

## CITY OF O'FALLON

### GARY L. GRAHAM

Mayor

### PHILIP A. GOODWIN

City Clerk

Walter Denton

City Administrator

### DAVID H. HURSEY

City Treasurer

### ALDERMAN

Gene McCoskey Ward 1 John Drolet Ward 4

Richie Meile Ward 1 Michael Bennett Ward 5

Ed True Ward 2 Courtney Cardona Ward 5

Jerry Albrecht Ward 2 Jim Hursey Ward 6

Jerry Mouser Ward 3 Ray Holden Ward 6

Kevin Hagarty Ward 3 David Cozad Ward 7

Herb Roach Ward 4 Harlan Gerrish Ward 7

## CITY COUNCIL MEETING

### A G E N D A

Monday, January 20, 2015

7:00 P.M. – Council Chambers

#### I. CALL TO ORDER

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

#### IV. APPROVAL OF MINUTES – [January 5, 2015](#)

#### V. PUBLIC HEARING –

#### VI. REPORTS

**A. Residents of O'Fallon** – This portion of the City Council meeting is reserved for any resident wishing to address Council. The Illinois Open Meetings Act (5 ILCS 120/1) mandates NO action shall be taken on matters not listed on this agenda, but Council may direct staff to address the topic or refer the matter to a committee. Please provide City Clerk with name & address; speak into microphone; limit presentation to 3 minutes; and avoid repetitious comments. Thank you.

#### B. Clerk's Report

1. Request from O'Fallon Parks and Recreation along with Kixx Soccer Club to sell alcohol at the Katy Cavins Community Center on January 31<sup>st</sup> for their Trivia Night
2. Request from O'Fallon Parks and Recreation along with the O'Fallon Garden Club to sell alcohol at the Katy Cavins Community Center on February 7th for their Trivia Night

#### C. Mayor's Report

1. Announcement of Patty Cavins and Rebecca Pickett to the Planning Commission

#### VII. RESOLUTIONS –

**ITEM 1** – Resolution accepting the Route 50/Scott-Troy Road Redevelopment Plan and establishing a time and place for a Public Hearing to consider the Tax Increment Financing Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area (Click here to view the staff [report](#) and [plan](#) and [schedule](#))

## VIII. ORDINANCES

### A. 1<sup>st</sup> reading

### B. 2<sup>ND</sup> Reading

2. Ord. amending Ord. 3319, Development Manual, Chapter 155, Appendix A, Ord. 3471 and 3665, Planned Uses, Chapter 158, Section 119; Ord. 623, 3587 and 3786, Signs authorized without a permit

#. Ord. amending Chapter 111, Section 111.99 (**On Hold**)

## IX. STANDING COMMITTEES

1. Community Development – *Minutes attached* – Motion to approve the Special Event Permit request from St. Elizabeth’s for the Heart Health Awareness Month for a ribbon display on light posts from January 30<sup>th</sup> – February 27, 2015 (Click here to view the staff [report](#) and [attachment](#))
2. Public Works
3. Public Safety
4. Finance and Administration
5. Parks/Environment

**X. EXECUTIVE SESSION** – Occasionally, the Council may go into closed session in order to discuss such items covered under 5 ILCS 120/2 (b) which are as follows: Legal Matters; Purchase, Lease or Sale of Real Estate; Setting of a price for sale or lease of property owned by the public body; Employment/appointment matters; Business matters or Security/criminal matters and may possibly vote on such items after coming out of closed session.

## XI. ACTION TAKEN ON EXECUTIVE SESSION ITEMS

## XII. ADJOURNMENT

**O'FALLON CITY COUNCIL  
MINUTES OF THE REGULAR COUNCIL MEETING  
Draft January 5, 2015**

The regular meeting was called to order at 7:00 p.m. by Mayor Graham who led the Council in "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, present; Richie Meile, present; Ed True, present; Jerry Albrecht, excused; Jerry Mouser, present; Kevin Hagarty, present; John Drolet, present; Herb Roach, present; Michael Bennett, present; Courtney Cardona, present; Jim Hursey, present; Ray Holden, present; David Cozad, present; Harlan Gerrish, present. A quorum was declared present.

**APPROVAL OF MINUTES:** Mayor Graham asked for approval of the minutes. Motion was made by J. Mouser and seconded by E. True to approve the minutes of December 15, 2014. All ayes. Motion carried.

**PUBLIC HEARING** – Mayor Graham opened the hearing at 7:02 p.m. for the annexation agreement with Larry and Elizabeth Fulford for approximately 6.85 acres located at 1117 Old Vincennes Trail, 04-28.0-200-044 and asked for public input. Mayor Graham called again time for public input. Larry Fulford spoke up and said he was dividing the property and will use one lot for his personal residence. Mayor Graham called for the third time for input and closed the public hearing at 7:03 p.m.

**RESIDENTS:** Mayor Graham invited any resident who wished to speak to come forward.

Ron Zelms stepped to the podium. He spoke of his concern of the lack of transparency between the City and the Council in regards to the letter that was sent out in the water bills. He said the letter stated that public meetings would be held before the City made a decision. He also was concerned about the agenda item in that the Council was considering the deletion of "sell" in the proposed resolution, however Dale Funk had said in an earlier meeting that the Council should leave themselves open for all options.

Michael Lampe stepped to the podium. He spoke of transparency in the process. The timeline and the date of the short list has not been announced or posted on the website. He also asked when the short list would be announced.

Rachelle Jones stepped to podium. She explained that she is on a tight budget and is dismayed that the letter she received in her bill had inaccurate information. She had collected signatures for the petitions and had many questions that remain unanswered about the sale of the water system. She also voiced her concern that the City published a one-sided letter on the website regarding the sale of the water using tax payer dollars.

Kristi Vetri stepped to the podium. She stated that the Council is elected to make good decisions regarding the City. She stated she dropped off the citizen's petitions this

morning to place the public question on the ballot regarding the sale or lease of the municipal-owned water and wastewater systems. She mentioned that the issue was considered under both Morton and her administration and neither one of them could see a cost savings, so they did not pursue it. She stated her concern was the City planned to pursue the sale or lease because of budgetary problems and that is not good management.

Mike Cook stepped to the podium. He asked several questions of the Mayor and Council, and the Mayor asked him if he could submit them for consideration. He asked why the resolution on the agenda had removed the word "sell" as it was discussed in-depth at the last Council meeting. He also asked when the actual language that will appear on the ballot will be disclosed. He asked about the time table of receiving and reviewing the RFP's would be disclosed. He asked if there was a public meeting schedule yet. He also asked if the Council had made a decision on how they were going to use the money received from the sale or lease. He also believes that the information on the website gives a slanted one-sided view of the sale.

Mayor Graham replied that he hopes we will have some information in the next three weeks. We do not have final bids yet. The Council plans to have public meetings for discussion. He stated all three hundred plus pages of the document will be placed on the website, as we receive it. He said we do not have a budget problem. This is about moving forward. It is about not raising taxes. Currently, our rates have increased more than Illinois American. We have an obligation to protect our schools. Property tax is a system that is used to fund projects like street repair and street lights, but they are not on your tax bill. We want what is best for the total tax-paying base. We are trying to do the right thing. If it is not the best thing for the City, we will not do it. We have not made a decision at this point. All transparency will be out there, as soon as we get it.

## **REPORTS:**

**Clerk's Report:** Motion by J. Mouser and seconded by E. True to approve the request from Lifelong Music in O'Fallon Schools to conduct a raffle on January 30, 2015 for cash at the KC Hall at 402 E. Hwy 50. All ayes. Motion carried.

Mayor Graham said he has vetoed the resolution that was passed at the last meeting regarding the public question. He is asking that the Council remove the word "sell", as we have new information which we consider the sale is not in the best interest of the City. We will discuss this in Executive Session. The Council has the right to overrule him. We do not have all the details to make a decision yet. One of the options of a lease is the City ends up owning the asset, and we would still have control. However, no decision has been made yet.

**Mayor's Report:** Mayor Graham called Chief Van Hook forward for the swearing-in of the two new police officers. He said we have the best police force.



Chief Van Hook introduced the members of the Police Commission, Russ Thoman, Rick Reckamp and Horace Humphries. Daniel Hesselbacher is a former Millstadt police officer and O'Fallon police dispatcher and Joseph Wagner is retired military.

**RESOLUTIONS:** Motion by J. Mouser and seconded by E. True to pass Resolution Item 1 – a Resolution authorizing the Mayor to sign an annexation agreement with Larry and Elizabeth Fulford for 1117 Old Vincennes Trail. All ayes. Motion carried.

Motion by J. Mouser and seconded by E. True to pass Resolution Item 2 – a Resolution approving and accepting a subdivision of land to be known as the “Estates at Old Vincennes Trail. All ayes. Motion carried.

Mayor Graham announced that Item 3 will be acted on after Executive Session.

**ORDINANCES:**

**1<sup>st</sup> Reading –**

Motion by J. Mouser and seconded by E. True to consider Item 4 on 1<sup>st</sup> Reading, an Ordinance amending Ord. 3319, Development Manual, Chapter 155, Appendix A, Ord. 3471 and 3665, Planned Uses, Chapter 158, Section 119; Ord. 623, 3587 and 3786, Signs authorized without a permit.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

**2nd Readings –**

Note: An Ordinance amending Chapter 111, Section 111.99 remains on hold.

**STANDING COMMITTEES –**

**Community Development:** J. Albrecht stated the committee will meet next Monday at 6:00 p.m. at the Public Safety building.

**Public Works:** R. Meile announced that they will meet January 26th at the Public Safety Building at 7:00 p.m.

**Public Safety:** K. Hagarty said they will meet at 5:00 p.m. next Monday at the Public Safety Building.

**Finance/Administration:** Motion by M. Bennett and seconded by H. Gerrish to approve Warrant #316 in the amount of \$1,744,937.39.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

**Parks and Environment:** E. True said they will meet January 12th at 5:30 p.m.

**EXECUTIVE SESSION:** Mayor Graham announced the Council would go into closed session to discuss the purchase, lease or sale of real estate; and setting of a price for sale or lease of property owned by the public body.

Motion by J. Mouser and seconded by M. Bennett to go into closed session.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

The Council went into closed session at 7:45 p.m. and returned at 9:13 p.m.

Mayor Graham rescinded his earlier veto of the resolution that was passed on December 15<sup>th</sup> regarding the placement of a Public Question on the ballot.

Motion by M. Bennett and seconded by J. Mouser to reconsider the Resolution authorizing the submission of a Public Question on the ballot for the April 7, 2015 Consolidated Election regarding whether the City should lease or sale the City's water and sewer system.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

Motion by M. Bennett and seconded by J. Hursey to amend the question to state "Shall the City of O'Fallon consider only a lease and not the sale of the municipally-owned water and wastewater systems and related assets"?

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

Motion by M. Bennett and seconded by J. Hursey to pass the resolution to authorize the Public Question to read "Shall the City of O'Fallon consider only a lease and not the sale of the municipally-owned water and wastewater systems and related assets".

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 13; Nos – 0. All ayes. Motion carried.

**ADJOURNMENT:** Motion by M. Bennett and seconded by G. McCoskey to adjourn. All ayes. Motion carried.

The meeting was adjourned at 9:17 p.m.

Submitted by,

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Philip A. Goodwin  
City Clerk

Minutes recorded by  
Maryanne Fair, Deputy City Clerk  
Proper notice having been duly given

**RESOLUTION 2015 -**

**RESOLUTION ACCEPTING THE ROUTE 50/SCOTT-TROY ROAD  
REDEVELOPMENT PLAN AND ESTABLISHING A TIME AND PLACE  
FOR A PUBLIC HEARING  
TO CONSIDER THE TAX INCREMENT  
FINANCING REDEVELOPMENT PLAN AND PROJECT  
FOR THE ROUTE 50/SCOTT-TROY ROAD  
REDEVELOPMENT PROJECT AREA**

BE IT RESOLVED BY THE CITY COUNCIL of the City of O'Fallon, Illinois,  
as follows:

1. That the City of O'Fallon, Illinois accepts the Route 50/Scott-Troy Road Redevelopment Plan and the findings therein, and authorizes the City Staff to send the Redevelopment Plan, a copy of which is attached hereto and marked as Exhibit A, to all affected taxing districts, thereby notifying them of the times and places of both the Joint Review Board Meeting and the Public Hearing.

2. That the City of O'Fallon, Illinois hereby establishes March 16, 2015, at 7:00 p.m. in City Council Chambers as the time and place for the Public Hearing to consider the adoption of the Tax Increment Financing Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area.

Resolved by the Mayor and City Council of the City of O'Fallon this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Attest:

Approved:

\_\_\_\_\_  
Philip A. Goodwin, City Clerk

\_\_\_\_\_  
Gary L. Graham, Mayor



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Community Development Director  
Walter Denton, City Administrator  
**Date:** January 20, 2015  
**Subject:** Redevelopment Plan for Route 50/Scott-Troy Road – Resolution

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**List of committees that have reviewed:** The Community Development Committee reviewed this resolution at its January 12, 2015 meeting and recommended approval with a vote of 5 to 0. As reported in the Community Development Committee meeting, staff anticipated Exhibit E: “Estimated Redevelopment Project Costs”, to be adjusted prior to the City Council meeting. The developer has provided increased costs for land assembly (50% of land cost), increased TIF Eligible Public Works and Site Improvement Costs to account for future onsite and offsite roadway improvements, and a 15% Contingency. It should be noted that although the total project TIF maximum eligible costs are shown at \$12,195,000, the key is whether the TIF assessments and increment will eventually be able to reach that level.

**Background**

The attached resolution is to accept the Route 50 / Scott-Troy Road Redevelopment Plan and the findings therein, and to approve the sending of this Redevelopment Plan to the affected taxing districts, thereby notifying them of the times and places of both the Joint Review Board Meeting and the Public Hearing. The resolution also establishes the time and date for a public hearing to consider the tax increment financing redevelopment plan and project for the Route 50 / Scott-Troy Road redevelopment project area on March 16, 2015 at 7 pm in the Council Chambers.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Recommendation**

Staff recommends approval of attached resolution.

# **Tax Increment Financing Redevelopment Plan & Project**

.....  
Route 50/Scott-Troy Road  
Redevelopment Project Area  
.....

Prepared for

**City of O'Fallon, Illinois**

Prepared by

**PGAV**  **PLANNERS**

January 8, 2015

## **CITY OF O'FALLON, ILLINOIS**

### **MAYOR**

Gary L. Graham

### **CITY COUNCIL**

Gene McCoskey, Ward 1  
Richie Meile, Ward 1  
Ed True, Ward 2  
Jerry Albrecht, Ward 2  
Jerry Mouser, Ward 3  
Kevin Hagarty, Ward 3  
John Drolet, Ward 4

Herb Roach, Ward 4  
Michael Bennett, Ward 5  
Courtney Cardona, Ward 5  
Jim Hursey, Ward 6  
Ray Holden, Ward 6  
David Cozad, Ward 7  
Harlan Gerrish, Ward 7

### **CITY CLERK**

Phil Goodwin

### **CITY ADMINISTRATOR**

Walter Denton

### **COMMUNITY DEVELOPMENT DIRECTOR**

Ted Shekell

### **FINANCE DIRECTOR**

Sandy Evans

### **CITY ATTORNEY**

Dale Funk

### **SPECIAL TIF COUNSEL**

Terry Bruckert

## TABLE OF CONTENTS

	<b>PAGE</b>
<b>SECTION I INTRODUCTION .....</b>	<b>1</b>
<b>SECTION II STATUTORY BASIS FOR TAX INCREMENT FINANCING AND SUMMARY OF FINDINGS.....</b>	<b>3</b>
A. Introduction .....	3
B. Summary of Findings .....	4
<b>SECTION III BASIS FOR ELIGIBILITY OF THE AREA AND FINDINGS .....</b>	<b>5</b>
A. Introduction .....	5
B. Statutory Qualifications.....	5
C. Investigation and Analysis of Blighting Factors .....	10
D. Analysis of Conditions in the Area.....	10
E. Summary of Eligibility Factors for the Area .....	16
<b>SECTION IV REDEVELOPMENT PLAN .....</b>	<b>19</b>
A. Introduction .....	19
B. General Land Uses to Apply .....	19
C. Objectives .....	19
D. Program Policies to Accomplish Objectives .....	20
E. Redevelopment Projects.....	20
F. Estimated Redevelopment Project Costs .....	21
G. Description of Redevelopment Project Costs .....	22
<b>SECTION V OTHER FINDINGS AND REQUIREMENTS .....</b>	<b>28</b>
A. Conformance with Comprehensive Plan .....	28
B. Area, on the Whole, Not Subject to Growth and Development .....	28
C. Would Not be Developed “but for” TIF .....	29
D. Assessment of Financial Impact .....	29
E. Estimated Date for Completion of the Redevelopment Projects .....	30
F. Most Recent Equalized Assessed Valuation.....	30
G. Redevelopment Valuation.....	30
H. Source of Funds.....	30
I. Nature and Term of Obligations .....	31



J.	Fair Employment Practices and Affirmative Action .....	31
K.	Reviewing and Amending the TIF Plan.....	31

**EXHIBITS**

A – Redevelopment Project Area Boundary .....	2
B – Summary of Blighting and Conservation Area Factors .....	12
C – Existing Conditions Map .....	13
D– Comparison of EAV Growth Rates (2008-2013) .....	15
E – Estimated Redevelopment Project Costs.....	22
F – EAV Trends (2008-2013) .....	28

**APPENDIX**

- Attachment A – Resolution No. 2014-44
- Attachment B – Boundary Description
- Attachment C – Existing Conditions Photos
- Attachment D – Parcel Identification Numbers, Property Owner and 2013 EAV

## SECTION I

### INTRODUCTION

On October 6, 2014, the O'Fallon City Council passed **Resolution 2014-44** stating the City's intent to designate a portion of the City as a tax increment finance (TIF) Redevelopment Project Area and to induce development interest within such area (see **Attachment A** in the Appendix). The area being considered for designation as a TIF area generally includes parcels of property located northwest of the intersection of U.S. Route 50 and Scott-Troy Road. The area is referred to herein as the Route 50/Scott-Troy Road Redevelopment Project Area (the "Area"). The boundaries of the Area are as shown on **Exhibit A - Redevelopment Project Area Boundary**. Refer also to the **Boundary Description** contained in the **Appendix** as **Attachment B**.

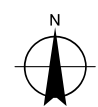
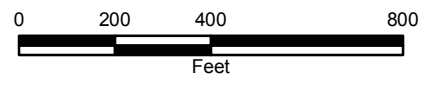
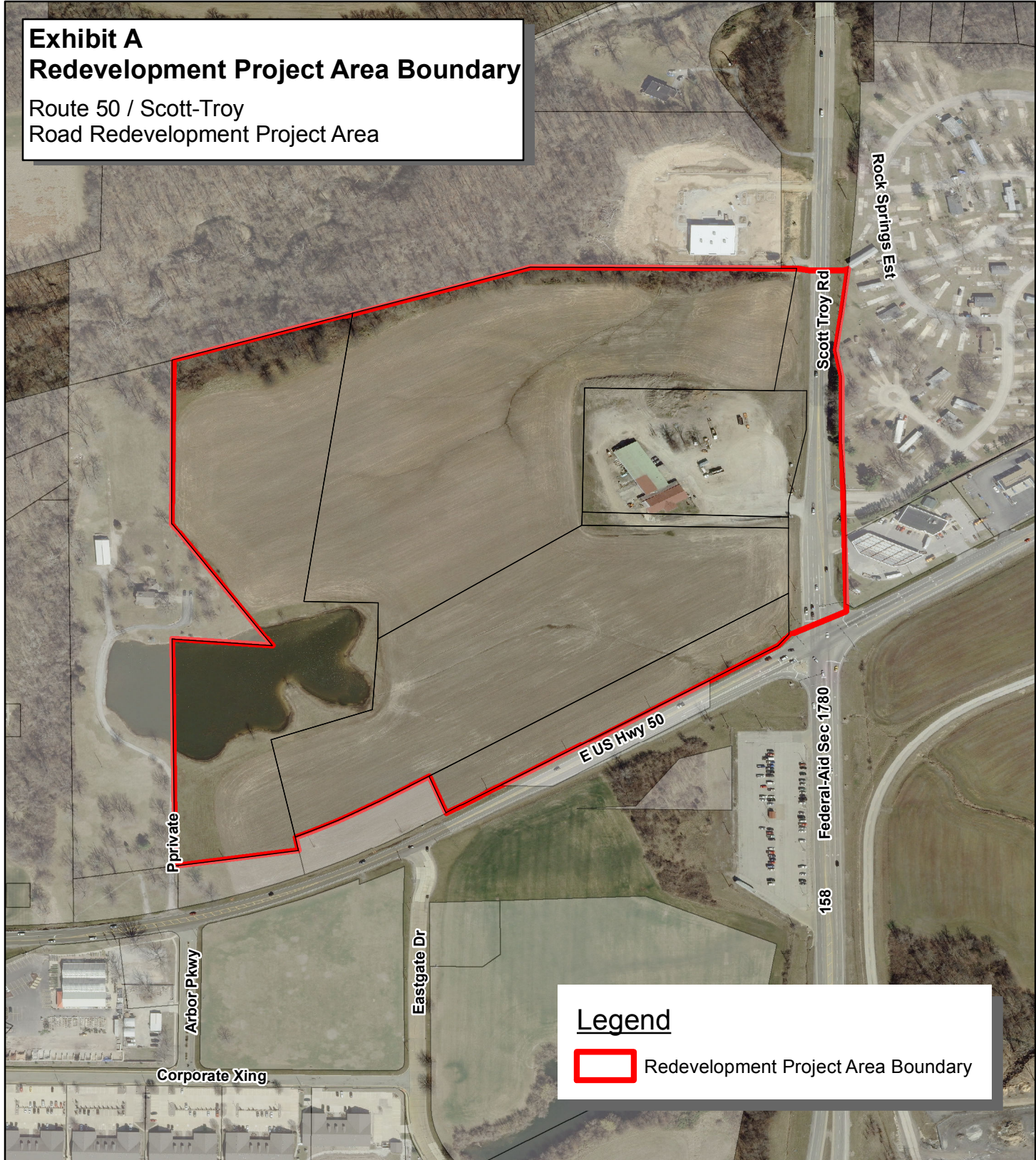
The Area contains approximately 47 acres, including existing public rights-of-way (44 acres net of rights-of-way). There are five vacant parcels and one improved parcels located in the Area. The conditions that qualify both improved and vacant land for tax increment financing are documented in **Section III** of this Plan.

The City may consider the use of tax increment financing, as well as other economic development resources as available, to facilitate private investment within the Area. It is the intent of the City to induce the investment of significant private capital in the Area, which will also induce spillover investment in neighboring areas. A housing impact study need not be performed since there are no residential units within the Area (per Section 11-74.4-3(n) (5) of the Illinois Tax Increment Allocation Redevelopment Act).

The Act sets forth the requirements and procedures for establishing a Redevelopment Project Area and a Redevelopment Plan. The following sections of this report present the findings of eligibility and the Redevelopment Plan and Project for the Area, as well as other findings, evidence, and documentation required by the Act.

# Exhibit A Redevelopment Project Area Boundary

Route 50 / Scott-Troy  
Road Redevelopment Project Area





## SECTION II

### STATUTORY BASIS FOR TAX INCREMENT FINANCING AND SUMMARY OF FINDINGS

#### A. Introduction

Tax increment financing (TIF) is a local funding mechanism created by the "Tax Increment Allocation Redevelopment Act" (the "Act"). The Act is found at 65 ILCS 5/11-74.4-1 *et. seq.*

As used, herein, the term **Redevelopment Project** means any public and private development project in furtherance of the objectives of a Redevelopment Plan. The term **Redevelopment Project Area** means an area designated by the municipality, which is not less in the aggregate than 1-1/2 acres and in respect to which the municipality has made a finding that there exist conditions that cause the area to be classified as an industrial park conservation area, a blighted area or a conservation area, or a combination of both blighted areas and conservation areas. **Redevelopment Plan** means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions, the existence of which qualified the Redevelopment Project Area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the Redevelopment Project Area.

The concept behind the tax increment law is straightforward and allows a municipality to carry out redevelopment activities on a local basis. Redevelopment that occurs in a designated Redevelopment Project Area results in an increase in the equalized assessed valuation (EAV) of the property and, thus, generates increased real property tax revenues. This increase or "increment" can be used to finance "redevelopment project costs" such as land acquisition, site clearance, building rehabilitation, interest subsidy, construction of public infrastructure, and other redevelopment project costs as permitted by the Act.

The Illinois General Assembly made various findings in adopting the Act; among them were:

1. That there exists in many municipalities within the State blighted, conservation and industrial park conservation areas; and
2. That the eradication of blighted areas and the treatment and improvement of conservation areas by redevelopment projects are essential to the public interest and welfare.

These findings were made on the basis that the presence of blight, or conditions that lead to blight, is detrimental to the safety, health, welfare and morals of the public.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements that must be met before a municipality can proceed with implementing a Redevelopment Plan. One of these requirements is that the municipality must demonstrate that a Redevelopment Project Area qualifies under the provisions of the Act. With the definitions set forth in the Act, a Redevelopment Project Area may qualify either as a blighted area, a conservation area, or a combination of both blighted area and conservation area, or an industrial park conservation area.

## **B. Summary of Findings**

The following findings and evidentiary documentation is made with respect to the proposed Redevelopment Project Area:

1. The Area as a whole meets the statutory requirements as a ***combination blighted area and conservation area***. Furthermore, the factors necessary to make these findings exist to a meaningful extent and are distributed throughout the Area.
2. The Area exceeds the statutory minimum size of 1-1/2 acres.
3. The Area contains contiguous parcels of real property.
4. If this Plan is adopted and implemented by the City, it is reasonable to say that all properties included in the Area would benefit substantially from being included in the Area.
5. The Redevelopment Project Area, as a whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to occur without public assistance. Further evidence of this is presented in **Section V** of this document.

## SECTION III

### BASIS FOR ELIGIBILITY OF THE AREA AND FINDINGS

#### A. Introduction

A Redevelopment Project Area, according to the Act, is that area designated by a municipality in which the finding is made that there exist conditions that cause the area to be classified as a blighted area, conservation area, or combination thereof, or an industrial park conservation area. The criteria and the individual factors defining each of these categories of eligibility are defined in the Act.

This Section documents the relevant statutory requirements and how the subject area meets the eligibility criteria.

#### B. Statutory Qualifications

The Act defines the factors that must be present in order for an area to qualify for TIF. The following provides the statutory definitions of the qualifying factors relating to a blighted area and a conservation area:

##### 1. Eligibility of a Blighted Area

The following is taken from the Act wherein it states that a "...**blighted area**" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where." <sup>1</sup>

- a. **"If improved**, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of five (5) or more of the following factors, each of which is (i) present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) reasonably distributed throughout the improved part of the Redevelopment Project Area."

- (1) "Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings, or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed."

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<sup>1</sup> Emphasis added with bold or underlined text.

- (2) “Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.”
- (3) “Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.”
- (4) “Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.”
- (5) “Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.”
- (6) “Excessive vacancies. The presence of buildings that are unoccupied or underutilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.”
- (7) “Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.”
- (8) “Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area,

(ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.”

- (9) “Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.”
- (10) “Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.”
- (11) “Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.”
- (12) “Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area’s development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.”



- (13) “The total equalized assessed value of the proposed redevelopment project area has declined for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated.”
  
- b. **“If vacant**, the sound growth of the Redevelopment Project Area is impaired by a combination of two (2) or more of the following factors, each of which is (i) present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:”
  - (1) **“Obsolete platting** of vacant land that results in parcels of limited or narrow size, or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys, or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way, or that omitted easements for public utilities.”
  - (2) “Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.”
  - (3) “Tax and special assessment delinquencies exist, or the property has been the subject of tax sales under the Property Tax Code within the last five (5) years.”
  - (4) **“Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.”**
  - (5) “The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the Redevelopment Project Area.”

- (6) **“The total equalized assessed value of the proposed Redevelopment Project Area has declined** for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated.”
- c. If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:
- (1) The area consists of one or more unused quarries, mines, or strip mine ponds.
  - (2) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.
  - (3) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area, as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.
  - (4) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.
  - (5) Prior to the effective date of this amendatory Act of the 91st General Assembly, the area is not less than 50, nor more than 100 acres, and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within five (5) years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (a) of this subsection, the area has been designated as a town or Village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

- (6) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

## 2. Eligibility of a Conservation Area

The Act further states that a "... "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which **50% or more of the structures in the area have an age of 35 years or more**. Such an area is not yet a blighted area, but because of a combination of three (3) or more of the [13 factors applicable to the improved area] is detrimental to the public safety, health, morals or welfare, and such an area may become a blighted area." *[Bracketed text replaces "following factors" from the Act.]*

### C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, research and field surveys were conducted by way of:

- Contacts with City of O'Fallon officials who are knowledgeable of Area conditions and history.
- On-site field examination of conditions within the Area by experienced staff of PGAV.
- Use of definitions contained in the Act.
- Adherence to basic findings of need as established by the Illinois General Assembly in establishing tax increment financing, which became effective January 10, 1977.
- Examination of St. Clair County real property tax assessment records.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. One of these is that the municipality must demonstrate that the Area qualifies. An analysis of the physical conditions and presence of blighting factors relating to the Area was commissioned by the City. The result and documentation of this effort are summarized below.

### D. Analysis of Conditions in the Area

PGAV staff conducted field investigations to document existing conditions in the Area on October 13, 2014. This field work was supplemented with discussions with City staff and analysis of property assessment data from St. Clair County. **Exhibit B – Summary of Blighting and Conservation**

**Area Factors** provides a quantitative breakdown of the various factors. **Exhibit C – Existing Conditions** provides a map indicating certain blighting and conservation area factors that were determined to exist within the Area. A blighting factor that relates to property valuation trends is presented later in this Section.

## 1. Findings on Improved Area

- a. Summary of Findings on Age of Structures: Age is a prerequisite factor in determining if all or a portion of a redevelopment project area qualifies as a "conservation area". As is clearly set forth in the Act, 50% or more of the structures in the redevelopment project area must have an age of 35 years or greater in order to meet this criteria. There is only one building in the Area. According to St. Clair County Assessor records shows that the building was built in 1965. Thus, this improved parcel meets the threshold as a conservation area.
- b. Summary of Findings on Deterioration: Deteriorated conditions were recorded on the aforementioned building. The field survey of exterior building condition found deteriorated wood siding and fascia boards and metal roofing. The parking and equipment storage surfaces areas were deteriorated as well. **Attachment C** in the **Appendix** provides **photos** of examples of the conditions found on this property.
- c. Summary of Findings on Structures Below Minimum Code Standards: The existing building located at 201 Scott-Troy Road was originally built in 1965 according to County records and is occupied by construction contractor. According to the City's Building & Zoning Supervisor, there are multiple code deficiencies associated with this building. Applicable codes adopted by City include:
  - 2012 Fire Prevention Code
  - 2012 International Existing Building Code
  - Illinois Plumbing Code (Part 890, Illinois Administrative Code)

The City also enforces the Illinois Accessibility Code within its municipal limits. What are currently known as code deficiencies, albeit they would be considered "grandfathered", includes:

- Plumbing Code: No plumbing permits have been issued and due to its current use, grease interceptors and slug drains would be required by code and none exist at this time.

**Exhibit B**

**SUMMARY OF BLIGHTING AND  
CONSERVATION AREA FACTORS**

Route 50 / Scott-Troy Road Redevelopment Project Area  
City of O'Fallon, Illinois

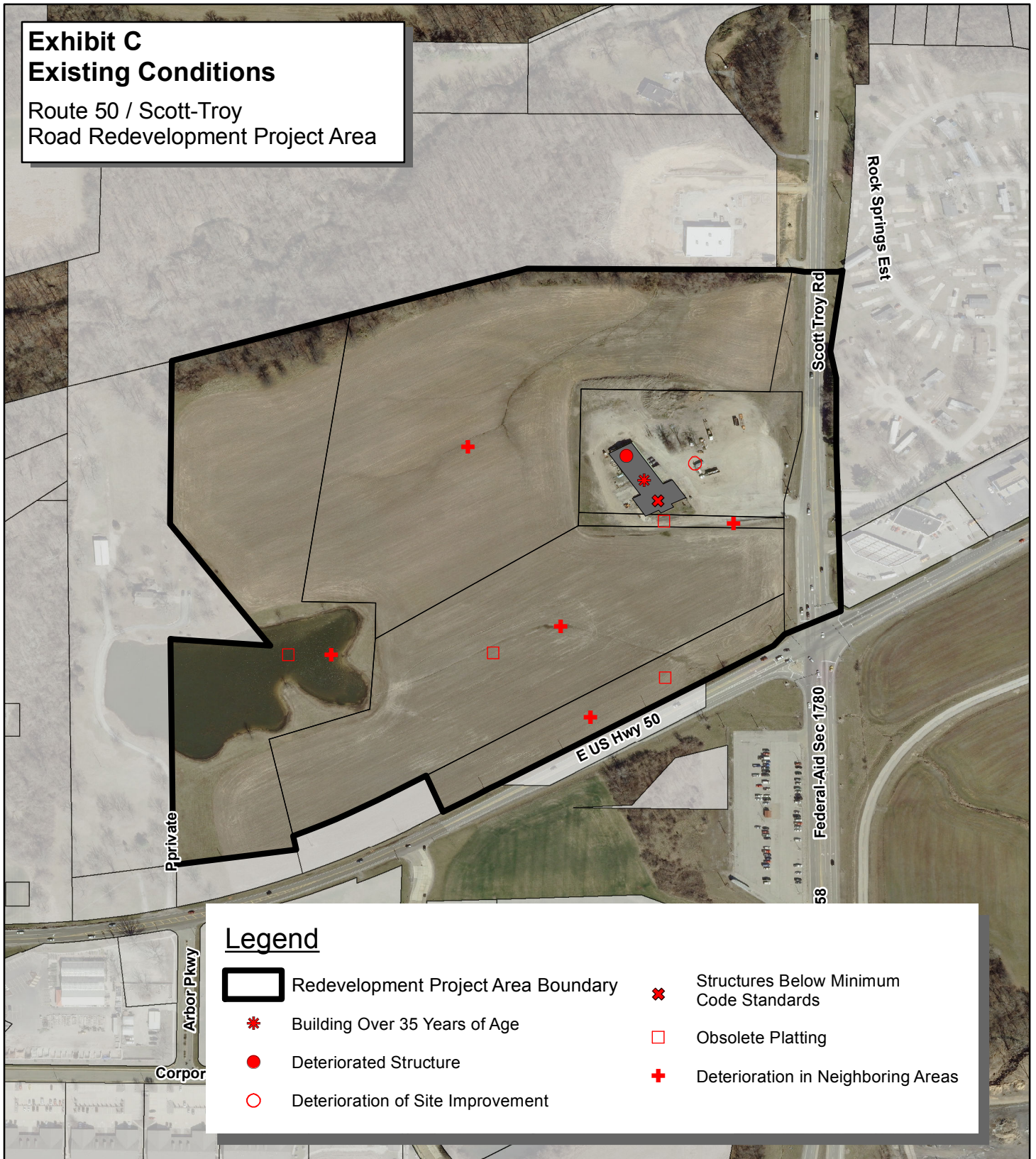
	<b>Total</b>	<b>%</b>
No. of improved parcels	1	17%
No. of vacant parcels	5	83%
Total parcels	6	100%
No. of buildings	1	100%
No. of buildings 35 years or older	1	<b>100%</b>
No. housing units	0	
No. housing units occupied	0	
Sub-Area Count	1	100%
<b>IMPROVED LAND FACTORS:</b>		
No. of deteriorated buildings	1	<b>100%</b>
No. of parcels with site improvements that are deteriorated	1	<b>100%</b>
No. of dilapidated buildings	0	0%
No. of obsolete buildings	0	0%
No. of structures below minimum code	1	<b>100%</b>
No. of buildings lacking ventilation, light or sanitation facilities	0	0%
No. of building with illegal uses	0	0%
Number of buildings with vacancies <sup>2</sup>	0	0%
No. of parcels with excessive land coverage or overcrowding of structures	0	0%
Inadequate utilities	0	0%
Deleterious land use or layout (by Sub-Area)	1	<b>100%</b>
Lack of community planning	0	0%
Declining or Sub-par EAV Growth	<b>Yes</b>	
<b>VACANT LAND FACTORS (2 or More):</b>		
Obsolete Platting	4	<b>80%</b>
Diversity of Ownership	0	0%
Tax Delinquencies	0	0%
Deterioration of Struct. Or Site Improvements in Neighboring Areas	5	<b>100%</b>
Environmental Clean-up	nd <sup>1</sup>	
Declining or Sub-par EAV Growth	<b>Yes</b>	
<b>VACANT LAND FACTORS (1 or More):</b>		
Unused Quarry, Mines, Rail, etc.	0	0%
Blighted Before Vacant	0	0%
Chronic Flooding	0	0%
Unused or Illegal Disposal Site	0	0%

<sup>1</sup> Not determined.











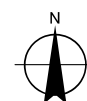
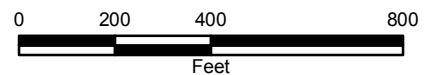
# Exhibit C Existing Conditions

Route 50 / Scott-Troy  
Road Redevelopment Project Area



## Legend

-  Redevelopment Project Area Boundary
-  Building Over 35 Years of Age
-  Deteriorated Structure
-  Obsolete Platting
-  Structures Below Minimum Code Standards
-  Obsolete Platting
-  Deterioration in Neighboring Areas
-  Deterioration of Site Improvement



- **Building Code:** Additional uses and additions have been added over the years, without the benefit of permits or inspections. These are inconsistent with current codes and would be non-compliant. There is limited separation of uses, such as (B) business use and (S1) storage use, which would indicate that the structure would not meet building code requirements for the proper separation for the type construction (5B) wood frame, size of structure and of uses, such as firewalls or fire partitions.
  - **Fire Prevention Code:** The building is not currently protected with an automatic fire sprinkler system. A Building of this size, type construction and current use would require a sprinkler system under the current code.
  - **ADA Accessibility:** The building and the parking lot have no provisions for compliance with the Illinois Accessibility Code.
- d. Summary of Findings Regarding Deleterious Land Use or Layout: The heavy construction contracting company operations that is located within the Area, while a legal use of the property, is not compatible with the emerging residential and commercial development occurring around it. The building associated with this business is deteriorated and the site improvements (asphalt pavement) are deteriorated as well. Dump trucks and heavy construction equipment are stored outdoors and within view of neighboring areas. This business is more of an industrial use and detracts from the desirability of the real estate that surrounds it.
- e. Summary of Findings Regarding Declining or Lagging Rate of Growth of Total Equalized Assessed Valuation: This factor is applicable to the entire Area (vacant areas as well as improved areas in aggregate). The total equalized assessed valuation (EAV) for the Area has not kept pace with the Consumer Price Index for four (3) of the last five (5) calendar years. A comparison of EAV for the Area and the balance of the City are shown as **Exhibit D, Comparison of EAV Growth Rates (2008-2013)**. The property with the building on it declined in assessed value over the last 5 years by about \$1,100 or minus 2.4%. Oddly, all of the vacant tracts currently used largely for row crops increased in value but not to the degree to keep the aggregate value of the Area from declining during this period.

## 2. Findings on Vacant Land

There are 5 vacant parcels that constitute approximately 40 of the 44 net acres of land within the Area. Several blighting factors, as they are applied to vacant land, are present.

Before documenting the presence of these factors, the following is presented to show that the **Area can be considered vacant land pursuant to the definition of “vacant land”** in the Act, to wit:

*“(v) As used in subsection (a) of Section 11-74.4-3 of this Act, “vacant land” means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the Redevelopment Project Area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided;...”*

**Exhibit D**  
**COMPARISON OF EAV GROWTH RATES (2008-2013)**

Route 50/Scott-Troy Road Redevelopment Project Area

Tax Year	EAV of Redevelopment Project Area	CPI *	Area Growth Rate Less Than CPI?
2008	\$ 46,621	215.303	
2009	\$ 48,962	214.537	
Annual Percent Change	5.0%	-0.4%	NO
2010	\$ 49,336	218.056	
Annual Percent Change	0.8%	1.6%	YES
2011	\$ 49,746	224.939	
Annual Percent Change	0.8%	3.2%	YES
2012	\$ 43,523	229.594	
Annual Percent Change	-12.5%	2.1%	YES
2013	\$ 45,519	232.957	
Annual Percent Change	4.6%	1.5%	NO

\* Consumer Price Index for All Urban Consumers. Source: U.S. Bureau of Labor Statistics

Clearly, the property has been used for agricultural purposes within the last 5 years. However, the developer who currently has options to purchase the properties located within the Area is in the process of platting the property. This subdivision plat is being designed to accommodate a mixed use development containing an indoor recreation complex (with ice hockey rinks, swimming pool and a half gymnasium court), restaurants, retail space, hotels and office space. The subdivision plat for what is currently referred to as “Four Points Cen-



ter” will have been reviewed and approved by the City, in accordance with its subdivision ordinance, prior to the adoption of this TIF Redevelopment Plan. With the subdivision plat being approved, the agricultural use restriction will have been removed.

The statutory definition of a “blighted area” is satisfied with respect to how this definition is applied to vacant land under two subsections of the Act.

First, subsection 11.74.4-4-3 (a) (2) of the Act states that “[i]f vacant, the sound growth of the Redevelopment Project Area is impaired by **2 or more of the following factors** each of which is (i) is present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) is reasonably distributed throughout the vacant part of the Redevelopment Project Area to which it pertains:...” (emphasis added).

The first factor present to a meaningful extent is **deterioration of structures or site improvements in neighboring areas adjacent to the vacant land**. With respect to the deteriorated structures or site improvements, all of the vacant parcels have a direct view of the heavy construction contracting company operation that is located within the Area. The building associated with this business is deteriorated and the site improvements (asphalt pavement). This business is more of an industrial use and detracts from the desirability of the real estate that surrounds it for development as commercial or residential use. In addition, three of the five vacant tracts have direct views to the Rock Springs Estates mobile home park across Scott-Troy Road. This mobile home park is now largely void of mobile homes. Several of remaining mobile homes that remain are old and deteriorated. The existing streets and remaining mobile home pads are in deteriorated condition as well. There are also building material and parts of mobile homes scattered throughout this obsolete mobile home park. These conditions detract from the desirability to develop the portion of the Area that fronts onto Scott-Troy Road. Photos of the above described conditions are located in **Attachment C** in the **Appendix**.

Another factor that is present is **obsolete platting**. Four of the five vacant parcels exhibit such conditions due to configurations of parcels of irregular size, shape, and lack of street access that would make it difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements. In fact the current parcel layout is being ignored with respect to the platting for the proposed redevelopment project.

The third factor present with respect to the vacant land is that **the total equalized assessed valuation (EAV) of the proposed Area has increased at a rate that is less than inflation for three (3) of the last five (5) years** (see Exhibit D).

## **E. Summary of Eligibility Factors for the Area**

The study found that the Area contains conditions that qualify it as a ***combination blighted area and conservation area***. The following summarizes the existence of the most predominant blighting/conservation factors existing within the Area (conservation factors applying to the improved parcels and blighting factors applying to the vacant land):

- **Age** – The one building located in the Area is greater than 35 years old, which exceeds the statutory threshold of 50% (prerequisite for a “conservation area”).
- **Deterioration** – The single building and the site improvements exhibit signs of deterioration as defined in the Act.
- **Structures below minimum code** – The one existing structure does not meet the City’s current codes.
- **Deleterious land use or layout** – The heavy construction contracting company operations that is located within the Area, while a legal use of the property, is not suitable for the emerging residential and commercial development occurring around it.
- **Sub-par EAV growth** – The growth in the Area’s equalized assessed valuation has failed to keep pace with inflation for three (3) of the last five (5) years. In fact, the Area has declined in EAV, from 2008 to 2013, by \$1,100 or minus 2.4%. This factor applies to both improved and vacant land.
- **Deteriorated buildings or site improvements in neighboring areas** – The vacant tracts are negatively impacted by the presences of the adjoining deteriorated construction contractor’s building and site improvements and the Rock Springs mobile home park located across Scott-Troy Road.
- **Obsolete Platting** – Four of the five vacant tracts exhibit obsolete platting.

The eligibility analysis found that the Redevelopment Project Area contains conditions that qualify it as a combination blighted area and conservation area, as these terms are defined in the Act, and that these parcels will likely continue to exhibit blighted conditions or conditions that may lead to blight without a program of intervention to induce private investment in the Area. These findings were made considering the qualifying factors that are present to a meaningful extent and distributed throughout the Area. The qualifying conditions that exist in the Redevelopment Project Area are detrimental to the Area, as a whole, and the long-term interests of the taxing districts. The various

projects contemplated in this tax increment program will serve to eliminate these deficiencies and enhance the tax base of all overlapping taxing authorities.

Therefore, it is concluded that public intervention is necessary because of the conditions documented herein and the lack of private investment in the Area. The City Council should review this analysis and, if satisfied with the findings contained herein, proceed with the adoption of these findings in conjunction with the adoption of the Redevelopment Plan and establishment of the Redevelopment Project Area.

## SECTION IV

### REDEVELOPMENT PLAN

#### A. Introduction

This section presents the Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area. Pursuant to the Tax Increment Allocation Redevelopment Act, when the finding is made that an area qualifies as a conservation, blighted, combination of conservation and blighted areas, or industrial park conservation area, a Redevelopment Plan must be prepared. A **Redevelopment Plan** is defined in the Act as "the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the Redevelopment Project Area as a 'blighted area' or 'conservation area' or combination thereof or 'industrial park conservation area', and thereby to enhance the tax bases of the taxing districts which extend into the Redevelopment Project Area".

#### B. General Land Uses to Apply

The proposed use for the Area is for the development of a planned commercial center, known as Four Points Center, to be anchored by a large privately-owned multifunction rec-plex facility not found in the St. Louis metropolitan area. The proposed uses include:

- 130,000+ square foot indoor Rec-Plex containing:
  - Two sheets of NHL regulation ice & spectator seating
  - Olympic size swimming pool and diving boards/platform
  - Half basketball court
  - Locker rooms
- Retail space
- Restaurants
- Hotels
- Office space.

#### C. Objectives

The objectives of the Redevelopment Plan are:

1. Eliminate those conditions that qualify the Area as eligible for tax increment financing by carrying out the Redevelopment Plan.

2. Enhance the real estate tax base for the City and all overlapping taxing districts through the implementation and completion of the activities identified herein.
3. Encourage and assist private investment in development within the Area through the provision of financial assistance as permitted by the Act.
4. Provide for safe and efficient traffic circulation within and adjoining the Area.
5. Complete all public and private actions required in this Redevelopment Plan in an expeditious manner.

#### **D. Program Policies to Accomplish Objectives**

The City has determined that it is appropriate to provide limited financial incentives for private investment within the Area. It has been determined, through redevelopment strategies previously utilized by the City and communications between developer of the Four Points Center and the City, that tax increment financing constitutes a key component of leveraging private investment within the Area. It will be the policy of the City to incorporate appropriate provisions in a redevelopment agreement between the City and the developer to assure that redevelopment projects achieve the objectives stated herein and accomplish the various redevelopment projects described below.

#### **E. Redevelopment Projects**

To achieve the Plan objectives and the overall project proposed in the Plan, a number of public and private activities will need to be undertaken, including a combination of private developments and public investment in infrastructure improvements. Improvements and activities necessary to implement the Plan may include the following:

##### **1. Private Redevelopment Activities:**

- a. *Demolition of existing building.* Demolition and redevelopment of the existing improved property will be accomplished as part of the overall redevelopment plan.
- b. *Construction of private buildings.* New private buildings are proposed for the property consistent with the proposed used noted previously.

##### **2. Public Redevelopment Activities:**

Public improvements and support activities will be used to induce and complement private investment. These may include, but are not limited to, the following activities:

- a. *Site preparation.* In order to facilitate redevelopment, it may be necessary for TIF to help finance site preparation, including building demolition and other steps to prepare sites for development.
- b. *Public infrastructure improvements.* This would include using TIF funds to reimburse the developer for construction of public streets and installation of all necessary public utilities to serve the entire 44 acre tract.
- b. *Marketing of properties and promoting development opportunities.* The City will help to promote the opportunities available for new development within in the Area.
- d. *Other programs of financial assistance as may be provided by the City.* The Act defines eligible redevelopment project costs that are summarized in **Section F**. The City's involvement with redevelopment activities may include all those authorized by the Act, as needed.

### **3. Land Assembly, Displacement Certificate & Relocation Assistance:**

Since there are no housing units within the Area, no displacement of inhabited housing units will be involved with this Redevelopment Plan.

### **F. Estimated Redevelopment Project Costs**

The estimated costs associated with the eligible public redevelopment activities are presented in **Exhibit E**, on the following page, entitled **Estimated Redevelopment Project Costs**. This estimate includes reasonable or necessary costs incurred, or estimated to be incurred, in the implementation of this Redevelopment Plan. These estimated costs are subject to refinement as specific plans and designs are finalized and experience is gained in implementing this Redevelopment Plan and do not include financing costs or interest payments that may be incurred in conjunction with redevelopment projects.

In addition to the proposed TIF funding, the City may seek the assistance of various State of Illinois Departments (Department of Transportation, Department of Commerce and Economic Opportunity, etc.), or appropriate agencies of the Federal Government to assist in funding site preparation, infrastructure, or other required projects or improvements. To the extent additional funds can be secured from the State of Illinois, or any Federal program or other public or private sources, the City may use such funding sources in furtherance of the Redevelopment Plan and Project.

**Exhibit E**

**ESTIMATED REDEVELOPMENT PROJECT COSTS**  
Route 50/Scott-Troy Road Redevelopment Project Area  
City of O'Fallon, Illinois

<b>Description</b>	<b>Estimated Cost</b>
<b>A. Public Works or Improvements</b> <i>(Construction of streets, curb and gutters, utilities, and other public improvements)</i>	\$6,700,000
<b>B. Property Assembly</b> <i>(Acquisition of land and site preparation, including storm water detention)</i>	\$2,725,000
<b>C. Building Rehabilitation/Retrofit</b>	\$10,000
<b>D. Taxing District Capital Costs</b>	\$10,000
<b>E. Job Training</b>	\$10,000
<b>F. Interest Costs Incurred by Developers</b> <i>(30% of interest costs)</i>	\$500,000
<b>G. Planning, Legal &amp; Professional Services</b>	\$300,000
<b>H. General Administration</b>	\$350,000
<b>I. Financing Costs</b>	See Note 3
<b>J. Contingency</b>	\$1,590,000
<b>Total Estimated Costs</b>	<b>\$12,195,000</b>

**Notes:**

1. All costs shown are in 2014 dollars.
2. Adjustments may be made among line items within the budget to reflect program implementation experience.
3. Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total redevelopment pro
4. Private redevelopment costs and investment are in addition to the above.
5. The total estimated redevelopment project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Plan adoption, per subsection 11-74.4.5 (c) of the Act.

**G. Description of Redevelopment Project Costs**

Costs that may be incurred by the City in implementing the Redevelopment Plan may include project costs and expenses as itemized in **Exhibit E**, subject to the definition of “redevelopment project costs” as contained in the Act, and any other costs that are eligible under said definition included in the “Contingency” line item. Itemized below is the statutory listing of “redevelopment project

costs” currently permitted by the Act [bold typeface added for emphasis]. Note that some of the following narrative has been paraphrased (see full definitions in the Act).

1. **Costs of studies, surveys, development of plans and specifications, wetland mitigation plans, implementation and administration** of the Redevelopment Plan, including but not limited to staff and professional service costs for architectural, engineering, legal, environmental, financial, planning or other services, subject to certain limitations:
  - a. There are limitations on contracts for certain professional services with respect to term, services, etc.
  - b. Annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a Redevelopment Project Area or approved a Redevelopment Plan.
  - c. Marketing costs are allowable if related to marketing sites within the Redevelopment Project Area to prospective businesses, developers and investors.
2. **Property assembly costs**, including but not limited to acquisition of land and other property, real or personal or interest therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground level environmental contamination, including but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land.
3. **Costs of rehabilitation**, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements; and the cost of replacing an existing public building if, pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.
4. **Costs of the construction of public works or improvements**, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11- 74.4- 3 of the Act unless either



- a. the construction of the new municipal building implements a redevelopment project that was included in a Redevelopment Plan that was adopted by the municipality prior to November 1, 1999; or
  - b. the municipality makes a reasonable determination in the Redevelopment Plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the Redevelopment Plan.
5. **Cost of job training and retraining projects**, including the cost of “welfare to work” programs implemented by businesses located within the Redevelopment Project Area.
  6. **Financing costs**, including but not limited to, all necessary and incidental expenses **related to the issuance of obligations** (see definition of “obligations” in the Act), and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding thirty-six (36) months thereafter, and including reasonable reserves related thereto.
  7. To the extent the municipality by written agreement accepts and approves the same, all or a portion of a **taxing district's capital costs** resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the Redevelopment Plan and project.
    - a. For Redevelopment Project Areas designated (or Redevelopment Project Areas amended to add or increase the number of tax-increment-financing assisted housing units), an elementary, secondary, or unit school district’s increased costs attributable to assisted housing units located within the Redevelopment Project Area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvement projects within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by the Act, shall be paid by the municipality from the Special Tax Allocation Fund under certain conditions. For specific conditions and formulae used to determine payments due to a school district, see Subsection 11-74.4-3 (q) (7.5) of the Act.
  8. **Relocation costs** to the extent that a municipality determines that relocation costs shall be paid or it is required to make payment of relocation costs by Federal or State law or in order

to satisfy Subsection 11-74.4-3 (n) (7) of the Act (re: federal Uniform Relocation Assistance and Real Property Acquisition Policies Act requirements).

9. **Payments in lieu of taxes** (not common; see definition in Act).
10. **Costs of job training**, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, **incurred by one or more taxing districts**, provided that such costs:
  - a. are related to the establishment and maintenance of additional job training, advanced vocational education or career education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and
  - b. when incurred by a taxing district(s) other than the municipality, are set forth in a written agreement between the municipality and the taxing district or taxing districts, which agreement describes the programs to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and types of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the terms of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act, and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of the School Code.
11. **Interest costs incurred by a redeveloper** related to the construction, renovation or rehabilitation of a redevelopment project provided that:
  - a. such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
  - b. such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
  - c. if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph, then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
  - d. the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project, plus (ii)

redevelopment project costs, excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act;

- e. the cost limits set forth in subparagraphs (b) and (d) above shall be modified for the financing of rehabilitation or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (b) and (d) above;
  - f. Instead of the eligible costs provided by subparagraphs (b) and (d) above, as modified in this subparagraph, and notwithstanding any other provision of the Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. For further provisions on financing and eligible costs, see Subsection 11-74.4-3 (q) (11) of the Act.
12. Unless explicitly stated herein, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.
  13. None of the redevelopment project costs enumerated above shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the Redevelopment Project Area, while terminating operations at another Illinois location within 10 miles of the Redevelopment Project Area but outside the boundaries of the Redevelopment Project Area municipality. For purposes of this paragraph, termination means closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a Redevelopment Project Area; but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.
  14. No cost shall be a redevelopment project cost in a redevelopment project area if used to demolish, remove, or substantially modify a historic resource, after August 26, 2008 (the effective date of Public Act 95-934), unless no prudent and feasible alternative exists. "Historic resource" for the purpose of this item (14) means
    - a. place or structure that is included or eligible for inclusion on the National Register of Historic Places or
    - b. contributing structure in a district on the National Register of Historic Places.

This item (14) does not apply to a place or structure for which demolition, removal, or modification is subject to review by the preservation agency of a Certified Local Government designated as such by the National Park Service of the United States Department of the Interior.

## SECTION V OTHER FINDINGS AND REQUIREMENTS

### **A. Conformance with Comprehensive Plan**

Development projects proposed to be undertaken in implementing this Redevelopment Plan conform to the City of O'Fallon's 2006 Comprehensive Plan, which proposes "Regional Commercial" use for the Area. In addition, all development in the Area will comply with applicable codes and ordinances of the City.

### **B. Area, on the Whole, not Subject to Growth and Development**

The fact that over 90 percent the real property in the Project Area is vacant land is sufficient enough to support the finding that the Project Area has not been subject to growth and development through investment by private enterprise. The only building in the Area was built in 1965 and later expanded. Given the existing condition of said building, it's apparent that there has been minimal investment in it. Property valuation trends further back up this finding. **Exhibit F, EAV Trends (2008-2013)** reveals that the entire Area has a 2013 assessed value that is \$1,101 less than it was in 2008. The Area hasn't even kept pace with inflation over this time period, which has been quite modest.

**Exhibit F**  
**EAV Trends (2008-2013)**  
 Route 50/Scott-Troy Road Redevelopment Project Area

	<b>2008</b>	<b>2013</b>	<b>Change</b>	<b>Percent</b>	<b>Annual Percent Rate</b>
EAV of Rte. 50/Scott-Troy Rd. RPA	\$ 46,621	\$ 45,519	\$ (1,101)	-2.4%	-0.5%
CPI <sup>1</sup>	215.303	232.957	17.654	8.2%	1.6%

<sup>1</sup> Consumer Price Index for All Urban Consumers. Source: U.S. Bureau of Labor Statistics.

Underscoring the above finding is that the assessed value of the entire Area for the 2013 tax year was only \$45,519, which translates to a market value of approximately \$136,600. This valuation equates to a market value of about \$3,100 per acre, which is considerably low.

### **C. Would Not be Developed "but for" Tax Increment Financing**

The City has found that the Area would not reasonably be developed without the use of tax increment revenues. The City further commits that such incremental revenues will be utilized for the development and revitalization of the Area as provided in the Act. Underscoring the economic need for municipal financial assistance in the form of tax increment financing is the certainty that there will not be commitments for private development and revitalization without the City's commitment to provide such municipal financial assistance. The Developer proposing the project has demonstrated to the City's satisfaction that the return on investment in the Area is too small relative to the risk and does not make economic sense without TIF assistance to help underwrite some of the development costs.

### **D. Assessment of Financial Impact**

The City finds adoption of this Redevelopment Plan will not place significant additional demands on facilities or services for any local taxing body. Police and fire services and facilities appear to be adequate for the foreseeable future.

To offset any unforeseen taxing district costs directly resulting from the Redevelopment Projects, the City commits to pass-through to the taxing districts an annually declared surplus. The annual surplus declarations shall be as follows:

- Rec-Plex property: No annual surplus
- Hotel properties: 25% annual surplus of tax increment generated
- All other properties in Area: 50% annual surplus of tax increment generated

After recovering the City's cost of preparing the TIF Plan and establishing the Project Area and accounting for annual implementation expenses (e.g., audit and related fees, annual notices, and annual reports to the Illinois Comptroller), the City will return, as surplus, the tax increment proceeds to identified above to St. Clair County for distribution on a pro-rata basis back to the affected local taxing bodies. Except for the initial TIF set up costs, it is anticipated that the annual costs of implementation will be relatively small and, therefore, the annual declared surplus will be close to, if not equal to, the property tax increment surpluses noted above.

The City and Joint Review Board will monitor the progress of the TIF program and its future impacts on all local taxing bodies. In the event significant adverse impediments are identified that increase demands for facilities or services in the future, the City will consider utilizing tax increment proceeds or other appropriate actions, to the extent possible, to assist in addressing the needs.

#### **E. Estimated Date for Completion of the Redevelopment Projects**

The estimated date for completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31<sup>st</sup> of the year in which the payment to the City Treasurer, as provided in subsection (b) of Section 11-74.4-8 of the Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Area is adopted.

#### **F. Most Recent Equalized Assessed Valuation**

The most recent total EAV for the Area has been estimated by the City to be \$45,519. A table with **Parcel Identification Numbers and 2013 EAV** is located in the **Appendix as Attachment D**. This is accompanied by a map showing the location of the parcels within the Redevelopment Project Area. The County Clerk of St. Clair County will verify the base EAV for each parcel after adoption of the City ordinances approving the Redevelopment Plan and establishing the Area.

#### **G. Redevelopment Valuation**

Contingent on the adoption of this Plan and commitment by the City to the redevelopment program described herein, the City anticipates that the private redevelopment investment in the Area will increase the EAV of the Area by \$17 to \$18 million (2014 dollars) upon completion of the redevelopment projects. Note however, that the redevelopment projects will likely occur over an extended time period. The initial phase will be the Rec-Plex, which is estimated to have an approximate EAV of \$2.6 million.<sup>2</sup> The phase two restaurant/retail space, totaling approximately 16,000 square feet of building space is estimated to have an EAV of \$870,000. The third phase of two hotels is estimated to have an approximate EAV of \$2.5 million. It may take the balance of the life of the TIF district or longer for the remaining land to be developed that would add an additional estimated EAV of \$11 to \$12 million (bringing the total potential value to \$17 to \$18 million).

#### **H. Source of Funds**

The primary source of funds to pay for redevelopment project costs associated with implementing this Plan shall be funds collected pursuant to tax increment financing to be adopted by the City. Under such financing, tax increment revenue resulting from an increase in the EAV of property in

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<sup>2</sup> Based on and estimated appraised (or "fair market") value of \$60/square foot. The only approximately comparable taxable property in the region is the Hardees Iceplex facility located in Chesterfield, Missouri. This facility of approximately 116,000 square feet was built in 1995 and has two professional size and one Olympic size rinks along with locker rooms, a food service grill and meeting/party space. This property had a 2014 appraised value by St. Louis County of \$40.74/square foot.

the Area shall be allocated to a special fund each year (the "Special Tax Allocation Fund"). The assets of the Special Tax Allocation Fund shall be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite implementation of this Redevelopment Plan and construction of the public improvements, the City, pursuant to the authority granted to it under the Act, may issue bonds or other obligations to pay for the eligible redevelopment project costs. These obligations may be secured by future revenues to be collected and allocated to the Special Tax Allocation Fund.

If available, revenues from other economic development funding sources, public or private, may be utilized. These may include State and Federal programs, local retail sales tax, applicable revenues from any adjoining tax increment financing areas, and land disposition proceeds from the sale of land in the Area, as well as other revenues. The final decision concerning redistribution of yearly tax increment revenues may be made a part of a bond ordinance.

#### **I. Nature and Term of Obligations**

Without excluding other methods of City or private financing, the principal source of funding will be those deposits made into the Special Tax Allocation Fund of monies received from the taxes on the increased EAV (above the initial EAV) of real property in the Area. These monies may be used to reimburse private or public entities for the redevelopment project costs incurred or to amortize obligations issued pursuant to the Act for a term not to exceed 20 years bearing an annual interest rate as permitted by law. Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the bonds and not needed for any other redevelopment project costs or early bond retirements shall be declared as surplus and become available for distribution to the taxing bodies to the extent that this distribution of surplus does not impair the financial viability of the any projects. One or more bond issues may be sold at any time in order to implement this Redevelopment Plan.

#### **J. Fair Employment Practices and Affirmative Action**

The City will insure that all private and public redevelopment activities are constructed in accordance with fair employment practices and affirmative action by any and all recipients of TIF assistance.

#### **K. Reviewing and Amending the TIF Plan**

This Redevelopment Plan may be amended in accordance with the provisions of the Act. Also, the City shall adhere to all reporting requirements and other statutory provisions.



# APPENDIX

**ATTACHMENT A**

**O'Fallon City Council Resolution No. 2014-44  
Route 50/Scott-Troy Road Redevelopment Project Area**

**RESOLUTION 2014 - 44**

**RESOLUTION PROVIDING FOR A FEASIBILITY STUDY ON THE  
DESIGNATION OF A PORTION OF THE CITY OF O'FALLON AS  
A REDEVELOPMENT PROJECT AREA AND TO INDUCE  
DEVELOPMENT INTEREST WITHIN SUCH AREA**

(Proposed Route 50/Scott Troy Road TIF Redevelopment Project Area)

**WHEREAS**, the City of O'Fallon (the "City") is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, *65 ILCS 11-74.4-1, et seq.* (the "Act"), to finance redevelopment project costs in connection with redevelopment project areas established in accordance with the conditions and requirements set forth in the Act; and

**WHEREAS**, pursuant to the Act, to implement tax increment financing (TIF), it is necessary for the City to adopt a redevelopment plan and redevelopment project, designate a redevelopment project area on the basis of finding that the area qualifies pursuant to statutory requirements, and make a finding that the redevelopment project area on the whole has not been subjected to growth and development through private enterprise and would not reasonably be anticipated to be developed without the adoption of a redevelopment plan, which plan contains a commitment to use public funds; and

**WHEREAS**, the City desires to undertake a feasibility study to determine whether findings may be made with respect to an area of the City (referred to as the "Route 50/Scott Troy Road Redevelopment Project Area), which may be designated as a redevelopment project area, to qualify the area as a blighted area as defined in the Act and applied to vacant land, and other research necessary to document the lack of growth and development through private enterprise; and

**WHEREAS**, the exact extent and boundaries of the redevelopment project area are not precisely defined at this time but the area being considered is generally delineated on **Exhibit A** attached hereto, and that the actual redevelopment project area to be established may contain more less land than that shown on Exhibit A; and

**WHEREAS**, the City will be expending certain funds to determine eligibility of the proposed redevelopment project area and to prepare the required redevelopment plan if the City decides to implement tax increment financing for all or a portion of the proposed TIF area; and

**WHEREAS**, the City may expend other funds in furtherance of the objectives of the anticipated redevelopment plan; and

**WHEREAS**, it is the intent of the City to recover these expenditures from first proceeds of the TIF program, if established; and

**WHEREAS**, the City wishes to encourage developers and property owners to pursue plans for the redevelopment of the area and make such expenditures as are reasonably necessary in that regard with confidence that said expenditures may be allowable redevelopment project costs under the plan once adopted and subject to a redevelopment agreement between the City and the developers/property owners; and

**WHEREAS**, the purpose of the proposed redevelopment plan and project is to generate private investment in the targeted area, thereby eliminating or reducing blighted conditions and provides for the long-term sound growth of the community; and

**WHEREAS**, tax increment allocation financing utilizes the increase in real estate taxes (“tax increment”) resulting from the increase in value of properties located in a redevelopment project area to pay for certain redevelopment projects costs as provided for in the Act; and

**WHEREAS**, at this time none of the purposes of the proposed redevelopment plan or proposed redevelopment project area is to result in the displacement of residents from ten (10) or more inhabited residential units within the area, the feasibility study is not required to include the preparation of any housing impact study as described in Section 11-74.4-4.1 (b) of the Act; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of O’Fallon, Illinois as follows:

1. That the City Council has examined the proposed area and circumstances and at this time believe that it is reasonable to believe that a tax increment financing plan can be adopted for said area and expenditures of development costs in furtherance of the plan and potential development should be allowable project costs under the plan, provided that this resolution is not a guarantee that any such plan will be adopted, but rather an expression of the sense of the City at this time.

2. The person to contact for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the redevelopment of the area shall be:

Ted Shekell  
Community Development Director  
City of O’Fallon  
255 South Lincoln Avenue  
O’Fallon, IL 62269  
Telephone: 618-624-4500 x 4

This Resolution shall become effective immediately upon its adoption by City Council.

Passed by the City Council this 6th day of October 2014.

\*\*\*\*\*

ATTEST:

Approved by the Mayor this 6th day

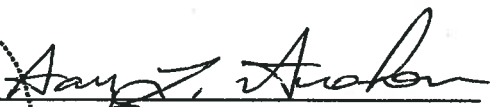
(seal)

of October 2014.

  
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Philip A. Goodwin, City Clerk

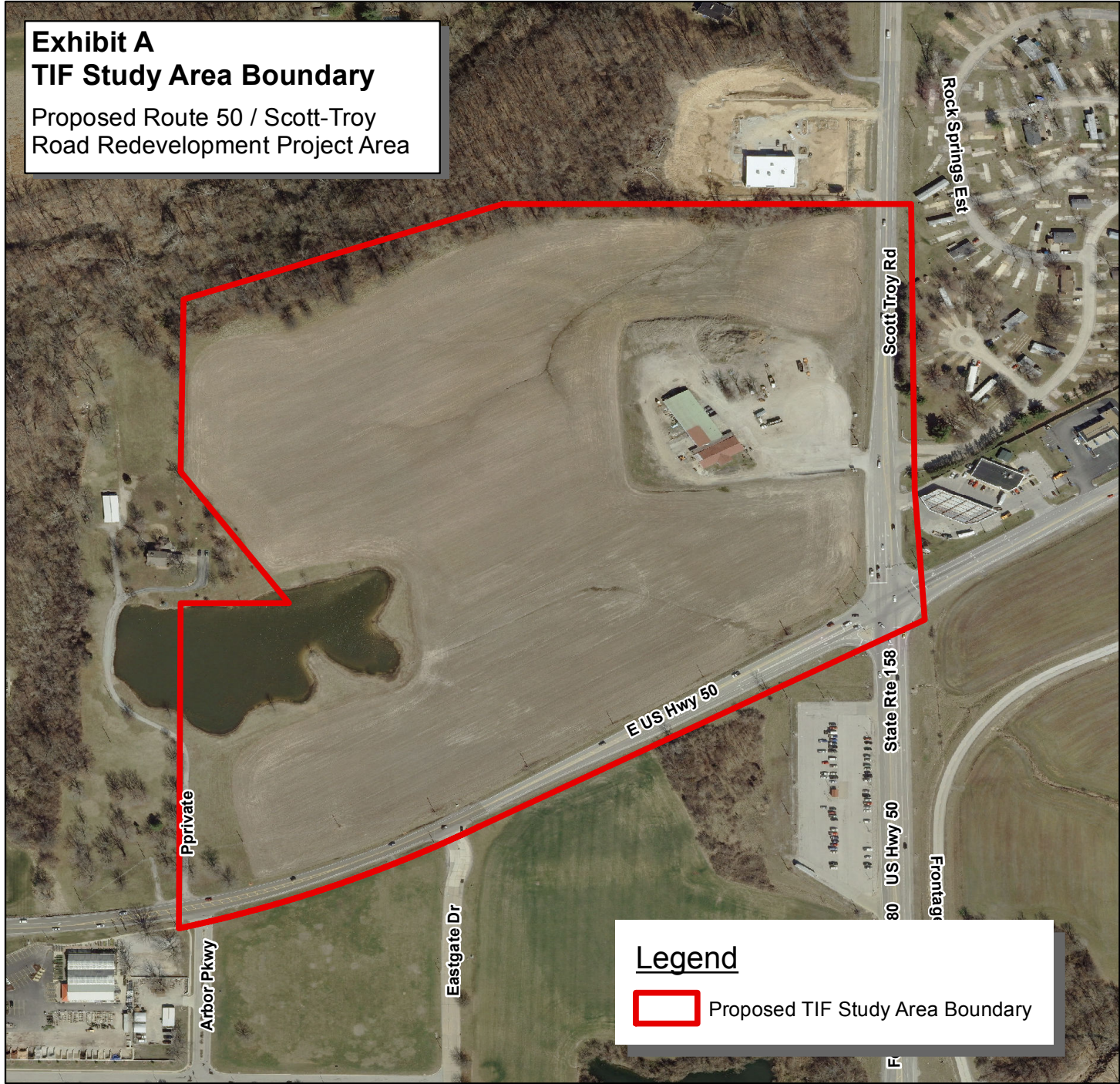


  
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Gary L. Graham, Mayor

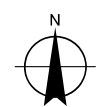
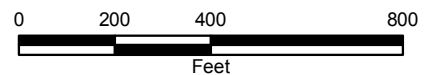


**Exhibit A**  
**TIF Study Area Boundary**  
Proposed Route 50 / Scott-Troy  
Road Redevelopment Project Area



**Legend**

 Proposed TIF Study Area Boundary



**ATTACHMENT B**

**Boundary Description  
Route 50/Scott-Troy Road Redevelopment Project Area**

LEGAL DESCRIPTION  
TIF PARCEL

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST, 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON



THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

JOB\14\1442\1442 LEGAL DESCRIPTION TIF PARCEL

**ATTACHMENT C**

**Existing Conditions Photos**

# PHOTOGRAPHS OF EXISTING CONDITIONS

Route 50 / Scott-Troy Road Redevelopment Project Area

On October 13th, 2014 PGAV PLANNERS staff conducted a field review of the properties and improvements located inside the Route 50 / Scott-Troy Road Redevelopment Project Area (the "Area"). The following pages contain a series of photographs taken on these dates, which PGAV PLANNERS believes to be representative of the exterior conditions of the Area.

## 201 Scott-Troy Road

This page contains pictures of the conditions found at 201 Scott-Troy Road.



Above: The siding at 201 Scott-Troy Road has rotted.



Above: The corrugated metal roof at 201 Scott-Troy Road is deteriorated.



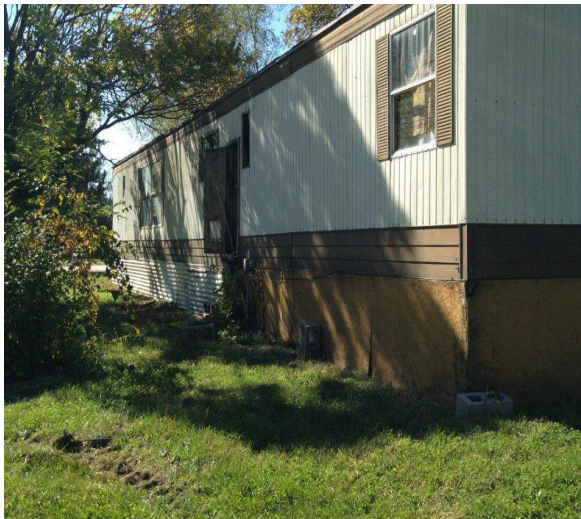
Above: The parking lot at 201 Scott-Troy Road is deteriorated. Left: Tractor-trailers and other heavy equipment stored at 201 Scott-Troy Road. This property is directly adjacent to a residential subdivision located across the street to the east.



Above: The soffit and fascia at 201 Scott-Troy Road is rotted.



## Properties adjacent to the Redevelopment Area



Left: A deteriorated mobile home located at Rock Springs Estates.



Right: Trash and debris located at Rock Springs Estates.



Above: Most of Rock Springs Estates is currently vacant.



Above: A rotted wood porch on the front of one of the mobile homes at Rock Springs Estates.

Below: Trash and debris piled on a lot next to a full construction dumpster.



Below: Building debris on a vacant lot at Rock Springs Estates.



Above: Wiring and building debris at a vacant mobile home pad.

**ATTACHMENT D**

**Parcel Identification Numbers,  
Property Owner and 2013 EAV**

## Property Identification Number (PIN) List & 2013 EAV

Route 50 / Scott-Troy Road Redevelopment Project Area  
City of O'Fallon, Illinois

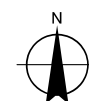
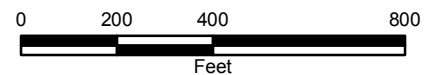
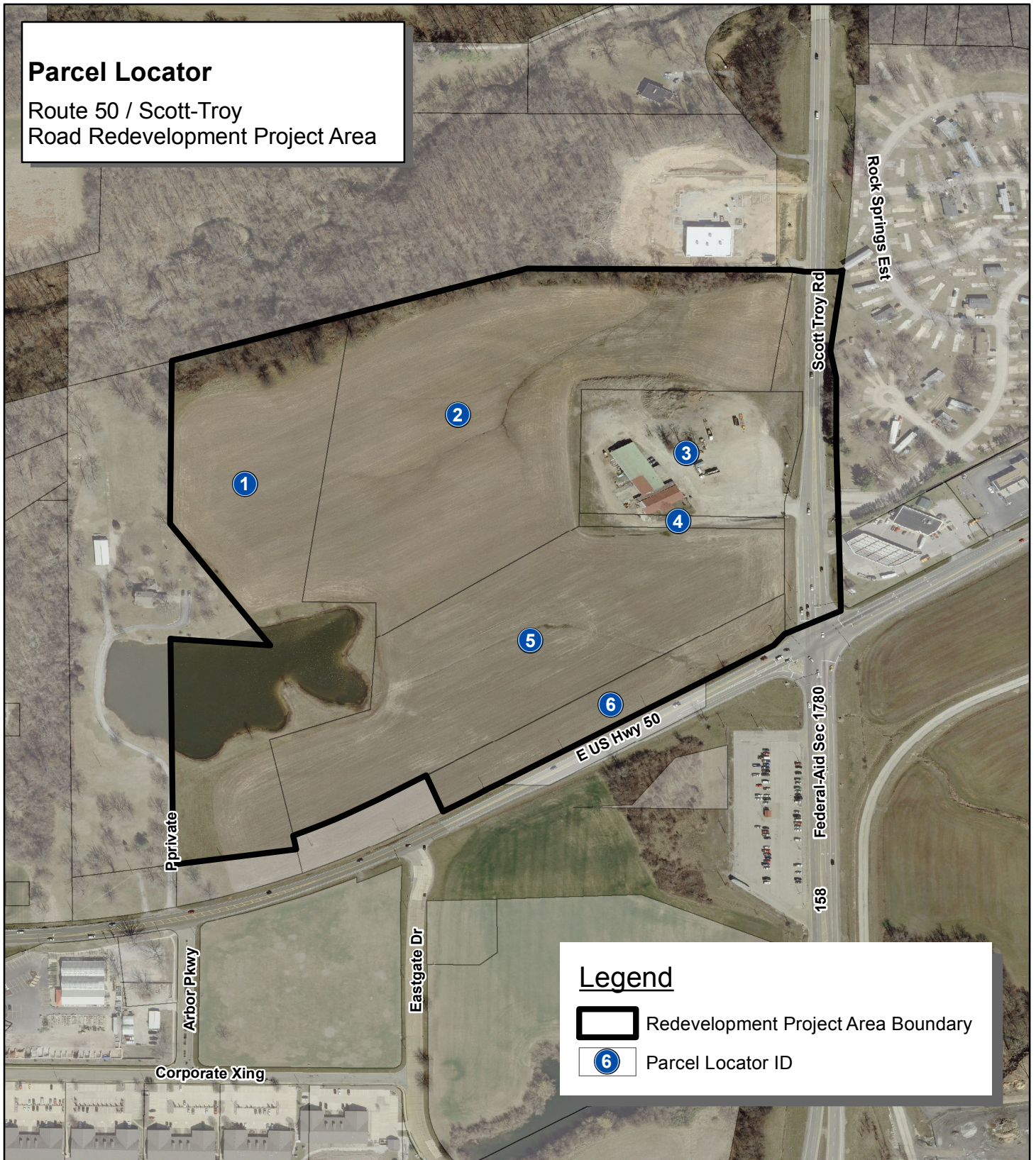
Locator No.	Parcel ID No. (PIN)	Property Owner	Mailing Address	City, State, Zip	2013 EAV
1	04-33.0-200-033	Robert G Schwarz	1818 Carrington Way	Swansea, IL 62226	\$ 985
2	04-28.0-400-032	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 1,546
3	04-28.0-400-028	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 39,974
4	04-33.0-200-019	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 271
5	04-33.0-200-025	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 2,276
6 *	04-33.0-200-026	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 467
<b>Total:</b>					<b>\$ 45,519</b>

\* Parcel split by the Redevelopment Project Area Boundary. Value apportioned based on 69.35% of the parcel being located within the Project Area boundary.



# Parcel Locator

Route 50 / Scott-Troy  
Road Redevelopment Project Area



## Schedule for Adopting TIF Redevelopment Plan & Project

Route 50/Scott-Troy Road Redevelopment Project Area  
City of O'Fallon, Illinois

Action No.	Target Completion Date	Action Complete	Activity
1.	10/6/14	√	City Council adopts inducement resolution (Resolution 2014-44).
2.	12/30/14	√	Complete draft Redevelopment Plan for City review.
3.	1/9/15		File copy of final draft of Redevelopment Plan at City Hall and keep available for public inspection (at least 10 days prior to City Council adopting resolution setting public hearing date).
4.	<b>1/20/15</b>		City Council adopts resolution establishing public hearing date & place.
5.	<b>1/21/15</b>		<b>Send notice of public hearing to all affected taxing bodies and DCEO</b> via certified mail ( <i>include copy of Redevelopment Plan and resolution; Notice of JRB meeting to JRB members... just notice of public hearing to non-JRB taxing districts and DCEO</i> ).
6.	1/22/15		Send <b>notice of availability of Plans</b> to all parties registered on the <b>IPR</b> and to all <b>residential addresses within 750 feet</b> of the boundaries of the proposed TIF district.
7.	2/10/15		<b>Joint Review Board (JRB) meeting</b> and review of Redevelopment Plans and sample ordinances ( <i>at least 14 days from Action No. 5 but not more than 28 days</i> ).
8.	NST NLT	2/10/15 3/12/15	Report of Joint Review Board ( <i>not more than 30 days from convening of the JRB</i> ).
9.	2/25/15		<b>First publication of notice of public hearing</b> ( <i>not more than 30 days nor less than 10 days prior to the hearing</i> ).
10.	3/4/15		<b>Second publication of notice of public hearing.</b>
11.	3/4/15		<b>Notice by certified mail to property owners</b> in Area ( <i>not less than 10 days before hearing</i> ).
12.	<b>3/16/15</b>		<b>Public hearing</b> held ( <i>not less than 45 days from Action No. 5</i> ).
13.	NST NLT	3/30/15 6/12/15	City Council introduces ordinances (not less than 14 days nor more than 90 days from the close of the public hearing). (1) Adopt TIF Plan & Redevelopment Project (2) Designate TIF Area (3) Adopt Tax Increment Financing for Area

**NOTE:** Schedule may be altered so long as statutory requirements are satisfied

NST = No Sooner Than

NLT = Not Later Than





**DRAFT MINUTES  
COMMUNITY DEVELOPMENT COMMITTEE  
5:30 PM Monday, January 12, 2015**

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held at the Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois.

CALL TO ORDER: 5:30 PM

**I) Roll Call** – *Committee members:* Gene McCoskey, David Cozad, Ray Holden, Harlan Gerrish, and Jerry Mouser. *Other Elected Officials Present:* Ed True, Mike Bennett, Courtney Cardona, Herb Roach, Richie Meile, Kevin Haggarty, and John Drolet. *Staff:* Walter Denton, Pam Funk, Ted Shekell, Justin Randall, Sandy Evans, and Eric Van Hook. *Visitors:* Jim Cavins, Fred Boch, Charlie Pitts, Vern Malare, Nancy Chase, Pat McLeod, Dean Oelze, and Joseph Uram.

**II) Approval of Minutes from Previous Meeting** – All ayes. Motion carried.

**III) Items Requiring Council Action**

- A. Public Hearing Dates for Route 50 / Scott-Troy Road Redevelopment Project Area (Resolution)  
Justin Randall gave a brief overview of the TIF process that was beginning for the Four Points Center / McKendree Metro Rec Plex development at the intersection of Route 50 and Scott-Troy Road. Randall provided information on the action of approving a resolution to set a date for a public hearing on the TIF and outlined dates of other important dates. The committee discussed the resolution and recommended approval with a vote of 5-0.
- B. Special Event Permit (Motion) – Justin Randall provided a brief explanation on the special event for St. Elizabeth and indicated it was consistent with previous approvals. The committee discussed the permit request and recommended approval with a vote of 5-0.
- C. Text Amendments (2<sup>nd</sup> Reading)- Justin Randall indicated there were no additional changes to the ordinance approved on 1<sup>st</sup> Reading.

**IV) Other Business**

- A. Video Gaming – Justin Randall provided the committee with information on the status of the video gaming ordinance and that it would be ready for review at the January 26, Community Development Committee. Ted Shekell provided the committee with a number of the items being considered in the draft ordinance.
- B. General Project Updates – Justin Randall brief the committee on the construction progress on Gander Mountain and the committee commended the Public Works Department on the State and Lincoln parking lot.

**MEETING ADJOURNED:** 6:05 PM

**NEXT MEETING:** January 26, 2015 – Public Safety Building

**Prepared by:** Justin Randall, Senior City Planner



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** January 20, 2015  
**Subject:** Special Event Permit – St. Elizabeth’s Heart Health Awareness Month (MOTION)

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**List of committees that have reviewed:** The Community Development Committee reviewed this application at its January 12, 2015 meeting and recommended approval with a vote of 5-0.

**Background:**

- Applicant: Kelly Barbeau for St. Elizabeth’s Hospital
- Request for placing ribbons on light posts in O’Fallon at the St. Elizabeth’s Medical Building parking lot on Green Mount and a one block area of East and West First Street
- Ribbons will be displayed from January 30<sup>th</sup> to February 27<sup>th</sup>

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Review:** The Police, Fire, and Public Works Departments did not have any issues with the request. Staff recommends approval of the Special Event Permit.

PD  
FD

CC



COMMUNITY DEVELOPMENT DEPARTMENT  
255 S. Lincoln Avenue, 2<sup>nd</sup> Floor  
O'Fallon, IL 62269  
Ph: (618) 624-4500 x4  
Fax: (618) 624-4534

<input checked="" type="radio"/>	Attach proof of not-for-profit status with application
OR	
<input type="radio"/>	Provide \$50.00 application fee with application



RECEIVED DEC 29 2014

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Heart Health Awareness Month - February 2015

Location of Event: St. Elizabeth's O'Fallon Medical Building; Street lamps on East/West 1st St. from S. Cherry to S. Vine

Name of Event Organization: St. Elizabeth's Hospital

Name of person in charge of event (applicant) and mailing address: Emily Wilson

Phone: 618-234-2129, ext. 1594 E-Mail: Emily.Wilson@hshs.org

Secondary Contact Person: Kelly Barbeau

Phone: 618-234-2120, ext. 1270 E-Mail: Kelly.Barbeau@hshs.org

Beginning Date / Times: Jan. 30, 2015 Ending Date / Times: Feb. 27, 2015

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. **NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

ATTACHED

2. Sketch plan of site.

ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED

NOT APPLICABLE

4. Proof of not-for-profit status (so that application fee can be waived.)

*on file with vschi, City of O'Fallon.*

ATTACHED

NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, City of O'Fallon, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

*JK*

ATTACHED

NOT APPLICABLE

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000.

PAID

NOT APPLICABLE

7. Liquor license information for beer sales (including hours of sale): N/A  
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: \_\_\_\_\_  
N/A

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Kelly Bork  
Signature of Applicant/ person in charge of event

12-29-14  
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? ( ) YES  NO AOS

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE \_\_\_\_\_

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL \_\_\_\_\_ (DATE)

## NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
  - dimensions,
  - quantity,
  - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

December 23, 2014

Dear Mr. Goodwin,

St. Elizabeth's Hospital is planning a variety of events for February 2014 to support Heart Health Awareness Month. One of the items we would like to do to increase community awareness of the public service campaign is to decorate our O'Fallon Medical Building and a one-block area of East and West First Street with red ribbons.

We respectfully request approval from the City of O'Fallon to be allowed to decorate light posts on East/West First Street for one block each way (S. Cherry to S. Vine). St. Elizabeth's will provide ribbons and labor for hanging and removing the ribbon. If approved, we would like to put the decorations up on Friday, January 30 and remove them on Friday, February 27.

Along with this visual awareness piece, we will also be distributing flyers to downtown businesses to explain the ribbons and share out the heart health education to the general public.

We look forward to partnering with the City of O'Fallon to increase awareness for healthy hearts.

Sincerely,

Kelly Barbeau  
Marketing/Communications Manager  
HSHS St. Elizabeth's Hospital

Renaissance Quality Insurance, Ltd.

This is to certify that the coverage's listed below are in force at this time and are subject to the terms, conditions and exclusions as stated in the Renaissance Quality Insurance, Ltd. policy.

**NAME AND ADDRESS OF PARTY TO WHOM CERTIFICATE IS ISSUED:**

City of O'Fallon  
255 South Lincoln  
O'Fallon, IL 62269

**NAME AND ADDRESS OF INSURED:**

St. Elizabeth's Hospital  
211 S. Third Street  
Belleville, IL 62220

Additional Insured: City of O'Fallon

Type of Insurance	Coverage Term	Policy #	Combined Single Limits Liability	
			Each Occurrence	Aggregate
General Liability (Includes Bodily Injury & Property Damage)	July 1, 2014 to June 30, 2015	P500-2014-15	\$1,000,000	\$3,000,000

**CANCELLATION:** Should any of the above described coverage's be canceled before the expiration date thereof, the Issuing company will endeavor to mail 30 days written notice to the above named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

BY:  Assistant Secretary

DATED: December 30, 2014

Caribbean Plaza, 2<sup>nd</sup> Floor,  
North Building  
878 West Bay Road  
P.O. Box 1159  
Grand Cayman, KYI-1102  
Cayman Islands

Phone: 345-623-6611  
Facsimile: 345-946-6612