

**COAL CITY
VILLAGE BOARD MEETING
TRUTH AND TAXATION
PUBLIC HEARING**

**WEDNESDAY
December 12, 2018
7:00 P. M.**

**COAL CITY VILLAGE HALL
515 S. BROADWAY, COAL CITY, ILLINOIS**

AGENDA

1. Call public hearing to order
2. Consideration of Ordinance No. 18-32
Setting the Property Tax Levy for SSA #2 in Coal City to be collected in 2019
3. Public Comment
4. Board Discussion
5. Adjourn

MEMO

TO: Mayor Halliday and the Board of Trustees

FROM: Matthew T. Fritz
Village Administrator

MEETING

DATE: December 12, 2018

RE: TAX LEVY FOR COAL CITY SSA#2

The Village Board adopted Ordinance 13-41, which established a Special Service Area (SSA) to include the properties, which make up the industrial park to accommodate manifest freight from the Union Pacific south of Reed Road and primarily west of Broadway. This SSA was created as an extra layer of precaution to ensure any debt related to the public support for infrastructure related to the construction of lead track from the UP into the industrial park would be paid by the land owners receiving the benefit of the improvement. The amount of this levy is to be set at \$431,450 due to the bond debt scheduled to be paid for the repayment of the debt associated with the construction of the aforementioned portion of rail.

This amount shall be levied against the participating owners and shall be collected in 2019 along with the rest of the property taxes collected by Grundy County. This is the maximum amount the Village may collect due to a formula set forth with the land owners, which requires their contribution towards the ongoing debt payments once the level of total debt associated with this project exceeds \$350,000. This is occurred with the debt payment made prior to November 1, 2018.

The Village provided notice to the property owners should they wish to voluntarily pay the amount to be levied and avoid the ordinance's SSA apportionment and collection efforts on behalf of Grundy County. This levy requires a Truth in Taxation Hearing due to the SSA receiving a levy exceeding 105% of that amount levied the prior year (since \$68.315 was levied last year).

Recommendation:

Adopt Ordinance No. 18-32 : Setting the Property Tax Levy for SSA#2 in Coal City to be collected in 2019.

THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 18-32

**AN ORDINANCE FOR THE 2018 LEVY AND ASSESSMENT OF TAXES IN AND FOR
THE VILLAGE OF COAL CITY SPECIAL SERVICE AREA NUMBER TWO OF THE
VILLAGE OF COAL CITY, GRUNDY AND WILL COUNTIES, STATE OF ILLINOIS**

TERRY HALLIDAY, Village President
PAMELA M. NOFFSINGER, Village Clerk

SARAH BEACH
ROSS BRADLEY
TIMOTHY BRADLEY
DANIEL GREGGAIN
NEAL NELSON
DAVID SPESIA

Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Coal City

on _____, 2018

ORDINANCE NO. _____

AN ORDINANCE FOR THE 2018 LEVY AND ASSESSMENT OF TAXES IN AND FOR THE VILLAGE OF COAL CITY SPECIAL SERVICE AREA NUMBER TWO OF THE VILLAGE OF COAL CITY, GRUNDY AND WILL COUNTIES, STATE OF ILLINOIS

WHEREAS, the Village of Coal City (hereinafter, “the Village”) is an Illinois municipal corporation organized and operated under the laws of the State of Illinois;

WHEREAS, the Village is a non-home rule municipality and, as such, may exercise delegated statutory and Constitutional powers and such powers as are necessarily implied therefrom;

WHEREAS, the Village is authorized, pursuant to Article VII, Section 7(6) of the Constitution of the State of Illinois, and the provisions of the Illinois Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.*, to establish special service areas for the provision of special services in portions of the Village and to levy or impose a special tax and to issue bonds for the provision of such special services;

WHEREAS, Village of Coal City Special Service Area Number Two (“SSA No. 2”) was established by the Village of Coal City pursuant to Ordinance No. 13-41, entitled, “An Ordinance Establishing Village of Coal City Special Service Area Number Two,” adopted by the Village Board of Trustees on November 25, 2013 (the “SSA Establishing Ordinance”);

WHEREAS, SSA No. 2 consists of the territory described in the SSA Establishing Ordinance, as amended from time to time;

WHEREAS, the SSA Establishing Ordinance establishes the special services that may be funded through sums levied and collected within SSA No. 2 and further establishes the amounts and manner in which said sums may be levied;

WHEREAS, the Village is now authorized to levy taxes for payment of expenditures on special services for SSA No. 2 in accordance with the terms of Section 6 of the SSA Establishing Ordinance, which provides the following formula for the annual levy and assessment of a special

ad valorem tax upon all real property subject to taxation within the limits of SSA No. 2 during the first seven (7) years of the Area, with all terms set forth in the formula having the meaning ascribed to them in the SSA Establishing Ordinance:

Tax Levy = [(incurred Service Expenses) + (Debt Service Expenses coming due in year following levy)] – [(Rail Refund) + (Acreage Fee) + (voluntary payments received)] - \$350,000;

WHEREAS, the foregoing formula shall be known as the “Dormancy Formula” and has been and shall continue to be computed on an annual basis for the first seven years of SSA No. 2 in order to yield the annual SSA No. 2 levy;

WHEREAS, the Village President and Board of Trustees (the “Corporate Authorities”) hereby find and determine that the Dormancy Formula shall be applied as follows to calculate the amount of the 2018 levy for SSA No. 2:

$$\$431,450 = [(\$350,000) + (\$431,450)] - [(\$0) + (\$0) + (\$0)] - \$350,000$$

WHEREAS, the Corporate Authorities find and determine that, in order to meet expenses and liabilities of SSA No. 2, and consistent with the formulas, requirements and restrictions set forth in the SSA Establishing Ordinance as described hereinabove, there is to be collected FOUR HUNDRED THIRTY-ONE THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$431,450.00) from the current year levy of special taxes on all real property subject to taxation within the limits of SSA No. 2;

WHEREAS, the Corporate Authorities have further determined that the aforesaid levy of special taxes in SSA No. 2 is consistent with the terms of SSA No. 2, in the public interest, protects the public health, welfare, and safety, and in accord with all applicable laws; and

WHEREAS, the 2018 special service area tax levy is greater than 105% of the amount extended for special service area purposes with SSA No. 2 for the preceding levy year, and the

Village has complied with the notice and hearing requirements satisfying the Open Meetings Act required by the applicable provisions of the Special Service Area Tax Law (35 ILCS 200/27-32);

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

SECTION 1. RECITALS.

That the foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. LEVY.

That there be and is hereby levied and assessed upon all real property subject to taxation within the limits of Village of Coal City Special Service Area Number Two SSA No. 2 as assessed and equalized for the year 2018, the sum of FOUR HUNDRED THIRTY-ONE THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$431,450.00). The Permanent Index Numbers of said properties are identified in **Exhibit A** attached hereto and are incorporated into and made part of this Ordinance, it being recognized that the taxes levied under this Ordinance shall be assessed on an *ad valorem* basis.

SECTION 3. AUTHORITY.

The tax levied by this Ordinance is pursuant to Article VII of the Constitution of the State of Illinois, the provisions of the Illinois Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.*, and the SSA Establishing Ordinance.

SECTION 4. FILING.

That the Village Clerk of the Village of Coal City is hereby directed to make and file with the County Clerk of the County of Grundy on or before the last Tuesday in December, a

duly certified copy of this adopted ordinance as required by law and said County Clerk shall be directed to extend the special taxes pursuant to law.

SECTION 5. REPEALER.

All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 7. EFFECTIVENESS.

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

SO ORDAINED this _____ day of _____, 2018, at Coal City, Grundy and Will Counties, Illinois.

AYES:

ABSENT:

NAYS:

ABSTAIN:

Approved on this _____ day of _____, 2018.

VILLAGE OF COAL CITY

Terry Halliday, President

Attest:

Pamela M. Noffsinger, Clerk

EXHIBIT A

**PERMANENT INDEX NUMBERS OF TAXABLE REAL PROPERTY WITHIN
VILLAGE OF COAL CITY SPECIAL SERVICE AREA NUMBER TWO**

09-15-200-004

09-15-200-005

09-15-400-002

09-14-300-007

STATE OF ILLINOIS)
) SS.
COUNTIES OF GRUNDY AND WILL)

**CERTIFICATE OF COMPLIANCE WITH SPECIAL SERVICE AREA TAX LAW
NOTICE AND HEARING REQUIREMENTS AND THE TRUTH IN TAXATION ACT**

I, the undersigned presiding officer of the Village of Coal City, Grundy and Will Counties, Illinois, DO HEREBY CERTIFY that the special service area tax levy adopted on the _____ day of _____, 2018, complies in all respects with the notice and hearing requirements set forth in Section 32 of the Special Service Area Tax Law (35 ILCS 200/27-32) and the Truth in Taxation Act for levying a special service area tax levy for Village of Coal City Special Service Area Number Two in an amount greater than 105% of the amount of special service area taxes extended for special service area purposes Village of Coal City Special Service Area Number Two for the preceding levy year.

SIGNATURE, Presiding Officer: _____

TITLE, Presiding Officer: _____

Date: _____

STATE OF ILLINOIS)
) SS.
COUNTIES OF GRUNDY AND WILL)

CERTIFICATION

I, Pamela Noffsinger, DO HEREBY CERTIFY that I am the duly qualified and acting Village Clerk of the Village of Coal City, Grundy and Will Counties, Illinois, and as such official, I am keeper of the records, ordinances, files and seal of said Village.

I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of Ordinance Number 18-__, *AN ORDINANCE FOR THE 2018 LEVY AND ASSESSMENT OF TAXES IN AND FOR THE VILLAGE OF COAL CITY SPECIAL SERVICE AREA NUMBER TWO OF THE VILLAGE OF COAL CITY, GRUNDY AND WILL COUNTIES, STATE OF ILLINOIS*[hereinafter, the "Ordinance"] adopted at a duly called Regular Meeting of the Board of Trustees, held at Coal City, Illinois, at 7:00 p.m. on the ____ day of December, 2018.

I DO FURTHER CERTIFY that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Coal City, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said Village at Coal City, Illinois, this _____ day of _____, 2018.

PAMELA NOFFSINGER,
VILLAGE CLERK
VILLAGE OF COAL CITY

[SEAL]