

Committee Members:
Justin Gough
Bill Poletti
Frank Menn
Pat Baeske
Harry Zimmerman

A G E N D A
COMMUNITY COMMITTEE
Special Called Meeting
Tuesday, March 29, 2016 – 7:00 p.m.
Council Chambers
Fairview Heights City Hall
10025 Bunkum Road

Public Participation

Development
Alderman Bill Poletti, Chairman

1. Presentation of Ludwig Drive TIF Redevelopment Plan by EDR
2. Presentation of State Route 159 North TIF Redevelopment Plan by EDR
3. Consider approval of Inducement Resolution for the Ludwig Drive TIF
4. Consider approval of Inducement Resolution for State Route 159 North TIF
5. Consider approval of an Ordinance establishing a Special Tax Allocation Fund for the State Route 159 North TIF
6. Consider approval of an Ordinance establishing a Special Tax Allocation Fund for the State Route 159 North TIF
7. Consider approval of an Ordinance creating a TIF “Interested Parties” Registry and Adopting Registration Rules for Ludwig Drive TIF
8. Consider approval of an Ordinance creating a TIF “Interested Parties” Registry and Adopting Registration Rules for State Route 159 North TIF
9. Consider a motion to authorize the Interested Parties Registration Notice for the Ludwig Drive TIF to be published in newspaper of general circulation in City
10. Consider a motion to authorize the Interested Parties Registration Notice for the State Route 159 North TIF to be published in a newspaper of general circulation in City
11. Consider a motion to accept the Ludwig Drive TIF Redevelopment Plan and approve sending to all Taxing Districts and DCEO
12. Consider a motion to accept the State Route 159 North TIF Redevelopment Plan and approve sending to all Taxing Districts and DCEO
13. Consider approval of an ordinance creating a JRB for Ludwig Drive TIF and setting a meeting date of Wednesday, May 11, 2016 at 11:00 a.m.
14. Consider approval of an ordinance creating a JRB for State Route 159 North TIF and setting a meeting date of Wednesday, May 11, 2016 at 9:30 a.m.

- 15.** Consider approval of an ordinance setting a Public Hearing date for Ludwig Drive TIF on Tuesday, June 14, 2016 at 6:30 p.m.
- 16.** Consider approval of an ordinance setting a Public Hearing date for State Route 159 North TIF on Tuesday, June 14, 2016 at 7:00 p.m.
- 17.** Consider a motion nominating a public member Charles Kassly of the JRB for the Ludwig Drive TIF Redevelopment Plan
- 18.** Consider a motion nominating a public member Charles Kassly of the JRB for the State Route 159 North TIF Redevelopment Plan

LUDWIG DRIVE
Redevelopment Project Area
Tax Increment Financing (TIF)

REDEVELOPMENT PLAN

City of Fairview Heights, Illinois

March 24, 2016



Economic Development Resources
St. Louis, Missouri

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SECTION I

INTRODUCTION

The proposed Ludwig Drive Redevelopment Project Area (the “Area”) contains seven parcels within the City of Fairview Heights (the “City”). The location of this approximately 27.5 acre Area is illustrated on **Exhibit A - Boundary Map**. The Area is generally located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The legal description of the Area is attached in **Appendix 1**.

The purpose of this Redevelopment Plan is to provide a document which can be used to catalogue the eligibility for tax increment financing of the portion of the City selected to be included in the Area, to provide a plan of actions and activities to address the conditions found in this portion of the City, and to assist in the development and redevelopment of the Area in conformance with the City’s Comprehensive Plan. This Redevelopment Plan also identifies those activities, sources of funds, procedures and various other necessary requirements in order to implement tax increment financing.

The redevelopment projects in the Area that are anticipated include both public and private activities: Private projects may include, but are not limited to: land acquisition; site preparation (including demolition, clearance and grading); the development and redevelopment of commercial uses; and the rehabilitation of existing buildings and improvements. Public projects that are anticipated for the Area are expected to include, but are not limited to: construction and upgrading of public works or improvements; and the marketing of sites within the Area to prospective businesses, developers and investors.



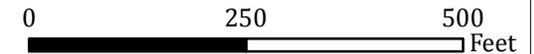
Ludwig Drive Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDIR
 Economic Development Resources

 Area Boundary



EXHIBIT A
Boundary Map



SECTION II

STATUTORY BASIS FOR TAX INCREMENT FINANCING

Tax increment financing was created by the Tax Increment Allocation Redevelopment Act (the "Act"). The Act is found at 65 ILCS 5.11-74.4-1 et seq.

Tax increment financing is a technique intended to be used by municipalities to address and eradicate problems which cause areas to qualify, as "blighted", "conservation", or "industrial park conservation" areas, and to carry out redevelopment projects which serve this end.

The concept behind the tax increment financing law is relatively straightforward and allows a municipality to perform redevelopment activities on a locally controlled basis. Redevelopment which occurs in a designated redevelopment project area will increase the equalized assessed valuation of the property and, thus, generate increased 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 and the construction of public infrastructure.

The Illinois General Assembly made various findings in adopting the Act. Among them were:

- That there exists in many municipalities within the State blighted, conservation, and industrial park conservation areas; and
- 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 in developed areas, the presence of blight, and/or conditions which lead to blight, are detrimental to the safety, health, welfare and morals of the public, and in vacant areas, impair the sound growth of the taxing districts.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements which must be met before a municipality can proceed with implementing a redevelopment project. One of these requirements is that the municipality must demonstrate that a redevelopment project area qualifies as eligible for tax increment financing; such an area may be determined to be a "blighted area", "conservation area" or an "industrial park conservation area". The Act provides an enumeration of the factors which qualify an area as eligible for the "blight", "conservation", or "industrial park conservation" designation, as well as detailed descriptions of these factors.

Under the Act, powers extended to the municipality in creating a redevelopment project area include, but are not necessarily limited to, the following:

- To approve redevelopment plans and redevelopment projects, and designate redevelopment project areas, pursuant to notice and hearing required by the Act;
- To make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project;
- Within a redevelopment project area:
 - acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project;
 - clear any area by demolition or removal of any existing buildings and structures;
 - renovate or rehabilitate or construct any structure or building;
 - acquire and construct public facilities;
 - fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;
- Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;
- Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement;
- Make payment in lieu of taxes or a portion thereof to taxing districts; and,
- Exercise any and all other powers necessary to effectuate the purposes of the Act.

SECTION III

LUDWIG DRIVE REDEVELOPMENT PROJECT AREA

A. Boundary Delineation

There are a number of factors that were taken into consideration in determining the boundary of the Area. Established planning guidelines and standards, as described herein, have been followed in the delineation of the Area's boundary, as well as in the preparation of the Ludwig Drive Redevelopment Project Area Tax Increment Financing Redevelopment Plan ("Plan").

Field investigators employed by Economic Development Resources L.L.C. (EDR) conducted research of the Area and environs in order to ascertain the existence and prevalence of blighting factors in the Area. EDR was assisted by information obtained from the City and St. Clair County. Based upon these investigations, the eligibility requirements for tax increment financing, the determination of redevelopment needs within the City and the location of the various blighting factors found, the boundary of the Area was determined.

The boundary is delineated on **Exhibit A – Boundary Map**. This boundary encloses a portion of the City which meets the requirements for eligibility as a "Redevelopment project area" as found in the Act.

B. Program Requirements / Findings

The following findings are made with respect to establishing the Area.

1. The Area as a whole meets the statutory requirements as a "blighted area".
2. The Area exceeds the statutory minimum size of 1.5 acres.
3. The Area is contiguous and is contained within a single perimeter boundary.
4. All properties included in the Area will substantially benefit from being included in the Area.
5. The Area, in its entirety, is located within the City of Fairview Heights, Illinois.
6. The Plan conforms to the Comprehensive Plan for the development of the municipality as a whole.
7. The Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Plan.

SECTION IV

BASIS FOR FINDING AS A BLIGHTED AREA

A. Introduction

A Redevelopment Project Area, according to the Tax Increment Allocation Redevelopment Act (the “Act”; 65 ILCS 5/11-74.4-1 et. seq.), is that area designated by a municipality (City, City, or incorporated town) in which the finding is made that there exist conditions which cause the area to be classified as a “blighted area”, “conservation area”, combination of “blighted” and “conservation” areas, or an “industrial park conservation area”. The proposed Ludwig Drive Redevelopment Project Area (the “Area”) contains seven parcels within the City of Fairview Heights (the “City”). The location of this approximately 27.5 acre Area is illustrated on **Exhibit A - Boundary Map**. It is generally located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.).

The properties reviewed for this Plan have been found to meet the eligibility requirements as a “blighted area” as found in the Act. The criteria and the individual factors that were utilized in conducting the evaluation of the physical conditions in the Area are outlined below.

B. Statutory Qualifications

1. Eligibility of a Blighted Area

“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, if improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 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: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; environmental clean-up; lack of community planning, the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. If vacant, the sound

growth of the redevelopment project area is impaired by a combination of 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: 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; diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development; tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; 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; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. Or, 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: the area consists of one or more unused quarries, mines, or strip mine ponds; the area consists of unused rail yards, rail tracks, or railroad rights-of-way; 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 that 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; 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; prior to November 1, 1999, 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 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose; 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

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 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; lack of community planning; 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; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 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 3 of the last 5 calendar years for which information is available.

3. Eligibility of an Industrial Park Conservation Area

“Industrial park conservation area” means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1½ miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, various methods of research and field surveys were utilized. These included:

1. Contacts with individuals knowledgeable as to conditions and history of, and within, this portion of the City; age of buildings and site improvements; development patterns; real estate matters and related items. Existing information related to public utilities in this portion of the City was also reviewed, as was information regarding the City on file with St. Clair County, Caseyville Township and City of O'Fallon Water;
2. Research of the condition of site improvements, streets, utilities, etc. within the Area;
3. On-site field examination of the conditions within the Area by the staff of Economic Development Resources L.L.C. in conjunction with the City's Building Official;
4. Use of the definitions of the factors enumerated in Sections B. 1, 2, and 3, (above) found in 65 ILCS/5-11-74.4-3 et seq.;
5. Review of the findings and determinations established by the Illinois General Assembly in establishing tax increment financing. These include:
 - i. There exists in many Illinois municipalities blighted, conservation and industrial park conservation areas, as defined in the Act;
 - ii. The eradication of blighted areas and the treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects are essential to the public interest;
 - iii. In order to promote and protect the health, safety, morals and welfare of the public, blighted conditions need to be eradicated, conservation measures instituted, and redevelopment of such areas undertaken; and,
 - iv. To remove and alleviate adverse conditions, it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of redevelopment project areas.

To ensure that the exercise of these powers is proper and in the public interest, the Act also specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. To this end, the City has prepared an analysis of the eligibility of the Area for tax increment financing.

D. Analysis of Conditions in the Area

In making the determination of eligibility of the Area for tax increment financing, it is not required that each and every property or building in such an area be blighted or otherwise qualify. In this determination of eligibility, it is the area as a whole that must be determined to be eligible.

For an improved blighted area, five or more statutory “factors” must be 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 reasonably distributed throughout the improved part of the area. For a vacant blighted area, two or more statutory “factors” or one stand-alone “factor” must be 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 reasonably distributed throughout the vacant part of the area to which it pertains. For a conservation area, the area must be improved and 50% or more of the structures in the Area must be at least 35 years of age and three such factors must be present.

The findings, outlined below, demonstrate that the Area is a “blighted area” as defined in the Act.

E. Review of Qualifications of the Area

The Area is located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The Area consists of seven parcels (containing five buildings) on approximately 27.5 acres.

1. As a “Blighted Area”

An improved area may be found to be a “blighted area” because a combination of five or more of the following factors, (i) each of which 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) reasonably distributed throughout the improved part of such area. Such factors include:

- **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;

This factor was not found.

- **Obsolescence:**

The condition or process of falling into disuse. Structures have become ill-suited for the original use;

Obsolescence is evident at two buildings in the Area, impacting 54,666 square feet, or 24% of the total building square footage (see **Exhibit B – Vacancies**).

- Five spaces in the Gordman’s/Guitar Center building are vacant, including 67 Ludwig Dr. (40,588 sq. ft., which has been unoccupied since Sports Authority vacated in early 2014) and four in-line retail units (#57, 59, 61 and 73, 8,023 sq. ft., which became vacant between 2003 and 2010); and,
- One space in the Planet Fitness/Ginger Buffet building (#53-101, 6,055 sq. ft.) has been vacant since 2009.

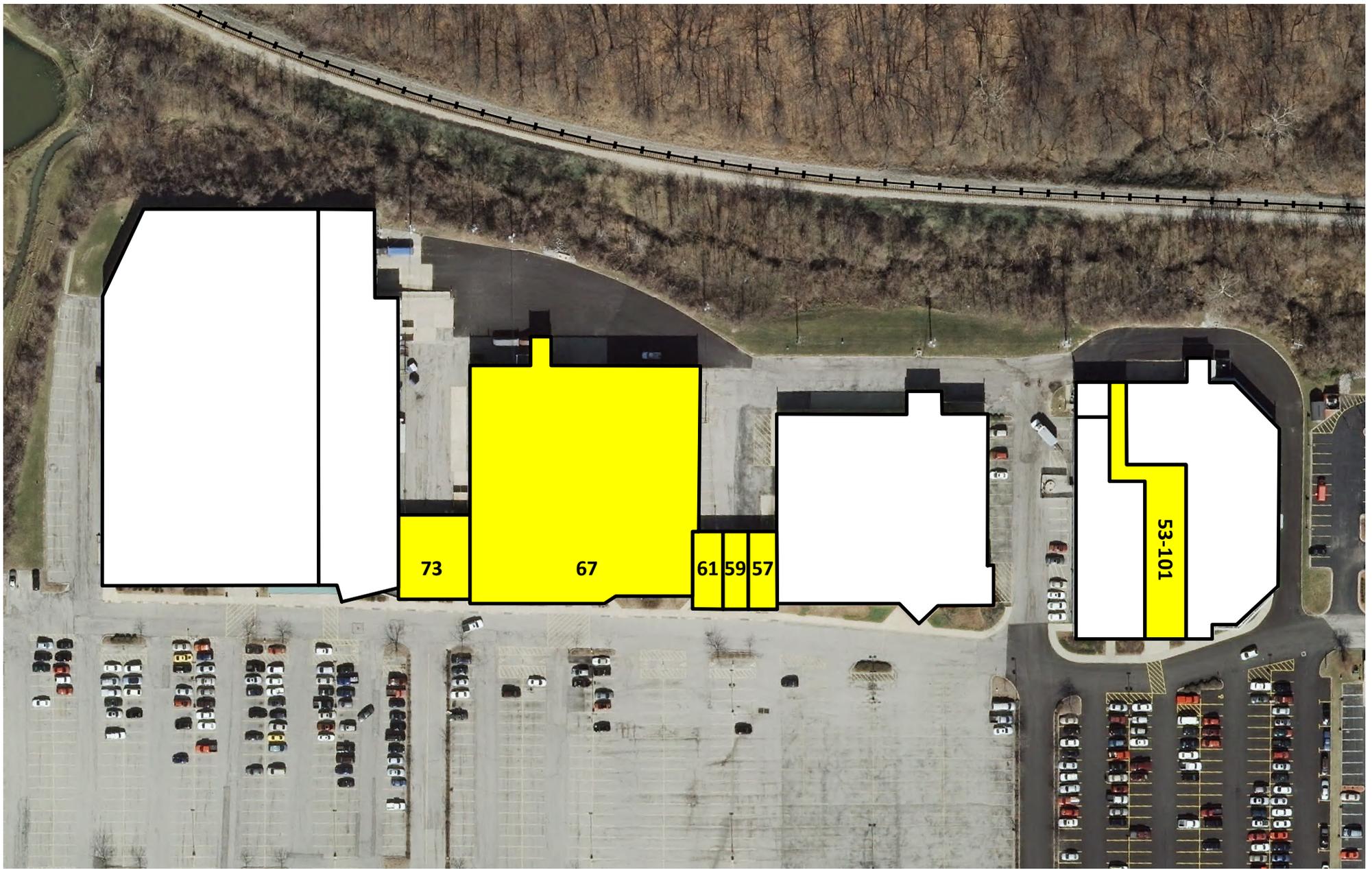
The retail space identified above is falling into disuse, as these spaces continue to remain unoccupied. The duration of time that such spaces have been unoccupied and unused (between two and 13 years) demonstrates that such spaces are ill-suited for their original use.

- **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;

The field survey of building and site conditions found that all five buildings (100%) in the Area had major defects in their secondary, and in some instances, their primary, building components. The field survey found instances of rotted, cracked, missing, broken, leaking and rusted gutters, downspouts, fascia, soffits, walls, windows and door frames. Examples of this condition include, but are not limited to:

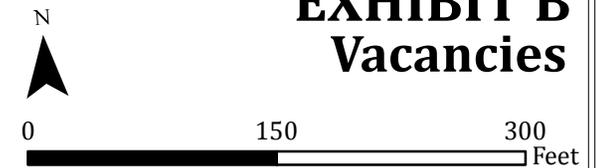
- the cinderblock exterior of the Sears Outlet store at 55 Ludwig Dr. is cracked, crumbling, settling and water damaged; loading bay doors and garage access doors are rusted, cracked, dented and discolored; metal framing around each garage door is rusted; metal elements below each loading bay door are rusted and water damaged; fabric padding surrounding each loading bay door is ripped, torn and dangling from the loading bay; the building exterior below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; downspouts are rusted, discolored and dented; two downspouts on the



Ludwig Drive Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

73	4,030 Sq Ft	59	1,473 Sq Ft
67	40,588 Sq Ft	57-101	1,473 Sq Ft
61	1,047 Sq Ft	53-101	6,055 Sq Ft



rear of the building are missing any runoff system, causing the storm water to drain directly onto the pavement, eroding the building foundation below; and electric utility boxes and piping on the rear of the building are rusted;

- the restaurant at 47 Ludwig Dr. has holes in the exterior of the building; the sign on the west side of the building is cracked and peeling; all of the awnings on the front façade of the building are ripped, with holes; and the attached garbage enclosure has a rusted and decaying metal gate;
- gutters on the St. Clair Cine building at 50 Ludwig Dr. are dented, rotted, moldy and water damaged; downspouts are dented and cracked; runoff drainage pipes are rusted throughout; the brick building exterior is cracked, settling, separating and water damaged; the protective sealant over the brick exterior is warped, bubbling and decaying; exterior stairwells are crumbling; the brick building foundation is cracked, crumbling and separating from the pavement; bricks around exterior access doors are cracked, crumbling and deteriorating, exposing rusted metal framing inside the brick; and metal access doors are rusted; and,
- downspouts and run-off systems on the multi-tenant commercial building at 57-101, 59, 61, 67, 73, 79 and 81 Ludwig Dr. are dented, damaged, molded and cracked, with holes; the building exterior behind each downspout is cracked, crumbling and rusted; there is water damage at the bottom of numerous downspouts, eroding the building foundation and pavement below; the building exterior is cracking, crumbling and settling, with holes; there is evidence of the building exterior settling and separating; façade design elements on the front of the building are rusted and decaying; the building exterior below each access door is cracked and discolored; metal panels above storefronts are rusted and unsecured; fabric surrounding loading bay doors in the rear of the building is ripped, torn and dangling; metal elements below each loading bay door are rusted and water damaged; the building exterior and foundation below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; utility posts and controls on the building exterior are rusted, dented and damaged; there is exposed wiring; and the interior walls and floor tiles of 73 Ludwig Dr. are visibly stripped, damaged and decaying.

Deterioration of site improvements is evident throughout the Area as shown in the surface cracking, crumbling, base failure, depressions and potholes in the concrete and/or asphalt of the parking lots, driveways and storage areas throughout the Area. Metal light standards and sign posts located in parking areas in the Area are visibly rusted and dented. Wood garbage enclosures are rotted and decaying, and metal privacy fences are rusted, dented and leaning.

- **Presence of Structures below Minimum Code:**

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;

Field research and discussions with City officials have shown that all five structures in the Area (100%) do not meet the standards of zoning, subdivision, building, fire and other governmental codes applicable to property. Examples of this condition include:

- the multi-tenant commercial building at 57-81 Ludwig Dr. has insufficient exit signage and emergency lighting, electrical panels blocked by store equipment and merchandise, antiquated key locks, missing braces on exterior gas lines, insufficient height for rear doors and walls, inadequate handicap accessibility in restrooms, lack of screening surrounding HVAC rooftop units, lack of electrical power in a stock room, exposed and incomplete wiring, non-compliant sprinkler system, expired fire extinguishers, and lack of sealed fire separation wall (each condition is a violation of codes adopted by the City, including the International Building Code (IBC) 2006, the International Fire Code (IFC) 2006, the National Electrical Code (NEC) 2011, the International Mechanical Code (IMC) 2006, and the Illinois Accessibility Code (IAC) Part 400);
- the multi-tenant commercial building at 49, 53-101 and 53-102 Ludwig Dr. has inadequate emergency lighting, blocked electrical panels, antiquated key locks, and plumbing and sewer gas leaks, each violating codes adopted by the City (NEC 2011, IBC 2006, and the Illinois Plumbing Code);
- the restaurant at 47 Ludwig Dr. has insufficient emergency lighting, inadequate lighting in the restrooms, blocked electrical panels (with insufficient clearance), inadequate handicap accessibility, is lacking screening surrounding HVAC rooftop units, lacking occupant load identification on front exit, improper access through kitchen to exterior dumpster enclosure, and locked dumpster enclosure gates (each condition is a violation of codes adopted by the City, including IBC 2006, NEC 2011 and IAC Part 400);
- the commercial building at 55 Ludwig Dr. has insufficient exit signage lighting and is lacking screening surrounding HVAC rooftop units, violating IBC 2006 and City Revised Code Section 14-3-35, respectively;
- the movie theater at 50 Ludwig Dr. does not meet disabled accessibility requirements, does not have regular and bi-level drinking fountains, has antiquated key locks and blocked electrical panels, is lacking screening surrounding HVAC rooftop units, and is missing protective barriers surrounding gas utilization equipment, each violating codes adopted by the City (City Development Code, IBC 2006, IMC 2006, Illinois Plumbing Code (IPC) Part 890 and IAC Part 400).

- **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;

This factor was not found.

- **Excessive Vacancies:**

The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

Six of the 11 in-line retail units in the Fairview Heights Plaza shopping center are completely vacant, including the former Sports Authority (#67 Ludwig Dr., closed in early 2014) and five smaller retail spaces (#53-101, 57-101, 69, 61, and 73 Ludwig Dr.), which closed between 2003 and 2010 and have not been, subsequent to their closure, re-tenanted. These six vacancies consist of 54,666 square feet (approximately 28% of the 197,000 square feet of building in Fairview Heights Plaza), See **Exhibit B - Vacancies**.

Further, field research and discussions with City officials showed that Ginger Buffet and Grill (#53-102 Ludwig Dr.) uses 6,300 square feet of the total available 8,300 square feet in the space, leaving 2,000 square feet (approximately one quarter of the square footage) in the rear of the space under-utilized (which has remained unused during the entire tenure of this store's occupancy).

Fairview Heights Plaza leasing agents have stated that the frequency, extent and duration of the unoccupied and under-utilized buildings in the Plaza represents an adverse influence on the overall appearance and operation of, and are disadvantageous to attracting new tenants to, not only the Plaza, but the entire Area. The consequence of these vacancies, including the lessened amount of patrons and foot traffic, as well as the significant portions of the parking field which are then unused, make the Plaza, and the entire Area, less appealing for potential customers as well.

Field research and discussions with City officials and representatives of Fairview Heights Plaza have shown that this percentage of vacancy results in a visible lack of investment in the property. The vacancies also, then, generate significantly less revenue for affected taxing districts and property owners, revenue which is required to maintain, and improve, the Area's buildings, site improvements and infrastructure.

In total, approximately 57,000 square feet of the total 234,000 square feet of building in the Area (24%) are either entirely unoccupied or under-utilized. As described above, this situation represents an adverse influence on the area because of the extent and duration of the vacancies.

- **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;

Field research identified inadequate sanitary facilities at one building in the Area, including three unenclosed garbage dumpsters, improper storage of industrial rock salt, and open dumping of miscellaneous debris (including wood pallets, plastic and paper food service products, cartons and soda bottles).

- **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;

Infrastructure information provided by City officials identified inadequate utilities throughout the Area, including:

- 6" Polyvinyl Chloride (PVC) water mains service the Planet Fitness/Ginger Buffet building (49-53 Ludwig Dr.); municipal development standards require at least an 8" PVC pipe, evidence that the size of this system is antiquated and obsolete;
- the water main that extends from Ludwig Dr. south across the St. Clair Cine (and parking lot) of 50 Ludwig Dr. from Interstate 64 is made of ductile iron; municipal development standards require the use of PVC pipe, demonstrating that the material of this system is antiquated and obsolete; and,
- pools of standing water and filled storm water drainage ditches were found throughout the Area, demonstrating inadequate storm drainage, Areas of such inadequate storm water drainage include parking lots and landscaped areas at 81 Ludwig Dr., 79 Ludwig Dr., and 55 Ludwig Dr., 50 Ludwig Dr., and 47 Ludwig Dr.

- **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;

Three buildings in the Area (60%) demonstrate excessive land coverage and overcrowding of structures and community facilities, including:

- The Sears Outlet building (55 Ludwig Dr.) and Gordman's/Guitar Center building (57-81 Ludwig Dr.) are attached, although located on two separate parcels. These buildings are improperly situated on their respective parcels as their positioning creates a situation in which access to the rear of the Gordman's/Guitar Center building is available only from the drive east of the abutting (Sear's Outlet) parcel; and this drive, then, must be used for loading and service for both buildings. In addition, the positioning of these buildings increases the threat of spread of fire for each due to their close proximity to one another; and,
- The Planet Fitness/Ginger Buffet building (49-53 Ludwig Dr.) is improperly situated on its parcel, resulting in inadequate provision for loading and service. On its western side, the building's positioning results in parking stalls and a utility enclosure being located within the area that would otherwise have been used to provide access to loading and service at the rear of the building. Consequently, access to the rear of this building (from the west) is only available by using the drive on the abutting, western, parcel. Access to the rear of the building (from the east) is provided by an 18-foot wide access drive located immediately to the east of the building. Only ten feet of this drive is located on the Planet Fitness/Ginger Buffet parcel (the City's Development Code requires that access ways to loading areas be least 12 feet in width), and the Planet Fitness emergency exit door and exit stairs protrude three feet into this drive; field research identified protective yellow bollards, parked cars and stationary truck trailers blocking this inadequate access way.

- **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;

This factor was not found.

- **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;

This factor was not found.

- **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.

Evidence demonstrating an absence of effective community planning includes development of, and in, the Area which has resulted in:

The improper situation of buildings on parcels, the close proximity of buildings in the Area to one another, and the lack of adequate access to the service and loading areas of buildings as required by the City's Development Code;

Active parking stalls and other areas used by vehicles at Fairview Heights Plaza which are separated from the Ludwig Dr. right-of-way by a landscape setback of less than 2.5 feet. The City's Development Code requires that "all vehicular use areas shall have a minimum ten (10) foot landscape setback from existing or proposed rights-of-way lines";

Lack of sidewalks on the north side of Ludwig Dr., from the main Fairview Heights Plaza driveway in front of Gordman's (81 Ludwig Dr.) to the west boundary of the Area (200 feet), and sidewalks on the remainder of the north side of Ludwig Dr. positioned immediately at the curb which do not have any buffer, or tree lawn, between the sidewalk and the active driving lanes. The City's Development Code requires that "sidewalks shall be separated from the curb by a planting strip between the curb and sidewalk";

Landscaped islands on the parking lot at Fairview Heights Plaza which are placed on every other parking aisle, with few landscaped islands within driving isles; as a result, significant portions of the parking field (and parking spaces) within the Area are located more than 50 feet from a tree, as required by the City's Development Code;

The Area being noticeably underserved by pedestrian amenities and safety measures. There are no crosswalks, stop signs, or other pedestrian safety measures anywhere on Ludwig Dr. within the Area, forcing pedestrians wishing to cross Ludwig Dr. (either to access neighboring amenities, or utilize available sidewalks on the south side of Ludwig Dr.) to do so at undesignated locations in the midst of oncoming traffic;

No sidewalks linking the in-line retailing at the Fairview Heights Plaza to neighboring businesses, forcing patrons wishing to access these businesses to either drive or walk across parking lots in active driving lanes; the City's Development Code states that "pedestrian access between developments and in parking lots is required";

Noticeable portions of the Area that pedestrians and vehicles use on a daily basis which had little, or no, measurable light (as identified by measuring the light levels throughout the Area), including active walkways, and off-street parking and loading areas which have levels of illumination below that recommended by the Illuminating Engineering Society of North America (IESNA), and required by the City's Development Code.

- **Lack of Growth in Equalized Assessed Value:**

The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated;

Table 1 – Change in Equalized Assessed Value (2009 – 2014) shows that the total equalized assessed value of the Area has declined for 3 of the last 5 calendar years, is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years and 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 for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

TABLE 1
CHANGE IN EQUALIZED ASSESSED VALUE
(2009-2014)

Time Frame	Area	Remainder of the City	Consumer Price Index (CPI)
Between 2009 and 2010	-18.55%	-2.10%	1.64%
Between 2010 and 2011	-1.11%	-1.41%	3.16%
Between 2011 and 2012	-3.59%	-3.52%	2.07%
Between 2012 and 2013	-2.22%	-2.50%	1.46%
Between 2013 and 2014	-14.46%	-1.98%	1.62%

Note: **BOLD** represents the Time Frame where the equalized assessed value has either declined for 3 of the last 5 calendar years, is increasing at an annual rate less than the balance of the City or is increasing at an annual rate that is less than the CPI.

Sources:

- St. Clair County Treasurer
- St. Clair County Clerk
- United States Bureau of Labor Statistics

SECTION V

SUMMARY

The Area is eligible as a “blighted area” due to the fact that the industrial, commercial and residential buildings or improvements are detrimental to the public safety, health or welfare because of the combination of nine blighting factors (obsolescence; deterioration; structures below minimum code; excessive vacancies; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; lack of community planning; lack of growth in equalized assessed value), seven of which (deterioration; structures below minimum code; excessive vacancies; inadequate utilities; excessive land coverage; lack of community planning; and lack of growth in equalized assessed value) are present to a meaningful extent, clearly present within the intent of the Act and reasonably distributed throughout the improved part of the Area.

SECTION VI

FINDINGS OF NEED FOR TAX INCREMENT FINANCING

The Area, as a whole, is a blighted area. The Act requires that no redevelopment plan shall be adopted without meeting additional requirements, viz:

A. Area, on the Whole, not Subject to Growth and Development Through Investment by Private Enterprise

The City finds that the Area, on the whole, has not been subject to growth and development through investment by private enterprise. Building permits issued by the City and information provided by the St. Clair County Assessor's office show that no new buildings have been constructed in the Area in the last 24 years, and one parcel remains completely undeveloped. The buildings which are extant are excessively vacant, and these buildings, and the surface improvements in the Area, have deteriorated. Further, data provided by the St. Clair County Assessor's office shows that the total equalized assessed value of the Area has declined by 35.2% over the last five years. Such a situation demonstrates that the Area, on the whole, has not been subject to growth and development through investment by private enterprise.

B. Conformance with the City's Comprehensive Plan

The City finds that the Plan conforms to the comprehensive plan for the development of the municipality as a whole.

The *City of Fairview Heights, 2012 Comprehensive Plan*, identifies the land use within the Area as "Regional Commercial".

C. Estimated Dates for Completion of the Redevelopment Project

The estimated date for the completion of the Redevelopment Project shall be no later than December 31 of the year in which payment to the municipal treasurer is made for the ad-valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted by the City.

D. Would Not Reasonably be Anticipated to be Developed Without the Adoption of the Redevelopment Plan

The Area is significantly and negatively impacted by the blighting factors discussed in this Plan, conditions which militate against the Area's development and redevelopment.

The Area is accessed directly from State Route 159 (the City's primary retail corridor), fronts on Interstate 64 and is located at the northwest quadrant of one of the busiest interstate interchanges in the Metro East. Despite these locational advantages, vacant buildings,

deteriorating structures, surface improvements and infrastructure, and a still undeveloped parcel are quite evident in the Area. Representatives of property owners in the Area have stated that, in particular, the vacancies and deteriorating condition of the buildings and site improvements make it difficult to attract new tenants and new businesses to the Area.

Because of this situation, without the adoption of this Plan, and the subsequent use of tax increment financing to overcome the costs of both development and redevelopment within the Area – including, but not limited to, costs associated with: site preparation; repair and rehabilitation of existing buildings, structures and site improvements; and extending and upgrading public infrastructure – the Area would not reasonably be anticipated to be developed.

SECTION VII

REDEVELOPMENT PLAN

A. Introduction

This section presents the Redevelopment Plan for the Area. Pursuant to the Act, when the finding is made that an area qualifies as either conservation, blighted, a combination of conservation and blighted areas, or industrial park conservation area, a redevelopment plan may 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 Use Plan

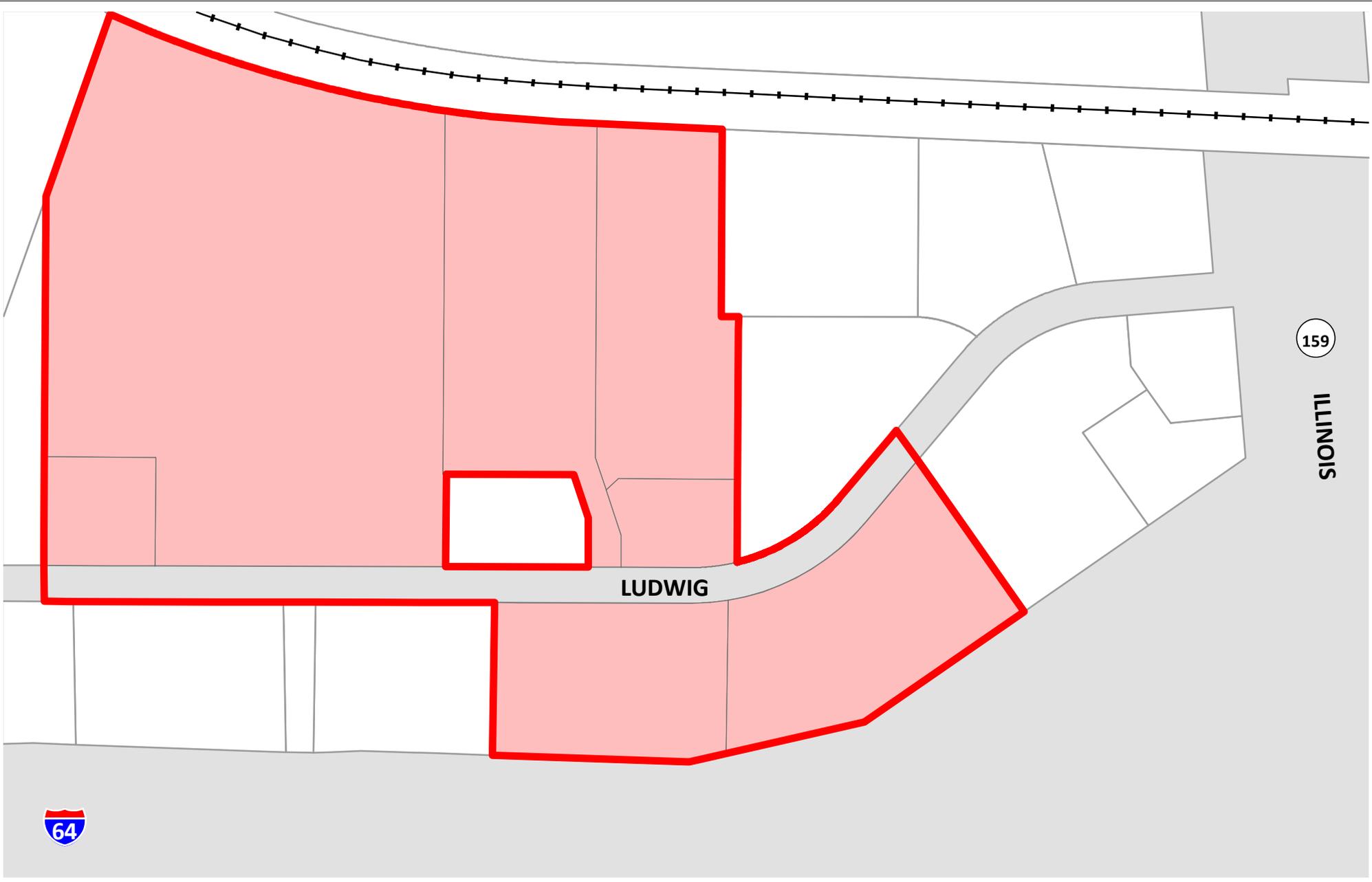
The proposed General Land Use plan for the Area is presented as **Exhibit C - General Land Use**. This General Land Use plan identifies all parcels in the Area as “Regional Commercial”.

All redevelopment projects will be subject to the provisions of the City of Fairview Heights’s ordinances and other applicable codes as may be in existence, and may be amended or modified from time-to-time.

C. Objectives

The Objectives of the Redevelopment Plan are to:

1. Reduce or eliminate those conditions which qualify the Area as eligible for tax increment financing;
2. Prevent the recurrence of blighting conditions;
3. Enhance the real estate tax base for the City and all other taxing districts which extend into the Area;
4. Facilitate the implementation of public sector plans and projects within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Address the impact of the Plan’s Redevelopment Projects on the underlying taxing districts; and,



Ludwig Drive Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

-  Area Boundary
-  Commercial

EXHIBIT C
General Land Use

0 250 500
 Feet

6. Encourage and assist private investment and development within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*, and this Plan.

D. Program for Accomplishing the Objective

In order to accomplish the Objectives, the City will:

1. Use TIF-derived revenues to assist the implementation of the public and private projects and activities envisioned in this Plan;
2. Use TIF-derived revenues to address site development issues, including but not limited to site preparation and storm water control;
3. Use TIF-derived revenues to mitigate the “capital costs” incurred or to be incurred by the underlying taxing districts, if any;
4. Utilize City staff and consultants to undertake those actions necessary to accomplish the specific public-side activities outlined in Objectives #7, 10 and 13 of Commercial Areas in the Goals and Objectives Section of the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Provide financial assistance, as permitted by the Act, to encourage private developers to complete those certain private actions and activities as outlined in this Plan;
6. Monitor the public and private actions and activities occurring within the Area; and,
7. Complete the specified actions and activities in an expeditious manner, striving to minimize the length of the “life” of the TIF area.

This Program may be amended from time to time as determined by the City.

E. Redevelopment Projects

To achieve the Objectives proposed in the Plan, a number of redevelopment projects will need to be undertaken. An essential element of the Plan is a combination of private developments, as well as public investments and infrastructure improvements. Such actions and activities may include, but are not restricted to, the following:

1. Private Redevelopment Projects:

The private projects that are proposed for the Area are intended to develop new uses and rehabilitate existing uses and may include, but are not limited to:

- a. property assembly, including land acquisition for development and redevelopment efforts;
- b. site preparation, including demolition, clearance and grading, and underground coal mine remediation;
- c. the development of commercial activities which conform to those outlined in the City's Comprehensive Plan;
- d. the rehabilitation and reconstruction of existing buildings, structures and site improvements;
- e. increased safety lighting; and,
- f. extension of private utilities and other private infrastructure (including fiber optics) to parts of the Area not currently served.

2. Public Redevelopment Projects:

Public projects are intended to be used to induce and complement private investment. These improvements may include, but are not limited to:

- a. studies, surveys, development of plans and other professional services;
- b. marketing of specific sites within the Area to prospective businesses, developers and investors;
- c. property assembly, including land acquisition for public infrastructure and easements;
- d. extension of City utilities and other City infrastructure to parts of the Area not currently served, including storm water sewers, detention facilities, sidewalks, crosswalks, trails, traffic control signage, pavement markings, street lighting and the like; and,
- e. improvements to City utilities and other City infrastructure now serving the Area, including sanitary sewer lines, manholes and lift stations, storm water sewers and detention areas, and water mains and hydrants, and improvements to roadways and intersections (roads, curbs, gutters, curb cuts, signalization and turn lanes).

F. Assessment of Financial Impact

The Act requires an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such impact.

The General Land Use Plan shown in **Exhibit C** provides for commercial activities within the Area. As such, the land uses anticipated in the Area will not result in any residential development or redevelopment. The projects within the Area will not create any new residences, thus limiting the financial impact on the school and library districts. Further, the City will work with any affected taxing district to use TIF revenues to pay for all or a portion of such district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within such taxing district in furtherance of the objectives of the Plan and redevelopment project.

The re-tenanting of vacant spaces and the rehabilitation of deteriorated buildings and site improvements that will occur as a result of the redevelopment projects within the Area will likely make the Area less attractive for vandals, and will lessen the need for emergency services to be provided by the City and Fairview Caseyville Township Fire District.

Exhibit D - Estimated Redevelopment Project Costs, summarizes the use of TIF revenues to help address the costs for public improvements, property assembly, marketing and administration, and similar costs. Future incremental TIF revenues are proposed for use as a resource for to pay for such costs.

Upon the expiration of the Area, all taxing bodies will benefit from the increase in EAV anticipated within the Area. As this Plan provides for funds to be utilized to pay for defined redevelopment project costs which will assist and induce new private development within the Area, the City anticipates that such investment may result in new, private development occurring in proximity to the Area. The City will closely monitor its TIF program to determine if surplus funds are available for distribution to all taxing districts as identified in the Act.

The Act requires a housing impact study to be performed if the redevelopment project area contains 75 or more inhabited residential units, or if the redevelopment plan would result in the displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed as neither of these thresholds will be met.

EXHIBIT D

Estimated Redevelopment Project Costs

<u>Description</u>	<u>Estimated Costs</u>
Cost of studies, surveys, development of plans and specifications, implementation and administration of the redevelopment plan.	\$150,000
The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.	\$50,000
Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements and the clearing and grading of land.	\$1,100,000
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.	\$1,000,000
Costs of the construction of public works or improvements, including but not limited to public rights-of-way, trails, signalization, extension and relocation of public utilities and other public infrastructure, streetscape improvements, and sidewalk construction and replacement.	\$3,200,000
Taxing districts' capital costs.	\$1,000,000
<u>Total Estimated Budget</u>	\$6,500,000

Note:

Expenditures in individual categories may differ from those shown above; however the total amount of the Estimated Redevelopment Project Costs will not exceed \$6,500,000 plus any additional increase in this figure permitted in the Act for any school district's, or public library district's increased costs attributable to housing assisted by tax increment financing, and for any interest or other financing costs as may be required.

SECTION VIII

IMPLEMENTATION STRATEGY

The development and follow through of a well-devised implementation strategy is a key element in the success of the Plan. In order to maximize program efficiency, and with full consideration of available funds, a phased implementation strategy will be employed. A combination of private investments and public improvements is an essential element of the Plan.

The City of Fairview Heights anticipates the following actions as its Implementation Strategy:

- Adopt the Plan;
- Negotiate Redevelopment Agreements with private parties to provide TIF revenues for eligible redevelopment project costs, in order to create development consistent with the general land uses shown in this Plan and the City's Comprehensive Plan; and,
- Provide public infrastructure and other public redevelopment projects to induce and complement private development and redevelopment projects.

A. Estimated Redevelopment Project Costs

The City may include as redevelopment project costs, all reasonable costs incurred, or estimated to be incurred, and any costs that are incidental to the redevelopment projects and the Plan as permitted by the statute.

Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan.

Such costs shall include, but not be limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services.

2. Costs of marketing sites within the redevelopment project area to prospective businesses, developers and investors.

3. Property assembly costs.

Such costs shall include, but not be limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparations, site improvements that serve as an engineered barrier addressing ground

level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land.

4. Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements.

Such costs shall also include 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.

5. Costs of the construction of public works or improvements.

Such 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.

6. Cost of job training and retraining projects.

Such costs shall include the cost of “welfare to work” programs implemented by businesses located within the redevelopment project area.

7. Financing costs.

Such costs shall include, but not be limited to, all necessary and incidental expenses related to the issuance of obligations 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 36 months thereafter, and including reasonable reserves related thereto.

8. To the extent the municipality by written agreement 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.

9. An elementary, secondary, or unit school district’s increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those 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 improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

10. A public library district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those 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 improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

11. Relocation costs.

To the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law.

12. Payment in lieu of taxes.

13. Costs of job training, retraining, advanced vocational education or career education.

Such costs shall include, but not be 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 (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program 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 type of positions available or to be available, itemized costs of the program and sources of funds to pay for same, and the term of the agreement.

14. Interest cost 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 insufficient funds are 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 (1) cost paid or incurred by the developer 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 are modified for the financing of rehabilitated 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 for these situations.
 - f. The municipality may pay from tax increment revenues up to 50% of the cost 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. The cost of the construction of those units may be derived from the proceeds of bonds issued by the municipality.
- 15. Unless explicitly stated within the Act, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.**
- 16. None of the redevelopment project costs enumerated above shall be eligible redevelopment 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.**

The cost estimate associated with the redevelopment activities to be funded from available revenues of the City as described in **D.**, below, is presented in **Exhibit D - Estimated Redevelopment Project Costs**. The estimate includes reasonable and necessary costs incurred or estimated to be incurred during the implementation of the 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 the tax increment financing revenues which will be applied to any interest or other financing costs which are eligible to be funded under the Act. As such, debt service and expenses associated with issuance of bonds or other obligations are in addition to costs stated above.

B. Most Recent Equalized Assessed Valuation

The most recent equalized assessed valuation for the Redevelopment Project Area is \$4,238,762, as provided by the St. Clair County Treasurer's Office.

C. Redevelopment Valuation

Contingent upon the adoption of this Tax Increment Financing Redevelopment Plan and commitment by the City to the TIF program, it is anticipated that several private developments and/or improvements may occur within the Area.

The private redevelopment investment in this Redevelopment Project Area is expected to increase the equalized assessed valuation (EAV) to approximately \$9,000,000. Following completion of the private redevelopment projects, total EAV is anticipated to increase by approximately \$4,500,000.

D. Source of Funds

The primary source of funds to pay for redevelopment project costs associated with implementing the Plan will be funds collected pursuant to tax increment allocation financing to be adopted by the City. Under such financing, tax increment revenue (in the form of increases in the EAV of property, in the Area) will be allocated to a special fund (the “Special Tax Allocation Fund”, or the “Fund”). The assets of the Fund will be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite the implementation of the Plan and construction of the public improvements, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund.

If available, revenues from other funding sources will be utilized within the Area. These may include municipal, state and federal programs and revenues from any other tax increment financing area in the City which may, pursuant to the Act, provide such revenues to the Area. In turn, the Area may also provide TIF-generated revenues to other tax increment financing areas in the City as well.

E. Nature and Term of Obligation

In order to expedite the implementation of the Plan, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund. Such obligations may take the form of any loan instruments authorized by the Act.

Such loans or obligations may be issued pursuant to this Plan, for a term not to exceed 20 years, bearing an annual interest rate as permitted by law. The City anticipates that notes, bonds or similar obligations may be issued and secured by resources in the Fund to fund eligible redevelopment project costs.

Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the obligations, and not identified for other redevelopment project costs or early retirement of such obligations, may be declared as surplus and become available for distribution annually to the taxing bodies to the extent that this distribution of surplus does not impair the financial feasibility of the redevelopment projects.

F. Completion of Redevelopment Project and Retirement of Obligations

The date for the completion of the Plan and retirement of obligations issued to finance redevelopment project costs is no later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of the Act, is to be made with respect to the ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area is adopted by the City.

G. Employment Practices, Affirmative Action and Wages

The City will ensure that any recipient of tax increment financing assistance will construct all private and public development and redevelopment projects in accordance with all fair employment practices, affirmative action and prevailing wage requirements, as provided for by the Act and applicable state law.

H. Certification

The City hereby certifies that the Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan will not result in displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed since the Act requires a housing impact study only if residents from ten (10) or more inhabited residential units are displaced or if the redevelopment project area contains 75 or more inhabited residential units.

SECTION IX

AMENDING THE TIF PLAN

The Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan may be amended in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et. seq.

SECTION X

REPORTING AND MEETING

The City shall adhere to all reporting and meeting requirements as provided for in the Act.

APPENDIX 1

Legal Description

Legal Description

To be provided by the City.



Economic Development Resources
200 South Hanley Road
Suite #601
St. Louis, Missouri 63105

STATE ROUTE 159 NORTH
Redevelopment Project Area
Tax Increment Financing (TIF)

REDEVELOPMENT PLAN

City of Fairview Heights, Illinois

March 24, 2016



Economic Development Resources
St. Louis, Missouri

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SECTION I

INTRODUCTION

The proposed State Route 159 North Redevelopment Project Area (the “Area”) contains one vacant parcel, and abutting right-of-way, within the City of Fairview Heights (the “City”). The location of this approximately 81 acre Area is illustrated on **Exhibit A - Boundary Map**. It is positioned west of Illinois Route 159 (N. Illinois St.), north of the CSX Transportation rail line. The legal description of the Area is attached in **Appendix 1**.

The purpose of this Redevelopment Plan is to provide a document which can be used to catalogue the eligibility for tax increment financing of the portion of the City selected to be included in the Area, to provide a plan of actions and activities to address the conditions found in this portion of the City, and to assist in the development and redevelopment of the Area in conformance with the City’s Comprehensive Plan. This Redevelopment Plan also identifies those activities, sources of funds, procedures and various other necessary requirements in order to implement tax increment financing.

The redevelopment projects in the Area that are anticipated include both public and private activities. Private projects may include, but are not limited to: land acquisition and property assembly; site preparation (including demolition, clearance and grading); and the development of commercial uses. Public projects that are anticipated for the Area are expected to include, but are not limited to: studies, surveys and professional services; construction and upgrading of public works or improvements; and the marketing of specific sites within the Area to prospective businesses, developers and investors.



State Route 159 North Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

EDR
Economic Development Resources

-  Municipal Boundary
-  Area Boundary



EXHIBIT A
Boundary Map

0 250 500
Feet

SECTION II

STATUTORY BASIS FOR TAX INCREMENT FINANCING

Tax increment financing was created by the Tax Increment Allocation Redevelopment Act (the "Act"). The Act is found at 65 ILCS 5.11-74.4-1 et seq.

Tax increment financing is a technique intended to be used by municipalities to address and eradicate problems which cause areas to qualify, as "blighted", "conservation", or "industrial park conservation" areas, and to carry out redevelopment projects which serve this end.

The concept behind the tax increment financing law is relatively straightforward and allows a municipality to perform redevelopment activities on a locally controlled basis. Redevelopment which occurs in a designated redevelopment project area will increase the equalized assessed valuation of the property and, thus, generate increased 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 and the construction of public infrastructure.

The Illinois General Assembly made various findings in adopting the Act. Among them were:

- That there exists in many municipalities within the State blighted, conservation, and industrial park conservation areas; and
- 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 in developed areas, the presence of blight, and/or conditions which lead to blight, are detrimental to the safety, health, welfare and morals of the public, and in vacant areas, impair the sound growth of the taxing districts.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements which must be met before a municipality can proceed with implementing a redevelopment project. One of these requirements is that the municipality must demonstrate that a redevelopment project area qualifies as eligible for tax increment financing; such an area may be determined to be a "blighted area", "conservation area" or an "industrial park conservation area". The Act provides an enumeration of the factors which qualify an area as eligible for the "blight", "conservation", or "industrial park conservation" designation, as well as detailed descriptions of these factors.

Under the Act, powers extended to the municipality in creating a redevelopment project area include, but are not necessarily limited to, the following:

- To approve redevelopment plans and redevelopment projects, and designate redevelopment project areas, pursuant to notice and hearing required by the Act;
- To make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project;
- Within a redevelopment project area:
 - acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project;
 - clear any area by demolition or removal of any existing buildings and structures;
 - renovate or rehabilitate or construct any structure or building;
 - acquire and construct public facilities;
 - fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;
- Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;
- Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement;
- Make payment in lieu of taxes or a portion thereof to taxing districts; and,
- Exercise any and all other powers necessary to effectuate the purposes of the Act.

SECTION III

STATE ROUTE 159 NORTH REDEVELOPMENT PROJECT AREA

A. Boundary Delineation

There are a number of factors that were taken into consideration in determining the boundary of the Area. Established planning guidelines and standards, as described herein, have been followed in the delineation of the Area's boundary, as well as in the preparation of the State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan ("Plan").

Field investigators employed by Economic Development Resources L.L.C. (EDR) conducted research of the Area and environs in order to ascertain the existence and prevalence of blighting factors in the Area. EDR was assisted by information obtained from the City and St. Clair County. Based upon these investigations, the eligibility requirements for tax increment financing, the determination of redevelopment needs within the City and the location of the various blighting factors found, the boundary of the Area was determined.

The boundary is delineated on **Exhibit A - Boundary Map**. This boundary encloses a portion of the City which meets the requirements for eligibility as a "Redevelopment project area" as found in the Act.

B. Program Requirements / Findings

The following findings are made with respect to establishing the Area.

1. The Area as a whole meets the statutory requirements as a "blighted area".
2. The Area exceeds the statutory minimum size of 1.5 acres.
3. The Area is contiguous and is contained within a single perimeter boundary.
4. All properties included in the Area will substantially benefit from being included in the Area.
5. The Area, in its entirety, is located within the City of Fairview Heights, Illinois.
6. The Plan conforms to the Comprehensive Plan for the development of the municipality as a whole.
7. The Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Plan.

SECTION IV

BASIS FOR FINDING AS A BLIGHTED AREA

A. Introduction

A Redevelopment Project Area, according to the Tax Increment Allocation Redevelopment Act (the “Act”; 65 ILCS 5/11-74.4-1 et. seq.), is that area designated by a municipality (City, City, or incorporated town) in which the finding is made that there exist conditions which cause the area to be classified as a “blighted area”, “conservation area”, combination of “blighted” and “conservation” areas, or an “industrial park conservation area”. The proposed State Route 159 North Redevelopment Project Area (the “Area”) contains one parcel within the City of Fairview Heights (the “City”). The location of this approximately 81 acre Area is illustrated on **Exhibit A - Boundary Map**. The Area is positioned west of Illinois Route 159 (N. Illinois St.), north of the CSX Transportation rail line.

The property reviewed for this Plan has been found to meet the eligibility requirements as a “blighted area” as found in the Act. The criteria and the individual factors that were utilized in conducting the evaluation of the physical conditions in the Area are outlined below.

B. Statutory Qualifications

1. Eligibility of a Blighted Area

“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, if improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 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: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; environmental clean-up; lack of community planning, the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. If vacant, the sound

growth of the redevelopment project area is impaired by a combination of 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: 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; diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development; tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; 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; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. Or, 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: the area consists of one or more unused quarries, mines, or strip mine ponds; the area consists of unused rail yards, rail tracks, or railroad rights-of-way; 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 that 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; 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; prior to November 1, 1999, 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 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose; 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

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 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; lack of community planning; 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; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 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 3 of the last 5 calendar years for which information is available.

3. Eligibility of an Industrial Park Conservation Area

“Industrial park conservation area” means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1½ miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, various methods of research and field surveys were utilized. These included:

1. Contacts with individuals knowledgeable as to conditions and history of, and within, this portion of the City; age of buildings and site improvements; development patterns; real estate matters and related items. Existing information related to public utilities in this portion of the City was also reviewed, as was information regarding the City on file with St. Clair County, Caseyville Township, City of O'Fallon Water and Ameren Illinois;
2. Research of the condition of site improvements, streets, utilities, etc. within the Area;
3. On-site field examination of the conditions within the Area by the staff of Economic Development Resources L.L.C.;
4. Use of the definitions of the factors enumerated in Sections B. 1, 2, and 3, (above) found in 65 ILCS/5-11-74.4-3 et seq.;
5. Review of the findings and determinations established by the Illinois General Assembly in establishing tax increment financing. These include:
 - i. There exists in many Illinois municipalities, blighted, conservation and industrial park conservation areas, as defined in the Act;
 - ii. The eradication of blighted areas and the treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects are essential to the public interest;
 - iii. In order to promote and protect the health, safety, morals and welfare of the public, blighted conditions need to be eradicated, conservation measures instituted, and redevelopment of such areas undertaken; and,
 - iv. To remove and alleviate adverse conditions, it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of redevelopment project areas.

To ensure that the exercise of these powers is proper and in the public interest, the Act also specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. To this end, the City has prepared an analysis of the eligibility of the Area for tax increment financing.

D. Analysis of Conditions in the Area

In making the determination of eligibility of the Area for tax increment financing, it is not required that each and every property or building in such an area be blighted or otherwise qualify. In this determination of eligibility, it is the area as a whole that must be determined to be eligible.

For an improved blighted area, five or more statutory “factors” must be 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 reasonably distributed throughout the improved part of the area. For a vacant blighted area, two or more statutory “factors” or one stand-alone “factor” must be 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 reasonably distributed throughout the vacant part of the area to which it pertains. For a conservation area, the area must be improved and 50% or more of the structures in the Area must be at least 35 years of age and three such factors must be present.

The findings, outlined below, demonstrate that the Area is a “blighted area” as defined in the Act.

E. Review of Qualifications of the Area

1. Determination of “Vacancy”

Undeveloped property must first be found to be “vacant land” in order to be eligible for tax increment financing. “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; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. Under the Act, and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality. Once found to be “vacant land”, such property may be found to be a “blighted area” on the basis of those factors and conditions described previously.

The Area is without industrial, commercial, and residential buildings, and City officials have determined that the parcel has been subdivided; therefore the parcel meets the definition of “vacant land”.

2. Determination of Blight

Once determined to be “vacant land”, an area may qualify as a “blighted area” if 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. Such factors include:

- **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.**

This factor was not found.

- **Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.**

This factor was not found.

- **Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.**

This factor was not found.

- **Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.**

If structures or site improvements in neighboring areas adjacent to the vacant land are found to be deteriorated (within the guidelines otherwise set forth for deterioration of a blighted area or conservation area), this factor may be found to be present.

Field survey of building and site conditions found structures and site improvements adjacent to the vacant land that had major defects in their secondary, and in some instances, their primary, building components. The field survey found instances of rotted, cracked, missing, broken and rusted gutters, downspouts, fascia, soffits, walls, windows and door frames. Examples of this condition include, but are not limited to, those enumerated below:

- The cinderblock exterior of the Sears Outlet store at 55 Ludwig Dr. is cracked, crumbling, settling and water damaged; loading bay doors and garage access doors are rusted, cracked, dented and discolored; metal framing around each garage door is rusted; metal elements below each loading bay door are rusted and water damaged; fabric padding surrounding each loading bay door is ripped, torn and dangling from the loading bay; the building exterior below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; downspouts are rusted, discolored and dented; two downspouts on the rear of the building are missing any runoff system, causing the storm water to drain directly onto the pavement, eroding the building foundation below; and electric utility boxes and piping on the rear of the building are rusted;
- The exterior of the standalone garage structure at 1235 Milburn School Rd. is rotted, cracked and peeling; the garage door is rotted and cracked; the wooden deck on the back of the structure is rotted; and exterior wooden boards are coming loose;
- The garages and storage sheds at 314 N. Ruby Ln. are rusted, dented, cracked and crumbling; the roofs have completely collapsed; there are holes in the exterior walls; asbestos siding is cracked and broken; there are broken windows; and the exterior walls are leaning;
- The exterior of the residence at 214 N. Ruby Ln. is cracked and crumbling; the chimney is missing its cap and is leaning; gutters are hanging from the roof line; the front façade is rusted and water damaged; the building foundation is cracked; there is a hole in the front porch; and the front stairs are cracked and crumbling; and,
- Gutters on the St. Clair Cine building at 50 Ludwig Dr. are dented, rotted, moldy and water damaged; downspouts are dented and cracked; runoff drainage pipes are rusted throughout; the brick building exterior is cracked, settling, separating and water damaged; the protective sealant over the brick exterior is warped, bubbling and decaying; exterior stairwells are crumbling; the brick building foundation is cracked, crumbling and separating from the pavement; bricks around exterior access doors are cracked, crumbling and deteriorating, exposing rusted metal framing inside the brick; and metal access doors are rusted.

Deterioration in site improvements adjacent to the vacant land are shown in the surface cracking, crumbling, depressions and potholes in the concrete and/or gravel of the parking lots, driveways, storage areas (some with protruding weeds and grass and pools of standing water) of 81 Ludwig Dr., 49 Ludwig Dr., 47 Ludwig Dr., 212 N. Ruby Ln., 1342 Milburn School Rd., and 130 Ludwig Dr., and in the public rights-of-way of Ludwig Dr., N. Ruby Ln., Milburn School Rd., and State Route 159.

- **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.**

This factor was not found.

- **The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 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 3 of the last 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 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.**

Table 1 – Change in Equalized Assessed Value (2009 – 2014) shows that the total equalized assessed value of the Area has declined for 3 of the last 5 calendar years and 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 for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

3. Determination of “Stand Alone” Factors

Such vacant land may also be found to be “blighted” if 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 such area to which it pertains. Such factors include:

- **The area consists of one or more unused quarries, mines, or strip mine ponds;**

Information provided by the Illinois State Geological Survey (ISGS) and the Department of Natural Resources (DNR) reveals that coal mining was conducted beneath the proposed Area more than 45 years, beginning in 1888 and ending in 1935.

The *Directory of Coal Mines in Illinois 7.5-Minute Quadrangle Series O’Fallon Quadrangle St. Clair County*, prepared by ISGS, reports that the Consumer’s Coal Co. and its successors (up to and including Howard E. Miller Co.) removed over 1.2 million tons of coal from beneath Area and adjoining properties. More than 90% of the Area is underlain by this unused mine. Virtually the entirety of the Area is at risk due to the fact that subsidence can occur beyond the area actually mined. See **Exhibit B – Ruby Mine**.

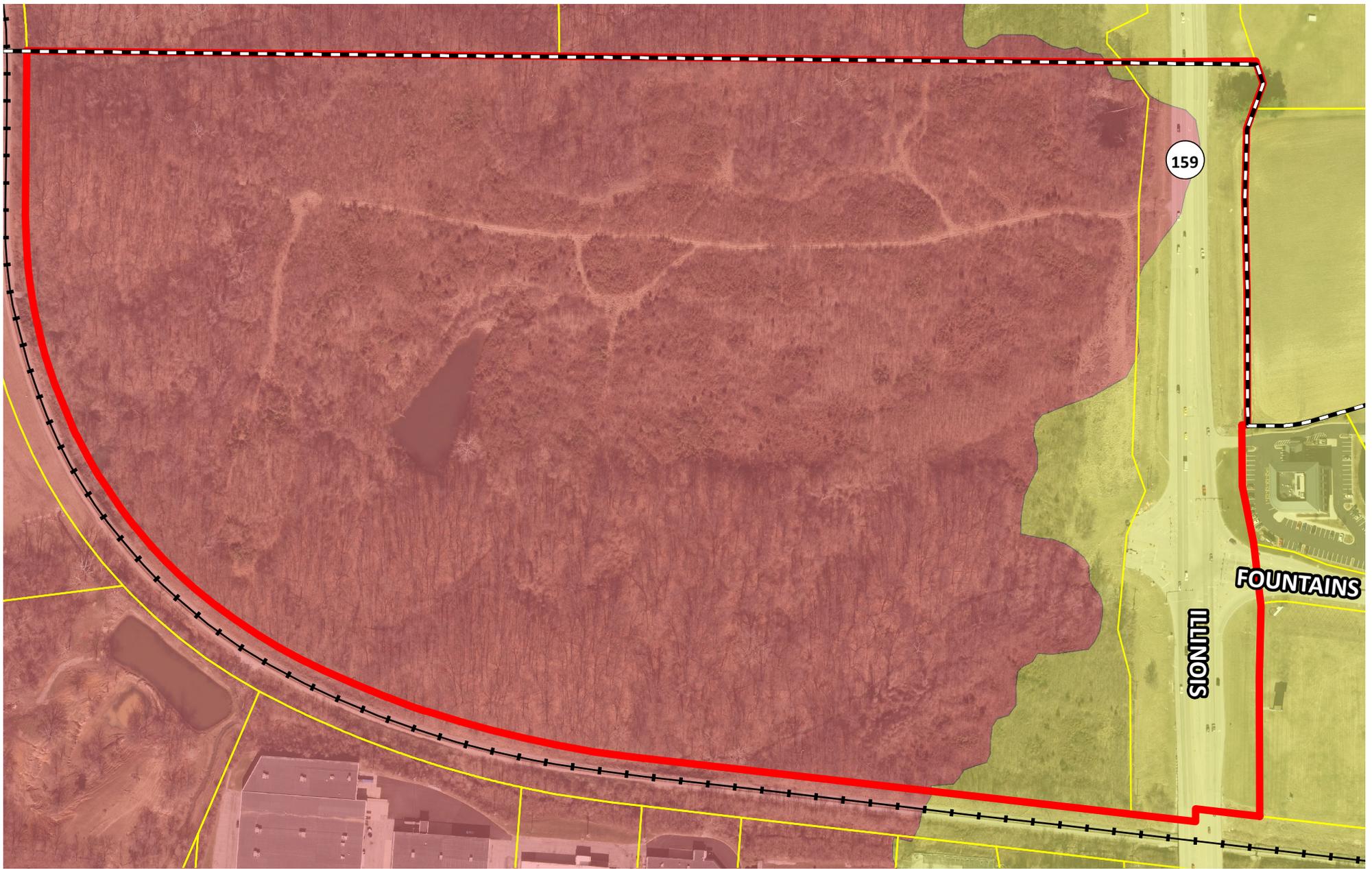
TABLE 1
CHANGE IN EQUALIZED ASSESSED VALUE
(2009-2014)

Time Frame	Area	Consumer Price Index (CPI)
Between 2009 and 2010	0.00%	1.64%
Between 2010 and 2011	-1.11%	3.16%
Between 2011 and 2012	-3.59%	2.07%
Between 2012 and 2013	-2.22%	1.46%
Between 2013 and 2014	-1.81%	1.62%

Note: **BOLD** represents the Time Frame where the equalized assessed value has either declined for 3 of the last 5 calendar years or is increasing at an annual rate that is less than the CPI.

Sources:

- St. Clair County Treasurer
- St. Clair County Clerk
- United States Bureau of Labor Statistics



State Route 159 North Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

-  Municipal Boundary
-  Area Boundary
-  Underground Coal Mine
-  Underground Mine Proximity Region



0 250 500
 Feet

EXHIBIT B
Ruby Mine

- **The area consists of unused rail-yards, rail tracks, or railroad rights-of-way;**

This factor was not found.

- **The area, prior to its designation, is subject (i) to chronic flooding which adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency, or (ii) surface water that 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;**

This factor was not found.

- **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;**

This factor was not found.

- **Prior to November 1, 1999, 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 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in 65 ILCS 5/11-74.4-3 (a) (1), the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose;**

This factor was not found.

- **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;**

This factor was not found.

SECTION V

SUMMARY

The Area is without industrial, commercial, and residential buildings, and City officials have determined that it has been subdivided; the Area therefore meets the definition of “vacant land”. The Area qualifies as a “blighted area” as the sound growth of the Area is impaired by the combination of three factors (obsolete platting of vacant land, deterioration in neighboring areas adjacent to the vacant land, and lack of growth in equalized assessed value) as well as one “stand alone” blighting factor (one or more unused quarries, mines or strip mine ponds), all of which are clearly present within the intent of the Act and are reasonably distributed throughout the vacant part of the Area to which they pertain.

SECTION VI

FINDINGS OF NEED FOR TAX INCREMENT FINANCING

The Area, as a whole, is a blighted area. The Act requires that no redevelopment plan shall be adopted without meeting additional requirements, viz:

A. Area, on the Whole, not Subject to Growth and Development Through Investment by Private Enterprise

The City finds that the Area, on the whole, has not been subject to growth and development through investment by private enterprise. There have been no structures on the parcel since at least 1985 (historical aerial imagery and topographic maps show three small structures in the Area in 1982, which, according to these sources, had been removed by 1985). Data provided by the St. Clair County Assessor's office shows that the total equalized assessed value of the Area has declined by 8.5% over the last five years (an average of approximately 1.7% per year). Such a situation demonstrates that the Area has not been subject to growth and development through investment by private enterprise.

B. Conformance with the City's Comprehensive Plan

The City finds that the Plan conforms to the comprehensive plan for the development of the municipality as a whole.

The *City of Fairview Heights, 2012 Comprehensive Plan*, identifies the land use of the Area as "Regional Commercial".

C. Estimated Dates for Completion of the Redevelopment Project

The estimated date for the completion of the Redevelopment Project shall be no later than December 31 of the year in which payment to the municipal treasurer is made for the ad-valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted by the City.

D. Would Not Reasonably be Anticipated to be Developed Without the Adoption of the Redevelopment Plan

The Area is significantly and negatively impacted by the blighting factors discussed in this Plan, conditions which militate against the Area's development.

The Area is positioned on State Route 159 (the City's primary retail corridor), is located immediately west of the Fountains Parkway development area (including the Sheraton 4 Points hotel and Fountains Conference Center) and is located just north of one of the busiest interstate exits in the Metro East. Despite these locational advantages, the area remains undeveloped.

Without the adoption of this Plan, and the subsequent use of tax increment financing to overcome the costs of development in the Area – including, but not limited to those associated with site preparation and remediation, and extending and upgrading public infrastructure – the Area would not reasonably be anticipated to be developed.

SECTION VII

REDEVELOPMENT PLAN

A. Introduction

This section presents the Redevelopment Plan (the “Plan”) for the Area. Pursuant to the Act, when the finding is made that an area qualifies as either conservation, blighted, a combination of conservation and blighted areas, or industrial park conservation area, a redevelopment plan may 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 Use Plan

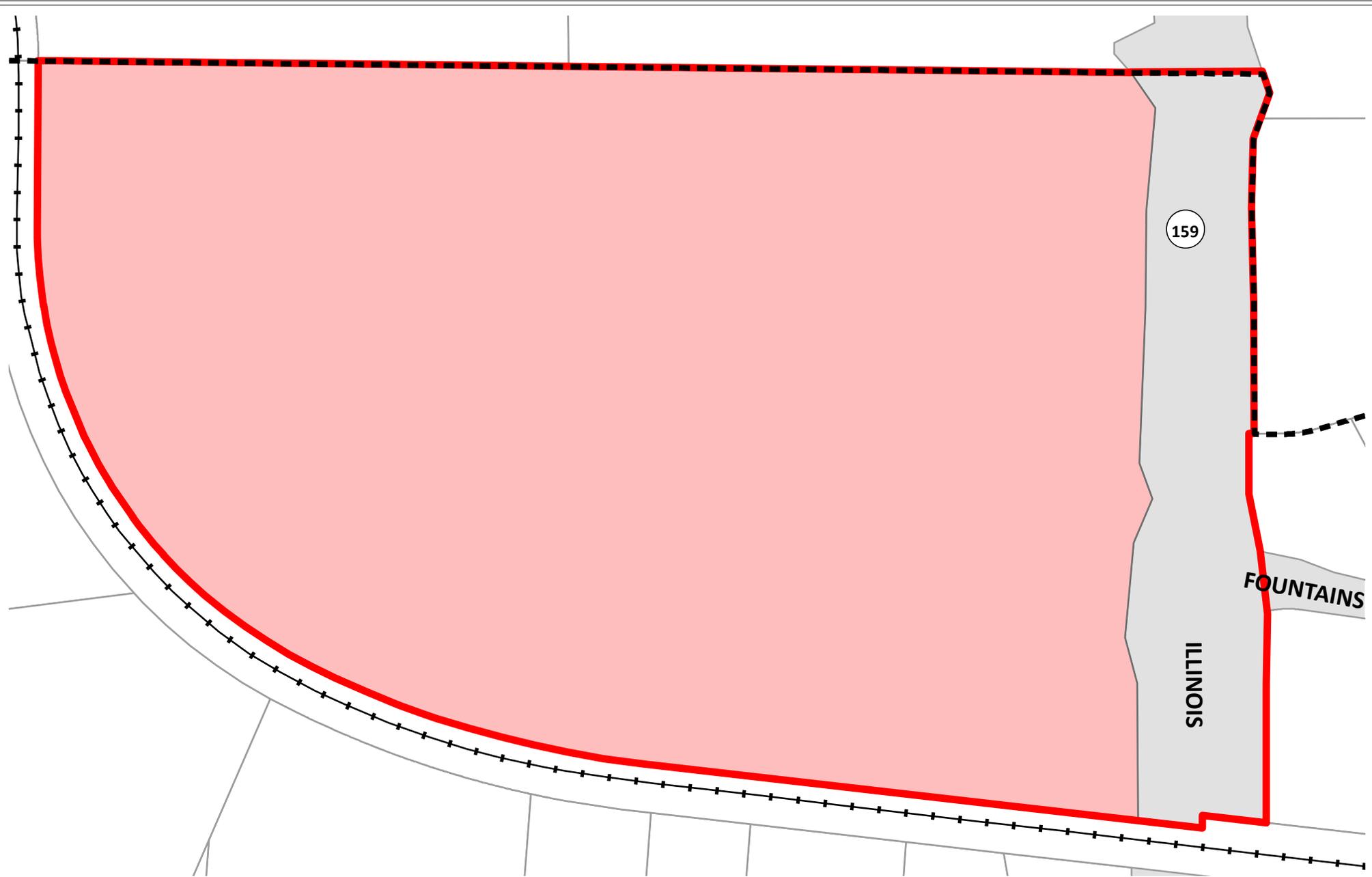
The proposed General Land Use plan for the Area is presented as **Exhibit C - General Land Use**. This General Land Use plan identifies all parcels in the Area as “Regional Commercial”.

All redevelopment projects will be subject to the provisions of the City of Fairview Heights’s ordinances and other applicable codes as may be in existence, and may be amended or modified from time-to-time.

C. Objectives

The Objectives of the Redevelopment Plan are to:

1. Reduce or eliminate those conditions which qualify the Area as eligible for tax increment financing;
2. Prevent the recurrence of blighting conditions;
3. Enhance the real estate tax base for the City and all other taxing districts which extend into the Area;
4. Facilitate the implementation of public sector plans and projects within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Address the impact of the Plan’s Redevelopment Projects on the underlying taxing districts; and,



State Route 159 North Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

-  Municipal Boundary
-  Area Boundary
-  Commercial



EXHIBIT C General Land Use



6. Encourage and assist private investment and development within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*, and this Plan.

D. Program for Accomplishing the Objective

In order to accomplish the Objectives, the City will:

1. Use TIF-derived revenues to assist the implementation of the public and private projects and activities envisioned in this Plan;
2. Use TIF-derived revenues to address site development issues, including but not limited to site preparation;
3. Use TIF-derived revenues to mitigate the “capital costs” incurred or to be incurred by the underlying taxing districts, if any;
4. Utilize City staff and consultants to undertake those actions necessary to accomplish the specific public-side activities outlined in Objectives #7, 10 and 13 of Commercial Areas in the Goals and Objectives Section of the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Provide financial assistance, as permitted by the Act, to encourage private developers to complete those certain private actions and activities as outlined in this Plan;
6. Monitor the public and private actions and activities occurring within the Area; and,
7. Complete the specified actions and activities in an expeditious manner, striving to minimize the length of the “life” of the TIF area.

This Program may be amended from time to time as determined by the City.

E. Redevelopment Projects

To achieve the Objectives proposed in the Plan, a number of redevelopment projects will need to be undertaken. An essential element of the Plan is a combination of private developments, as well as public investments and infrastructure improvements. Such actions and activities may include, but are not restricted to, the following:

1. Private Redevelopment Projects:

The private projects that are proposed for the Area are intended to develop new uses and may include, but are not limited to:

- a. property assembly, including land acquisition for new development efforts;

- b. site preparation, including remediation, demolition, clearance and grading, and remediation of culturally significant or undermined areas;
- c. the development of commercial activities which conform to those outlined in the City's Comprehensive Plan; and,
- d. extension of private utilities and other private infrastructure (including fiber optics) to parts of the Area not currently served.

2. **Public Redevelopment Projects:**

Public projects are intended to be used to induce and complement private investment. These improvements may include, but are not limited to:

- a. studies, surveys, development of plans and other professional services;
- b. marketing of specific sites within the Area to prospective businesses, developers and investors;
- c. property assembly, including land acquisition for public infrastructure and easements;
- d. extension of City utilities and other City infrastructure to parts of the Area not currently served, including sewers (sanitary and storm water), detention facilities, water mains, sidewalks, crosswalks, roads, curbs, gutters, trails, traffic control signage, pavement markings, street lighting and the like; and,
- e. improvements to City utilities and other City infrastructure now serving the Area, including sanitary sewer lines, manholes and lift stations, storm water sewers and detention areas, and water mains and hydrants, and improvements to roadways and intersections (roads, curbs, gutters, curb cuts, signalization and turn lanes).

F. Assessment of Financial Impact

The Act requires an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such impact.

The General Land Use Plan shown in **Exhibit C** provides for commercial activities within the Area. As such, the land uses anticipated in the Area will not result in any residential development or redevelopment. The projects within the Area will not create any new residences, thus limiting the financial impact on the school and library districts. The City will work with any taxing district, as permitted by the Act, to address the district's capital costs

resulting from the Redevelopment Projects necessarily incurred or to be incurred within the District in furtherance of the objectives of the Plan and the Redevelopment Projects.

Exhibit D - Estimated Redevelopment Project Costs, summarizes the use of TIF revenues to help address the costs for public improvements, property assembly, marketing and administration, and similar costs. Future TIF revenues are proposed for use as a resource for to pay for such costs.

Upon the expiration of the Area, all taxing bodies will benefit from the increase in EAV anticipated within the Area. As this Plan provides for funds to be utilized to pay for defined redevelopment project costs which will assist and induce new private development within the Area, the City anticipates that such investment may result in new, private development occurring in proximity to the Area. The City will closely monitor its TIF program to determine if surplus funds are available for distribution to all taxing districts as identified in the Act.

The Act requires a housing impact study to be performed if the redevelopment project area contains 75 or more inhabited residential units, or if the redevelopment plan would result in the displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed as neither of these thresholds will be met.

EXHIBIT D

Estimated Redevelopment Project Costs

<u>Description</u>	<u>Estimated Costs</u>
Cost of studies, surveys, development of plans and specifications, implementation and administration of the redevelopment plan.	\$750,000
The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.	\$250,000
Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements and the clearing and grading of land.	\$13,000,000
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.	\$1,000,000
Costs of the construction of public works or improvements, including but not limited to public rights-of-way, trails, signalization, extension and relocation of public utilities and other public infrastructure, streetscape improvements, and sidewalk construction and replacement.	\$13,200,000
Taxing districts' capital costs.	\$2,800,000
<u>Total Estimated Budget</u>	\$31,000,000

Note:

Expenditures in individual categories may differ from those shown above; however the total amount of the Estimated Redevelopment Project Costs will not exceed \$31,000,000 plus any additional increase in this figure permitted in the Act for any school district's, or public library district's increased costs attributable to housing assisted by tax increment financing, and for any interest or other financing costs as may be required.

SECTION VIII

IMPLEMENTATION STRATEGY

The development and follow through of a well-devised implementation strategy is a key element in the success of the Plan. In order to maximize program efficiency, and with full consideration of available funds, a phased implementation strategy will be employed. A combination of private investments and public improvements is an essential element of the Plan.

The City of Fairview Heights anticipates the following actions as its Implementation Strategy:

- Adopt the Plan;
- Negotiate Redevelopment Agreements with private parties to provide TIF revenues for eligible redevelopment project costs, in order to create development consistent with the general land uses shown in this Plan and the City's Comprehensive Plan; and,
- Provide public infrastructure and other public redevelopment projects to induce and complement private development and redevelopment projects.

A. Estimated Redevelopment Project Costs

The City may include as redevelopment project costs, all reasonable costs incurred, or estimated to be incurred, and any costs that are incidental to the redevelopment projects and the Plan as permitted by the statute.

Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan.

Such costs shall include, but not be limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services.

2. Costs of marketing sites within the redevelopment project area to prospective businesses, developers and investors.

3. Property assembly costs.

Such costs shall include, but not be limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparations, site improvements that serve as an engineered barrier addressing ground

level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land.

4. Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements.

Such costs shall also include 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.

5. Costs of the construction of public works or improvements.

Such 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.

6. Cost of job training and retraining projects.

Such costs shall include the cost of “welfare to work” programs implemented by businesses located within the redevelopment project area.

7. Financing costs.

Such costs shall include, but not be limited to, all necessary and incidental expenses related to the issuance of obligations 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 36 months thereafter, and including reasonable reserves related thereto.

8. To the extent the municipality by written agreement 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.

9. An elementary, secondary, or unit school district’s increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those 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 improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

10. A public library district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those 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 improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

11. Relocation costs.

To the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law.

12. Payment in lieu of taxes.

13. Costs of job training, retraining, advanced vocational education or career education.

Such costs shall include, but not be 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 (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program 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 type of positions available or to be available, itemized costs of the program and sources of funds to pay for same, and the term of the agreement.

14. Interest cost 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 insufficient funds are 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 (1) cost paid or incurred by the developer 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 are modified for the financing of rehabilitated 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 for these situations.
 - f. The municipality may pay from tax increment revenues up to 50% of the cost 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. The cost of the construction of those units may be derived from the proceeds of bonds issued by the municipality.
- 15. Unless explicitly stated within the Act, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.**
- 16. None of the redevelopment project costs enumerated above shall be eligible redevelopment 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.**

The cost estimate associated with the redevelopment activities to be funded from available revenues of the City as described in **D.**, below, is presented in **Exhibit D - Estimated Redevelopment Project Costs**. The estimate includes reasonable and necessary costs incurred or estimated to be incurred during the implementation of the 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 the tax increment financing revenues which will be applied to any interest or other financing costs which are eligible to be funded under the Act. As such, debt service and expenses associated with issuance of bonds or other obligations are in addition to costs stated above.

B. Most Recent Equalized Assessed Valuation

The most recent equalized assessed valuation for the Redevelopment Project Area is \$112,650 as provided by the St. Clair County Treasurer's Office.

C. Redevelopment Valuation

Contingent upon the adoption of this Tax Increment Financing Redevelopment Plan and commitment by the City to the TIF program, it is anticipated that several private developments and/or improvements may occur within the Area.

The private redevelopment investment in this Redevelopment Project Area is expected to increase the equalized assessed valuation (EAV) to approximately \$29,000,000. Following completion of the private redevelopment projects, total EAV is anticipated to increase by approximately \$28,880,000.

D. Source of Funds

The primary source of funds to pay for redevelopment project costs associated with implementing the Plan will be funds collected pursuant to tax increment allocation financing to be adopted by the City. Under such financing, tax increment revenue (in the form of increases in the EAV of property, in the Area) will be allocated to a special fund (the “Special Tax Allocation Fund”, or the “Fund”). The assets of the Fund will be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite the implementation of the Plan and construction of the public improvements, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund.

If available, revenues from other funding sources will be utilized within the Area. These may include municipal, state and federal programs and revenues from any other tax increment financing area in the City which may, pursuant to the Act, provide such revenues to the Area. In turn, the Area may also provide TIF-generated revenues to other tax increment financing areas in the City as well.

E. Nature and Term of Obligation

In order to expedite the implementation of the Plan, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund. Such obligations may take the form of any loan instruments authorized by the Act.

Such loans or obligations may be issued pursuant to this Plan, for a term not to exceed 20 years, bearing an annual interest rate as permitted by law. The City anticipates that notes, bonds or similar obligations may be issued and secured by resources in the Fund to fund eligible redevelopment project costs.

Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the obligations, and not identified for other redevelopment project costs or early retirement of such obligations, may be declared as surplus and become available for distribution annually to the taxing bodies to the extent that this distribution of surplus does not impair the financial feasibility of the redevelopment projects.

F. Completion of Redevelopment Project and Retirement of Obligations

The date for the completion of the Plan and retirement of obligations issued to finance redevelopment project costs is no later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of the Act is to be made with respect to the ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area is adopted by the City.

G. Employment Practices, Affirmative Action and Wages

The City will ensure that any recipient of tax increment financing assistance will construct all private and public development and redevelopment projects in accordance with all fair employment practices, affirmative action and prevailing wage requirements, as provided for by the Act and applicable state law.

H. Certification

The City hereby certifies that the State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan will not result in displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed since the Act requires a housing impact study only if residents from ten (10) or more inhabited residential units are displaced or if the redevelopment project area contains 75 or more inhabited residential units.

SECTION IX

AMENDING THE TIF PLAN

The State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan may be amended in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et. seq.

SECTION X

REPORTING AND MEETING

The City shall adhere to all reporting and meeting requirements as provided for in the Act.

APPENDIX 1

Legal Description

Legal Description

To be provided by the City.



Economic Development Resources
200 South Hanley Road
Suite #601
St. Louis, Missouri 63105

RESOLUTION _____

INDUCEMENT RESOLUTION

WHEREAS, the City of Fairview Heights, Illinois, desires to assist in the development or redevelopment of approximately 27.5 total acres, generally located on Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The area to be developed or redeveloped may also include other properties in the vicinity of these boundaries; and

WHEREAS, it appears that the area cannot be redeveloped without the adoption of a tax increment financing plan pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 et. seq. ("TIF"); and

WHEREAS, the City will be expending certain funds in order to adopt tax increment financing ("TIF") and approve a tax increment financing redevelopment plan, and it is the intent of the City to recover such expenditures from the first proceeds of the TIF program; and

WHEREAS, the City wishes to encourage developers to pursue a plan for development or 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" as such term is defined in the TIF Act, once tax increment financing is adopted and a tax increment financing plan is approved for this area.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Fairview Heights, Illinois, on this 5th of April, 2016, that the City hereby determines the following:

That any costs and expenditures incurred by the City in creating, developing, designating, implementing, adopting, and administering the tax increment financing redevelopment plan and proposed TIF area, shall be deemed allowable "redevelopment project costs" under the TIF Act. The City shall be authorized to recover said costs and expenditures from the first proceeds generated by the proposed TIF area and received by the City. Notwithstanding the foregoing, this Resolution is not a guarantee that any such adoption or approval of the proposed TIF area will occur, but rather is an expression of the sense of the City at this moment.

PASSED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS, this 5th of APRIL, 2016.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

RESOLUTION _____

INDUCEMENT RESOLUTION

WHEREAS, the City of Fairview Heights, Illinois, desires to assist in the development or redevelopment of approximately 81 total acres, positioned west of Illinois Route 159 (N. Illinois St)., north of the CSX Transportation rail line. The area to be developed or redeveloped may also include other properties in the vicinity of these boundaries; and

WHEREAS, it appears that the area cannot be redeveloped without the adoption of a tax increment financing plan pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 et. seq. ("TIF"); and

WHEREAS, the City will be expending certain funds in order to adopt tax increment financing ("TIF") and approve a tax increment financing redevelopment plan, and it is the intent of the City to recover such expenditures from the first proceeds of the TIF program; and

WHEREAS, the City wishes to encourage developers to pursue a plan for development or 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" as such term is defined in the TIF Act, once tax increment financing is adopted and a tax increment financing plan is approved for this area.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Fairview Heights, Illinois, on this 5th of April, 2016, that the City hereby determines the following:

That any costs and expenditures incurred by the City in creating, developing, designating, implementing, adopting, and administering the tax increment financing redevelopment plan and proposed TIF area, shall be deemed allowable "redevelopment project costs" under the TIF Act. The City shall be authorized to recover said costs and expenditures from the first proceeds generated by the proposed TIF area and received by the City. Notwithstanding the foregoing, this Resolution is not a guarantee that any such adoption or approval of the proposed TIF area will occur, but rather is an expression of the sense of the City at this moment.

PASSED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS, this 5th of APRIL, 2016.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

ORDINANCE _____

**AN ORDINANCE ESTABLISHING A SPECIAL TAX ALLOCATION FUND
FOR THE AREA SUBJECT TO RESOLUTION _____**

WHEREAS, the statutes of the State of Illinois, more particularly those portions known as the "Tax Increment Allocation Redevelopment Act" (65 ILCS 5/11-74.4 et seq.), hereinafter referred to as the "Act", provide for the creation of "special tax allocation fund", as that term is noted in the Act; and

WHEREAS, the Act provides that monies deposited in the Special tax allocation fund must be used for the purpose of paying "redevelopment project costs", as that term is defined in the Act, and of paying obligations incurred pursuant to the Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: The City shall create a special tax allocation fund for the area which is subject to Resolution _____. The monies placed in said account shall be used for the purpose of paying redevelopment project costs, and of paying obligations incurred pursuant to the Act, all as permitted by the Act.

SECTION 2: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

ORDINANCE _____

**AN ORDINANCE ESTABLISHING A SPECIAL TAX ALLOCATION FUND
FOR THE AREA SUBJECT TO RESOLUTION _____**

WHEREAS, the statutes of the State of Illinois, more particularly those portions known as the "Tax Increment Allocation Redevelopment Act" (65 ILCS 5/11-74.4 et seq.), hereinafter referred to as the "Act", provide for the creation of "special tax allocation fund", as that term is noted in the Act; and

WHEREAS, the Act provides that monies deposited in the Special tax allocation fund must be used for the purpose of paying "redevelopment project costs", as that term is defined in the Act, and of paying obligations incurred pursuant to the Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: The City shall create a special tax allocation fund for the area which is subject to Resolution _____. The monies placed in said account shall be used for the purpose of paying redevelopment project costs, and of paying obligations incurred pursuant to the Act, all as permitted by the Act.

SECTION 2: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

ORDINANCE_____

**AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE PROPOSED
TAX INCREMENT FINANCING DISTRICT "INTERESTED PARTIES" REGISTRIES AND
ADOPTING REGISTRATION RULES FOR SUCH REGISTRY**

WHEREAS, pursuant to Section § 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1, et seq. (the "TIF Act"), the City of Fairview Heights ("City") is required to establish certain "interested parties" registries and adopt registration rules for such registries; and

WHEREAS, the City desires to adopt this Ordinance in order to comply with such requirements of the TIF Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: The above recitals are incorporated herein and made a part hereof;

SECTION 2: The Mayor or his or her designee, is hereby authorized and directed to create an "interested parties" registry in accordance with Section § 11-74.4-4.2 of the Act for each redevelopment project area created under the Act, whether now existing or created after the date of the adoption of this ordinance;

SECTION 3: In accordance with Section § 11-74.4-4.2 of the Act, the City hereby adopts the registration rules attached hereto as **Exhibit A** as registration rules for each such "interested parties" registry. The Mayor shall have the authority to amend such registration rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by the Act;

SECTION 4: If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance;

SECTION 5: All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict;

SECTION 6: This ordinance shall be in full force and effect immediately upon its passage.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS

TIF INTERESTED PARTIES REGISTRY REGISTRATION RULES

- A. Definitions. As used in these Registration Rules, the following terms shall have the definitions set forth below.
- “Act” shall mean the Tax Increment Allocation Redevelopment Act 65 ILCS § 5/11-74.4-1 et seq. As amended from time to time.
- “City” shall mean City of Fairview Heights, Illinois.
- “Interested Party(ies)” shall mean (a) any organization(s) active within the City (b) any resident(s) of the City, and (c) any other entity or person otherwise entitled under the Act to register in a specific Registry who has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.
- “Redevelopment Project Area” shall mean a redevelopment project area that (a) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act and (ii) is subject to the “interested parties” registry requirements of the Act.
- “Registration Form” shall mean the form appended to these Registration Rules or such revised form as may be approved by the City consistent with the requirements of the Act.
- “Registry” or “Registries” shall mean each interested parties registry, and all such registries, collectively, established by the City pursuant to Section § 11-74.4-4.2 of the Act for the Redevelopment Project Area.
- B. Establishment of Registry The City shall establish a separate interested parties registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Rules or hereafter established. The City shall establish a new registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event the process of establishing the new registry must be completed prior to the deadline for sending any of the notices required by Section (J) of these rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.
- C. Maintenance of Registry The Registries shall be maintained by the City Clerk or his or her designee. In the event the City determines that someone other than the City Clerk should maintain the Registries, the City may transfer the responsibility for maintaining the Registries to such other Department provided that the City (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the City.
- D. Registration by Residents An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such individual must also submit a copy of a current driver’s license, lease, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual’s current City residency.
- E. Registration by Organizations An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such organization must also submit a copy of a one-page statement describing the organization’s current operations in the City.
- F. Determination of Eligibility All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days of the City Clerk’s receipt of all such documents. The City Clerk shall provide written notice to the registrant confirming such registration. Upon registration Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the City Clerk determines that a registrant’s Registration Form and/or supporting documentation is incomplete or does

not comply with these Registration Rules, the City Clerk shall give written notice to the registrant specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.

- G. Renewal and Termination An Interested Party's registration shall remain effective for a period of three (3) years. At any time after such three (3) year period the City Clerk shall provide written notice by regular mail to the Interested Party stating that such registration shall terminate unless the Interested Party renews such registration within thirty (30) days of the City Clerk's mailing of written notice. To renew such registration, the Interested Party shall, within such thirty (30) day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the City Clerk to confirm such party's residency or such organization's operations in the City. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Regulation Rules shall be renewed for an additional, consecutive three (3) year period. If the City Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the City Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the City Clerk's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the City Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.
- H. Amendment to Registration An Interested Party may amend its registration by giving written notice to the City Clerk by certified mail of any of the following: (i) a change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of such notice, the City Clerk shall revise the applicable Registry accordingly.
- I. Registries Available for Public Inspection Each Registry shall be available for public inspection during normal City business hours. The Registry shall include the name, address and telephone number of each Interested Party and for organizations, the name and phone number of a designated contact person.
- J. Notices to be Sent to Interested Parties Interested Parties shall be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:
- (i) pursuant to sub-section § 74-4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information, such notice shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;
 - (ii) pursuant to sub-section § 74-4.5(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project, or (4) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than ten (10) days following the City's adoption by ordinance of such changes;
 - (iii) pursuant to sub-section § 74-4-5 (c) of the Act, notice of amendments to previously approved redevelopment plans that do not: (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan or (6) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the

redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than 10 days following the City's adoption by ordinance of any such amendment;

- (iv) pursuant to sub-section § 74.4-5(d)(9) of the Act for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the annual report described by sub-section § 74.4-5(d), including how to obtain the annual report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report; and,
- (v) pursuant to sub-section § 74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of 10 or more inhabited residential units or which will contain 75 or more inhabited residential units, such notice shall be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

K. Non Interference These Registration Rules shall not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act.

I. Amendment of Registration Rules These Registration Rules may be amended by the City subject to and consistent with the requirements of the Act.

TIF INTERESTED PARTIES REGISTRATION FORM

Registration for City Residents: If you are a City of Fairview Heights resident and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete Part A of this form. Proof of residency is required. Please attach a photocopy of one of the following (driver's license, lease, utility bill, financial statement, or such other evidence as may be suitable to establish your current municipal residency) to this form.

Registration for Organizations: If your organization is active in the City of Fairview Heights and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete Part B of this form. Please attach a one-page statement that describes the organization's current operations in the municipality to this form. (Note: existing organizational documents that provide this information will also be accepted)

PART A: REGISTRATION FOR CITY RESIDENTS (Please Print)

Name _____

Street Address _____

Zip Code _____ Home Telephone _____

I have attached a copy of _____ as proof that I am a resident of the City of Fairview Heights as of the date of this registration form.

Please list the TIF(s) you are interested in below:

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name _____

Contact Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone (____) _____ Fax (____) _____

Please list the TIF(s) you are interested in below:

Check here ___ if a statement describing your organization's current operations in the City of Fairview Heights is attached.

Please return this form to:

TIF Interested Parties Registry
Attn: Karen J. Kaufhold, City Clerk
City Hall
10025 Bunkum Road
Fairview Heights, IL 62208

Signature/Title _____ Date _____

ORDINANCE_____

**AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE PROPOSED
TAX INCREMENT FINANCING DISTRICT "INTERESTED PARTIES" REGISTRIES AND
ADOPTING REGISTRATION RULES FOR SUCH REGISTRY**

WHEREAS, pursuant to Section § 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1, et seq. (the "TIF Act"), the City of Fairview Heights ("City") is required to establish certain "interested parties" registries and adopt registration rules for such registries; and

WHEREAS, the City desires to adopt this Ordinance in order to comply with such requirements of the TIF Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: The above recitals are incorporated herein and made a part hereof;

SECTION 2: The Mayor or his or her designee, is hereby authorized and directed to create an "interested parties" registry in accordance with Section § 11-74.4-4.2 of the Act for each redevelopment project area created under the Act, whether now existing or created after the date of the adoption of this ordinance;

SECTION 3: In accordance with Section § 11-74.4-4.2 of the Act, the City hereby adopts the registration rules attached hereto as **Exhibit A** as registration rules for each such "interested parties" registry. The Mayor shall have the authority to amend such registration rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by the Act;

SECTION 4: If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance;

SECTION 5: All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict;

SECTION 6: This ordinance shall be in full force and effect immediately upon its passage.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS

TIF INTERESTED PARTIES REGISTRY REGISTRATION RULES

- A. Definitions. As used in these Registration Rules, the following terms shall have the definitions set forth below.
- “Act” shall mean the Tax Increment Allocation Redevelopment Act 65 ILCS § 5/11-74.4-1 et seq. As amended from time to time.
- “City” shall mean City of Fairview Heights, Illinois.
- “Interested Party(ies)” shall mean (a) any organization(s) active within the City (b) any resident(s) of the City, and (c) any other entity or person otherwise entitled under the Act to register in a specific Registry who has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.
- “Redevelopment Project Area” shall mean a redevelopment project area that (a) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act and (ii) is subject to the “interested parties” registry requirements of the Act.
- “Registration Form” shall mean the form appended to these Registration Rules or such revised form as may be approved by the City consistent with the requirements of the Act.
- “Registry” or “Registries” shall mean each interested parties registry, and all such registries, collectively, established by the City pursuant to Section § 11-74.4-4.2 of the Act for the Redevelopment Project Area.
- B. Establishment of Registry The City shall establish a separate interested parties registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Rules or hereafter established. The City shall establish a new registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event the process of establishing the new registry must be completed prior to the deadline for sending any of the notices required by Section (J) of these rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.
- C. Maintenance of Registry The Registries shall be maintained by the City Clerk or his or her designee. In the event the City determines that someone other than the City Clerk should maintain the Registries, the City may transfer the responsibility for maintaining the Registries to such other Department provided that the City (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the City.
- D. Registration by Residents An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such individual must also submit a copy of a current driver’s license, lease, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual’s current City residency.
- E. Registration by Organizations An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such organization must also submit a copy of a one-page statement describing the organization’s current operations in the City.
- F. Determination of Eligibility All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days of the City Clerk’s receipt of all such documents. The City Clerk shall provide written notice to the registrant confirming such registration. Upon registration Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the City Clerk determines that a registrant’s Registration Form and/or supporting documentation is incomplete or does

not comply with these Registration Rules, the City Clerk shall give written notice to the registrant specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.

- G. Renewal and Termination An Interested Party's registration shall remain effective for a period of three (3) years. At any time after such three (3) year period the City Clerk shall provide written notice by regular mail to the Interested Party stating that such registration shall terminate unless the Interested Party renews such registration within thirty (30) days of the City Clerk's mailing of written notice. To renew such registration, the Interested Party shall, within such thirty (30) day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the City Clerk to confirm such party's residency or such organization's operations in the City. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Regulation Rules shall be renewed for an additional, consecutive three (3) year period. If the City Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the City Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the City Clerk's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the City Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.
- H. Amendment to Registration An Interested Party may amend its registration by giving written notice to the City Clerk by certified mail of any of the following: (i) a change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of such notice, the City Clerk shall revise the applicable Registry accordingly.
- I. Registries Available for Public Inspection Each Registry shall be available for public inspection during normal City business hours. The Registry shall include the name, address and telephone number of each Interested Party and for organizations, the name and phone number of a designated contact person.
- J. Notices to be Sent to Interested Parties Interested Parties shall be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:
- (i) pursuant to sub-section § 74-4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information, such notice shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;
 - (ii) pursuant to sub-section § 74-4.5(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project, or (4) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than ten (10) days following the City's adoption by ordinance of such changes;
 - (iii) pursuant to sub-section § 74-4-5 (c) of the Act, notice of amendments to previously approved redevelopment plans that do not: (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan or (6) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the

redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than 10 days following the City's adoption by ordinance of any such amendment;

- (iv) pursuant to sub-section § 74.4-5(d)(9) of the Act for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the annual report described by sub-section § 74.4-5(d), including how to obtain the annual report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report; and,
- (v) pursuant to sub-section § 74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of 10 or more inhabited residential units or which will contain 75 or more inhabited residential units, such notice shall be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

K. Non Interference These Registration Rules shall not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act.

I. Amendment of Registration Rules These Registration Rules may be amended by the City subject to and consistent with the requirements of the Act.

TIF INTERESTED PARTIES REGISTRATION FORM

Registration for City Residents: If you are a City of Fairview Heights resident and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete Part A of this form. Proof of residency is required. Please attach a photocopy of one of the following (driver's license, lease, utility bill, financial statement, or such other evidence as may be suitable to establish your current municipal residency) to this form.

Registration for Organizations: If your organization is active in the City of Fairview Heights and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete Part B of this form. Please attach a one-page statement that describes the organization's current operations in the municipality to this form. (Note: existing organizational documents that provide this information will also be accepted)

PART A: REGISTRATION FOR CITY RESIDENTS (Please Print)

Name _____

Street Address _____

Zip Code _____ Home Telephone _____

I have attached a copy of _____ as proof that I am a resident of the City of Fairview Heights as of the date of this registration form.

Please list the TIF(s) you are interested in below:

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name _____

Contact Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone (____) _____ Fax (____) _____

Please list the TIF(s) you are interested in below:

Check here ___ if a statement describing your organization's current operations in the City of Fairview Heights is attached.

Please return this form to:

TIF Interested Parties Registry
Attn: Karen J. Kaufhold, City Clerk
City Hall
10025 Bunkum Road
Fairview Heights, IL 62208

Signature/Title _____ Date _____

**NOTICE – CITY OF FAIRVIEW HEIGHTS
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA
REGISTRATION FOR INTERESTED PARTIES REGISTRY**

Pursuant to Section § 5/11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1 et seq. (the “Act”) the City of Fairview Heights (the “City”) is required to establish an interested parties registry (“Registry” or “Registries”) for each Tax Increment Financing (“TIF”) redevelopment project area created pursuant to the Act (a “Redevelopment Project Area”) whether existing as of the date of this notice or hereafter established. On July 20th, 2015, the City adopted an Ordinance authorizing the establishment of Registries by the City Clerk (“Clerk”) and adopting registration rules for such Registries. The purpose of this notice is to inform interested parties of the Registries and registration rules for the Registries and to invite Interested Parties (as defined below) to register in the Registry for any Redevelopment Project Area.

Any organization active within the City of Fairview Heights and any resident of the City (an “Interested Party”) are entitled to register in the Registry for any Redevelopment Project Area. Organizations include, but are not limited to, businesses, business organizations, civic groups, not-for-profit corporations and community organizations.

An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must also complete and submit a registration form to the Clerk. Such individual must also submit a copy of a current driver’s license, lease, voter registration card, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual’s current municipal residency.

Interested Party Registries are being established for the following proposed TIF Redevelopment Project Area which the City has decided to consider establishing, viz:

An approximately 27.5 acre portion of the City, generally located on Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The area to be developed or redeveloped may also include other properties in the vicinity of these boundaries.

All individuals and organizations whose registration form and supporting documentation comply with the registration rules and who submit such documentation, either in person or by mail, to the City Clerk, City of Fairview Heights, 10025 Bunkum Road, Fairview Heights IL 62208, will be registered in the applicable Registry within ten (10) business days of the Clerk’s receipt of all such documents. The Clerk will provide written notice to the registrant confirming such registration. Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under the Act with respect to the applicable TIF Redevelopment Project Area. If the Clerk determines that a registrant’s registration form and/or supporting documentation is incomplete or does not comply with the registration rules adopted by the City, the Clerk will give written notice to the registrant specifying the defects. The registrant will be entitled to correct any defects and resubmit a new registration form and supporting documentation. An Interested Party’s registration will remain effective for a period of three years. Rules for the renewal or amendment of an Interested Party’s registration are included with the registration form that may be obtained as described herein.

Each Registry will be available for public inspection at the office of the Clerk during normal municipal business hours. The Registry will include the name, address and telephone number of each Interested Party and, for organizations, the name and phone number of a designated contact person.

Interested Parties will be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:

- (i) pursuant to § 5/11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information; such notice will be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;
- (ii) pursuant to § 5/11-74.4-4(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed development project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project or (4) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that, measured from the time of creation of the redevelopment project area, the total displacement of inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City's adoption by ordinance of such changes;
- (iii) pursuant to § 5/11-74.4-5 (c) of the Act, notice of amendments to previously approved redevelopment plans that do not (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City's adoption by ordinance of such amendment;
- (iv) pursuant to § 5/11-74.4-5 (d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of this information, including how to obtain the report, required by subsection (d) of Section 5/11-74.4-5 of the Act; such notice will be sent by mail within a reasonable period of time after completion of the certified audit report;
- (v) Pursuant to § 5/11-74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in

the displacement of 10 or more inhabited residential units, such notice will be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

Registration forms can be obtained at the office of the City Clerk, City of Fairview Heights, 10025 Bunkum Road, Fairview Heights IL 62208. Registration forms can be obtained by Interested Parties in person or by their representatives. Registration forms will not be mailed or faxed. If you require additional information, please call the office of the City Clerk at 618.489.2000.

**NOTICE – CITY OF FAIRVIEW HEIGHTS
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA
REGISTRATION FOR INTERESTED PARTIES REGISTRY**

Pursuant to Section § 5/11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1 et seq. (the “Act”) the City of Fairview Heights (the “City”) is required to establish an interested parties registry (“Registry” or “Registries”) for each Tax Increment Financing (“TIF”) redevelopment project area created pursuant to the Act (a “Redevelopment Project Area”) whether existing as of the date of this notice or hereafter established. On July 20th, 2015, the City adopted an Ordinance authorizing the establishment of Registries by the City Clerk (“Clerk”) and adopting registration rules for such Registries. The purpose of this notice is to inform interested parties of the Registries and registration rules for the Registries and to invite Interested Parties (as defined below) to register in the Registry for any Redevelopment Project Area.

Any organization active within the City of Fairview Heights and any resident of the City (an “Interested Party”) are entitled to register in the Registry for any Redevelopment Project Area. Organizations include, but are not limited to, businesses, business organizations, civic groups, not-for-profit corporations and community organizations.

An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must also complete and submit a registration form to the Clerk. Such individual must also submit a copy of a current driver’s license, lease, voter registration card, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual’s current municipal residency.

Interested Party Registries are being established for the following proposed TIF Redevelopment Project Area which the City has decided to consider establishing, viz:

An approximately 81 acre portion of the City, positioned west of Illinois Route 159 (N. Illinois St.), north of the CSX Transportation rail line. The area to be developed or redeveloped may also include other properties in the vicinity of these boundaries.

All individuals and organizations whose registration form and supporting documentation comply with the registration rules and who submit such documentation, either in person or by mail, to the City Clerk, City of Fairview Heights, 10025 Bunkum Road, Fairview Heights IL 62208, will be registered in the applicable Registry within ten (10) business days of the Clerk’s receipt of all such documents. The Clerk will provide written notice to the registrant confirming such registration. Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under the Act with respect to the applicable TIF Redevelopment Project Area. If the Clerk determines that a registrant’s registration form and/or supporting documentation is incomplete or does not comply with the registration rules adopted by the City, the Clerk will give written notice to the registrant specifying the defects. The registrant will be entitled to correct any defects and resubmit a new registration form and supporting documentation. An Interested Party’s registration will remain effective for a period of three years. Rules for the renewal or amendment of an Interested Party’s registration are included with the registration form that may be obtained as described herein.

Each Registry will be available for public inspection at the office of the Clerk during normal municipal business hours. The Registry will include the name, address and telephone number of each Interested Party and, for organizations, the name and phone number of a designated contact person.

Interested Parties will be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:

- (i) pursuant to § 5/11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information; such notice will be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;
- (ii) pursuant to § 5/11-74.4-4(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed development project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of or extend the life of the redevelopment project or (4) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that, measured from the time of creation of the redevelopment project area, the total displacement of inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City's adoption by ordinance of such changes;
- (iii) pursuant to § 5/11-74.4-5 (c) of the Act, notice of amendments to previously approved redevelopment plans that do not (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City's adoption by ordinance of such amendment;
- (iv) pursuant to § 5/11-74.4-5 (d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of this information, including how to obtain the report, required by subsection (d) of Section 5/11-74.4-5 of the Act; such notice will be sent by mail within a reasonable period of time after completion of the certified audit report;
- (v) Pursuant to § 5/11-74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in

the displacement of 10 or more inhabited residential units, such notice will be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

Registration forms can be obtained at the office of the City Clerk, City of Fairview Heights, 10025 Bunkum Road, Fairview Heights IL 62208. Registration forms can be obtained by Interested Parties in person or by their representatives. Registration forms will not be mailed or faxed. If you require additional information, please call the office of the City Clerk at 618.489.2000.

ORDINANCE _____

**AN ORDINANCE CREATING JOINT REVIEW BOARD FOR THE
LUDWIG DRIVE REDEVELOPMENT PROJECT AREA
AND SETTING INITIAL MEETING TIME AND PLACE**

WHEREAS, the City of Fairview Heights, Illinois desires to adopt tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11 74.4-1 et. Seq., as amended, hereinafter referred to as the "Act"; and

WHEREAS, the City of Fairview Heights, Illinois has designated the Ludwig Drive Redevelopment Project Area, and accepted on Tuesday, April 5, 2016 a Redevelopment Plan that provides the basis for the eligibility of said Area prepared by Economic Development Resources, L.L.C.; and

WHEREAS, the Ludwig Drive Tax Increment Financing Redevelopment Plan was presented to the City Council on Tuesday, April 5, 2016, and a public hearing date for said TIF Redevelopment Plan was set for Tuesday, June 14, 2016; and

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11 74.4-1 the City Council of the City of Fairview Heights wishes to create and convene a Joint Review Board for the purposes of reviewing the Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan and submitting recommendations regarding its findings to the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: A Joint Review Board consisting of a representative from City of Fairview Heights, St. Clair County, Caseyville Township, Fairview Caseyville Township Fire District, Belleville HS #201 School District, Pontiac #105 School District, City of Fairview Heights Library District, SWIC District #522, and also including a public member, is hereby created, subject to the appointment of members by the affected taxing districts.

SECTION 2: The City of Fairview Heights will convene a Joint Review Board (JRB) on Wednesday, **May 11, 2016 at 11:00 am** at City Hall, 10025 Bunkum Rd., Fairview Heights, Illinois. By State Statute, the establishment of this Board is necessary as the City plans to adopt the proposed Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

ORDINANCE _____

**AN ORDINANCE CREATING JOINT REVIEW BOARD FOR THE
STATE ROUTE 159 NORTH REDEVELOPMENT PROJECT AREA
AND SETTING INITIAL MEETING TIME AND PLACE**

WHEREAS, the City of Fairview Heights, Illinois desires to adopt tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11 74.4-1 et. Seq., as amended, hereinafter referred to as the "Act"; and

WHEREAS, the City of Fairview Heights, Illinois has designated the State Route 159 North Redevelopment Project Area, and accepted on Tuesday, April 5, 2016 a Redevelopment Plan that provides the basis for the eligibility of said Area prepared by Economic Development Resources, L.L.C.; and

WHEREAS, the State Route 159 North Tax Increment Financing Redevelopment Plan was presented to the City Council on Tuesday, April 5, 2016, and a public hearing date for said TIF Redevelopment Plan was set for Tuesday, June 14, 2016; and

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11 74.4-1 the City Council of the City of Fairview Heights wishes to create and convene a Joint Review Board for the purposes of reviewing the State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan and submitting recommendations regarding its findings to the City.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1: A Joint Review Board consisting of a representative from City of Fairview Heights, St. Clair County, Caseyville Township, Fairview Caseyville Township Fire District, Belleville HS #201 School District, Pontiac #105 School District, City of Fairview Heights Library District, SWIC District #522, and also including a public member, is hereby created, subject to the appointment of members by the affected taxing districts.

SECTION 2: The City of Fairview Heights will convene a Joint Review Board (JRB) on Wednesday, **May 11, 2016 at 9:30 am** at City Hall, 10025 Bunkum Rd., Fairview Heights, Illinois. By State Statute, the establishment of this Board is necessary as the City plans to adopt the proposed State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

ORDINANCE _____

**AN ORDINANCE FIXING A TIME AND PLACE
FOR A PUBLIC HEARING CONCERNING THE LUDWIG DRIVE
REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN**

To be passed by City on April 19, 2016 and sent on April 20, 2016, certified mail, return receipt requested, to

*City of Fairview Heights,
St. Clair County,
Caseyville Township,
Fairview Caseyville Township Fire District,
Belleville HS #201 School District,
Pontiac #105 School District,
City of Fairview Heights Library District,
SWIC District #522,
Caseyville Road District,*

And the Illinois Department of Commerce Economic Opportunity (DCEO)

WHEREAS, on April 5, 2016, the City placed on file with the City Clerk, for public inspection, the "Ludwig Drive Redevelopment Project Area Tax Increment Financing Redevelopment Plan" (the "Plan"), dated March 24, 2016, which provides the basis for the eligibility of said area; and,

WHEREAS, the City approved sending the Plan to all affected taxing districts and the Illinois Department of Commerce and Economic Opportunity ("DCEO"); and,

WHEREAS, this Plan will be provided to all affected taxing districts and the Illinois Department of Commerce and Economic Opportunity, by certified mail, as provided for in "Tax Increment Allocation Redevelopment Act" 65 ILCS 5/11-74.4-1 et seq., and otherwise made available for inspection as provided for by the Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. That the City Council of the City of Fairview Heights, Illinois hereby establishes **Tuesday, June 14, 2016, at City Hall, 10025 Bunkum Rd., at 6:30 p.m.** as the Public Hearing date for the Ludwig Drive Tax Increment Financing Redevelopment Plan, Redevelopment Project and Redevelopment Project Area.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

ORDINANCE _____

**AN ORDINANCE FIXING A TIME AND PLACE
FOR A PUBLIC HEARING CONCERNING THE STATE ROUTE 159 NORTH
REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN**

To be passed by City on April 19, 2016 and sent on April 20, 2016, certified mail, return receipt requested, to

*City of Fairview Heights,
St. Clair County,
Caseyville Township,
Fairview Caseyville Township Fire District,
Belleville HS #201 School District,
Pontiac #105 School District,
City of Fairview Heights Library District,
SWIC District #522,
Caseyville Road District,*

And the Illinois Department of Commerce Economic Opportunity (DCEO)

WHEREAS, on April 5, 2016, the City placed on file with the City Clerk, for public inspection, the "State Route 159 North Redevelopment Project Area Tax Increment Financing Redevelopment Plan" (the "Plan"), dated March 24, 2016, which provides the basis for the eligibility of said area; and,

WHEREAS, the City approved sending the Plan to all affected taxing districts and the Illinois Department of Commerce and Economic Opportunity ("DCEO"); and,

WHEREAS, this Plan will be provided to all affected taxing districts and the Illinois Department of Commerce and Economic Opportunity, by certified mail, as provided for in "Tax Increment Allocation Redevelopment Act" 65 ILCS 5/11-74.4-1 et seq., and otherwise made available for inspection as provided for by the Act.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. That the City Council of the City of Fairview Heights, Illinois hereby establishes **Tuesday, June 14, 2016, at City Hall, 10025 Bunkum Rd., at 7:00 p.m.** as the Public Hearing date for the State Route 159 North Tax Increment Financing Redevelopment Plan, Redevelopment Project and Redevelopment Project Area.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

Date	Activity Description
<p>Week of March 21, 2016</p> <p>14-28 days from mailing of Notice 14-28 days from mailing of Notice At least 45 days from mailing of Notice At least 45 days from mailing of Notice</p>	<p>EDR Provides to the City:</p> <ul style="list-style-type: none"> * Ludwig Drive TIF Redevelopment Plan * State Route 159 North TIF Redevelopment Plan * Inducement Resolution for the Ludwig Drive TIF * Inducement Resolution for the State Route 159 North TIF * Ordinance Establishing Special Tax Allocation Fund for the Ludwig Drive TIF * Ordinance Establishing Special Tax Allocation Fund for the State Route 159 North TIF * Ordinance Creating TIF "Interested Parties" Registry and Adopting Registration Rules for Ludwig Drive TIF * Ordinance Creating TIF "Interested Parties" Registry and Adopting Registration Rules for State Route 159 North TIF * Interested Parties Registration Notice for the Ludwig Drive TIF to publish in newspaper of general circulation in the City * Interested Parties Registration Notice for the State Route 159 North TIF to publish in a newspaper of general circulation in the City * Ordinance creating JRB for Ludwig Drive TIF and setting meeting date of Wednesday, May 11, 2016 at 11:00 AM * Ordinance creating JRB for State Route 159 North TIF and setting meeting date of Wednesday, May 11, 2016 at 9:30 AM * Ordinance setting Public Hearing date for Ludwig Drive TIF on Tuesday, June 14, 2016 at 6:30 PM * Ordinance setting Public Hearing date for State Route 159 North TIF on Tuesday, June 14, 2016 at 7:00 PM
<p>Tuesday, March 29, 2016</p> <p>14-28 days from mailing of Notice 14-28 days from mailing of Notice At least 45 days from mailing of Notice At least 45 days from mailing of Notice</p>	<p>SPECIAL Community Committee Meeting</p> <p>EDR</p> <ul style="list-style-type: none"> * Presents Ludwig Drive TIF Redevelopment Plan * Presents State Route 159 North TIF Redevelopment Plan <p>Committee recommends to Council:</p> <ul style="list-style-type: none"> * Inducement Resolution for the Ludwig Drive TIF * Inducement Resolution for the State Route 159 North TIF * Ordinance Establishing Special Tax Allocation Fund for the Ludwig Drive TIF * Ordinance Establishing Special Tax Allocation Fund for the State Route 159 North TIF * Ordinance Creating TIF "Interested Parties" Registry and Adopting Registration Rules for Ludwig Drive TIF * Ordinance Creating TIF "Interested Parties" Registry and Adopting Registration Rules for State Route 159 North TIF * Interested Parties Registration Notice for the Ludwig Drive TIF to publish in newspaper of general circulation in the City * Interested Parties Registration Notice for the State Route 159 North TIF to publish in newspaper of general circulation in the City * Motion accepting Ludwig Drive TIF Redevelopment Plan and approving sending to all Taxing Districts and DCEO * Motion accepting State Route 159 North TIF Redevelopment Plan and approving sending to all Taxing Districts and DCEO * Ordinance creating JRB for Ludwig Drive TIF and setting meeting date of Wednesday, May 11, 2016 at 11:00 AM * Ordinance creating JRB for State Route 159 North TIF and setting meeting date of Wednesday, May 11, 2016 at 9:30 AM * Ordinance setting Public Hearing date for Ludwig Drive TIF on Tuesday, June 14, 2016 at 6:30 PM * Ordinance setting Public Hearing date for State Route 159 North TIF on Tuesday, June 14, 2016 at 7:00 PM * Motion nominating a public member (_____) for Ludwig Drive TIF Redevelopment Plan * Motion nominating a public member (_____) for State Route 159 North TIF Redevelopment Plan

Date	Activity Description
<p>Tuesday, April 5, 2016</p>	<p>City Council Meeting</p> <p>EDR</p> <ul style="list-style-type: none"> * Presents Ludwig Drive TIF Redevelopment Plan * Presents State Route 159 North TIF Redevelopment Plan <p>Council votes to pass:</p> <ul style="list-style-type: none"> * Inducement Resolution for the Ludwig Drive TIF * Inducement Resolution for the State Route 159 North TIF * Ordinance Establishing Special Tax Allocation Fund for the Ludwig Drive TIF (1st Reading) * Ordinance Establishing Special Tax Allocation Fund for the State Route 159 North TIF (1st Reading) * Ordinance Creating TIF “Interested Parties” Registry and Adopting Registration Rules for Ludwig Drive TIF (1st Reading) * Ordinance Creating TIF “Interested Parties” Registry and Adopting Registration Rules for State Route 159 North TIF (1st Reading) * Motion accepting Ludwig Drive TIF Redevelopment Plan and approving sending to all Taxing Districts and DCEO * Motion accepting State Route 159 North TIF Redevelopment Plan and approving sending to all Taxing Districts and DCEO * Ordinance creating JRB for Ludwig Drive TIF and setting meeting date of Wednesday, May 11, 2016 at 11:00 AM (1st Reading) * Ordinance creating JRB for State Route 159 North TIF and setting meeting date of Wednesday, May 11, 2016 at 9:30 AM (1st Reading) * Ordinance setting Public Hearing date for Ludwig Drive TIF on Tuesday, June 14, 2016 at 6:30 PM (1st Reading) * Ordinance setting Public Hearing date for State Route 159 North TIF on Tuesday, June 14, 2016 at 7:00 PM (1st Reading)
<p>14-28 days from mailing of Notice 14-28 days from mailing of Notice</p> <p>At least 45 days from mailing of Notice At least 45 days from mailing of Notice</p>	
<p>Week of April 11, 2016</p>	<p>EDR Provides to the City:</p> <ul style="list-style-type: none"> * Notice to residential addresses within 750 feet of Ludwig Drive TIF Area regarding availability of TIF Plan * Notice to residential addresses within 750 feet of State Route 159 North TIF Area regarding availability of TIF Plan * Notice to registrants of Ludwig Drive TIF Interested Parties Registry regarding availability of TIF Plan * Notice to registrants of State Route 159 North TIF Interested Parties Registry regarding availability of TIF Plan * Letter/Notice to Taxing Districts and DCEO notifying them of Ludwig Drive TIF Public Hearing date * Letter/Notice to Taxing Districts and DCEO notifying them of State Route 159 North TIF Public Hearing date * Letter/Notice to Taxing Districts entitled to attend Ludwig Drive TIF Joint Review Board (JRB) Meeting * Letter/Notice to Taxing Districts entitled to attend State Route 159 North TIF Joint Review Board (JRB) Meeting * Draft Ordinances for Approving, Designating, and Adopting Ludwig Drive TIF to Affected Taxing Districts * Draft Ordinances for Approving, Designating, and Adopting State Route 159 North TIF to Affected Taxing Districts

Date	Activity Description
<p>Tuesday, April 19, 2016</p> <p>14-28 days from mailing of Notice 14-28 days from mailing of Notice</p> <p>At least 45 days from mailing of Notice At least 45 days from mailing of Notice</p>	<p>City Council Meeting</p> <p>Council votes to pass:</p> <ul style="list-style-type: none"> * Ordinance Establishing Special Tax Allocation Fund for the Ludwig Drive TIF (2nd Reading) * Ordinance Establishing Special Tax Allocation Fund for the State Route 159 North TIF (2nd Reading) * Ordinance Creating TIF “Interested Parties” Registry and Adopting Registration Rules for Ludwig Drive TIF (2nd Reading) * Ordinance Creating TIF “Interested Parties” Registry and Adopting Registration Rules for State Route 159 North TIF (2nd Reading) * Ordinance creating JRB for Ludwig Drive TIF and setting meeting date of Wednesday, May 11, 2016 at 11:00 AM (2nd Reading) * Ordinance creating JRB for State Route 159 North TIF and setting meeting date of Wednesday, May 11, 2016 at 9:30 AM (2nd Reading) * Ordinance setting Public Hearing date for Ludwig Drive TIF on Tuesday, June 14, 2016 at 6:30 PM (2nd Reading) * Ordinance setting Public Hearing date for State Route 159 North TIF on Tuesday, June 14, 2016 at 7:00 PM (2nd Reading) * Motion nominating a public member (_____) for Ludwig Drive TIF Redevelopment Plan * Motion nominating a public member (_____) for State Route 159 North TIF Redevelopment Plan
<p>Wednesday, April 20, 2016</p>	<p>City sends via Certified Mail, (Return Receipt Requested):</p> <p>To All Taxing Districts and DCEO:</p> <ul style="list-style-type: none"> * Letter/Notice for Public Hearing date for Ludwig Drive TIF * Ordinance setting Public Hearing date for Ludwig Drive TIF * Ludwig Drive TIF Redevelopment Plan * Letter/Notice for Public Hearing date for State Route 159 North TIF * Ordinance setting Public Hearing date for State Route 159 North TIF * State Route 159 North TIF Redevelopment Plan <p>To Taxing Districts Entitled to be on Joint Review Board (JRB):</p> <ul style="list-style-type: none"> * Letter/Notice to attend Ludwig Drive TIF Joint Review Board (JRB) Meeting * Ordinance creating Joint Review Board for Ludwig Drive TIF * Proposed Draft Ordinances for Approving, Designating, and Adopting Ludwig Drive TIF * Letter/Notice to attend State Route 159 North TIF Joint Review Board (JRB) Meeting * Ordinance creating Joint Review Board for State Route 159 North TIF * Proposed Draft Ordinances for Approving, Designating, and Adopting State Route 159 North TIF <p>City sends via Regular Mail:</p> <ul style="list-style-type: none"> * Notice to residential addresses within 750 feet of Ludwig Drive TIF Area regarding availability of TIF Plan * Notice to registrants of Ludwig Drive TIF Interested Parties Registry regarding availability of TIF Plan * Notice to residential addresses within 750 feet of State Route 159 North TIF Area regarding availability of TIF Plan * Notice to registrants of State Route 159 North TIF Interested Parties Registry regarding availability of TIF Plan

Date	Activity Description
Thursday, April 21, 2016	<p>City</p> <ul style="list-style-type: none"> * Creates Special Tax Allocation Fund for the Ludwig Drive TIF * Creates Special Tax Allocation Fund for the State Route 159 North TIF * Publishes Interested Parties Registration Notice for the Ludwig Drive TIF in a newspaper of general circulation * Publishes Interested Parties Registration Notice for the State Route 159 North TIF in a newspaper of general circulation * Places Interested Parties Registry Form and Rules on file
Week of May 9, 2016	<p>EDR Provides to the City:</p> <ul style="list-style-type: none"> * Notice of Public Hearing for Ludwig Drive TIF to publish in a newspaper of general circulation * Notice of Public Hearing for State Route 159 North TIF to publish in a newspaper of general circulation * Notice of Public Hearing to send via Certified Mail (Return Receipt Requested) to property tax payers in Ludwig Drive TIF * Notice of Public Hearing to send via Certified Mail (Return Receipt Requested) to property tax payers in State Route 159 North TIF
<p>Wednesday, May 11, 2016 14-28 days from mailing of Notice</p>	<p>Joint Review Board Meeting (EDR Conducts) for Ludwig Drive TIF at 11:00 AM:</p> <ul style="list-style-type: none"> * Review of Ludwig Drive TIF Plan and proposed Ordinances necessary to meet statutory requirements
<p>14-28 days from mailing of Notice</p>	<p>Joint Review Board Meeting (EDR Conducts) for State Route 159 North TIF at 9:30 AM:</p> <ul style="list-style-type: none"> * Review of State Route 159 North TIF Plan and proposed Ordinances necessary to meet statutory requirements
<p>Thursday, May 26, 2016 Not more than 30 days before Hearing</p>	<p>City publishes first Notice of Public Hearing for Ludwig Drive TIF in a newspaper of general circulation</p> <p>City publishes first Notice of Public Hearing for State Route 159 North TIF in a newspaper of general circulation</p>
<p>Thursday, June 2, 2016 Not less than 10 days before Hearing</p>	<p>City publishes second Notice of Public Hearing for Ludwig Drive TIF in a newspaper of general circulation</p> <p>City publishes second Notice of Public Hearing for State Route 159 North TIF in a newspaper of general circulation</p> <p>City sends same notice, via Certified Mail (Return Receipt Requested), to property tax payers in Ludwig Drive TIF</p> <ul style="list-style-type: none"> * Notice will go to person in whose name the general taxes for the last preceding year were paid on each lot within each TIF Area <p>City sends same notice, via Certified Mail (Return Receipt Requested), to property tax payers in State Route 159 North TIF</p> <ul style="list-style-type: none"> * Notice will go to person in whose name the general taxes for the last preceding year were paid on each lot within each TIF Area

Date	Activity Description
Week of June 6, 2016	<p>EDR provides City with Updated Ordinances (if required):</p> <ul style="list-style-type: none"> * Approving Ludwig Drive TIF Redevelopment Plan and Project * Approving State Route 159 North TIF Redevelopment Plan and Project * Designating Ludwig Drive TIF Tax Increment Financing Area * Designating State Route 159 North TIF Tax Increment Financing Area * Adopting Tax Increment Financing for Ludwig Drive TIF * Adopting Tax Increment Financing for State Route 159 North TIF
Friday, June 10, 2016 30 th day following mailing of Notice	<p>Report of Joint Review Board for Ludwig Drive TIF</p> <p>Report of Joint Review Board for State Route 159 North TIF</p>
Tuesday, June 14, 2016 45+ days from mailing of Notice	<p>* TIF Public Hearing (EDR conducts) on Ludwig Drive TIF at 6:30 PM</p> <p>* TIF Public Hearing (EDR conducts) on State Route 159 North TIF at 7:00 PM</p>
Wednesday, June 22, 2016	<p>Community Committee Meeting</p> <p>Committee recommends the following Ordinances to Council:</p> <ul style="list-style-type: none"> * Approving Ludwig Drive TIF Redevelopment Plan and Project * Approving State Route 159 North TIF Redevelopment Plan and Project * Designating Ludwig Drive TIF Tax Increment Financing Area * Designating State Route 159 North TIF Tax Increment Financing Area * Adopting Tax Increment Financing for Ludwig Drive TIF * Adopting Tax Increment Financing for State Route 159 North TIF
Tuesday, July 5, 2016 14-90 days from close of Public Hearing	<p>City Council Adopts Ordinances:</p> <ul style="list-style-type: none"> * Approving Ludwig Drive TIF Redevelopment Plan and Project (<i>1st Reading</i>) * Approving State Route 159 North TIF Redevelopment Plan and Project (<i>1st Reading</i>) * Designating Ludwig Drive TIF Tax Increment Financing Area (<i>1st Reading</i>) * Designating State Route 159 North TIF Tax Increment Financing Area (<i>1st Reading</i>) * Adopting Tax Increment Financing for Ludwig Drive TIF (<i>1st Reading</i>) * Adopting Tax Increment Financing for State Route 159 North TIF (<i>1st Reading</i>)

Date	Activity Description
<p>Tuesday, July 19, 2016 14-90 days from close of Public Hearing</p>	<p>City Council Adopts Ordinances:</p> <ul style="list-style-type: none"> * Approving Ludwig Drive TIF Redevelopment Plan and Project (2nd Reading) * Approving State Route 159 North TIF Redevelopment Plan and Project (2nd Reading) * Designating Ludwig Drive TIF Tax Increment Financing Area (2nd Reading) * Designating State Route 159 North TIF Tax Increment Financing Area (2nd Reading) * Adopting Tax Increment Financing for Ludwig Drive TIF (2nd Reading) * Adopting Tax Increment Financing for State Route 159 North TIF (2nd Reading)
<p>Following City Council Meeting Tuesday, July 19, 2016</p>	<p>City sends to the St. Clair County Clerk:</p> <ul style="list-style-type: none"> * Certified Copy of Ordinance Approving Ludwig Drive TIF Redevelopment Plan and Project * Certified Copy of Ordinance Designating Ludwig Drive TIF Tax Increment Financing Area * Certified Copy of Ordinance Adopting Tax Increment Financing for Ludwig Drive TIF * Legal description for Ludwig Drive TIF * Detailed boundary map of Ludwig Drive TIF * Identification of the year of initial Equalized Assessed Value for Ludwig Drive TIF * List of parcel ID's for each parcel within Ludwig Drive TIF * Certified Copy of Ordinance Approving State Route 159 North TIF Redevelopment Plan and Project * Certified Copy of Ordinance Designating State Route 159 North TIF Tax Increment Financing Area * Certified Copy of Ordinance Adopting Tax Increment Financing for State Route 159 North TIF * Legal description for State Route 159 North TIF * Detailed boundary map of State Route 159 North TIF * Identification of the year of initial Equalized Assessed Value for State Route 159 North TIF * List of parcel ID's for each parcel within State Route 159 North TIF