taxing bodies on these needed things as we
24 did with the impact fees.

1 DR. COLES: And we've had a multi-decade --

2 MR. MAGNA: Yes.

3 DR. COLES: -- time of history here where that
4 is the case. Obviously, the school district's hope is
5 that there will be other taxing bodies that continue
6 that.

7 MR. MAGNA: The statutory authority for the
8 Village and the school district said -- there's
9 actually authority within the TIF Act itself to
10 accomplish that very thing by way of agreement.

11 DR. COLES: Thank you, sir. Those are my
12 statements and, again, please do not interpret my
13 questions or my statements as statements that are
14 negative towards the Village of Wauconda for
15 attempting to try and bring commercial and retail
16 growth here to the community. The school board has
17 promoted that notion for two decades now. I think it
18 will be a revitalization which appears to be much
19 needed. Thank you.

20 MR. MILLER: Thank you, Dan.

21 Question 5.

22 MR. YEKSAVICH: Any other questions?

23 Statements?

24 (No verbal response.)

1 MR. YEKSAVICH: Okay. Question 5. Finally,
2 there was a question concerning the language and the
3 ordinance approving the draft ordinance for approving
4 the Redevelopment Plan concerning housing relocation
5 and so the language was clarified to state as follows:
6 "Whereas, the Village has produced a Housing Impact
7 Study pursuant to the requirements of the Act, it is
8 committed to providing housing relocation assistance
9 as may be deemed necessary under the Act since the
10 Redevelopment Plan project may possibly result in
11 displacement of residents from ten or more inhabited
12 units."

13 Once again, I just want to state the
14 Village is not intending to relocate people or
15 relocate housing units. The Act requires that if
16 there's the potential for that to occur, that the
17 Village has to make a statement and a commitment to
18 providing housing relocation assistance at the federal
19 level. The federal guarantee level relocation.

20 So it's a substantial burden on the
21 Village if it does engage in the relocation actions.
22 So this is more of a statutory policy that the Village
23 has to follow and will follow as -- as may be needed.

24 MR. MILLER: Any questions on that?

1 (No verbal response.)

2 MR. MILLER: Next item is to discuss the
3 recommendation.

4 MR. YEKSAVICH: Chris, if I could, there's
5 one -- you provided a couple more ordinances tonight.

6 MR. MILLER: Oh, yes. I provided each of the
7 members here tonight with --

8 MR. MAGNA: Drafts.

9 MR. MILLER: -- draft ordinances that are going
10 to be -- be reviewed by the Village Board at the time
11 of the public hearing and that's in November and --

12 MR. YEKSAVICH: Just to review with you, you
13 saw before you for the approval -- the draft ordinance
14 to approve the Redevelopment Plan, which is the first
15 ordinance that needs to go into effect.

16 There are two other ordinances that
17 ultimately go along with that if the TIF District is
18 approved. The next one designates the TIF District,
19 which gives its physical location as described, and
20 the final one is one that establishes the mechanism
21 for taxing and the financing, establishes the fund,
22 establishes under the Act how that process will work.

23 So those two follow suit after that
24 first ordinance that you will review and these are

1 basically for your review and comment as we move
2 forward to the public hearing stage and beyond.

3 MR. MAGNA: They're technical documents.
4 They're not planning documents. They're just the
5 technical documents so they don't have the concept and
6 the plans that have been discussed before you.

7 MR. MILLER: Anything further, Jeramiah?

8 MR. YEKSAVICH: Those would be the main things.
9 It's up to the Chairperson to determine what would be
10 next.

11 MR. MILLER: I do notice a couple of new
12 audience members of the public in the audience. We
13 did close public comments and questions last time. If
14 there's anybody in the public -- well, I should
15 perhaps ask the members if you have any objection if
16 anybody has any further questions from the public.

17 CHIEF DATO: I think if they would like to --

18 MR. MILLER: If anybody has any questions out
19 there, we would certainly entertain your --

20 MR. MAGNA: I don't know if we need to have a
21 formal motion to open it up to the public.

22 CHIEF DATO: You tell me.

23 MR. MAGNA: You -- let's be formal.

24 MR. MILLER: Let's be formal.

1 CHIEF DATO: There you go. I make a motion to
2 open the floor to the public.

3 MS. BURTON: Second.

4 MR. MILLER: Nancy seconded.

5 MR. MAGNA: Voice vote. All in favor.

6 (Chorus of ayes.)

7 MR. MILLER: Any opposed?

8 (No verbal response.)

9 MR. MAGNA: Motion carries.

10 MR. MILLER: Motion carries. Thank you.

11 Any questions from the public then?

12 Comments?

13 UNIDENTIFIED SPEAKER: It would be nice if I
14 could hear something going on up there. It's either
15 me or you guys aren't speaking up. You want to talk
16 amongst yourselves up there, but we can't hear nothing
17 out here.

18 What's the problem? Can't you afford
19 a little power to get in the microphones or what? We
20 can hear the gentleman over here loud and clear, but
21 you guys up there are talking to each other head to
22 head. Nothing out this way. What's the problem?

23 MR. MILLER: Thank you for your comment and
24 we'll -- certainly that's something that the Village

1 Board is considering. We're looking into a sound
2 system.

3 UNIDENTIFIED SPEAKER: I'm not hearing a thing
4 you're saying. If you turn the volume up on your mike
5 or something because this is terrible.

6 MR. MILLER: Are there any other comments or
7 questions?

8 MR. BREDEMEIR: I was here the last time and
9 I'm within the 750-foot boundary in the township, and
10 my question to you at this time and will be to the
11 Village as well is the drainage from the soccer field,
12 which is behind me, the normal drainage is right to my
13 property and down Main Street.

14 Does the TIF District have to -- have
15 the right to put the drainage through the township
16 without the residents' approval or where does the
17 drainage -- how does this change? If the soccer field
18 part of it is developed with an asphalt base or
19 parking -- let's hope somebody comes in manufacturing
20 or something and we've got an asphalt base there.

21 That's going to increase the flow of
22 on my property and I am wondering where that water is
23 going to go. We've been flooded out there before.
24 The township did put in some drainage and it's helped

1 considerably, but if it's increased, again, we're
2 going to be flooded.

3 MR. MILLER: Sir, can I have your name for --

4 MR. Bredemeir: I'm sorry. Kenneth -- Kenneth
5 Bredemeir. I'm on 27076 West Main Street.

6 MR. YEKSAVICH: And that's the property -- the
7 soccer field on Anderson and 176?

8 MR. Bredemeir: Yes. That's the property I'm
9 referring to.

10 MR. MILLER: Bill, you want to answer his
11 question or --

12 MR. RICKERT: Sure. Whether it's TIF District
13 or any other development within the Village is under
14 the -- any development has to comply with what's
15 called the Watershed Development Ordinance, which is a
16 very detailed ordinance that controls how stormwater
17 management is designed and implemented so that there
18 are no negative impacts on downstream property owners.

19 So that would be something that the
20 developer would have to submit detailed plans,
21 detailed studies to identify how that water -- how the
22 stormwater is going to be managed.

23 Typically that includes detention
24 facilities, you know, basins that hold the water and

1 release it at a restricted rate as well as, you know,
2 other -- other facilities, but that is very -- that's
3 regulated for any development within the Village
4 whether it's within a TIF District or not so it's --
5 the same ordinance would apply within the TIF
6 District.

7 Does that answer your question?

8 MR. BREDEMEIR: Somewhat.

9 MR. MAGNA: So the bottom line is that new,
10 impervious surface, new parking lot, new roofline, new
11 impervious surface cannot increase the velocity or the
12 volume of the water that would otherwise be passing
13 through there as it presently exists. Is that kind of
14 a simple way of saying it?

15 MR. RICKERT: Yes. That's a layman's way of
16 saying it, yes.

17 MR. MAGNA: Okay. And TIF funds -- to the
18 extent that incremental revenues are available to the
19 Village TIF funds can actually be used to assist new
20 development and incentivize new development to come in
21 by assisting in the cost -- sharing the cost of such
22 drainage detention or retention facilities.

23 Those are a qualified component under
24 the TIF Act so -- but the bottom line is new

1 development cannot under our Watershed Development
2 Ordinance increase the velocity or flow of water
3 that's presently going by your property or through
4 your property.

5 MR. BREDEMEIR: Okay.

6 MR. MILLER: Anyone else have further -- yes,
7 sir.

8 MR. WEILER: Hi. Chris Weiler, 26140 West
9 Ivanhoe Road. A couple questions if I may. Can at
10 any point in time any additional properties be added
11 to the TIF District or once it's done it's done for
12 the 23 years? Would it be annexation --

13 MR. MILLER: Jeramiah, you want to answer?

14 MR. YEKSAVICH: Property can be added, but it
15 must go through the amendment process, which includes
16 what you see before you, another Joint Review Board,
17 it requires another public hearing and all those
18 things and in the annexation agreement -- it's showing
19 that the TIF has to be subject in the annexation to be
20 included in the TIF as part of the REDEVELOPMENT PLAN
21 that we're discussing tonight. So it's -- it does go
22 through the full process again to get added.

23 MR. WEILER: Understood. Thank you.

24 And I went online to look at the --

1 the information and there was a -- a map on there that
2 showed potential new streets and what have you that --
3 that could be put in that area. Is that part of the
4 long-range development plan of the Village or is that
5 part of the TIF specifically?

6 MR. MILLER: No. That's part of the Village's
7 comprehensive plan, which is a long-range plan vision
8 for the area.

9 MR. WEILER: So it doesn't mean -- if the TIF
10 goes through, it doesn't mean that that type of
11 development is guaranteed; it's just suggested as a
12 long-term development plan?

13 MR. MILLER: That is correct. And as has been
14 stated before our goal is to have retail commercial
15 type developments --

16 MR. WEILER: Absolutely.

17 MR. MILLER: -- that we're looking for.

18 MR. WEILER: No. I commend it. I think that
19 the Village has long neglected the opportunity on
20 Route 12 presents itself as far as revenue capture
21 along there.

22 If that plan was followed, it would
23 put an additional intersection on Route 12 just south
24 of Barrington Road. That would, I think, impact that

1 area since 59 and Barrington Road, 59 and 12, is not a
2 full cloverleaf, if you will, or four-way
3 intersection. If that were added, that would, I
4 think, change traffic flows in the immediate area both
5 within the Village and outside of the Village.

6 Would it be safe to assume that
7 you -- the Village would engage in studies with the
8 State and the -- and the County as to how that might
9 impact primary and secondary roads outside of the
10 Village?

11 MR. MILLER: That would certainly be part of
12 the process that we would have to go through in order
13 to get that intersection.

14 MR. WEILER: Okay. Thank you.

15 MR. MILLER: Anyone else have questions,
16 comments?

17 (No verbal response.)

18 MR. MILLER: Hearing none we'll close the
19 public comment portion again.

20 I believe our next item of discussion
21 is the proposed recommendations. I provided that to
22 the -- to the Joint Review Board at our last meeting
23 and I provided it again in our packets that I handed
24 out today.

1 This is a recommendation to report to
2 the -- the Joint Review Board regarding the TIF
3 redevelopment project for the Wauconda Redevelopment
4 Project Area, Triangle Area as it's referred to, and,
5 Jeremiah, do you want to highlight or summarize this
6 for them?

7 MR. YEKSAVICH: Sure.

8 To go over again the Board still has
9 the four decisions before it that we reviewed last
10 time. Namely, the Board can make a recommendation of
11 approval to the Village Board, which would be similar
12 wording to what we have here before you, the Board,
13 can make a recommendation of denial to the Village
14 Board, the Board can continue this meeting if it
15 wishes or the Board can do nothing and no objection --
16 I should say doing nothing or voting no recommendation
17 or no denial is equal to no objection to the TIF
18 District.

19 The Board does need to make -- if
20 it's going to make a recommendation of denial or
21 approval, make a decision and report within 30 days to
22 the last meeting, which would be October 25th, but
23 those are the four things before you.

24 The recommendation before you for a

1 report of approval to summarize it, first there are
2 three points that are stated below. The first one
3 says that yes, the documents as presented in terms of
4 the Eligibility Study do qualify under the Act for
5 both improved areas and the conservation area meeting
6 the minimum number of eligibility criteria as well as
7 the vacant areas meeting the number of eligibility
8 criteria. Those are the blighting factors we
9 discussed at the last meeting.

10 The next one basically states that
11 the -- the but for statement that but for doing this
12 the Village would not expect any development to occur.
13 That's the decision before you that this is needed to
14 see redevelopment in the area, without this no
15 redevelopment will occur.

16 And, finally, number three is a
17 confirmation that the Redevelopment Plan meets the
18 statutory requirements of what the Redevelopment Plan
19 should be, that it outlines the anticipated costs, it
20 outlines the comprehensive plan conformance and all
21 the other statements that we reviewed last time.

22 So that's basically what this
23 recommendation would be to the Village Board in a
24 statutory nutshell that it covers all the bases that

1 you're here to review. Once again, you have those
2 four total options before you.

3 MR. MILLER: Are there any questions or
4 comments?

5 CHIEF DATO: Yeah. Actually I have one
6 question not germane to this particular item right
7 now, but I meant to bring it up before. The 23-year
8 plan, Rudy, in your -- or yourself, Jeramiah, have you
9 seen -- let's say we get a bunch of development -- can
10 you hear me back there, sir?

11 UNIDENTIFIED SPEAKER: I hear you. Go ahead.

12 CHIEF DATO: Okay. Well, there's some --
13 plenty of empty seats. You don't have -- we'll let
14 you up there.

15 UNIDENTIFIED SPEAKER: That's okay.

16 CHIEF DATO: Thanks. I got you. I know.

17 But, anyhow, have you in either one
18 of your two experiences seen where developments come
19 in, you know, all the infrastructures have been put
20 in, things have been paid off where the Village has
21 been able to stop and put the property on the tax
22 rolls sooner rather than 23 years?

23 MR. YEKSAVICH: The most recent one -- I think
24 I commented on last time -- Deerfield did that. I

1 think they retired theirs in 15, ten years, something
2 like that, and that -- the exact stated reason that
3 you had we paid off all the bonds, we don't need it
4 anymore.

5 MR. MAGNA: If there's no reasonable basis to
6 maintain the TIF, you dissolve it and, again, the
7 statute permits the municipality to dissolve the TIF
8 once it's met all its objectives in the project and
9 the plans.

10 CHIEF DATO: So if the objectives are, in fact,
11 met, the expectation would be that the Village Board
12 would, in fact, dissolve it at that point in time?

13 MR. MAGNA: There would be no reason to keep
14 it --

15 CHIEF DATO: Okay. That's fine.

16 MR. MAGNA: -- because you would have no reason
17 for incremental revenues. They couldn't spend them if
18 they wanted to.

19 CHIEF DATO: Okay. Just as long as that
20 understanding is in place when we talk to the Board
21 about it.

22 Well, with that I would certainly
23 like to make a motion to forward the above report
24 findings to the Joint Review Board for the Village

1 president and the Village Board of the Village of
2 Wauconda with our concerns and points as noted in the
3 record.

4 MR. MILLER: Do we have a second?

5 MS. DEBOER: Second.

6 MR. MILLER: Laurel?

7 MS. DEBOER: Yes.

8 MR. MILLER: And we will do a roll call vote
9 starting with Chief Dato.

10 CHIEF DATO: Yes.

11 MR. MILLER: Laurel.

12 MS. DEBOER: Yes.

13 MR. MILLER: Deboer.

14 MS. DEBOER: Yes.

15 MR. MILLER: Dr. Coles.

16 DR. COLES: Abstain.

17 MR. MILLER: Nancy Burton.

18 MS. BURTON: Yes.

19 MR. MILLER: And Stephanie --

20 MS. MAROIELLO: Maroiello. I'm going to have
21 to abstain.

22 MR. MAGNA: The motion is carried.

23 MR. MILLER: So we have a quorum and it's
24 carried.

1 MR. YEKSAVICH: Mr. Miller, did you vote?

2 MR. MILLER: Oh, I have to vote. Yes. Thank
3 you.

4 So we have a quorum. Carried. So
5 this motion then would be passed on to the Village
6 Board.

7 Is there any other things we need to
8 cover?

9 MR. YEKSAVICH: Just outline the next step in
10 the process.

11 MR. MILLER: Yeah.

12 MR. YEKSAVICH: From this point the Village
13 will refine the documents that were presented to you
14 with the revisions as discussed and as reviewed here
15 tonight with the comments and concerns.

16 This will go to the Village Board for
17 a public hearing on November 25th. There will be sent
18 out notices to you. There will also be multiple
19 notices in the paper.

20 MR. MILLER: November 20th.

21 MR. YEKSAVICH: Sorry. November 20th. There
22 be will a public hearing. The Joint Review Board also
23 is welcome to attend and make comments, each of the
24 taxing districts as explicitly listed in the Act to

1 have standing to come speak and you are welcome to
2 come and speak for the Village -- or for the TIF
3 District as well as the public. That's when the
4 public will have its chance to be fully heard by the
5 Village Board and all concerns can be addressed at
6 that time.

7 MR. MILLER: Any further questions or comments?

8 CHIEF DATO: Motion to adjourn.

9 MR. MILLER: Motion to adjourn.

10 DR. COLES: Second.

11 MR. MILLER: We are adjourned at --

12 CHIEF DATO: Aye.

13 MR. MILLER: Oh, yes. Voice vote.

14 MR. MAGNA: Yes.

15 MR. MILLER: Thank you.

16 (Whereupon, the proceedings
17 were adjourned at 6:03 p.m.)

1 STATE OF ILLINOIS)
2 COUNTY OF LAKE) SS:
3)

4 I, Susan R. Pilar, Certified Shorthand
5 Reporter for the State of Illinois, do hereby certify
6 that the foregoing was reported by stenographic and
7 mechanical means, which matter was held on the date,
8 October 27th, 2013, and at the time and place set out
9 on the title page hereof and that the foregoing
10 constitutes a true and accurate transcript of same.

11 I further certify that I am not related to any
12 of the parties, and I have no financial interest in
13 the outcome of this matter.
14

15
16 *Susan R. Pilar*
17



18
19 Susan R. Pilar, CSR
License No. 084-003432
20
21
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24

**NOTICE OF PUBLIC HEARING
TO JOINT REVIEW BOARD AND ILLINOIS DEPARTMENT
OF COMMERCE AND ECONOMIC OPPORTUNITY
WAUCONDA REDEVELOPMENT PROJECT AREA 1 (RPA 1)**

Notice is hereby given to all interested parties that, pursuant to the requirements of 65 ILCS 5/11-74.4-1 et seq., the Village Board of Wauconda at its Tuesday, September 3, 2013 Regular Meeting has established the Public Hearing regarding the proposed Redevelopment Project Area 1: Triangle Area (RPA 1) will be held on Wednesday, November 20, 2013, at 7:00 p.m. at the Wauconda Village Hall, Board Room, 101 N. Main Street, Wauconda, Illinois. Said meeting will be open to the public.

The boundaries are hereby legal described as listed in the attached Exhibit A and generally as follows:

The RPA is approximately 225 acres in area that is a roughly triangular shaped area generally centered around U.S. Highway 12 with the following boundaries:

- North: The RPA's northern boundary is formed by Illinois Route 176 running approximately one and a quarter miles between the east right-of-way (R.O.W.) line of Maple Avenue on the east to the approximately 850 feet west of the west R.O.W. line of Anderson Road.
- Southeast: The RPA's southeastern boundary is formed by Barrington Road running just over half of a mile between east R.O.W. line of Maple Avenue on the northeast to west R.O.W. line of U.S. Highway 12 on the southwest.
- Southwest: The RPA's southwestern boundary is formed by the northern boundary line of the Oak Grove subdivision, the east boundary line of the Aspen Grove subdivision, and the Village's western boundary line south of IL Route 176 (Liberty Street).

Included with this notice are the following documents required for establishing RPA 1:

- 1) Redevelopment Development Plan (Dated 09/03/13)
- 2) Eligibility Study (Dated 09/03/13)
- 3) Housing Impact Study (Dated 09/03/13)

These documents are also available for inspection by the public at the Wauconda Village Hall 101 N. Main Street, Wauconda, Illinois.

The Redevelopment Plan and its associated Eligibility Study and Housing Impact Study provide the statutory grounds for establishing RPA 1, the general plan goals and objectives for RPA 1, a list of potential redevelopment projects and estimated associated costs, methods for funding redevelopment projects, and all other statutory requirements.

Comments regarding the establishment of RPA 1 and its associated documents are hereby solicited. Comments may be submitted in writing to Chris Miller, Director of Planning and Zoning at 109 W. Bangs Street, Wauconda, IL 60084.

Each taxing body which includes territory within RPA 1 shall have an opportunity for further comment during the Joint Review Board meeting whose scheduled meeting date on Wednesday September 25, 2013 at 5:00 p.m. which is being provided under a separate notice. All interested persons will be given opportunity to be heard at the public hearing.

VILLAGE OF WAUCONDA

By: Chris Miller, Director of Planning & Zoning

Exhibit A: RPA 1 Legal Description

THAT PART OF THE SOUTH HALF OF SECTION 26 AND SECTION 27 AND THAT PART OF THE NORTH HALF OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF WAUCONDA, COUNTY OF LAKE AND STATE OF ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 26; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 550.01 FEET TO THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 176 AS SHOWN ON THE PLAT OF DEDICATION, RECORDED JUNE 03, 1929 AS DOCUMENT 337676, ALSO BEING THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID ILLINOIS ROUTE 176 AS SHOWN ON THE PLAT OF DEDICATIONS, RECORDED ON JUNE 03, 1929 AS DOCUMENTS 337676, 337377 AND 337378 TO THE SOUTHWESTERLY LINE OF TRACT 1 AS SHOWN ON THE PLAT OF DEDICATION, RECORDED JUNE 03, 1929 AS DOCUMENT 337679, ALSO BEING THE NORTHEASTERLY LINE OF MAPLE AVENUE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE 73.3 FEET TO THE NORTHWESTERLY LINE OF BARRINGTON ROAD (ILLINOIS STATE BOND ISSUE ROUTE 59); THENCE CONTINUING ALONG A PROLONGATION OF SAID SOUTHWESTERLY LINE TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID BARRINGTON ROAD (ILLINOIS STATE BOND ISSUE ROUTE 59) AS SHOWN ON THE PLAT OF WAUCONDA, RECORDED FEBRUARY 10, 1897, AS DOCUMENT 67027; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING AS SHOWN ON THE PLAT OF DEDICATION, RECORDED JANUARY 20, 1936, AS DOCUMENT 420937; BEING A POINT ON THE EASTERLY LINE OF THE PUBLIC ROAD; THENCE SOUTHWESTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE TO THE NORTHERLY LINE AS DESCRIBED IN THE PLAT OF DEDICATION FOR FA ROUTE 60 (US ROUTE 12), AS DOCUMENT 657667, RECORDED NOVEMBER 15, 1948; THENCE EASTERLY ALONG SAID NORTHERLY LINE BEING A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 308 FEET, 349.2 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, ALSO BEING THE NORTHEAST CORNER DESCRIBED IN THE PLAT OF DEDICATION OF SAID FA ROUTE 60 (US ROUTE 12), RECORDED JULY 15, 1949 AS DOCUMENT 674791; THENCE CONTINUING SOUTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE BEING A CURVE WITH A RADIUS OF 308 FEET, 554.10 FEET AS SHOWN ON SAID DOCUMENT TO THE NORTHERLY RIGHT OF WAY LINE OF FA ROUTE 60 (US ROUTE 12) AS SHOWN ON THE PLAT OF SURVEY, RECORDED APRIL 06, 1948, AS DOCUMENT 639879; THENCE SOUTHWEST 200 FEET, AS MEASURED AT RIGHT ANGLES OF SAID RIGHT OF WAY, TO THE SOUTHERLY RIGHT OF WAY PER SAID DOCUMENT; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE TO THE SOUTHEASTERLY LINE OF S.B.I. HIGHWAY 59; THENCE SOUTHERLY ALONG SAID HIGHWAY TO A LINE 605 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35 ALSO BEING THE NORTHERLY LINE EXTENDED OF PARCEL 2 OF OAK GROVE SUBDIVISION, RECORDED DECEMBER 24, 1998 AS DOCUMENT NUMBER 4264577; THENCE WEST ALONG SAID LINE TO THE EAST LINE OF PARCEL 5 OF SAID SUBDIVISION, ALSO BEING THE WEST LINE OF THE EAST 305.85 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTH ALONG SAID EAST LINE TO THE NORTH LINE OF SAID PARCEL 5, ALSO BEING THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE WEST ALONG SAID LINE TO THE EAST LINE OF ASPEN GROVE UNIT 2 SUBDIVISION, RECORDED APRIL 22, 1993 AS DOCUMENT NUMBER 3319446, ALSO BEING THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE NORTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 44 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 26 TO THE EAST LINE OF ANDERSON ACRES, RECORDED MARCH 28, 1956 AS DOCUMENT NUMBER 902448; THENCE NORTH ALONG THE EAST LINE OF SAID ANDERSON ACRES TO THE SOUTHEAST CORNER OF LOT 2 WITHIN SAID ANDERSON ACRES; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2 ALSO BEING THE EASTERLY LINE OF ANDERSON ROAD; THENCE SOUTH ALONG THE EAST LINE OF SAID ROADWAY TO THE INTERSECTION WITH THE SOUTHERLY LINE OF LOT 1, EXTENDED EASTERLY, OF PICK FARM SUBDIVISION, RECORDED APRIL 3, 1946 AS DOCUMENT NUMBER 586227; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF LOT 1 AND LOT 2 OF SAID SUBDIVISION, TO THE SOUTHWEST CORNER OF LOT 2 IN SAID SUBDIVISION; THENCE NORTH ON THE WEST LINE OF SAID LOT 2 TO THE SOUTHERLY LINE OF ILLINOIS ROUTE 176; THENCE

NORTHWESTERLY ALONG THE SAID SOUTHERLY LINE TO THE INTERSECTION OF A LINE DRAWN PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 44 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN FROM A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, THAT IS 1794 FEET EAST OF THE CENTER OF SAID SECTION 27; THENCE NORTH ALONG A LINE DRAWN PARALLEL WITH THE WEST LINE OF SOUTHEAST QUARTER OF SAID SECTION 27 FROM A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION THAT IS 1794 FEET EAST OF THE CENTER OF SAID SECTION, TO THE NORTH LINE OF ILLINOIS ROUTE 176; THENCE SOUTHEASTERLY ALONG SAID NORTH LINE EXTENDED TO A LINE LYING 50 FEET WESTERLY OF AND PARALLEL WITH THE CENTER LINE OF THE NORTHWEST RAMP AS SHOWN ON THE PLAT OF SURVEY OF FA ROUTE 60 (US ROUTE 12), RECORDED JULY 13, 1948 AS DOCUMENT 647885 TO A POINT 20 FEET NORTH OF THE NORTHERLY LINE OF STATE BOND HIGHWAY ROUTE 176, RECORDED JUNE 03, 1929 AS DOCUMENT 337675; THENCE SOUTHEASTERLY ALONG A LINE 20 FEET NORTH OF AND PARALLEL WITH SAID NORTHERLY LINE TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF FA ROUTE 60 (US ROUTE 12) AND THE NORTHERLY LINE OF STATE BOND HIGHWAY 176 AS SHOWN ON THE FINAL SUBDIVISION PLAT OF LIBERTY SQUARE SUBDIVISION, RECORDED FEBRUARY 18, 1987, AS DOCUMENT 2537219; THENCE EASTERLY ALONG THE SOUTHERLY LINE PER SAID SUBDIVISION ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY 176 TO THE EASTERLY LINE OF SAID SUBDIVISION, BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE BOND ISSUE HIGHWAY 176 RECORDED JUNE 03, 1929 AS DOCUMENT 337675; THENCE CONTINUING EASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

2013-O-21

AN ORDINANCE ESTABLISHING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING FOR CONSIDERATION OF THE APPROVAL OF THE PROPOSED REDEVELOPMENT PLAN AND PROJECT AREA AND RELATED PLANS AND FOR THE DESIGNATION OF THAT CERTAIN PROPOSED REDEVELOPMENT PROJECT AREA TO BE KNOWN AS THE "REDEVELOPMENT PROJECT AREA 1: TRIANGLE AREA" AND FURTHER PROVIDING FOR THE PUBLICATION AND SENDING OF PUBLIC NOTICE OF SAID HEARING

WHEREAS, pursuant to Section 11-74.4.6 of the Tax Increment Allocation Redevelopment Act, (65 ILCS §5/11-74.4-1, et seq. (the "Act")), in connection with consideration of adoption of a Redevelopment Plan and Project Area, the Village of Wauconda is required to hold a public hearing on the proposed adoption of a Redevelopment Plan and the designation of a Redevelopment Project Area; and

WHEREAS, the Village has caused to be prepared: a Redevelopment Project Area 1: Triangle Area 1) an Eligibility Study, 2) a Redevelopment Plan and 3) a Housing Impact Study for the proposed Redevelopment Project Area 1 to be known as the Triangle Area; and

WHEREAS, the Act requires a public hearing be held prior to adoption of the Redevelopment Plans and prior to the designation of the Redevelopment Project Area; and

WHEREAS, by this Ordinance the Corporate Authority establishes the date, time and place of such public hearing along with the minimum content specifications to be contained in the public notices of said hearing.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Trustees of the Village of Wauconda as follows:

SECTION I: That a Public Hearing shall be held on the proposed designation of the Redevelopment Project Area 1: Triangle Area (the "Redevelopment Project Area") and the proposed Redevelopment Plan and Project therefor.

SECTION II: That the Public Hearing shall commence on November 20, 2013 at the hour of 7:00 p.m. and shall take place at the Village of Wauconda Village Hall, Board Room, 101 N. Main Street, Wauconda, Illinois.

SECTION III: That the Director of Planning is hereby authorized and directed to prepare, publish and mail, under his signature and title, the required published and written public notices of the hearing as provided under the Act.

SECTION IV: That the said Public Notice shall contain, at a minimum, the following information:

- 1) The time and place of public hearing.
- 2) The boundaries of the proposed redevelopment project area by legal description and by street location where possible.
- 3) A notification that all interested persons will be given an opportunity to be heard at the public hearing.
- 4) A description of the redevelopment plan or redevelopment project for the proposed redevelopment project area.
- 5) Such other matters as the director of Planning may deem appropriate and in compliance with law.

SECTION V: A Joint Review Board Meeting shall be convened on September 25, 2013 at such time of day and place as the Director of Planning shall determine and then so timely notifying the members thereof pursuant to Section 11-74.4-5(b) of the Act.

SECTION VI: Not less than 45 days prior to the date of the Public Hearing the Director of Planning shall provide, by mail, the required notice of the Public Hearing to all taxing districts which overlap the boundaries of the proposed Redevelopment Project Area I: Triangle Area and to the Illinois Department of Commerce and Economic Opportunity inviting said taxing districts and said Department to submit comments to the Village prior to the date of the Public Hearing.

SECTION VII: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

SECTION VIII: All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

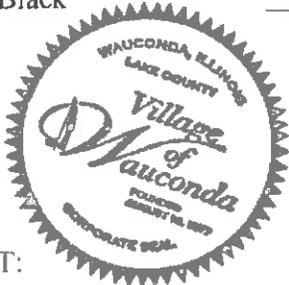
SECTION IX: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or

invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION X: This ordinance shall be in full force and effect from and after its passage, approval as required by law.

Passed this 3 day of September, 2013.

	Ayes:	Nays:	Absent/Abstain:
Lincoln F. Knight	<u>X</u>	_____	_____
John F. Barbini Ed.D	<u>X</u>	_____	_____
Teri Burke	<u>X</u>	_____	_____
Linda Starkey	<u>X</u>	_____	_____
Ken Amswald	_____	_____	<u>Absent</u>
Chuck Black	<u>X</u>	_____	_____



APPROVED:

By:

Frank Bart, Mayor

Date: 03 SEPT 13

ATTEST:

By:

Gina Strelecki, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on 03 September, 2013.

Gina Strelecki, Village Clerk

20 74 52.6 1 RIANGLE1-00027943.DOC

**NOTICE TO ALL IDENTIFIED ADDRESSES WITHIN 750 FEET OF THE PROPOSED
WAUCONDA REDEVELOPMENT PROJECT AREA 1: TRIANGLE AREA (TIF District)**

Official Notice

NOTICE IS HEREBY GIVEN to all interested parties that, pursuant to the requirements of 65 ILCS 5/11-74.4-1 et seq., the Village Board of Wauconda at its Tuesday September 3, 2013 Regular Meeting has established the Public Hearing regarding the proposed Redevelopment Project Area 1: Triangle Area (Tax Increment Financing District; TIF District) will be held on Wednesday, November 20, 2013, at 7:00 P.M., at the Wauconda Village Hall, Board Room, 101 N. Main Street, Wauconda, Illinois. Said meeting will be open to the public.

A Joint Review Board Meeting, pursuant to the requirements of 65 ILCS 5/11-74.4-1 et seq., shall be convened to review and recommend on the establishment of the proposed TIF District and its associated required statutory documents on Wednesday, September 25, 2013 at 5:00 P.M., at the Wauconda Village Hall, Board Room, 101 N. Main Street, Wauconda, Illinois. The Joint Review Board shall consist of representatives of each taxing body (school district, fire district, etc.) which includes territory within the proposed TIF District and one public member. Said meeting will be open to the public.

The Village has produced and made available for public inspection: a Redevelopment Project Area 1: Triangle Area 1) Eligibility Study, 2) Redevelopment Plan and 3) Housing Impact Study for the proposed TIF District. The documents may be viewed at the Village Building, Planning, and Zoning Department at 109 W. Bangs Street, Wauconda, IL 60084 between the hours of 8:00 A.M. and 4:30 P.M, Monday through Friday, except Holidays.

The Village, pursuant to the requirements of 65 ILCS 5/11-74.4-1 et seq., has established an Interested Parties Registry. Residents of the Village and organizations active in the Village may register to receive information on any proposed designation or amendment to a redevelopment project area (TIF District), or the approval of a redevelopment plan or project, as well as information regarding certain changes which may be proposed for the existing redevelopment plans or projects. Registration forms are available at the Village Hall, 101 Main Street, Wauconda, IL 60084 between the hours of 8:00 A.M. and 4:30 P.M, Monday through Friday, except Holidays, or on the Village's website at www.wauconda-il.gov. Rules to implement the registration process have been adopted by the Village Board and may be obtained at the same location.

The following pages include a number of questions and answers you may have regarding this notice. Additional questions may be directed to Chris Miller, Director of Planning & Zoning @ 847-526-9605 or via email cmiller@wauconda-il.gov

What is Tax Increment Financing (TIF)?

Tax Increment Financing (TIF) is an economic development program permitted by State statute that allows municipalities to assist with development and redevelopment costs within an identified local area (TIF District). Funding for the program comes from development paying property taxes on the new buildings and improved land, which may not occur without assistance from the municipality. The State statute governing a TIF District limits the forms of assistance a municipality may provide, which are generally limited to public improvements including streets, sidewalks, utilities (water, sewer, storm water, etc), but the statute also allows for other items such as planning, marketing and job training. **The establishment of a TIF District does not add any new property tax.** In a TIF District, the current Equalized Assessed Valuation (EAV) of all taxable real estate within the TIF District boundaries is identified by the County Clerk as of the date of the Village's adoption of the TIF Ordinances. This base EAV amount is used to levy taxes which will continue to be paid to the various taxing bodies (Schools, Parks, Fire, Village, Township, etc), while taxes on new development within the TIF is deposited into a "special tax allocation fund" and may be used by the Village to assist (pay) for public investments provided for under the State statute. Property taxes generated from new development or redevelopment above the established base EAV is generally referred to as a "Tax Increment".

More information concerning TIF Districts is available at <http://www.illinois-tif.com/about-tif/faqs/>

What are the general boundaries of the proposed TIF District?

The proposed TIF District is an approximately 225 acres area that is a roughly triangular in shape generally centered around U.S. Highway 12 with the following boundaries:

- North: The RPA's northern boundary is formed by Illinois Route 176 running approximately one and a quarter miles between the east right-of-way (R.O.W.) line of Maple Avenue on the east to the approximately 850 feet west of the west R.O.W. line of Anderson Road.
- Southeast: The RPA's southeastern boundary is formed by Barrington Road running just over half of a mile between east R.O.W. line of Maple Avenue on the northeast to west R.O.W. line of U.S. Highway 12 on the southwest.
- Southwest: The RPA's southwestern boundary is formed by the northern boundary line of the Oak Grove subdivision, the east boundary line of the Aspen Grove subdivision, and the Village's western boundary line south of IL Route 176 (Liberty Street).

A map is also available at www.wauconda-il.gov.

What is the Purpose of the Proposed TIF District?

The establishment of the proposed District would provide for a potential funding source to assist the Village with implementing a series of actions to facilitate commercial, retail, or mixed-use redevelopment within the proposed TIF District. The contemplated Village actions include, but are not limited to, implementation of a plan that provides for: the attraction of investment to redevelop underutilized properties and buildings; the construction of public improvements (including street and sidewalk improvements; utility improvements; signalization, traffic control and lighting; off-street parking; and landscaping and beautification); site preparation, clearance and demolition; rehabilitation; and related professional costs.

Why are you being notified?

State statute requires the Village to notify all identified addresses within 750 feet of the proposed TIF District. Your property may or may not be within the proposed TIF District; see boundary description above. This notice advises residents in and around the proposed TIF District of the scheduled Public Hearing, the Joint Review Board Meeting, and the availability for public inspection documents associated with the proposed TIF.

Will my property taxes increase because of the TIF District?

No. The Township Assessor's office determines the tax assessment on your property, and that assessment is not affected by inclusion or exclusion in a TIF district. Your property is assessed based on its value just as any property within the community would normally be assessed.

Does my assessed valuation go up because I am in a TIF district?

Your assessed valuation goes up only if your property value increases as determined by the Township Assessor's office as part of their normal assessment process and based upon comparable properties.

How long will the TIF District last?

TIF Districts have a maximum statutory limit of 23 years without separate action by the Illinois state legislature. It is projected the proposed TIF District will expire by the end of 2036.

Is the Village trying to buy my property and/or will I have to sell my property?

The Village does not intend to use funds to force the purchase of properties within the TIF District (i.e. eminent domain). Should a property owner wish to consider selling his/her property, the decision to sell would be a matter between the property owner and any potential buyer.

Does the TIF District affect my property rights or zoning?

No. Approval of the proposed TIF District in no way affects property rights or existing zoning designations. The TIF District is an economic development program.

Have there been any proposed development / redevelopment plans for the TIF District?

The Village has provided planning and development recommendations for the proposed TIF District area since its first adopted Comprehensive Plan in 1967, which included plans for a secondary east-west collector road connection traversing through the center of the TIF District. The current approved Comprehensive Plan in 2012 provides for a general overview for the future development pattern of the proposed TIF District.

Will the school district or other taxing bodies be adversely affected by the establishment of the TIF District?

The ultimate purpose of the TIF District is to increase private investment in the TIF District that will raise equalized assessed values (EAVs) upon which increased tax revenues from the newly developed projects will be provided to each taxing body at the end of the TIF District's life. The establishment of the TIF District is a collaborative effort between the Village and other taxing bodies during which the other taxing districts are provided certain review and recommending oversight on the establishment and management of the TIF District. State statute dictates certain methods for compensation to the other taxing bodies if the TIF District will result in increased demands for the services that they provide. The taxing bodies also serve on the Joint Review Board which audits TIF District activities annually.