

ORDINANCE

VILLAGE OF GILBERTS

An Ordinance Extending the Village's Water System Connection Incentive Program for the Central Area TIF

WHEREAS, in 2015, the Village Board established a two-year incentive program to encourage properties located in the Central Area TIF that are currently using private wells to connect to the Village's potable water system (a copy of Ordinance No. 05-2015 is attached as Exhibit A); and

WHEREAS, the incentive program provides for a waiver of the otherwise applicable Hill-Newby recapture fees that eligible property owners would otherwise be required to pay in order to connect to the Village's water system, and allows eligible property owners to pay the water connection fee required by section 2-4-5-1 of the Village Code over a period of time not to exceed three years from the date of connection to the Village's water system; and

WHEREAS, the two-year incentive program expires on March 3, 2017, and the Village Board desires to extend the program, as set forth in Section 2 of this Ordinance.

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, ILLINOIS, as follows:

Section 1. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as though set forth in this Section 1.

Section 2. Extension of Incentive Program. The Village Board of the Village of Gilberts hereby extends the "Central Area TIF Water Connection Incentive Program," approved by Ordinance No. 05-2015, for an additional 7 months.

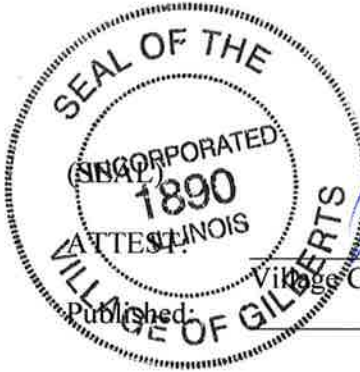
Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 21st day of Feb. 2017.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	✓	_____	_____	_____
Trustee Elissa Kojzarek	✓	_____	_____	_____
Trustee Nancy Farrell	✓	_____	_____	_____
Trustee Dave LeClercq	✓	_____	✓	_____
Trustee Lou Hacker	✓	_____	_____	_____
Trustee Guy Zambetti	✓	_____	✓	_____
President Rick Zirk	✓	_____	_____	_____

APPROVED THIS 21st DAY OF Feb., 2017

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Village President, Rick Zirk

Debra Meadows

Village Clerk, Debra Meadows

Published:

2/22/2017

Exhibit A

Ordinance No. 05-2015

ORDINANCE

VILLAGE OF GILBERTS

**An Ordinance Establishing a Water System
Connection Incentive Program for the Central Area TIF**

WHEREAS, on October 2, 2007, the Village of Gilberts entered into an Agreement with Hill-Newby LLC for the recapture of eligible costs associated with the construction of a new public water main; and

WHEREAS, in 2011, pursuant to Resolution 15-2011, the Village Board authorized the repayment of the Hill-Newby Recapture Agreement at a total cost of \$148,454 paid with \$100,000 in Central Area TIF funds and \$48,454 in water enterprise funds; and

WHEREAS, the Village Board desires to transfer \$48,454 in Central Area TIF funds as they become available to the water enterprise fund to reimburse that fund for the buy-out; and

WHEREAS, the Village Board also desires to establish a two-year incentive program to encourage properties located in the Central Area TIF that are currently using private wells to connect to the Village's potable water system; and

WHEREAS, the incentive program would provide for a waiver of the Hill-Newby recapture fees that eligible property owners would otherwise be required to pay in order to connect to the Village's water system; and

WHEREAS, the incentive program would also allow eligible property owners to pay the water connection fee required by section 2-4-5-1 of the Village Code to be paid over a period of time not to exceed three years from the date of connection to the Village's water system.

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, ILLINOIS, as follows:

Section 1. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as though set forth in this Section 1.

Section 2. Establishment of Incentive Program. The Village Board of the Village of Gilberts hereby establishes the "Central Area TIF Water Connection Incentive Program," as follows:

Central Area TIF Water Connection Incentive Program

- A. **Eligible Properties.** All properties located within the Central Area TIF that are utilizing private wells for their potable water needs as the effective date of this Ordinance are eligible to participate in the incentive program at the time they connect to the Village's water system.

- B. Incentives for Water Connection. Any eligible property that connects to the Village's water system within two years from the effective date of this Ordinance is eligible for the following incentives for connection to the Village water system:
1. A full waiver of the recapture fees that would be otherwise required by the Hill-Newby Recapture Agreement.
 2. Payment of the water connection fee required by section 2-4-5-1 of the Village Code in installments over a period not to exceed three years from the date of connection to the Village's water system.
- C. Direction to Village Staff. The Village Administrator and the Treasurer/Finance Director are authorized to execute any documents that are necessary and convenient to implement the incentive program as approved by this Ordinance, including reviewing applications from property owners, determining eligibility, approving the recapture waiver, and formalizing the details of the payment installment plan.
- D. Extension of the Incentive Program. The Village may, but is not obligated to, extend this program beyond the initial two-year period by approval of the Village Board.

Section 3. Transfer of Funds. The Village of Gilberts hereby authorizes and directs the Treasurer/Finance Director to transfer \$48,454 in Central Area TIF funds, as they become available, into the water enterprise fund to refund the amount utilized to pay the Hill-Newby Recapture Agreement as approved by Resolution 15-2011.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 3 day of March, 2015.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee David LeClercq	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Louis Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Patricia Mierisch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



APPROVED this 3 day of March, 2015


 Village President Rick Zirk

ATTEST OF 
 Village Clerk, Debra Meadows

Published: 3/4/2015