RETURN TO AGENDA

City of Fairview Heights

CITY COUNCIL MEETING AGENDA
10025 BUNKUM ROAD
FAIRVIEW HEIGHTS, IL 62208
SEPTEMBER 02, 2025
7:00 P.M.

The City Council meeting will be held in the Council Chambers. Participation (only) join at https://meet.goto.com/COFH or dial in at 1 (786) 535-3211 - Access Code: 808-004-661 - Please mute your phone during the meeting. To install the application: https://meet.goto.com/install

A. Call to Order

B. Pledge of Allegiance

C. Invocation

D. Roll Call

E. Public Participation

F. Consent Agenda:
City Council Minutes – August 20, 2025

G. Committee Reports

H. Communications from Mayor

I. Communication from Elected Officials

J. UNFINISHED BUSINESS

None

K. NEW BUSINESS

Proposed Ordinance No. 15-‘25 an Ordinance approving the tax increment Redevelopment Plan and Project for the Fairview Heights Lincoln Highway and 159 TIF. (Community Committee)

Proposed Ordinance No. 16-‘25 an Ordinance designating the Fairview Heights Lincoln HWY and 159 TIF. (Community Committee)

Proposed Ordinance No. 17-‘25 an Ordinance adopting tax increment financing for the Fairview Heights Lincoln HWY and 159 Redevelopment Project Area. (Community Committee)

Proposed Ordinance No. 18-’25 an Ordinance establishing and designating the Lincoln HWY and 159 Business District and approving the Lincoln HWY and 159 Business District Plan withing the City of Fairview Heights, Illinois. (Community Committee)

Proposed Ordinance No. 19-‘25 an Ordinance establishing and imposing certain Business District Taxes in the City of Fairview Heights Lincoln Highway and 159 Business District. (Community Committee)

Proposed Ordinance No. 20-‘25 an Ordinance amending Ordinance No. 1990-2025, passed on April 15, 2025 and approved on April 16, 2025; an Ordinance establishing a Budget for the City of Fairview Heights for the fiscal year 2025-2026. (Community Committee)

Proposed Resolution No. 58-’25 a Resolution approving a minor subdivision plat for Lot 29 of the Fairview Hills Subdivision, St. Clair County PIN 03-19.0-207-015, In the R-3 A Single Family Residential District. (Community Committee)

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Proposed Resolution No. 59-'25 a Resolution authorizing the Mayor on behalf of the City to enter into an engineering services agreement with TWM, Inc to provide professional engineering services for St. Ellen Multiuse Trail Phase 4. (Community Committee)

L. MOTION

M. ADJOURNMENT

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CITY OF FAIRVIEW HEIGHTS
CITY COUNCIL MINUTES
August 20, 2025

The regular meeting of the Fairview Heights City Council was called to order at 8:00 p.m. by Mayor Mark T. Kupsky in the City Council Chambers, 10025 Bunkum Road, Fairview Heights, IL and also conducted virtually for guest attendees and City Council members per Resolution 4391-2021 with the Pledge of Allegiance and Invocation by City Clerk Karen Kaufhold.

ROLL CALL

Roll call of Aldermen present: Derrick King, James Winkeler, Barbara Brumfield, Brenda Wagner, Pat Peck, Anthony LeFlore, Frank Menn and Josh Frawley. Alderman Bill Poletti was absent – excused-attended virtually. City Clerk Karen Kaufhold and Attorney Andrew Hoerner were present.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

Alderman Barbara Brumfield moved to approve the August 20th, 2025 City Council Meeting minutes, Finance Director's Report and the bills and invoices presented for payment in the amount of $2,492,792.90 and Public Hearing Meeting Minutes. Seconded by Alderman Pat Peck.
Roll call on the August 20th, 2025 City Council Meeting minutes, Finance Director's Report and the bills and invoices presented for payment in the amount of $2,492,792.90 and Public Hearing Meeting Minutes showed Aldermen King, Winkeler, Brumfield, Wagner, Peck, LeFlore, Poletti, Menn and Frawley voting "Yea". Motion passes with 9 yeas.

COMMITTEE REPORTS

The Mayor announced that the next City Council Meeting will be on September 02, 2025 at 7:00 P.M.

COMMUNICATIONS FROM THE MAYOR

Mayor Mark began by reminding everyone that school is back in session, so be attentive and aware of kids the area. Mayor Kupsky announced the 37th Annual Salute to the Arts will be August 23rd, 24th and 25th, 2025 at Moody Park. Mayor notified everyone on Saturday, September 06, 2025 will be the Annual Fishing Rodeo at Moody Park, for more questions contact the Parks Department. Mayor Mark wanted everyone to keep Chief Steven Johnson in your thoughts in prays for his ongoing health issues.

COMMUNICATIONS FROM ELECTED OFFICIALS

Alderman Pat Peck discussed the success of the previous Trekking for Trash and all the volunteers from Southern Illinois University Edwardsville. The next Trekking for Trash will be held on September 13, 2025 they will meet at 8:00 am at Walgreens.

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UNFINISHED BUSINESS

Proposed Ordinance No. 14-'25 an Ordinance authorizing a Redevelopment Agreement between the City of Fairview Heights, Illinois and Apek Holdings for the Redevelopment Project at 9510 St. Clair Ave in the City of Fairview Heights. Proposed Ordinance No. 14-'25 was read for the second time.
Roll call on the Proposed Ordinance No. 14-'25 showed Aldermen King, Winkeler, Brumfield, Wagner, Peck, LeFlore, Poletti, Menn and Frawley voting "Yea". Motion passes with 9 yeas.
Proposed Ordinance No. 14-'25 passed on with 9 yeas.
Proposed Ordinance No. 14-'25 now becomes **ORDINANCE NO. 1998-2025**

NEW BUSINESS

Proposed Resolution No. 56-'25 a Resolution authorizing the Mayor to enter into an agreement with Farnsworth Group for management of construction documents, bidding and construction administration for two generators to be included as design alternates to the expansion of The REC. Motion by Alderman Brumfield. Seconded by Alderman Wagner.
Roll call on the Proposed Resolution No. 56-'25 showed Aldermen King, Winkeler, Brumfield, Wagner, Peck, LeFlore, Poletti, Menn and Frawley voting "Yea". Motion passes with 9 yeas.
Proposed Ordinance No. 56-'25 passed on with 9 yeas.
Proposed Ordinance No. 56-'25 now becomes **RESOLUTION NO. 4659-2025**

Proposed Resolution No. 57-'25 an authorizing the Mayor to enter into a contract on behalf of the city of Fairview Heights with KRB Excavating, Inc. for pavement removal and replacement, Stonewolf Subdivision. Motion by Alderman Peck. Seconded by Alderman Poletti.
Roll call on the Proposed Resolution No. 57-'25 showed Aldermen King, Winkeler, Brumfield, Wagner, Peck, LeFlore, Poletti, Menn and Frawley voting "Yea". Motion passes with 9 yeas.
Proposed Ordinance No. 57-'25 passed on with 9 yeas.
Proposed Ordinance No. 57-'25 now becomes **RESOLUTION NO. 4660-2025**

Motion made by Alderman Wagner moved to adjourn. Seconded by Alderman LeFlore. Motion carried.

Meeting adjourned at 8:12 P.M.

Respectfully submitted,

KAREN KAUFHOLD
CITY CLERK

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PROPOSED ORDINANCE NO. 15-'25

ORDINANCE APPROVING THE TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT FOR THE FAIRVIEW HEIGHTS LINCOLN HIGHWAY AND 159 TIF

WHEREAS, the City of Fairview Heights, Illinois desires to implement 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 "TIF Act") for the proposed Redevelopment Plan and Project (the "Plan") within the municipal boundaries of the City of Fairview Heights and within the Fairview Heights Lincoln Highway and 159 TIF (the "Project Area") as described in Exhibit A attached to this Ordinance, which constitutes in the aggregate more than 1-1/2 acres; and

WHEREAS, the Plan was made available for public inspection at the City Clerk's office on June 6th 2025 and

WHEREAS, the City Council did on June 17, 2025 pass Resolution 4646-2025, setting August 5, 2025 as the date for the public hearing on the Plan, with the time and place of such hearing identified in said Resolution; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on June 18, 2025 pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all interested parties that have registered with the City concerning the Project Area; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on June 19, 2025 pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the Project Area; and

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the City Council caused a public hearing to be held relative to the Plan and the designation of the Project Area on August 5, 2025 at Fairview Heights City Hall; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the TIF Act, said notice being given to taxing districts and to the State of Illinois by certified mail on June 18, 2025; by publication on July 7, 2025 and June 14, 2025; and by certified mail to property owners within the Project Area on July 14, 2025; and

WHEREAS, the Plan sets forth the factors constituting the need for abatement of conditions within the Project Area that have led to blight or may lead to blight, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the Project Area as the term "conservation area" is defined in the TIF Act; and

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the Project Area to determine whether private development would take place in the Project Area, as a whole, without the adoption of the Plan for the Project Area; and

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WHEREAS, the City Council has reviewed the conditions pertaining to real property in the Project Area to determine whether contiguous parcels of real property in the Project Area would be substantially benefited by the proposed redevelopment project improvements; and

WHEREAS, the City Council has reviewed the proposed Fairview Heights Lincoln Hwy and 159 TIF Tax Increment Redevelopment Plan and Project and the Comprehensive Plan for the development of the municipality as a whole to determine whether the Plan conforms to the Comprehensive Plan of the City.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS that:

1. The City Council of the of Fairview Heights makes the following findings:

   a. The area constituting the Fairview Heights Lincoln Hwy and 159 TIF in the City of Fairview Heights, Illinois is described in Exhibit A, attached hereto and made part of this Ordinance.

   b. There exist conditions that enables the Project Area to be designated as a "redevelopment project area" and be classified as a combination "blighted area" and "conservation area" as defined in Section 11-74.4-3 of the TIF Act.

   c. The Fairview Heights Lincoln Hwy and 159 TIF, on the whole, has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Redevelopment Plan.

   d. The Redevelopment Plan and Redevelopment Project for the Fairview Heights Lincoln Hwy and 159 TIF conforms to the Comprehensive Plan for the development of the City as a whole.

   e. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property, which will be substantially benefited by the proposed redevelopment project, are included in the Fairview Heights Lincoln Hwy and 159 TIF.

   f. The estimated date for the completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31 of the year in which the payment to the City Treasurer as provided in subsection (b) of Section 11-74.4-8 of the TIF Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the Fairview Heights Lincoln Hwy and 159 TIF is adopted.

2. The Tax Increment Redevelopment Plan and Project for the Fairview Heights Lincoln Hwy and 159 TIF, which was the subject matter of the hearing held on August 5, 2025, is hereby adopted and approved. A copy of the aforementioned Redevelopment Plan and Project, marked as Exhibit B, is attached to and made a part of this Ordinance.

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3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

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

APPROVED:

____

Mark Kupsky, City Mayor

ATTEST:

____

Karen Kaufhold, City Clerk

Exhibit A

BOUNDARY DESCRIPTION
Fairview Heights Lincoln Hwy and 159 TIF
City of Fairview Heights, Illinois

Fairview Heights TIF Boundary
Legal Description
July 9, 2025

A tract of land being part of Sections 27 and 28, Township 2 North, Range 8 West of the Third Principal Meridian, County of St. Clair, State of Illinois, and being more particularly described as follows: Beginning at the northwesterly corner of Lot 112 of the First Addition to Capitol Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 52 on page 53, said point also being on the southerly right of way line of Federal Aid Interstate Route 64; thence southerly on the westerly line of said First Addition To Capitol Oaks, 740.00 feet to the northwesterly corner of Capital Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 43 on page 53; thence southerly on the westerly line of said Capitol Oaks, to the westerly extension of the southerly line of Lot 87 of said Capitol Oaks; thence easterly, on said westerly extension, 51 feet, more or less, to the easterly right of way line of Mount Vernon Drive (a.k.a. Washington Street); thence southerly on said easterly right of way line to the northerly right of way line of U.S. Route 50 (a.k.a. State Bond Issue Route, Lincoln Trail); thence easterly on a said northerly right of way line to the northerly extension of the easterly right of way line of Aubuchon Drive; thence southerly on said northerly extension and also on the easterly right of way line of Aubuchon Drive to the northwest corner Lot 84 of the First Addition to Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 58 on page 15; thence westerly on the northerly line of said First Addition to Patricia Gardens to the northeast corner of Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 55 on page 72; thence westerly on the northerly line of said Patricia Gardens to the northwest corner of said Patricia Gardens; thence southerly on the westerly line of said Patricia Gardens to the northeast corner of the First Addition to Countryside Lane, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 63 on page 31; thence westerly on the northerly line of said Countryside Lane First Addition to the westerly right of way line of Countryside Lane; thence southerly on said westerly right of way line, to the southeast corner of a tract of land described in the St. Clair County Recorder's Office in Document Number A02284397; thence westerly, on the southerly line of said tract of land described in A02284397, to the southwest corner of said tract of land described in A02284397; thence southerly, on the northerly extension of the easterly line of Upland Terrace, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 48 on page 53 to said easterly line of Upland Terrace; thence westerly, on the northerly line of said Upland Terrace, to the easterly right of way line of Judy Lane; thence northerly on said easterly right of way line to the easterly extension of the southerly line of Parcel Number 03-27.0-302-015 or a tract of land described in the St. Clair County Recorder's Office in Document Number A02816312; thence westerly on said southerly line to the easterly line of Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 50 on page 8; thence northerly on said easterly line of Orlando place to the northeast
corner of Lot 18 of said Orlando Place; thence westerly on the northerly line of Lot 18 and the westerly extension thereof , to the northwest corner of Lot 3 of said Orlando Place; thence southerly on the westerly line of said Orlando Place and a westerly line of the First Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 51 on page 38, to the northerly right of way line of Cypress Drive (a.k.a. Plum Street); thence westerly on said northerly right of way line and the northerly line of Lot 29 of said First Addition to Orlando Place to the northwesterly corner of said Lot 29; thence southerly on a westerly line of said Orlando Place First Addition and a westerly line of the Third Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 56 on page 53 to the northeast corner of Lot 23 of Walker Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in

Plat Book 44 on page 3; thence westerly on the northerly line of said Lot 23 to the northwest corner of Parcel Number 03-27.0-300-064 or the northwest corner of a tract of land described in Document Number A01773714; thence southerly on the westerly line of said Parcel Number 03-27.0-300-064 or the westerly line of Document Number A01773714 and the southerly extension thereof to the southerly right of way line of Ashland Avenue; thence westerly on said southerly right of way line and the westerly extension thereof to the westerly right of way line of Illinois Route 159 (N. Illinois Street); thence northerly, on said westerly right of way line of Illinois Route 159, to the southerly right of way line of Malinda Drive; thence westerly on said Southerly right of way line of Malinda Drive to its intersection with the southerly extension of the westerly right of way line of Lanaghan Drive; thence northerly said westerly right of way line of Lanaghan Drive and the northerly and southerly extensions thereof to the northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail); thence easterly on said northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail) and the northerly right of way line of U.S. Route 50 (AKA Lincoln Highway) to a westerly line of Lot 1 of St. Clair Square Subdivision, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Document Number A02705486; thence northerly and northwesterly on the westerly and southwesterly lines of said Lot 1 to a southeasterly corner of Lot 3 of said St. Clair Square Subdivision; thence northwesterly and westerly on the northeasterly and northerly line of said Lot 3 and the westerly extension thereof to a northwesterly corner of a tract of land described in the St. Clair County Recorder's Office in Deed Book 2333 on page 465, also being a southerly line of said Lot 1 to a northwesterly line of said tract described in Deed Book 2333; thence on the northwesterly line and a westerly line of said tract of land described in Deed Book 2333, also being a southeasterly and an easterly line of said Lot 1 respectively; thence westerly on a southerly line of said Lot 1 to the easterly right of way line of Illinois Route 159 (a.k.a. N. Illinois Street; thence northerly on said easterly right of way line of said Illinois Route 159; thence Northerly on said easterly right of way line to the westerly extension of the northerly line of said Lot 3 ; thence westerly on said westerly extension of Lot 3 to the westerly right of way line of said Illinois Route 159; thence northerly on said westerly right of way line of Illinois Route 159 and the northerly extension thereof to a point lying North 90 degrees 00 minutes 00 seconds West of the northwest corner of Lot 6 of said St. Clair Square Subdivision; thence South 90 degrees 00 minutes 00 seconds East to said northwesterly corner of Lot 6, also being on the southerly right of way line of Federal Aid Interstate Route 64; thence northeasterly and easterly on said southerly right of way line of said Federal Aid Interstate Route 64 to the Point of Beginning.

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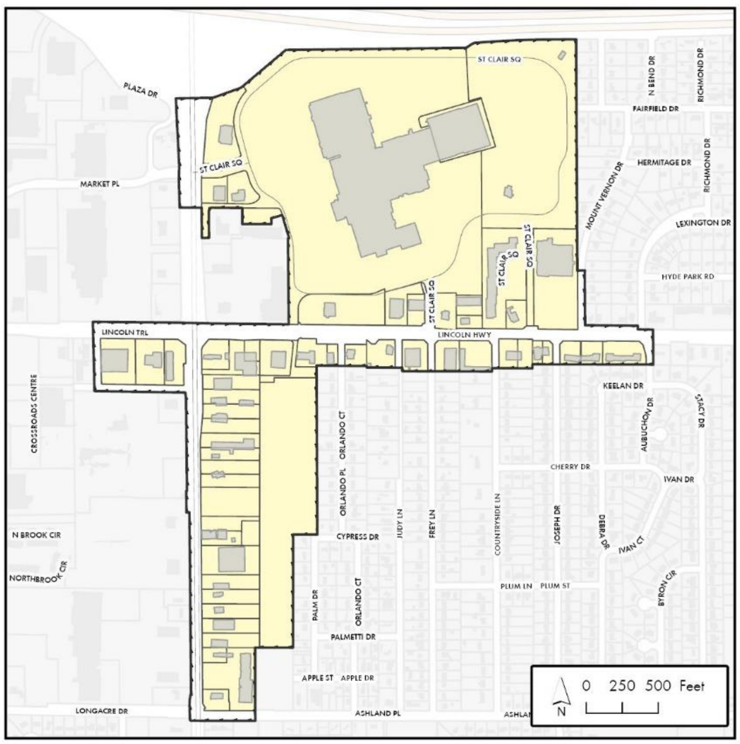
Exhibit B

TAX INCREMENT FINANCING
REDEVELOPMENT PLAN & PROJECT
Fairview Heights Lincoln Hwy and 159 TIF
Dated August 6, 2025

DRAFT

TAX INCREMENT FINANCING REDEVELOPMENT PLAN & PROJECT

LINCOLN HIGHWAY AND IL-159 TIF REDEVELOPMENT PROJECT AREA



PREPARED FOR:
Fairview Heights, Illinois

PREPARED BY:
PGAV PLANNERS
ST. LOUIS, MISSOURI

MAY 13, 2025

ACKNOWLEDGMENTS

MAYOR
Mark Kupsky

CITY COUNCIL
Joshua Frawley
Frank Menn
Anthony LeFlore
Barb Brumfield
Brenda Wagner
Harry Zimmerman
Pat Peck
Bill Poletti
James Winkeler
Derrick King

CITY CLERK
Karen Kaufhold

DIRECTOR OF LAND USE & DEVELOPMENT
Dallas Alley

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SECTION I – INTRODUCTION

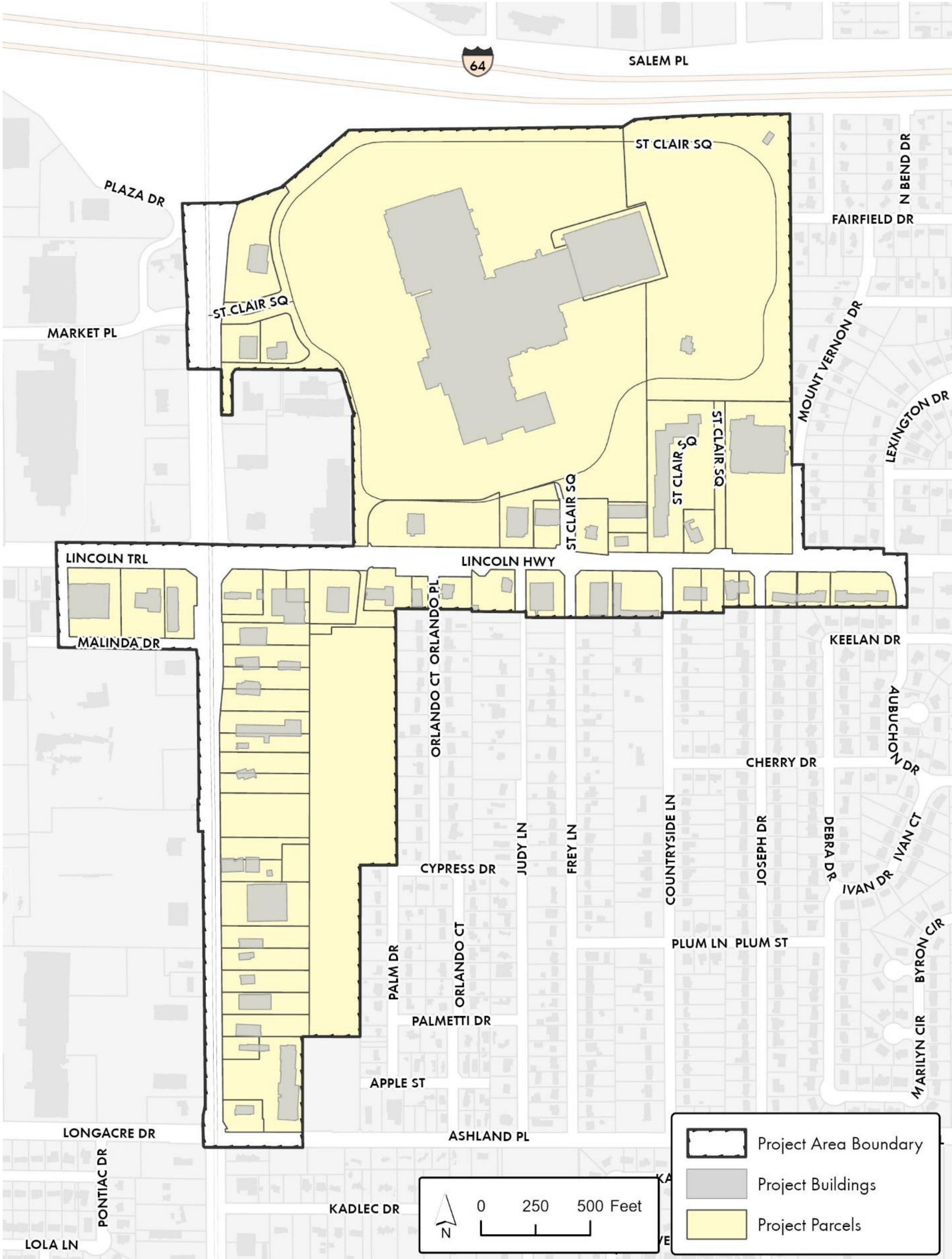
The area being considered for designation as a tax increment financing ("TIF") district is located in the City of Fairview Heights, St. Clair County, Illinois near the I-64 and IL-159 interchange. This area is generally bounded by I-64 to the north, IL-159 to the west, the row of parcels directly south of Lincoln Highway/Trail between Langhan Drive and Aubuchon Drive to the south, and the Schnucks and St. Clair Square properties to the east. There is also a row of parcels along the east side of IL-159 between Lincoln Highway and Ashland Avenue that are included in the area. The area is referred to herein as the Lincoln Highway and IL-159 TIF Redevelopment Project Area (the "Project Area" or the "Area"). The boundaries of the Project Area are as shown in Figure A - Redevelopment Project Area Boundary on Page 4. Refer also to the legal description contained in the Appendix as Attachment A.

The Project Area contains approximately 176.4 acres, including street rights-of-way, and 61 parcels of real property. The Project Area is completely built-out with no vacant parcels, but there is a prevalence of deteriorated site improvements, buildings, and rights-of-way throughout the Area, and several buildings are partially or fully vacant. Located directly off I-64, the Area, which comprises the St. Clair Square mall and surrounding properties, as well as commercial properties fronting the major thoroughfares of Lincoln Highway/Trail and IL-159, is part of a regional commercial hub. The intention of designating this area as a TIF district is to relieve the blighted conditions of Area buildings, sites, and rights-of-way and to attract new economic activity to the Area.

The City may consider the use of tax increment financing, as well as other economic development resources as available, to facilitate private investment within the Area. It is the intent of the City to induce the investment of significant private capital in the Area, which will serve to redevelop aging properties and infrastructure that will likely enhance the tax base of the community. Furthermore, in accordance with Section 11-74.4-3(n)(5) of the Act, a housing impact study need not be performed since the redevelopment plan will not result in the displacement of ten (10) or more inhabited residential units. This certification is provided in Section III of this report.

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

Figure A - Redevelopment Project Area Boundary



SECTION II – BASIS FOR ELIGIBILITY OF THE AREA

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

Definition of a Blighted Area

The TIF Act states that a **"blighted area"** means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

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

1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings, or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.
2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.
3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.
4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.
5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

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

7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

11) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

12) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the

development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

13) The total equalized assessed value of the proposed redevelopment project area has declined for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated.

If vacant, the sound growth of the Redevelopment Project Area is impaired by a combination of two (2) or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

1) Obsolete platting of vacant land that results in parcels of limited or narrow size, or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys, or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

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

3) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last five (5) years.

4) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

5) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the Redevelopment Project Area.

6) The total equalized assessed value of the proposed Redevelopment Project Area has declined for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated.

If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that: (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act; and, (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

1) The area consists of one or more unused quarries, mines, or strip mine ponds.
2) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.
3) The area, prior to its designation, is subject to
    a) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency; or
    b) 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
4) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.
5) Prior to 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.
6) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

Definition of a Conservation Area

"Conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area, but because of a combination of three or more of the following factors, the area is detrimental to the public safety, health, morals or welfare, and such an area may become a blighted area:

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

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

3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

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

7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

11) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

12) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

13) The total equalized assessed value of the proposed redevelopment project area has declined for three of the last five calendar years prior to the year in which the redevelopment project area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three of the last five calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five calendar years prior to the year in which the redevelopment project area is designated.

Findings

In determining if the Area meets the eligibility requirements of the Act, research and field surveys were conducted. These included:

1) Contacts with City officials knowledgeable about area conditions and history and age of buildings and site improvements.
2) On-site field examination of conditions within the Area on March 7, 2025, by experienced staff of PGAV. These personnel are trained in techniques and procedures of documenting conditions of real property, streets, etc., and determination of eligibility of designated areas for tax increment financing.
3) Use of definitions contained in the Act.
4) Adherence to basic findings of need as established by the Illinois General Assembly in establishing tax increment financing which became effective on January 10, 1977.
5) Examination of St. Clair County real property tax assessment records.

On March 7, 2025, PGAV staff conducted field investigations to document existing conditions of the properties proposed for the Area. One of the outcomes of this survey was an inventory of existing land uses in the Area, which are illustrated in Figure B - Current Land Use on Page 12. The following narrative summarizes the factors found to be present to a meaningful extent within the Area. Figure C - Existing Conditions on Page 13 shows the reasonable distribution of factors throughout the Area. Table 1 - Summary of Qualifying Factors on Page 14 provides a summary of the statutory factors used to justify the use of TIF in the Project Area. Table 2 - Comparison of EAV Growth Trends on Page 16 displays the difference in growth rates between the Project Area, the balance of the City, and the Consumer Price Index for All Urban Consumers.

Figure B - Current Land Use

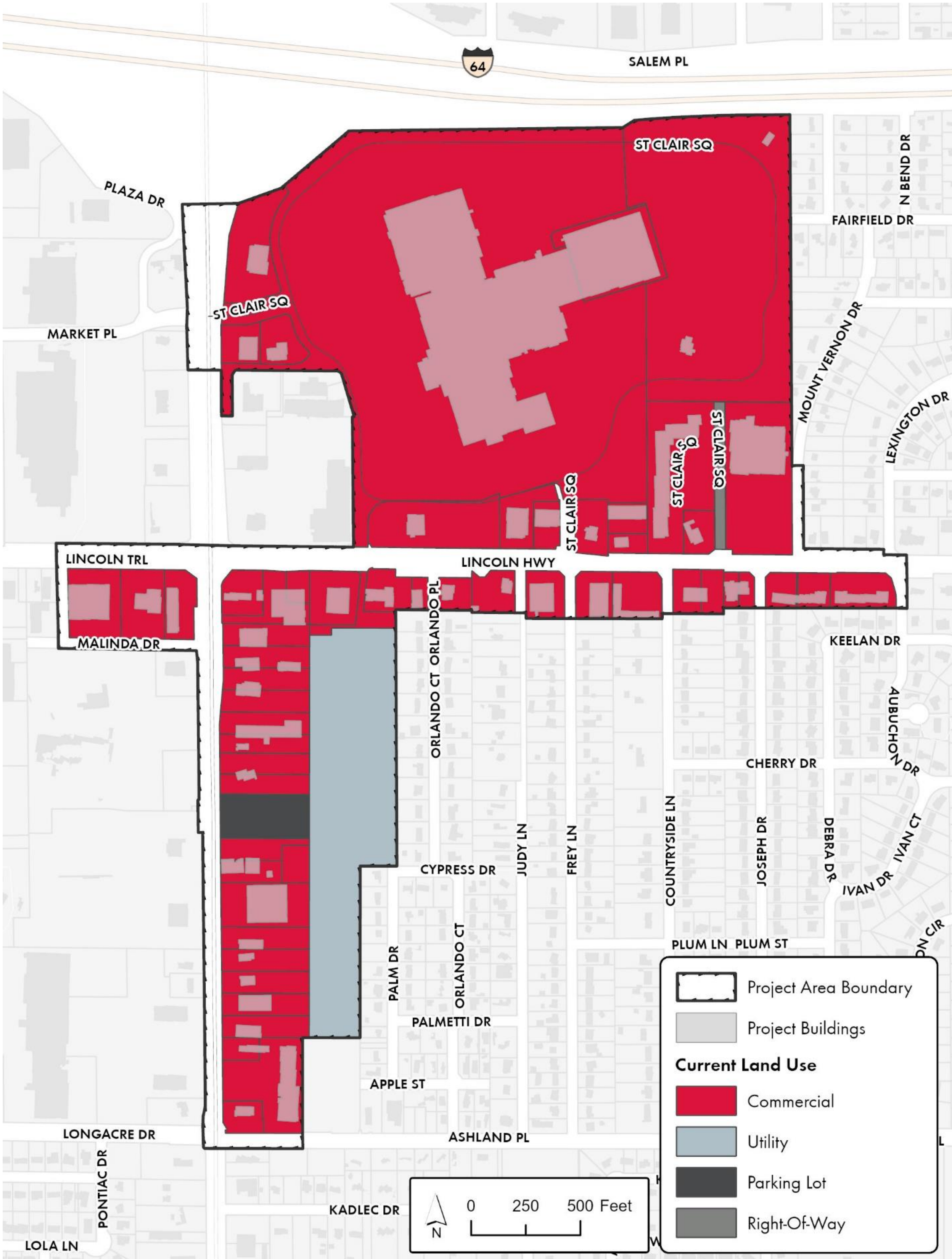


Figure C - Existing Conditions

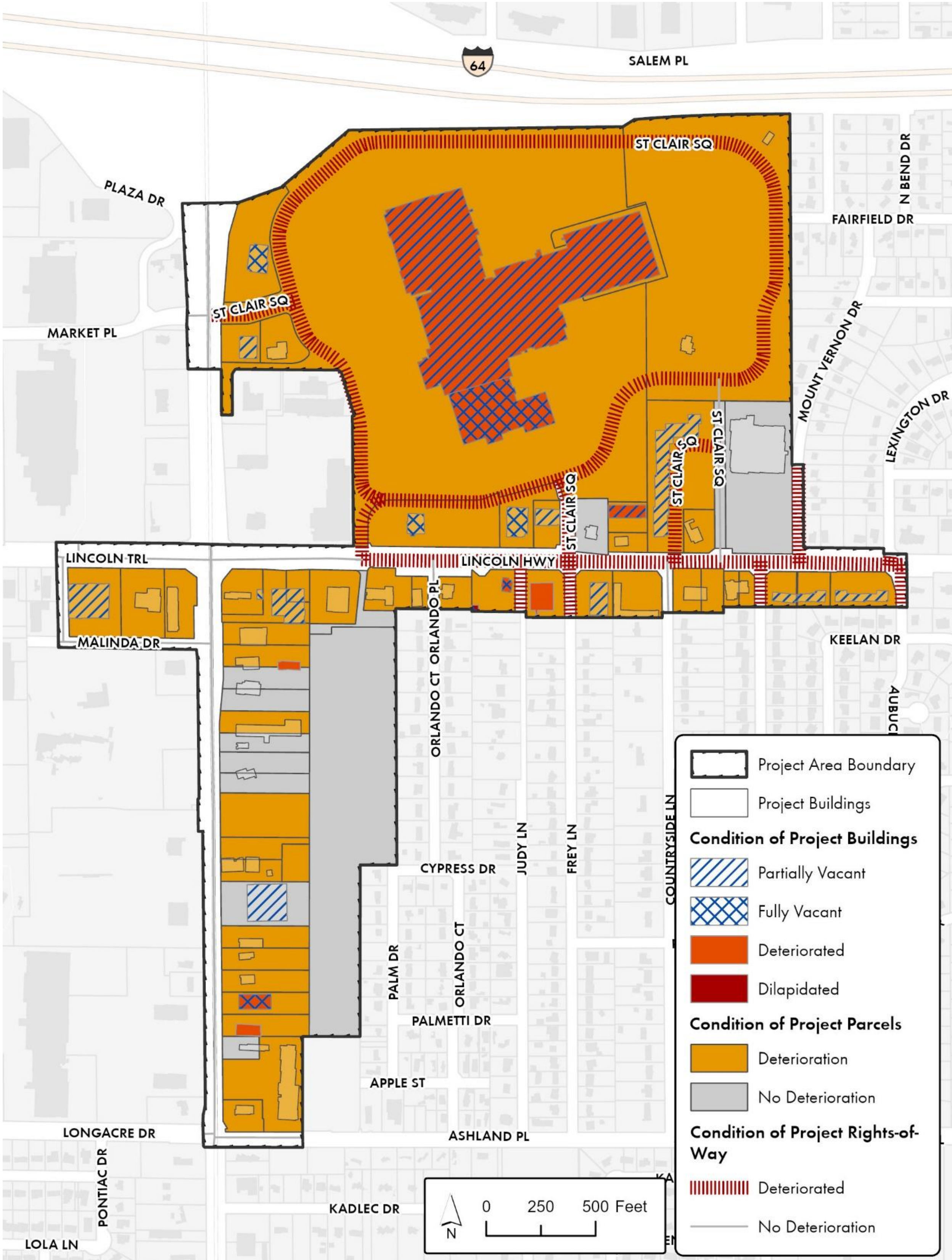


Table 1 - Summary of Qualifying Factors

	Total	%
Total parcels	61	
No. of improved parcels	60	**98.4%**
No. of vacant parcels	0	**0.0%**
No. of right-of-way and railroad parcels	1	**1.6%**
Total No. of buildings	53	
No. of buildings 35 years of age or older	49	**92.5%**
No. inhabited residential units	nd*	
IMPROVED LAND FACTORS:		
No. of buildings that are deteriorated	8	**15.1%**
No. of parcels with site improvements that are deteriorated	49	**81.7%**
No. of improved parcels with either deteriorated site improvements or buildings	49	**81.7%**
Buildings that are dilapidated	1	**2%**
Buildings that are obselete	nd*	
No. of structures below minimum code	nd*	
No. of buildings lacking ventilation, light or sanitation facilities	nd*	
No. of building with illegal uses	nd*	
Buildings in the Area have excessive vancancy (wholly or partially)	**Yes**	
No. of improved parcels with excessive land coverage or overcrowding of structures	nd*	
Inadequate utilities (Entire Project Area)	nd*	
Deleterious land use or layout (by Sub-Area)	nd*	
Lack of community planning	nd*	
Environmental clean-up	nd*	
Improved parcels that are taxable	59	**98%**
Area has declining or sub-par EAV growth	**Yes**	
VACANT LAND FACTORS (2 or More):		
Obsolete platting	nd*	
Diversity of ownership	nd*	
Tax delinquencies	nd*	
Vacant parcels with adjacent deterioration of structures or site improvements	nd*	
Environmental clean-up	nd*	
Vacant land that is taxable	nd*	
Area has declining or sub-par EAV growth	nd*	
VACANT LAND FACTORS (1 or More):		
Unused quarry, mines, rail, etc.	nd*	
Blighted before vacant	nd*	
Chronic flooding	nd*	
Unused or illegal disposal site	nd*	

*Not determined.

Eligibility of Improved Parcels

Conservation Area Factor. Age of Structures: Age is a prerequisite factor in determining an Area's qualification as a "conservation area." As is clearly set forth in the Act, 50% or more of the structures must have an age of 35 years or greater to meet this criterion. There are 53 total buildings in the Project Area, both primary and accessory structures. Of the 53 buildings, 49 (92.5%) were determined by field investigations to be 35 years of age or older. The age threshold is met for qualifying the improved properties within the Area as a conservation area.

Improved Land Factor 1. Deterioration: The Project Area comprises 60 improved parcels, of which 49 (81.7%) have some sort of site deterioration. This might include cracked, crumbling, broken, or weed-infested driveways, sidewalks or paths, parking or storage areas, curbs, alleys, etc. Additionally, eight of the 53 buildings (15.1%) in the Area have deterioration in secondary building components, such as windows, doors, soffit and fascia, gutters, downspouts, siding, or brickwork. Though not prevalent enough in the Area to consider as a qualifying factor, one building (2%) was found to be dilapidated.

Improved Land Factor 2. Excessive Vacancies: Fieldwork investigations determined that 18 of the 53 buildings (34%) in the Project Area are currently fully or partially vacant. These buildings are scattered throughout the Project Area and include the St. Clair Square mall, which has experienced higher tenant turnover and vacancy in recent years. In particular, the former Sears space in the mall has sat completely vacant for many years.

Improved Land Factor 3. Declining or Sub-par Trend in Equalized Assessed Value (EAV): Over the past five years (2019-2024), the Area's EAV has grown at a rate less than that of the national Consumer Price Index, as well as the remainder of the City of Fairview Heights, for three years. The total EAV of the Project Area itself has also experienced decline twice in the past five years, most notably when the Area's EAV experienced a staggering 20.5% decline from 2019 to 2020. Table 2 - Comparison of EAV Growth Trends on Page 16 shows how the Project Area's EAV compares to the remainder of the City and the national Consumer Price Index for All Urban Consumers.

Table 2 - Comparison of EAV Growth Trends

Assessment Year	Project Area EAV *	EAV Declined?	Balance of City**	Area Growth Rate Less Than Balance of City?	Area Growth Rate Less Than CPI Index for All Urban Consumers?
2019	$ 45,591,557		$356,527,528		
2020	$ 36,234,019		$369,551,941		
Annual Percent Change	-20.5%	YES	3.7%	YES	YES
2021	$ 36,241,821		$369,922,321		
Annual Percent Change	0.0%	NO	0.1%	YES	YES
2022	$ 40,767,693		$391,883,441		
Annual Percent Change	12.5%	NO	5.9%	NO	NO
2023	$ 45,209,822		$ 417,165,075		
Annual Percent Change	10.9%	NO	6.5%	NO	NO
2024	$ 42,753,219		$ 471,288,902		
Annual Percent Change	-5.4%	YES	13.0%	YES	YES

* Source: St. Clair County Assessor data

** Source: St. Clair County Tax Computation Reports 2019-2024

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SECTION III - REDEVELOPMENT PLAN AND PROJECT

Section III and Section IV constitute the Redevelopment Plan and Project for the Lincoln Highway and IL-159 TIF Redevelopment Project Area.

Objectives

The general objectives of this Plan are as follow:

1. To alleviate blight, ensure safe conditions, and enhance the efficiency of the infrastructure networks. This infrastructure could include, but is not limited to, utilities, sidewalks, streets, and lighting.
2. To attract new business and economic activity to the Project Area.
3. Enhance the tax base for the City and all other taxing bodies.
4. Encourage and assist private investment and redevelopment within the Area through the provision of financial assistance as permitted by the Act.
5. Complete all public and private actions required in this Plan in an expeditious manner.
6. Maintain transparency and accountability with residents and taxing bodies by reporting annually on Area projects to the State of Illinois and the Joint Review Board.
7. Enter into agreements with private parties and public agencies that protect the long-term financial health and wellbeing of the City.

General Land Uses to Apply

The general land uses to apply for the Area are shown in Figure D - General Land Use Plan on Page 19.

Program to be Undertaken to Accomplish Objectives

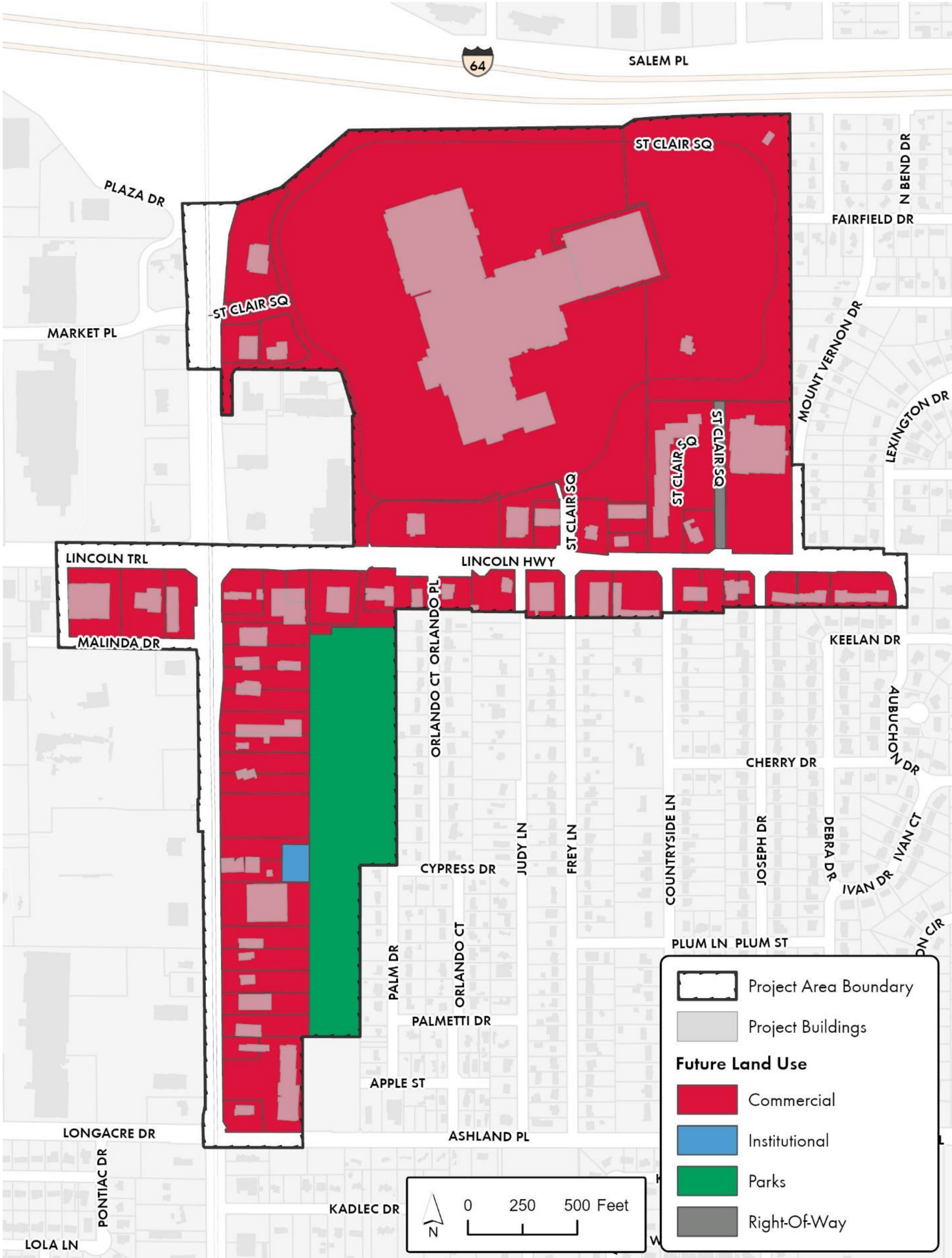
The City has determined that it is appropriate to create a program to provide financial incentives for private investment within the Area. It has been determined, through private and public project implementation experience, that tax increment financing constitutes one of the most effective means available for enabling development in the Area. Local taxing bodies are expected to benefit from the implementation of this Plan. The City will incorporate appropriate provisions within any redevelopment agreement entered into between the City and private parties ensuring redevelopment projects make progress towards achieving the objectives stated herein.

Conformance with the Comprehensive Plan and Zoning Ordinance

The land uses laid out in Figure D - General Land Use Plan on Page 19 comply with the intended uses shown in the Land Use Plan in the City's Comprehensive Plan. In the City's Comprehensive Plan, the St. Clair Square site and surrounding properties around I-64, IL-159, and Lincoln Highway/Trail are designated as Regional Commercial, while the two properties behind the row of commercial properties along IL-159 are categorized as Public/Semi-Public and Parks/Open Space. All properties in the Area are currently zoned as commercial.

RETURN TO AGENDA

Figure D - General Land Use Plan



PGAV PLANNERS

Redevelopment Project

Activities necessary to implement the Plan may include the following:

1. **Private Redevelopment Activities:**

   In general, construction of new private buildings and the rehabilitation, renovation, and repair of existing private buildings at various locations in the Area. {Add any additional private redevelopment activities that are specific to the Client, ex: the redevelopment or demolition of specific blighted developments/buildings, the development of a new sports park, the development of a new hotel with complimentary dining and retail, etc.}

2. **Public Redevelopment Activities:**

   Public improvements and support activities will be used to induce and complement private investment. These may include but are not limited to street and sidewalk improvements, land assembly including site acquisition and site preparation, public utilities (e.g., water, sanitary and storm sewer facilities), traffic signalization, off-street parking, building demolition and site clearance, open space development, and marketing of properties, as well as other programs of financial assistance provided by the City.

3. **Land Assembly, Displacement Certificate, and Relocation Assistance:**

   To achieve the objectives of the Plan, land assembly by the City and eventual conveyance to private entities may be necessary in order to attract private development interest. Therefore, any property located within the Redevelopment Project Area may be acquired by developers or the City, as necessary, to assemble various parcels of land to achieve marketable tracts, or if such property is necessary for the implementation of a specific public or private redevelopment project. Activities of this type may include the displacement of inhabited housing units located in the Project Area (see below).

Displacement Certificate:

Under Sections 11-74.4-3 (n) (5) and 11-74.4-4.1 (b) of the Tax Increment Allocation Redevelopment Act, the City hereby certifies that this Redevelopment Plan, as amended, will not result in the displacement of ten (10) or more inhabited residential units. If, at some time in the future, a redevelopment project is proposed that will result in the displacement of ten (10) or more inhabited residential units, the City will prepare, or cause to be prepared, the requisite housing impact study pursuant to the Act.

Relocation Assistance:

If households of low-income or very low-income persons inhabit any residential housing units where relocation of the occupants is required, relocation assistance will be provided to such persons. Affordable housing and relocation assistance shall not be less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either in existing or newly constructed buildings. For purposes of this requirement in the TIF Act, “low-income households,” “very low-income households,” and “affordable housing” have the definitions set forth in the Illinois Affordable Housing Act.

Description of Redevelopment Project Costs

Costs that may be reimbursed are defined as “redevelopment project costs” in the Act and may be amended from time to time. Itemized below is the statutory listing of “redevelopment project costs” currently permitted by the Act:

1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years.

   In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

   a) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

   b) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, 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;

3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public

building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment; including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification;

4) Costs of the construction of public works or improvements, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either

   a) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or

   b) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder 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;

7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

8) 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 or in order to satisfy subparagraph (7) of subsection (n);

9) Payment in lieu of taxes [see Sec. 11-74.4-3 (m) of the Act];

10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs

a) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and

b) 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 the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

11) <u>Interest cost incurred by a redeveloper</u> related to the construction, renovation or rehabilitation of a redevelopment project provided that:

a) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

b) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

c) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

d) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total

i) cost paid or incurred by the redeveloper for the redevelopment project plus

ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act.

12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality.

For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

14) No cost shall be a redevelopment project cost in a redevelopment project area if used to demolish, remove, or substantially modify a historic resource, after August 26, 2008 (the effective date of Public Act 95-934), unless no prudent and feasible alternative exists. “Historic resource” for the purpose of this item (14) means

    a) a place or structure that is included or eligible for inclusion on the National Register of Historic Places or

    b) a contributing structure in a district on the National Register of Historic Places.

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

Estimated Redevelopment Costs

Table 3 - Estimated Redevelopment Project Costs on Page 25 lays out estimated costs for redevelopment projects within the proposed TIF District. The estimated costs are split into several categories, including Public Works or Improvements, Building Rehabilitation/Retrofit, Interest Costs Incurred by Developers, and Property Assembly. The costs shown are not exact figures and may change slightly as redevelopment occurs.

Table 3 - Estimated Redevelopment Project Costs

Description	Estimated Cost [1, 2, & 3]
A. Public Works or Improvements	$5,128,000
B. Property Assembly	$2,564,000
C. Building Rehabilitation/Retrofit	$10,256,000
D. Relocation costs	$641,000
E. Taxing District Capital Costs	$641,000
F. Job Training	$513,000
G. Interest Costs Incurred by Developers *(30% of interest costs)*	$3,205,000
H. Planning, Legal & Professional Services	$1,282,000
I. General Administration	$641,000
J. Financing Costs	$769,000
K. Taxing Body Surplus [4]	$5,334,000
Total Estimated Costs [5]	$30,974,000

Notes:

1. All costs shown are in 2025 dollars.

2. Adjustments may be made among line items within the budget to reflect program implementation experience.

3. Private redevelopment costs and investment are in addition to the above.

4. This figure assumes the City will declare 25% of the TIF revenue generated within the Lincoln Highway and IL-159 TIF as surplus and distribute it to all taxing bodies on a pro rata basis.

5. The total estimated redevelopment project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Plan adoption, per subsection 11-74.4.5 (c) of the Act.

SECTION IV - OTHER FINDINGS AND REQUIREMENTS

Area, on the Whole, not Subject to Growth and Development

The properties in the Area have not been subject to growth and development through investment of private enterprise. Upon examination of equalized assessed valuation (EAV) data for the properties to be added, the lack of investment is evident in the stagnate EAV values. Table 4 - EAV Trends (2019-2024) provides evidence on assessed valuation that shows the properties in the Area have not been subject to a level of private investment that would result in valuation increases.

Table 4 - EAV Trends (2019-2024)

	EAV 2019	EAV 2024	Change	Percent Change	Annual Percent Change
RPA[1]	$ 45,591,557	$ 42,753,219	$ (2,838,338)	-6.2%	-1.3%
CPI[2]	255.657	313.689	58.0	22.7%	4.2%
Balance of City[3]	$ 356,527,528	$ 471,288,902	$114,761,374	32.2%	5.7%

[1] Equalized Assessed Valuation (EAV) of the Redevelopment Project Area

[2] Consumer Price Index for All Urban Consumers. Source: U.S.Bureau of Labor Statistics

[3] Total City EAV minus Project Area EAV

Would Not be Developed "but for" TIF

The properties in the Area are not reasonably anticipated to be improved without the direct participation of the City to provide funding in the form of financial incentives and infrastructure spending. Without the influence of public funding through tax increment financing, the City would not be able to redevelop and make improvements to the Area, and thus would not be able to attract new residents and businesses to the Area.

Assessment of Financial Impact

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

All overlapping taxing bodies will continue to receive property tax revenues on the base values of properties to be added to the Area during the balance of the life of the TIF program. In addition, it is reasonable to assume that the economic and financial benefits resulting from redevelopment efforts in the Area will spill into other sections of the community and generate additional revenues for the above listed government entities. Moreover, after the expiration of the TIF program, the taxing districts will receive the benefits of an increased property tax base. It is also reasonable to

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assume that the benefits of the increased property tax base would not occur without the implementation of the Plan and the use of tax increment financing.

Estimated Date for Completion of the Redevelopment Project

The estimated date for the completion of the Redevelopment Project or retirement of obligations issued may not be later than December 31st 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 ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted.

Sources of Funds

The sources of funds to pay for redevelopment project costs associated with implementing the Plan will come from the increment generated by increasing property values due to new construction and renovated structures. If available, revenues from other economic development funding sources, public or private, may be utilized. These may include State and Federal programs, local retail sales tax, revenues from any adjoining tax increment redevelopment project areas, and land disposition proceeds from the sale of land in the Area, as well as other revenues. The final decision concerning redistribution of yearly tax increment revenues may be made as part of a bond ordinance.

Nature and Term of Obligations

Without excluding other methods of City or private financing, the principal source of funding will be those deposits made into the Special Allocation Fund of monies received from the taxes on the increased value (above the initial equalized assessed value) of real property in the Area. These monies may be used to repay private or public sources for the expenditure of funds made as Redevelopment Project Costs for applicable public or private redevelopment activities noted above or may be used to amortize Tax Increment Revenue obligations, issued pursuant to this Redevelopment Plan, for a term not to exceed the expiration date of this TIF Program, bearing an annual interest rate as permitted by law. To be eligible for repayment of project costs, the City Council shall first approve a redevelopment agreement detailing and approving the use of the tax increment financing and verifying its compliance with this Plan.

Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the bonds and not needed for other redevelopment project costs or early bond retirements shall 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 viability of the project. One or more bond issues may be sold at any time in order to implement this Redevelopment Plan. The City may utilize revenues from any other source, including City, State, or Federal funds, or tax increment revenues from this Project or adjoining TIF areas to pay for the costs of completing this Project.

Most Recent EAV of Properties in the Project Area

The most recent total equalized assessed valuation (EAV) for the properties in the Area is estimated to be $ $42,753,219. A list of the parcel identification numbers (PINs) and 2024 tax year EAV for the parcels in the Area are included in the Appendix as Attachment C. After the approval of the Plan by the City, the City will make a request to the County Clerk of St. Clair County to certify the base EAV for each parcel of real estate in the Area.

Estimate of Valuation After Redevelopment

Contingent on the adoption of this Plan and commitment by the City to the Redevelopment Program, it is anticipated that the private redevelopment investment in the Area, as amended, will cause the equalized assessed valuation of said Area to increase to approximately $71,615,847. This projected value is based on a gradual increase in EAV over time as needed improvements are completed and property value growth approaches that of the rest of the City.

Fair Employment Practices and Affirmative Action

Fair employment practices and affirmative action are the same as the City's current policies.

Reviewing and Amending the TIF Plan

This 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. Also, the City shall adhere to all reporting requirements and other statutory provisions.

APPENDIX

Attachment A
Legal Boundary Description

Attachment B
Photographic Evidence






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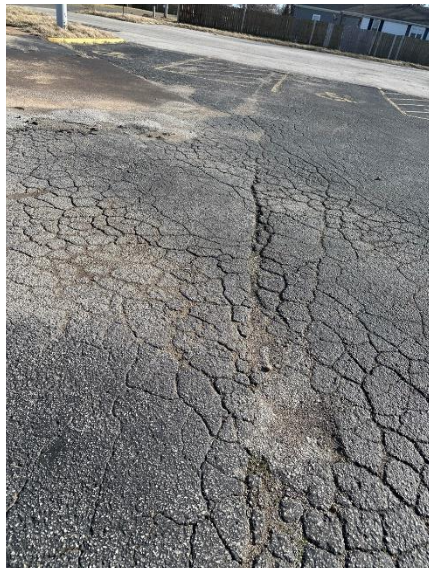


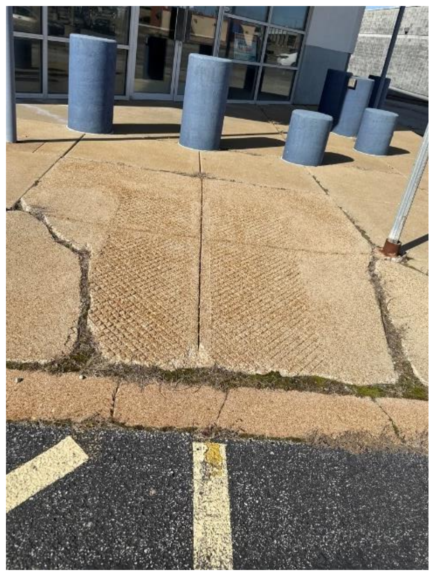

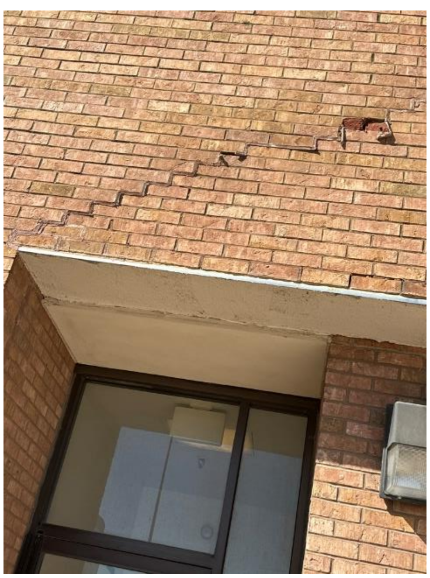


Attachment C
PIN List and Locator Map(s)

Locator ID	Parcel ID No. (PIN)	Taxpayer Name	2024 EAV
1	03270100093	STCS-ILLINOIS LLC	$ 736,023
2	03270100092	STCS-ILLINOIS LLC	$ 444,286
3	03270100091	STCS-ILLINOIS LLC	$ 545,366
4	03270100088	CBL ST CLAIR SQUARE OP PROPCO LLC	$ 18,621,400
5	03270100086	DSS NEIL OPERATIONS LLC	$ 1,537,524
6	03270100079	FREULER, PATRICIA K TRUSTEE	$ 2,473,557
7	03270100089	CBL ST CLAIR SQUARE OP PROPCO LLC	$ 802,238
8	03270100071	MACRAE, DANIEL J	$ 320,901
9	03270100072	GM FAIRVIEW HEIGHTS PROPERTY LLC	$ 287,122
10	03270100076	GERMAIN, LEO ET AL	$ 256,619
11	03270100062	H & LL PROPERTIES LLC	$ 329,460
12	03270100063	DRI PROPERTIES LLC	$ 185,241
13	03270100067	SUSO 4 ST CLAIR LP	$ 1,308,568
14	03270100068	SCOTT CREDIT UNION	$ 529,640
15	03270100061	FREULER, PATRICIA K TRUSTEE	$ 87,410
16	03270100057	SUSO 4 ST CLAIR LP	$ 1,130,200
17	03280402004	MIDWAY BACELINE LLC, ATTN JONATHAN RUBY	$ 613,373
18	03280402007	MAGNA BANK NA	$ 658,443
19	03280402008	FAIRVIEW HEIGHTS LM PROPERTIES LLC	$ 723,527
20	03270300057	FAST DEVELOPMENT LLC	$ 377,266
21	03270300058	10 LINCOLN HWY SERIES PERRI-DAX PROPERTIES LLC	$ 126,507
22	03270300003	10 LINCOLN HWY SERIES PERRI-DAX PROPERTIES LLC	$ 523,131
23	03270300055	22 LINCOLN HWY SERIES PERRI-DAX PROPERTIES LLC	$ 359,639
24	03270301037	GITCHO, JAN	$ 55,807
25	03270301039	YORKSHIRE PROPERTIES LLC	$ 337,371
26	03270301003	122 LINCOLN HWY LLC	$ 120,481
27	03270302028	ACP REALTY LLC	$ 123,342
28	03270302015	RHODES DEVELOPMENT CO LLC	$ 244,738
29	03270303001	ILCARRICO LLC	$ 384,424
30	03270304001	CARY R STEFFENS REVOCABLE TRUST	$ 424,626
31	03270304011	MCKIM LIMITED PARTNERSHIP	$ 370,927
32	03270305002	CASABLANCA RENTAL MANAGEMENT LLC	$ 79,258
33	03270305003	CASABLANCA RENTAL MANAGEMENT LLC	$ 413,461
34	03270306011	SABLE CONSTRUCTION INC DBA CUSTOM SOUNDS	$ 188,980
35	03270306012	SABLE CONSTRUCTION INC DBA CUSTOM SOUNDS	$ 63,539
36	03270307012	SATASIYA, BABU KESHAVBHAI & BHOOMIKA BABU	$ 148,132

37	03270400016	SATASIYA, BABU KESHAVBHAI & BHOOMIKA BABU	$	2,630
38	03270400015	SATASIYA, BABU KESHAVBHAI & BHOOMIKA BABU	$	142,875
39	03270400014	FOREST HILLS LP %BAUER MANAGEMENT LLC	$	275,153
40	03270300005	BURNWORTH, WILLIAM B & JOHN N	$	371,766
41	03270300006	6308 NORTH ILLINOIS SERIES PERRI-DAX PROPERTIES	$	216,519
42	03270300007	MCDONALD CORP 012-0162	$	522,714
43	03270300008	MCDONALD CORP 012-0162	$	140,730
44	03270300009	LATHAM PROPERTIES %DC FINANCIAL SERVICES	$	521,840
45	03270300010	MONEYBAR INC	$	185,223
46	03270300045	TREECE DAVID L & JAR INVEST, & ROUNDHILL DEVEL INC ET AL	$	361,193
47	03270300046	TREECE DAVID L & JAR INVEST, & ROUNDHILL DEVEL INC ET AL	$	128,935
48	03270300038	SPIRIT MASTER FUNDING VII LLC	$	547,719
49	03270300042	MOTO-LAND CO	$	140,996
50	03270300043	MOTO-LAND CO	$	225,008
51	03270300044	CENTRAL ILLINOIS PUBLIC SERVICE CO	$	65,809
52	03270300041	DULANEY, VERNON TRUSTEE	$	598,306
53	03270300019	FAIRVIEW JAMBO AUTO LLC %KENTON CHILDS	$	279,174
54	03270300020	FAIRVIEW HEIGHTS REAL ESTATE LLC	$	288,201
55	03270300021	HOFFMAN HOLDING LLC	$	292,760
56	03270300022	HSC PROPERTIES LLC	$	350,977
57	03270300023	HSC PROPERTIES LLC	$	277,044
58	03270300033	PONTIAC GROUP LLC	$	107,698
59	03270300059	PONTIAC GROUP LLC	$	618,789
60	03270300060	PONTIAC GROUP LLC	$	158,633
61	03270301038	CITY OF FAIRVIEW HGTS	$	-

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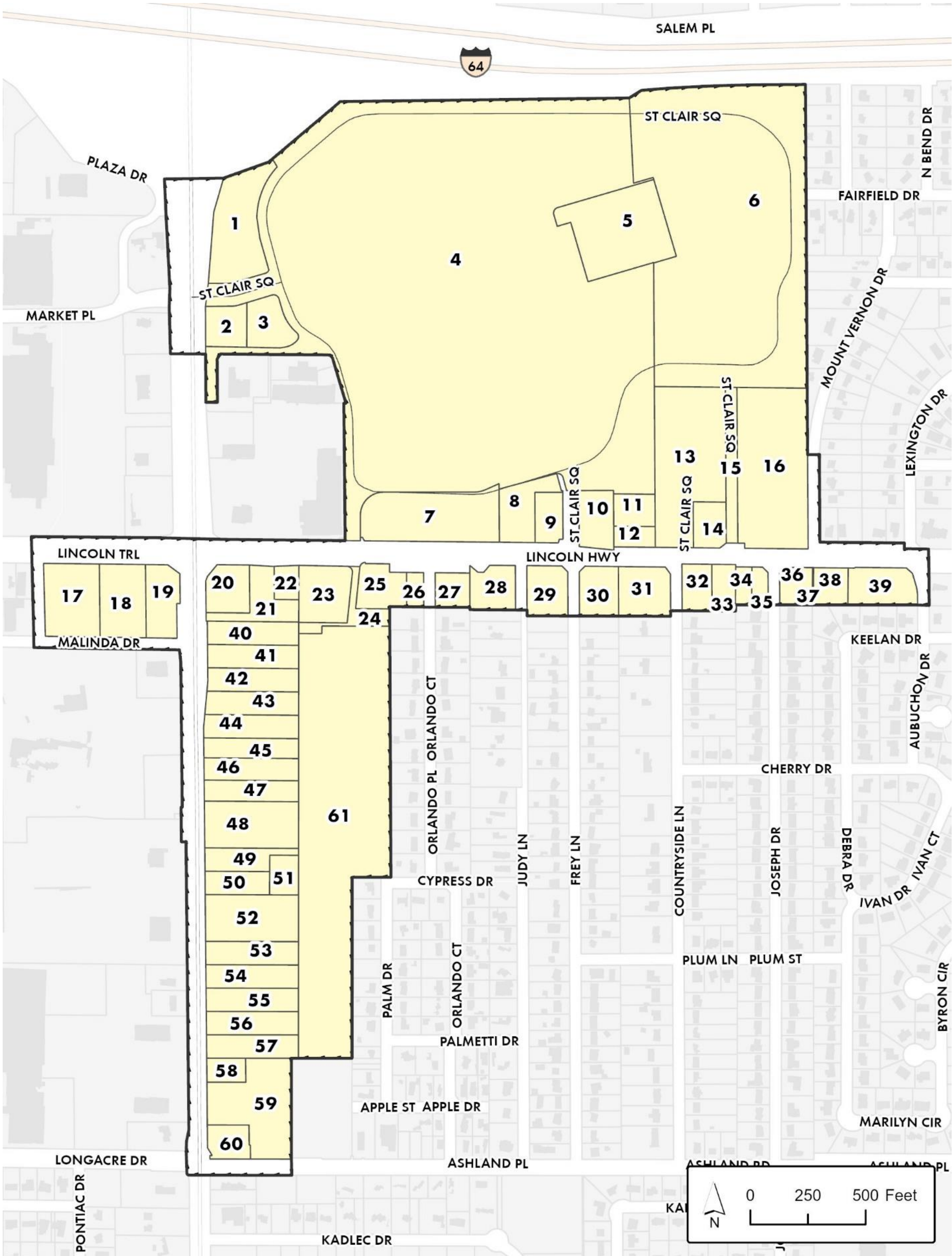

PGAV PLANNERS

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PROPOSED ORDINANCE NO. 16-'25

ORDINANCE DESIGNATING THE
FAIRVIEW HEIGHTS LINCOLN HWY AND 159 TIF

WHEREAS, the City Council has heretofore in Ordinance No. 15-'25 adopted and approved the Tax Increment Redevelopment Plan and Project for the Fairview Heights TIF, with respect to which a public hearing was held on August 5th, 2025**,** and it is now necessary and desirable to designate the area referred to in said plan as the Fairview Heights TIF;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS, that the area described in the attached Exhibit A is hereby designated as Fairview Heights TIF pursuant to Section 11-74.4.4 of the Tax Increment Allocation Redevelopment Act:

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

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

APPROVED:

____

Mark Kupsky, City Mayor

ATTEST:

____

Karen Kaufhold, City Clerk

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Exhibit A

BOUNDARY DESCRIPTION
Fairview Heights Lincoln Hwy and 159 TIF
City of Fairview Heights, Illinois

Fairview Heights TIF Boundary
Legal Description
July 9, 2025

A tract of land being part of Sections 27 and 28, Township 2 North, Range 8 West of the Third Principal Meridian, County of St. Clair, State of Illinois, and being more particularly described as follows: Beginning at the northwesterly corner of Lot 112 of the First Addition to Capitol Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 52 on page 53, said point also being on the southerly right of way line of Federal Aid Interstate Route 64; thence southerly on the westerly line of said First Addition To Capitol Oaks, 740.00 feet to the northwesterly corner of Capital Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 43 on page 53; thence southerly on the westerly line of said Capitol Oaks, to the westerly extension of the southerly line of Lot 87 of said Capitol Oaks; thence easterly, on said westerly extension, 51 feet, more or less, to the easterly right of way line of Mount Vernon Drive (a.k.a. Washington Street); thence southerly on said easterly right of way line to the northerly right of way line of U.S. Route 50 (a.k.a. State Bond Issue Route, Lincoln Trail); thence easterly on a said northerly right of way line to the northerly extension of the easterly right of way line of Aubuchon Drive; thence southerly on said northerly extension and also on the easterly right of way line of Aubuchon Drive to the northwest corner Lot 84 of the First Addition to Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 58 on page 15; thence westerly on the northerly line of said First Addition to Patricia Gardens to the northeast corner of Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 55 on page 72; thence westerly on the northerly line of said Patricia Gardens to the northwest corner of said Patricia Gardens; thence southerly on the westerly line of said Patricia Gardens to the northeast corner of the First Addition to Countryside Lane, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 63 on page 31; thence westerly on the northerly line of said Countryside Lane First Addition to the westerly right of way line of Countryside Lane; thence southerly on said westerly right of way line, to the southeast corner of a tract of land described in the St. Clair County Recorder's Office in Document Number A02284397; thence westerly, on the southerly line of said tract of land described in A02284397, to the southwest corner of said tract of land described in A02284397; thence southerly, on the northerly extension of the easterly line of Upland Terrace, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 48 on page 53 to said easterly line of Upland Terrace; thence westerly, on the northerly line of said Upland Terrace, to the easterly right of way line of Judy Lane; thence northerly on said easterly right of way line to the easterly extension of the southerly line of Parcel Number 03-27.0-302-015 or a tract of land described in the St. Clair County Recorder's Office in Document Number A02816312; thence westerly on said southerly line to the easterly line of Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 50 on page 8; thence northerly on said easterly line of Orlando place to the northeast

corner of Lot 18 of said Orlando Place; thence westerly on the northerly line of Lot 18 and the westerly extension thereof , to the northwest corner of Lot 3 of said Orlando Place; thence southerly on the westerly line of said Orlando Place and a westerly line of the First Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 51 on page 38, to the northerly right of way line of Cypress Drive (a.k.a. Plum Street); thence westerly on said northerly right of way line and the northerly line of Lot 29 of said First Addition to Orlando Place to the northwesterly corner of said Lot 29; thence southerly on a westerly line of said Orlando Place First Addition and a westerly line of the Third Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 56 on page 53 to the northeast corner of Lot 23 of Walker Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 44 on page 3; thence westerly on the northerly line of said Lot 23 to the northwest corner of Parcel Number 03-27.0-300-064 or the northwest corner of a tract of land described in Document Number A01773714; thence southerly on the westerly line of said Parcel Number 03-27.0-300-064 or the westerly line of Document Number A01773714 and the southerly extension thereof to the southerly right of way line of Ashland Avenue; thence westerly on said southerly right of way line and the westerly extension thereof to the westerly right of way line of Illinois Route 159 (N. Illinois Street); thence northerly, on said westerly right of way line of Illinois Route 159, to the southerly right of way line of Malinda Drive; thence westerly on said Southerly right of way line of Malinda Drive to its intersection with the southerly extension of the westerly right of way line of Lanaghan Drive; thence northerly said westerly right of way line of Lanaghan Drive and the northerly and southerly extensions thereof to the northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail); thence easterly on said northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail) and the northerly right of way line of U.S. Route 50 (AKA Lincoln Highway) to a westerly line of Lot 1 of St. Clair Square Subdivision, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Document Number A02705486; thence northerly and northwesterly on the westerly and southwesterly lines of said Lot 1 to a southeasterly corner of Lot 3 of said St. Clair Square Subdivision; thence northwesterly and westerly on the northeasterly and northerly line of said Lot 3 and the westerly extension thereof to a northwesterly corner of a tract of land described in the St. Clair County Recorder's Office in Deed Book 2333 on page 465, also being a southerly line of said Lot 1 to a northwesterly line of said tract described in Deed Book 2333; thence on the northwesterly line and a westerly line of said tract of land described in Deed Book 2333, also being a southeasterly and an easterly line of said Lot 1 respectively; thence westerly on a southerly line of said Lot 1 to the easterly right of way line of Illinois Route 159 (a.k.a. N. Illinois Street; thence northerly on said easterly right of way line of said Illinois Route 159; thence Northerly on said easterly right of way line to the westerly extension of the northerly line of said Lot 3 ; thence westerly on said westerly extension of Lot 3 to the westerly right of way line of said Illinois Route 159; thence northerly on said westerly right of way line of Illinois Route 159 and the northerly extension thereof to a point lying North 90 degrees 00 minutes 00 seconds West of the northwest corner of Lot 6 of said St. Clair Square Subdivision; thence South 90 degrees 00 minutes 00 seconds East to said northwesterly corner of Lot 6, also being on the southerly right of way line of Federal Aid Interstate Route 64; thence northeasterly and easterly on said southerly right of way line of said Federal Aid Interstate Route 64 to the Point of Beginning.

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PROPOSED ORDINANCE NO. 17-'25

ADOPTING TAX INCREMENT FINANCING FOR THE FAIRVIEW HEIGHTS LINCOLN HWY AND 159 REDEVELOPMENT PROJECT AREA

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 "TIF Act".

WHEREAS, the City of Fairview Heights has adopted a Tax Increment Redevelopment Plan and Project, designated the Fairview Heights TIF pursuant to the provisions of the TIF Act, and has otherwise complied with all other conditions precedent required by the TIF Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS, that:

1. Tax increment financing is hereby adopted in respect to the Tax Increment Redevelopment Plan and Project for the Fairview Heights Lincoln Hwy and 159 TIF (the "Area") approved and adopted pursuant to Ordinance No. 15-'25 of the City of Fairview Heights, which said Area was designated pursuant to Ordinance No. 16-'25 and the boundaries thereof being legally described therein.

2. After the total equalized assessed valuation of taxable real property in the Fairview Heights TIF exceeds the total initial equalized assessed value of all taxable real property in the Fairview Heights Lincoln Hwy and 159 TIF, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Fairview Heights Lincoln Hwy and 159 TIF by taxing districts and the rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 of the TIF Act each year after the effective date of this Ordinance until the redevelopment project costs and all municipal obligations issued in respect thereto have been paid shall be divided as follows:

   a. That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Fairview Heights TIF shall be allocated to and when collected shall be paid by the County Collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

   b. That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Fairview Heights Lincoln Hwy and 159 TIF over and above the initial equalized assessed value of each property in the Fairview Heights Lincoln Hwy and 159 TIF shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called "the Special Tax Allocation Fund for the Fairview Heights Lincoln Hwy and 159 TIF" of the City of Fairview Heights for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof, pursuant to such appropriations which may be subsequently made.

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3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

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

APPROVED:

____

Mark Kupsky, City Mayor

ATTEST:

____

Karen Kaufhold, City Clerk

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PROPOSED ORDINANCE NO. 18-25

AN ORDINANCE ESTABLISHING AND DESIGNATING THE LINCOLN HWY AND 159 BUSINESS DISTRICT AND APPROVING THE LINCOLN HWY AND 159 BUSINESS DISTRICT PLAN WITHIN THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS

WHEREAS, the City of Fairview Heights, St. Clair County, Illinois (the **"City"**), is authorized under and pursuant to Division 74.3, the Business District Development and Redevelopment Law, 65 ILCS 5-11-74.3-1 through 3-7 ("the Business District Law"), to establish a business district to be named "Lincoln Highway and 159 District" (the "Business District") and adopt and approve the related business district plan for said Business District (the "Business District Plan"); and

WHEREAS, the purpose of the Business District Plan and the designation of the Business District is to eradicate the blighting conditions that exist and to assure opportunities for development or redevelopment, encouraging private investment, and attracting sound and stable business and commercial growth to the Business District; and

WHEREAS, on July 24, 2025 and July 31, 2025 notice of a public hearing to consider the establishment of the Lincoln Highway and 159 District and adoption of the Business District Plan, dated May 7, 2025 were published in the St. Clair County Journal; and

WHEREAS, the City conducted a public hearing on August 5, 2025. At the public hearing, all interested persons were given the opportunity to be heard with respect to the subject matter of the public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1. The City Council of the City of Fairview Heights makes the following additional findings:

a. That the Lincoln Highway and 159 Business District, 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 or redeveloped without the adoption of the Business District Plan.

b. That the Business District Plan conforms to the comprehensive plan for the development of the City of Fairview Heights as a whole.

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c. There exist conditions that cause the area located within the Lincoln Highway and 159 District to be classified as a “blighted area” as defined in Section 11-74.3-5 of the Business District Law.

d. The Lincoln Highway and 159 Business District is a contiguous area and includes only parcels of real property directly and substantially benefited by the proposed Business District Plan.

Section 2. The City hereby designates the area described in the attached **Exhibit A** as the **Lincoln Highway and 159 Business District**.

Section 3. The City hereby adopts and approves the **Business District Plan for the Lincoln Highway and 159 District**, dated May 7, 2025, attached hereto as **Exhibit B**.

Section 5. The City Clerk shall file a certified copy of this ordinance and attached exhibits with the Illinois Department of Revenue along with a current list of business addresses for the businesses located within the Business District.

Section 6. If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this ordinance.

Section 7. This ordinance shall be in full force and effect immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of ___________________, 2025.

YEAS:

NAYS:

ABSENT:

____
Mark Kupsky, Mayor

ATTEST:

____
Karen Kaufhold, City Clerk

Attachments:
Exhibit A: Boundary Description of the Lincoln Highway and 159 Business District
Exhibit B: Business District Plan, Lincoln Highway and 159 District, dated May 7, 2025

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Exhibit A
Boundary Description of the Lincoln Hwy and 159 Business District

Fairview Heights TIF Boundary
Legal Description
July 9, 2025

A tract of land being part of Sections 27 and 28, Township 2 North, Range 8 West of the Third Principal Meridian, County of St. Clair, State of Illinois, and being more particularly described as follows: Beginning at the northwesterly corner of Lot 112 of the First Addition to Capitol Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 52 on page 53, said point also being on the southerly right of way line of Federal Aid Interstate Route 64; thence southerly on the westerly line of said First Addition To Capitol Oaks, 740.00 feet to the northwesterly corner of Capital Oaks, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 43 on page 53; thence southerly on the westerly line of said Capitol Oaks, to the westerly extension of the southerly line of Lot 87 of said Capitol Oaks; thence easterly, on said westerly extension, 51 feet, more or less, to the easterly right of way line of Mount Vernon Drive (a.k.a. Washington Street); thence southerly on said easterly right of way line to the northerly right of way line of U.S. Route 50 (a.k.a. State Bond Issue Route, Lincoln Trail); thence easterly on a said northerly right of way line to the northerly extension of the easterly right of way line of Aubuchon Drive; thence southerly on said northerly extension and also on the easterly right of way line of Aubuchon Drive to the northwest corner Lot 84 of the First Addition to Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 58 on page 15; thence westerly on the northerly line of said First Addition to Patricia Gardens to the northeast corner of Patricia Gardens, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 55 on page 72; thence westerly on the northerly line of said Patricia Gardens to the northwest corner of said Patricia Gardens; thence southerly on the westerly line of said Patricia Gardens to the northeast corner of the First Addition to Countryside Lane, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 63 on page 31; thence westerly on the northerly line of said Countryside Lane First Addition to the westerly right of way line of Countryside Lane; thence southerly on said westerly right of way line, to the southeast corner of a tract of land described in the St. Clair County Recorder’s Office in Document Number A02284397; thence westerly, on the southerly line of said tract of land described in A02284397, to the southwest corner of said tract of land described in A02284397; thence southerly, on the northerly extension of the easterly line of Upland Terrace, reference being had to the plat thereof recorded in the St. Clair County Recorder’s Office in Plat Book 48 on page 53 to said easterly line of Upland Terrace; thence westerly, on the northerly line of said Upland Terrace, to the easterly right of way line of Judy Lane; thence northerly on said easterly right of way line to the easterly extension of the southerly line of Parcel Number 03-27.0-302-015 or a tract of land described in the St. Clair County Recorder’s Office in Document Number A02816312; thence westerly on said southerly line to the easterly line of Orlando Place, reference being had to the plat thereof recorded in the St.

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Clair County Recorder's Office in Plat Book 50 on page 8; thence northerly on said easterly line of Orlando place to the northeast
corner of Lot 18 of said Orlando Place; thence westerly on the northerly line of Lot 18 and the westerly extension thereof , to the northwest corner of Lot 3 of said Orlando Place; thence southerly on the westerly line of said Orlando Place and a westerly line of the First Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 51 on page 38, to the northerly right of way line of Cypress Drive (a.k.a. Plum Street); thence westerly on said northerly right of way line and the northerly line of Lot 29 of said First Addition to Orlando Place to the northwesterly corner of said Lot 29; thence southerly on a westerly line of said Orlando Place First Addition and a westerly line of the Third Addition to Orlando Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 56 on page 53 to the northeast corner of Lot 23 of Walker Place, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Plat Book 44 on page 3; thence westerly on the northerly line of said Lot 23 to the northwest corner of Parcel Number 03-27.0-300-064 or the northwest corner of a tract of land described in Document Number A01773714; thence southerly on the westerly line of said Parcel Number 03-27.0-300-064 or the westerly line of Document Number A01773714 and the southerly extension thereof to the southerly right of way line of Ashland Avenue; thence westerly on said southerly right of way line and the westerly extension thereof to the westerly right of way line of Illinois Route 159 (N. Illinois Street); thence northerly, on said westerly right of way line of Illinois Route 159, to the southerly right of way line of Malinda Drive; thence westerly on said Southerly right of way line of Malinda Drive to its intersection with the southerly extension of the westerly right of way line of Lanaghan Drive; thence northerly said westerly right of way line of Lanaghan Drive and the northerly and southerly extensions thereof to the northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail); thence easterly on said northerly right of way line of U.S. Route 50 (a.k.a. Lincoln Trail) and the northerly right of way line of U.S. Route 50 (AKA Lincoln Highway) to a westerly line of Lot 1 of St. Clair Square Subdivision, reference being had to the plat thereof recorded in the St. Clair County Recorder's Office in Document Number A02705486; thence northerly and northwesterly on the westerly and southwesterly lines of said Lot 1 to a southeasterly corner of Lot 3 of said St. Clair Square Subdivision; thence northwesterly and westerly on the northeasterly and northerly line of said Lot 3 and the westerly extension thereof to a northwesterly corner of a tract of land described in the St. Clair County Recorder's Office in Deed Book 2333 on page 465, also being a southerly line of said Lot 1 to a northwesterly line of said tract described in Deed Book 2333; thence on the northwesterly line and a westerly line of said tract of land described in Deed Book 2333, also being a southeasterly and an easterly line of said Lot 1 respectively; thence westerly on a southerly line of said Lot 1 to the easterly right of way line of Illinois Route 159 (a.k.a. N. Illinois Street; thence northerly on said easterly right of way line of said Illinois Route 159; thence Northerly on said easterly right of way line to the westerly extension of the northerly line of said Lot 3 ; thence westerly on said westerly extension of Lot 3 to the westerly right of way line of said Illinois Route 159; thence northerly on said westerly right of way line of Illinois Route 159 and the northerly extension thereof to a point lying North 90 degrees 00 minutes 00 seconds West of the northwest corner of Lot 6 of said St. Clair Square Subdivision; thence South 90 degrees 00 minutes 00 seconds East to said

northwesterly corner of Lot 6, also being on the southerly right of way line of Federal Aid Interstate Route 64; thence northeasterly and easterly on said southerly right of way line of said Federal Aid Interstate Route 64 to the Point of Beginning.

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Exhibit B

Business District Plan
Lincoln Hwy and 159 Business District

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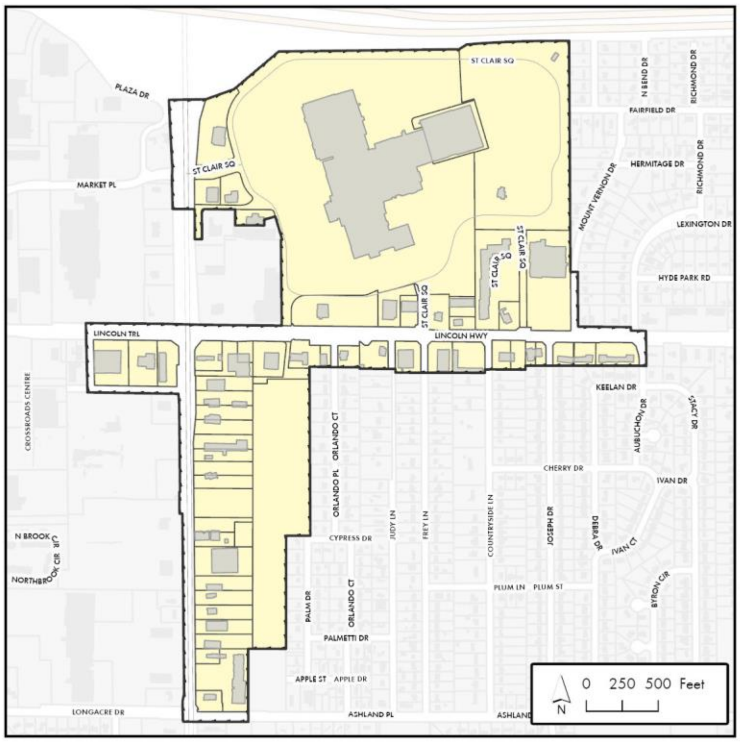
BUSINESS DISTRICT PLAN

LINCOLN HIGHWAY AND IL-159 BUSINESS DISTRICT



PREPARED FOR:
Fairview Heights, Illinois

PREPARED BY:
PGAV PLANNERS
ST. LOUIS, MISSOURI

MAY 7, 2025

ACKNOWLEDGMENTS

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CITY CLERK

Karen Kaufhold

DIRECTOR OF LAND USE & DEVELOPMENT

Dallas Alley

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SECTION I - INTRODUCTION

BACKGROUND AND PURPOSE

The City of Fairview Heights, St. Clair County, Illinois (the "City") is considering the establishment of a new Business District. The City has long recognized the benefits of having a strong and diversified economic base and continuously promotes opportunities for private investment that result in sound and stable economic growth. The area being considered for a Business District (the "Project Area" or the "Area"), the boundary of which is displayed in Figure A – Redevelopment Project Area Boundary on Page 4, is herein referred to as the "Lincoln Highway and IL-159 Business District." Refer also to the legal description contained in the Appendix as Attachment A.

The purpose of this document is to set forth a Plan (the "Business District Plan" or the "Plan") to induce the redevelopment and improvement of approximately 176.4 acres of land, including rights-of-way, located near the I-64 and IL-159 interchange. The Project Area contains 62 total parcels of real property and is generally bounded by I-64 to the north, IL-159 to the west, the row of parcels directly south of Lincoln Highway/Trail between Langhan Drive and Aubuchon Drive to the south, and the Schnucks and St. Clair Square properties to the east. There is also a row of parcels along the east side of IL-159 between Lincoln Highway and Ashland Avenue included in the area.

The Area is completely built-out with no vacant parcels, but there is a prevalence of deteriorated site improvements, buildings, and rights-of-way throughout the Area, and several buildings are partially or fully vacant. Located directly off I-64, the Area, which comprises the St. Clair Square mall and surrounding properties, as well as commercial properties fronting the major thoroughfares of Lincoln Highway/Trail and IL-159, is part of a regional commercial hub. The intent of this Business District is to relieve the blighted conditions of sites, buildings, infrastructure, utilities, and rights-of-way and to attract new business and economic activity to the Area.

The City has determined that the Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1, et. seq.) (the "Business District Law") is an appropriate vehicle to be used as an inducement for funding a portion of the costs associated with improvement of blighted conditions and incentives for new economic activity. Designating the Area as a Business District will move the City, at least in part, toward completing a few of its goals listed in the City's Comprehensive Plan, including the following:

1) Expand entertainment, dining, and lodging offerings along IL Route 159 corridor in the areas surrounding the I-64 interchange
2) Improve access management and traffic flow along the IL Route 159 corridor
3) Promote the redevelopment and repositioning of aging commercial properties along the Lincoln Highway corridor

Figure A - Redevelopment Project Area Boundary

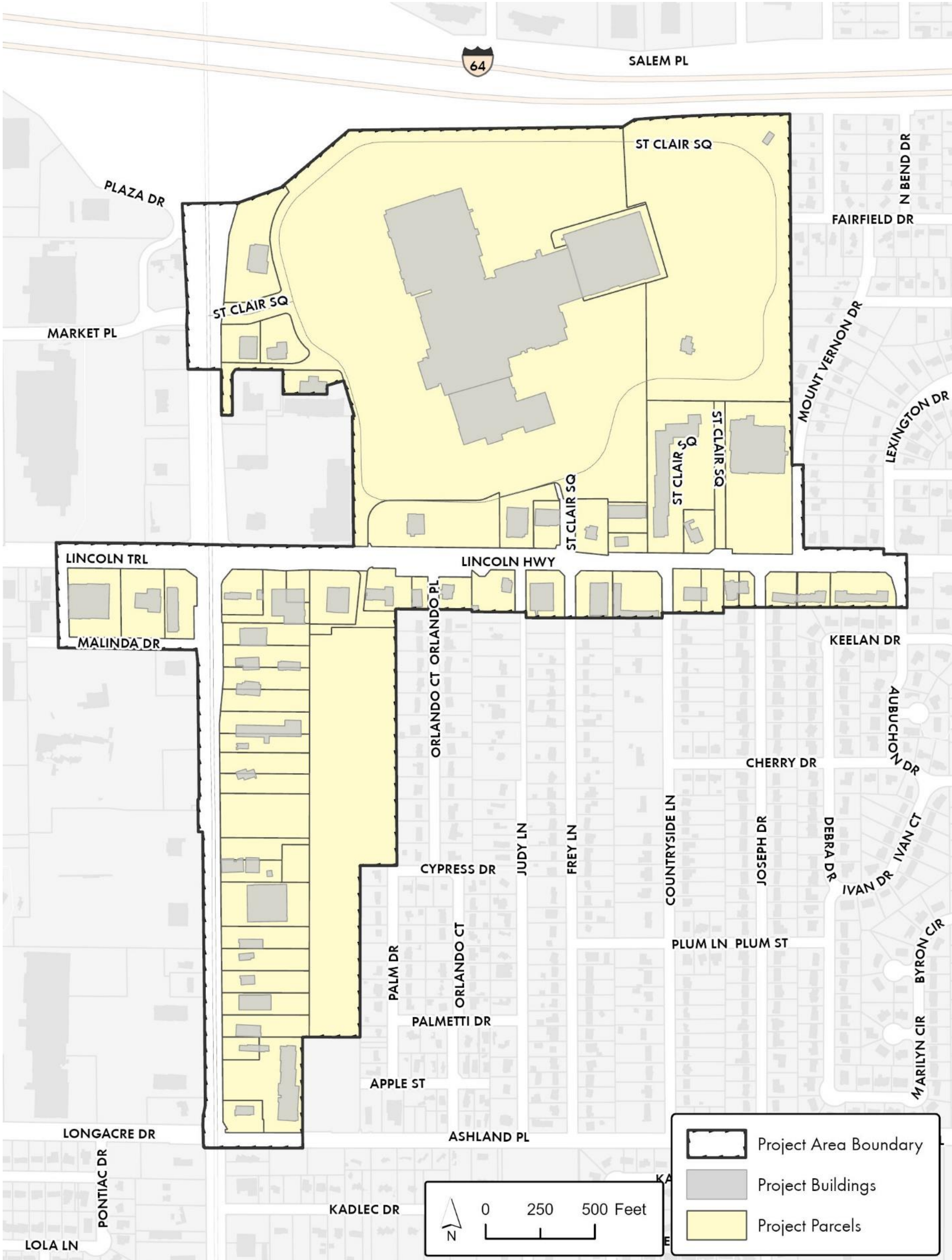

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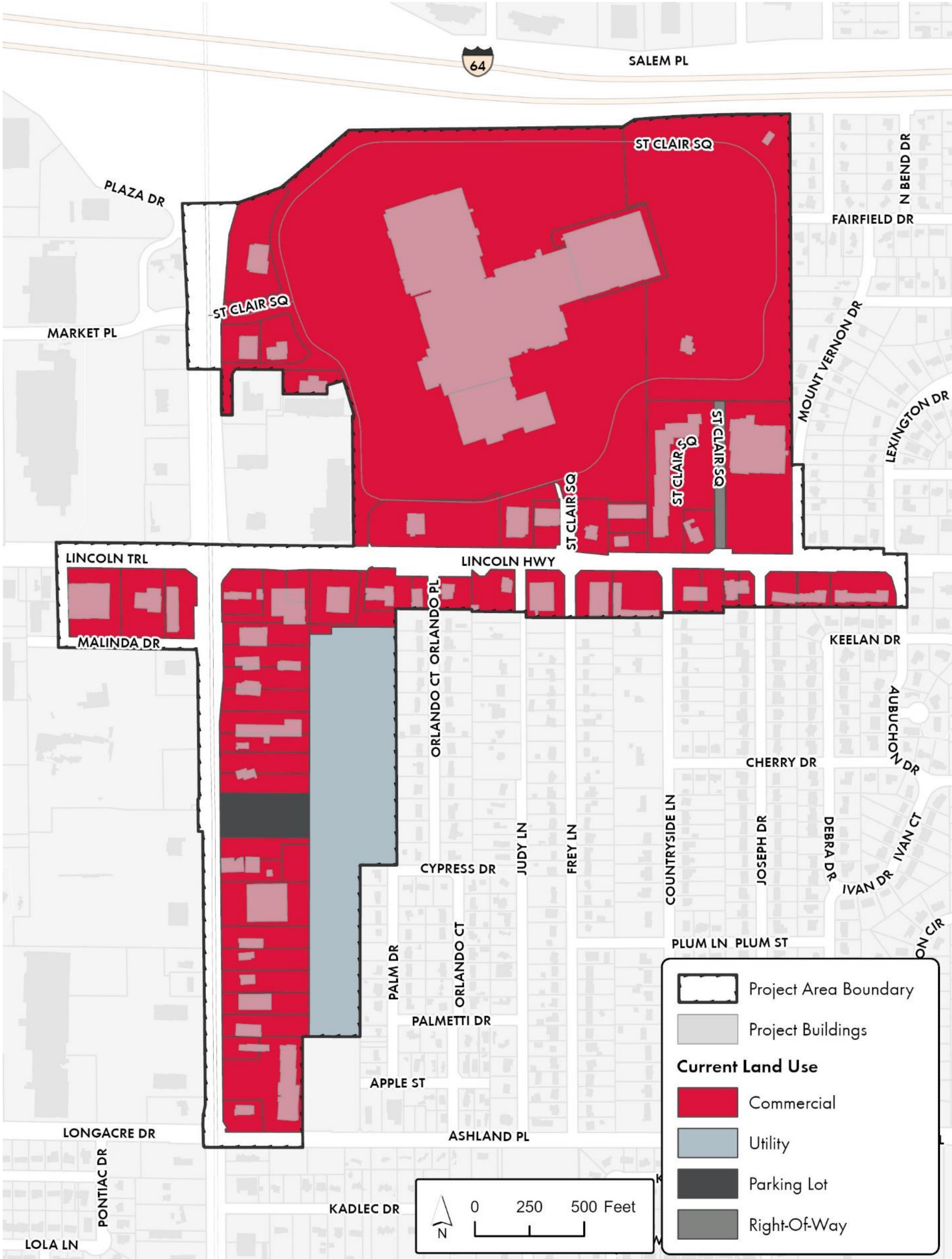
Figure B - Current Land Use



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MUNICIPAL AUTHORITY

The Business District Law authorizes Illinois municipalities to designate an area within the municipality as a "Business District." A Business District must be established in conformance with a specific plan officially approved by the corporate authorities of the municipality after a public hearing and must also conform to the municipality's Comprehensive Plan.

The exercise of the powers provided for in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts. The use of such powers for the development and redevelopment of business districts is a public use essential to the public interest. In accordance with the Business District Law, the City may exercise the following powers:

1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection 10) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.

2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.

   2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.

3) To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.

4) To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.

5) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.

6) To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.

7) To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.

8) To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.

9) To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.

10) If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.

11) If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality.

ADDITIONAL STATUTORY PROVISIONS

In accordance with the provisions of the Business District Law stated above, a municipality may enter into contracts necessary or incidental to the implementation and furtherance of a Business District Plan. This contracting power includes entering into an agreement with a developer or other nongovernmental person that provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes the municipality receives from the development or redevelopment of properties in the Business District.

Also, the corporate authorities of a municipality may impose a retailers' occupation tax, service occupation tax, or hotel operators' occupation tax by ordinance pursuant to subsection (10) or (11) of Section 11-74.3-3 of the Business District Law. However, in order to establish such taxes, the Business District area must qualify as a "blighted area" as that term is defined in Section 11-74.3-5 of said law:

"Blighted area" *means an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.*

Furthermore, a Business District Plan shall be prepared. As defined in Section 11-74.3-5 of the Business District Law, a "Business District Plan" is the written plan for the development or redevelopment of the area identified as the District and must contain the following information:

1) a specific description of the boundaries of the proposed business district, including a map illustrating the boundaries;

2) a general description of each project proposed to be undertaken within the business district, including a description of the approximate location of each project and a description of any developer, user, or tenant of any property to be located or improved within the proposed business district;

3) the name of the proposed business district;

4) the estimated business district project costs;

5) the anticipated source of funds to pay business district project costs;

6) the anticipated type and terms of any obligations to be issued; and

7) the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 and the period of time for which the tax shall be imposed.

This document constitutes the Lincoln Highway and IL-159 Business District Plan. It sets forth the necessity for the designation of the Business District, the qualifications of the Project Area as a "blighted area," a statement of objectives and policies to achieve these objectives, and a description of proposed projects for the Project Area.

SECTION II - ANALYSIS OF BLIGHTING FACTORS

QUALIFICATIONS ANALYSIS FOR THE BUSINESS DISTRICT

Because the City intends to implement an additional retailers' occupation tax, service occupation tax, and hotel operators' occupation tax of up to 1.0%, in accordance with the provisions of the Business District Law, an evaluation of the conditions within the Project Area was conducted. Data gathered for this analysis was derived from inspecting the conditions of the properties, buildings, and rights-of-way and information regarding sales tax revenue. The following discussion in this section of the Plan summarizes the existing conditions within the Project Area that allow it to qualify as a "blighted area" as defined by the Business District Law.

Predominance of Deterioration of Site Improvements

The Project Area is fully built-out with no vacant lots; however, there is a predominance of deterioration among the Area's site improvements, buildings, and rights-of-way. The Area contains 62 total parcels of land, of which 49 (79.0%) have some sort of site deterioration, which may include cracked, crumbling, broken, or weed-infested driveways, sidewalks or paths, parking or storage areas, curbs, or alleys. Additionally, many of the rights-of-way in the area show signs of deterioration and aging. Deteriorated site improvements are found throughout the Project Area, as is shown in Figure C - Existing Conditions on Page 11. Photographic evidence of the deteriorated conditions can be found in Attachment B in the Appendix.

Economic Underutilization of the Area that Represents an Economic Liability

One-third of buildings in the Project Area are partially or fully vacant currently, resulting in underutilization of these spaces. Of the 54 buildings in the Project Area, 18 (33.3%) were determined to be partially or fully vacant during field investigations. The underutilized and deteriorated properties in the Project Area are not contributing to reaching the goals of the City's Comprehensive Plan and represent an economic underutilization of the area. Additionally, underutilized properties create an economic liability for the City, as they are not producing the necessary revenue to fund public services and government functions.

QUALIFICATION SUMMARY AND FINDINGS

Based on the "blighted area" definition outlined in the Business District Law, there are enough conditions that represent the required qualifications. These include:

1) There is a prevalence of deteriorated site improvements, structures, rights-of-way, etc. throughout the Project Area; 79% of parcels in the Area have deterioration present.

2) It is likely the existing access and flow of traffic along IL-159 and Lincoln Highway/Trail is inadequate for future redevelopment and increased business activity in the Area.

3) Properties and buildings throughout the Project Area are experiencing deteriorated conditions and tenant vacancy, resulting in underutilization and an economic liability for the City.

Therefore, the Project Area meets the standards as a "blighted area" per Section 11-74.3-5(3) of the Business District Law for designation as a "Business District" for purposes of imposing a tax pursuant to subsections (10) or (11) of Section 11-74.3-3 of the Business District Law. The Project Area represents an area of the City, which by reason of deteriorated and aging site improvements, structures, and rights-of-way, constitutes an economic liability and underutilization of the area.

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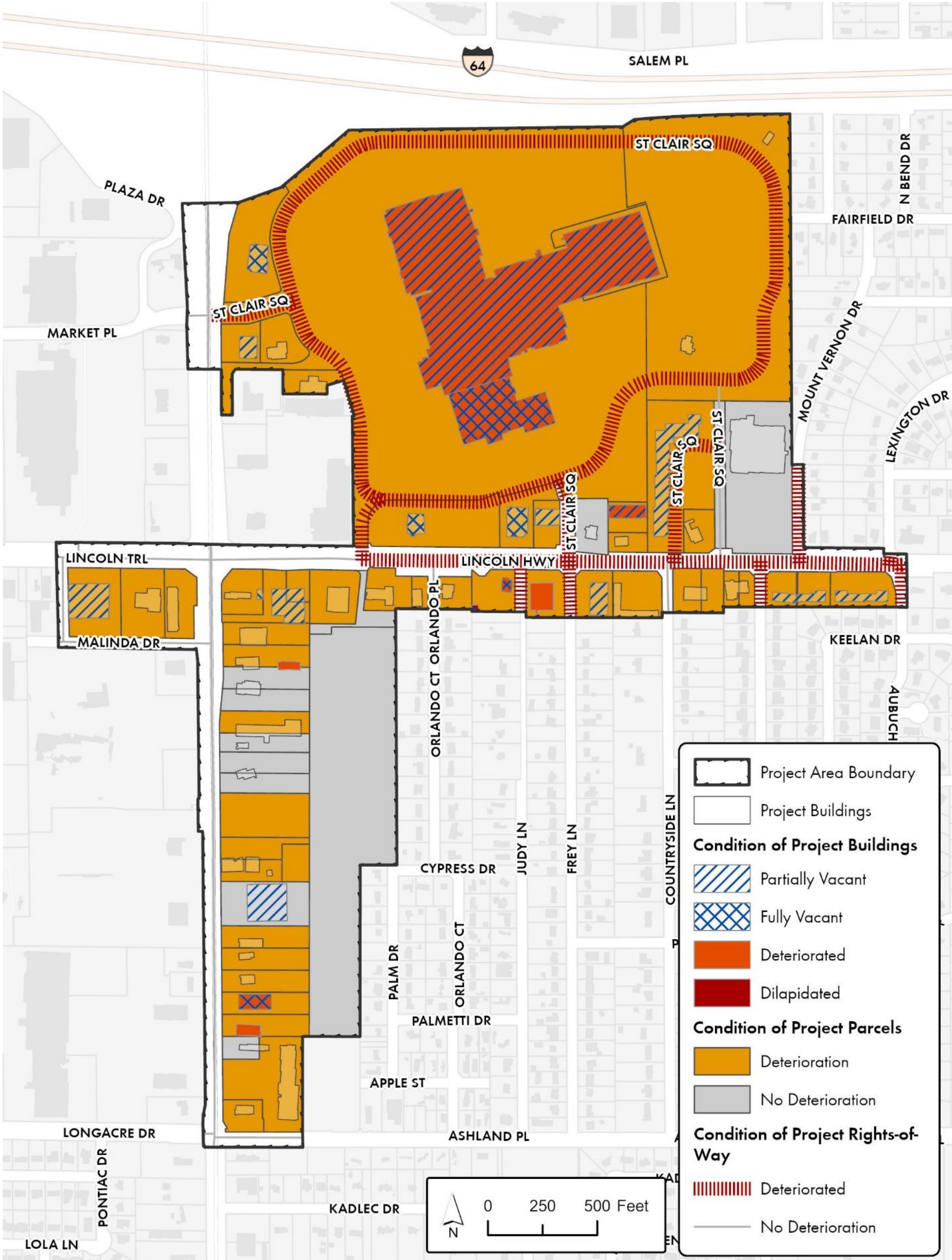
Figure C - Existing Conditions



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SECTION III - BUSINESS DISTRICT PLAN AND PROJECT

The Project Area consists of approximately 176.4 acres of land. The boundaries of the Project Area are delineated in Figure A - Project Area Boundary on Page 4 and referenced in Attachment A in the Appendix.

PURPOSE OF THE PLAN

The purpose of the Business District Plan is to induce public and private investment in the redevelopment of properties, the remediation of blighted conditions, the improvement of infrastructure and utilities, and the attraction of new business and economic activity in the Project Area. The Plan establishes the objectives and policies for developing the Project Area.

Under the provision of the Illinois Business District Development and Redevelopment Law, the City intends to adopt all three of the Business District sales taxes as provided for in Section 11-74.3-3 (10) of the Business District Law at the level of 1.0%. The Plan also describes the proposed uses of the revenue to be generated by the Business District taxes and lays out policies for using Business District tax revenue to provide incentives to achieve the City's objectives for the Project Area.

BUSINESS DISTRICT OBJECTIVES

It is the overall objective of this Plan to encourage public and private investment in the Project Area. More specifically the objectives include:

Objective #1: Expand Fairview Heights' Economic Base

Use incentives to enhance the City's commercial base by improving and enhancing existing commercial properties and spaces and relieving blighted conditions in the Project Area, thereby encouraging new business activity and economic growth in this area of the City.

Objective #2: Encourage Investment and Grow the City's Existing Businesses

The Project Area contains many existing businesses that will benefit from added traffic and additional tax revenue that will result as the Project Area moves towards reaching its full potential.

Objective #3: Remedy Blighted Conditions

Eliminate the conditions that caused the Project Area to qualify as a "blighted area" as defined in Business District Law. In this case, that means making needed fixes and upgrades to the Project Area's existing site improvements, structures, utilities, and infrastructure.

GENERAL DESCRIPTION AND LOCATION OF PROPOSED PROJECT

As the Project Area is already built-out, the projects to take place in the Area will include the redevelopment of several aging, deteriorated properties and buildings, as well as much needed repairs and upgrades to the Area's structures, site improvements, utilities, and infrastructure. While these projects will take place throughout the Project Area, a large focus is on the St. Clair Square mall and immediate surrounding properties, which have seen significant decline, tenant turnover, and vacant commercial spaces over the last decade or so.

BUSINESS DISTRICT POLICIES

It is the intent of this Plan to foster development and redevelopment within the Project Area in a sound, ethical, and legal manner. The policies as set forth below are established to promote the objectives of the Business District Plan.

Development Agreements or Other Such Instruments

In order to ensure that development occurs in a manner consistent with this Plan, the City and businesses are expected to enter into development agreements or other such instruments that will establish the terms and conditions under which Business District financial incentives are to be provided. Such instruments may establish, among other things:

1) the development entity to receive the incentive,
2) the public and/or private improvements to be built, and
3) identification of the type and amount of project costs to be reimbursed from Business District sales taxes.

The City may enter into multiple development agreements or other such instruments with other developers if necessary to implement the Business District Plan.

Development Policies

Development within the Project Area should occur in a manner that is consistent with good urban planning practices, the City's economic development goals and objectives, and all applicable codes and ordinances. This Business District Plan is in accordance with the goals and directives laid out in the City's 2025 Comprehensive Plan.

Economic Incentive Policies

To induce private investment in the Project Area, the City intends to provide certain economic incentives to private parties. In providing such incentives, it is not the policy or intent of the City to create an unfair advantage of one business over a like-kind business. Instead, incentives will be used to help make projects feasible by helping to offset extraordinary project costs permitted in the Business District Law and as cited on the following pages.

It is the policy of the City to assign the revenue generated by each development to pay off Business District eligible costs and debt obligations incurred by that development before using those funds to pay for eligible costs elsewhere in the Project Area. This does not guarantee that each development is entitled to 100% of the Business District revenue it generates. The amount of Business District revenue obligated to each development is subject to the terms and conditions of their respective development agreements. The purpose of this policy is to reassure developers and businesses that their obligations will be paid in full, as Business District funds are available, before those funds are used elsewhere in the Project Area.

BUSINESS DISTRICT PROJECT COSTS

The following costs are anticipated to be incurred in implementing the Business District Plan and Project. The Business District Project(s) described above may entail a range of public and private activities and associated costs as provided for in Section 11-74.3-5 of the Business District Law, including without limitation the following:

1) Costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;

2) Property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;

3) Site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;

4) Costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;

5) Costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;

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6) Costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;

7) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and

8) 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.

The City intends to provide economic development assistance through the funding and refinancing of certain development costs to be incurred by businesses and/or developers under the terms and conditions of development agreements in furtherance of the objectives of this Plan. Economic development assistance may include expenditures for public and private improvements as itemized in Table A - Estimated Business District Project Costs on Page 16.

Table A should not be construed to limit the ability of the City to enter into development agreements, which provide for other costs, additional costs, or a different distribution of these costs among the various line items. Specific limitations on such cost items and any distribution between them will be specified in development agreements by and between the City and any developer(s), property owner, or business tenant.

Table A - Estimated Business District Project Costs

Description	Estimated Cost
A. Public Works	**$15,583,000**
(Street improvements and other public improvements)	
B. Property Assembly	**$7,791,000**
(Acquisition of land and other real and personal property)	
C. Site Preparation	**$2,597,000**
D. Construction of Buildings and Other Site Improvements	**$15,583,000**
E. Building Renovation, Repair, and Retrofit	**$5,194,000**
F. Planning, Legal, and Professional Services	**$1,299,000**
G. General Administration	**$1,299,000**
H. Relocation Costs	**$1,299,000**
I. Financing Costs	**$1,299,000**
J. Contingency (10%)	**$5,194,400**
Total Estimated Costs	**$57,138,400**

Notes:

1. All costs shown are in 2025 dollars.

2. Adjustments may be made among line items within the budget to reflect program implementation experience.

3. Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total business district project cost if and when such financing costs are incurred.

4. Private redevelopment costs and investment are in addition to the above.

5. The total estimated business district project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Business District Plan was approved, per subsection 11-74.3-2 (f) of the Business District Law.

SOURCES OF FUNDS TO PAY BUSINESS DISTRICT PROJECT COSTS

A portion of the funds necessary to pay for Business District project costs are to be derived from the following Business District Sales Taxes in accordance with Section 11-74.3-3 (10) of the Business District Law:

"…retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs…"

and

"…a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs…"

These taxes are to be imposed at the rate of 1.0% and are defined in Section 11-74.3-6 of the Business District Law as follows:

1) Business District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, at retail in the business district at a rate not to exceed 1% of the gross receipts from the sales made in the course of such business, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

2) Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in subsection (b) [Business District Retailers' Occupation Tax] and shall not exceed a rate of 1% of the selling price of tangible personal property so transferred within the business district, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

3) Occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district,...excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.

The City shall deposit the proceeds of the aforementioned taxes imposed into a special fund of the City to be named the "Lincoln Highway and IL-159 Business District Tax Allocation Fund".

Other sources of funds that may be used to pay the costs of implementation of the Business District objectives include:

1) Private capital which is available through cash reserves or financing entities,
2) Improvements funded by third party tenants or users, and
3) Other sources of public financing that may be identified at such time in the future to fund project costs.

The City may issue, or may cause to be issued by another issuer, obligations secured by the Business District Tax Allocation Fund to provide for the payment of Business District project costs in accordance with the applicable portions of the Business District Law. Such obligations may be issued in one or more series, bear such date or dates, become due at such time or times as therein provided, but in any case not later than 20 years after the date of issue or the dissolution date of the Business District taxes imposed, whichever is earlier.

The term of the Business District taxes imposed shall be no more than 23 years after the date of adoption of the ordinance imposing taxes (see citation on the following page). For example, if the Business District taxes are approved on August 15, 2024, the municipality will adopt an ordinance rescinding the taxes before August 15, 2047. The Department of Revenue accepts documentation for imposing and rescinding Business Districts on April 1st and October 1st. If the documentation is submitted by October 1st, the Business District taxes shall be imposed the following January 1st, a delay of three months. Similarly, if the submission meets the April 1st deadline, the taxes shall be imposed the following July 1st.

If a municipality rescinds the Business District taxes before August 15, 2047, as in the previous example, they will meet the October 1, 2047 deadline and collection of Business District taxes would cease January 1, 2048. Due to the delay in distribution to municipalities of sales tax collections, the final payment from the Department of Revenue would be received by the municipality in the spring of 2047. The dissolution of the Business District shall take place no more than 270 days following payment to the municipality of the last distribution of taxes.

SECTION IV - FINDINGS AND AMENDMENTS

ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the Business District shall become effective upon adoption of an ordinance by the City Council adopting this Plan. The Business District shall expire in accordance with the provisions of the Business District Law in Section 11-74.3-6 (f) that states:

When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the municipality. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.

FINDINGS OF THE PLAN

The City hereby finds and determines as follows:

1) This Plan constitutes a specific plan for a Business District named the Lincoln Highway and IL-159 Business District in the City of Fairview Heights, St. Clair County, Illinois.

2) The designation of the Business District as identified in this Plan and the boundaries thereof delineated in Figure A - Project Area Boundary on Page 4, as well as described by the legal description contained in the Appendix as Attachment A, will assure opportunities for development and attraction of quality commercial growth to the City.

3) The Business District is contiguous and includes only parcels of real property directly and substantially benefited by this Plan.

4) The City's exercise of the powers provided in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of the Business District, and the use of the powers for the development and redevelopment of the Business District as provided in this Plan is declared to be a public use essential to the public interest of the residents of the City.

5) The Business District qualifies as a "blighted area" because the Area represents a portion of the City, which by reason of a predominance of deteriorated site improvements, structures, and

RETURN TO AGENDA

rights-of-way throughout the Project Area, as well as vacancy of commercial spaces, constitutes an economic liability and an economic underutilization of the Project Area.

6) The Business District, on the whole, has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Business District Plan (see "Economic Underutilization of the Area" in Section 2) and expansion of public services and utilities to the Area.

7) The land uses within the Lincoln Highway and IL-159 Business District Plan comply with all applicable codes and ordinances currently used by the City to regulate land use.

PLAN AMENDMENTS

The procedure for amending this Plan shall also be in conformance with the provisions of the Business District Law. After a municipality has by ordinance approved a Business District Plan and designated a Business District, the Plan may be amended, the boundaries of the Business District may be altered, and the taxes that were imposed may be altered.

Significant changes to the Business District Plan may be made by the municipality only after the municipality, by ordinance, fixes a time and place for, gives notice by publication of, and conducts a public hearing pursuant to the procedures set forth in the Business District Law. Significant changes are any change or amendment to the Business District Plan which:

1) Alters the exterior boundaries of the Business District,
2) Substantially affects the general land uses described in the Business District Plan,
3) Substantially changes the nature of any Business District Project,
4) Changes the description of any developer, user, or tenant of any property to be located or improved within the proposed Business District,
5) Increases the total estimated Business District Project Costs set out in the Business District Plan by more than 5% after adjustment for inflation from the date the Business District Plan was adopted,
6) Adds additional Business District Project costs to the itemized list of estimated Business District costs as approved in the Business District Plan, and/or
7) Imposes or increases the rate of any tax to be imposed.

Changes which fall under these requirements or thresholds may be done without further public hearings, provided the municipality give notice of the change or amendment in a newspaper within 30 days after the change or amendment was approved by ordinance by the municipality.

APPENDIX

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ATTACHMENT A - LEGAL DESCRIPTION

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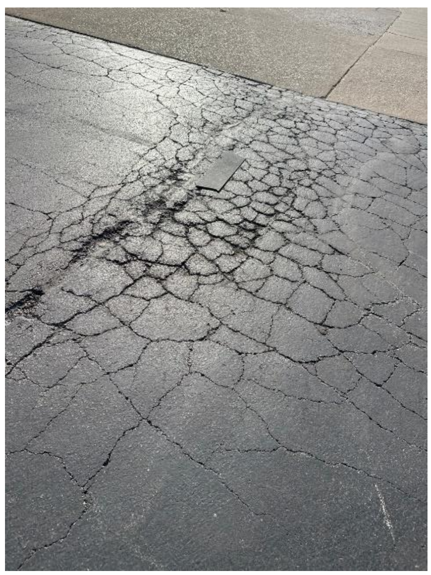
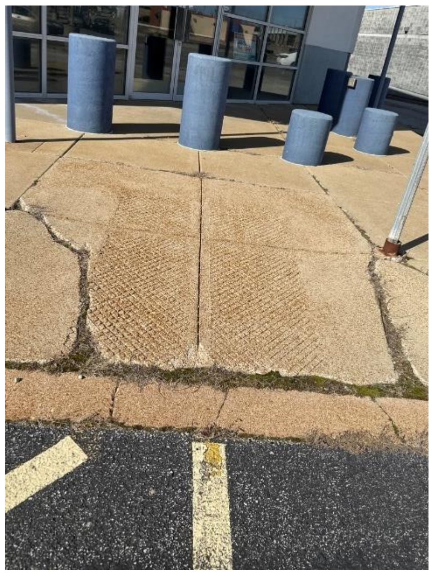
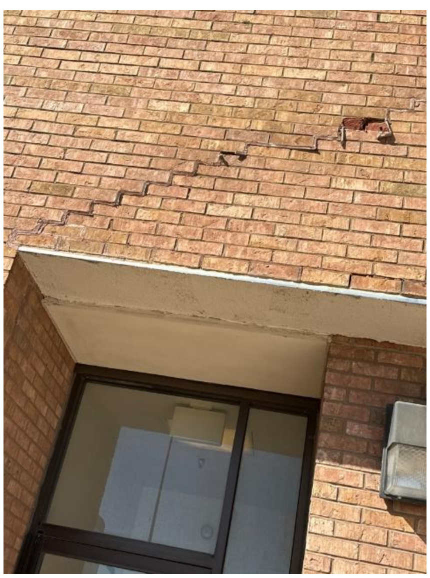
ATTACHMENT B - PHOTOGRAPHIC EVIDENCE











3


RETURN TO AGENDA

PROPOSED ORDINANCE NO. 19-'25

AN ORDINANCE ESTABLISHING AND IMPOSING CERTAIN BUSINESS DISTRICT TAXES IN THE CITY OF FAIRVIEW HEIGHTS LINCOLN HIGHWAY AND 159 BUSINESS DISTRICT

WHEREAS, the City of Fairview Heights passed Ordinance No. _18-'25____ Establishing and Designating the Lincoln Highway and 159 Business District and Approving the Lincoln Highway and 159 Business District Plan within the City of Fairview Heights, Illinois in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1 through 11-74.3-7 (the "Business District Law"); and

WHEREAS, as part of Ordinance No. _18-25, the Corporate Authorities of the City made the requisite findings that the Lincoln Highway and 159 Business District qualified as a "blighted area" as defined in Section 11-74.3-5 of the Business District Law; and

WHEREAS, in furtherance of the Lincoln Highway and 159 Business District, the Corporate Authorities of the City desire to establish and impose a Business District Retailers' Occupation Tax, a Business District Service Occupation Tax pursuant to Section 11-74.3-3 (10) of the Business District Law and an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act pursuant to Section 11-74.3-3 (11) of the Business District Law; and

WHEREAS, the City intends to use said tax to fund certain improvements within the Business District in accordance with the Business District Law and as set forth in the Lincoln Highway and 159 Business District Plan; and

WHEREAS, the Corporate Authorities of the City find and determine that it is in the best interests of the City and its residents to establish the taxes as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1. The above stated recitals are incorporated by this reference.

Section 2. Business District Retailers' Occupation Tax. A tax is hereby imposed to be known as the "Business District Retailers' Occupation Tax" upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this state's government, at retail within the boundaries of the Lincoln Highway and 159 Business District at the rate of one percent (1.0%) of the gross receipts from such sales made in the course of such business while this ordinance is in effect. This "Business District Retailers' Occupation Tax" shall not be applicable to the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes and needles used by diabetics, for human use.

Section 3. **Business District Service Occupation Tax.** A tax is hereby imposed to be known as the "Business District Service Occupation Tax" upon all persons engaged, within the Lincoln Highway and 159 Business District, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in Section 2 above upon the selling price of tangible personal property so transferred within the business district. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

Section 4. **Business District Hotel Operators' Occupation Tax.** A tax is hereby imposed to be known as the "Business District Hotel Operators' Occupation Tax" upon all persons engaged in the Lincoln Highway and 159 Business District in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, 35 ILCS 145/1, et seq., at the rate of one percent (1.0%) of the gross rental receipts from the renting, leasing or letting of rooms within the Business District, excluding, however, from the gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act.

Section 5. **Notice to Illinois Department of Revenue.** Within ninety (90) days of commencement of construction of the initial business to be located within the Lincoln Highway and 159 Business District, the City Clerk or other appropriate City staff, as assigned by the Mayor, are directed to provide the Illinois Department of Revenue (the "Department") with a certified copy of this Ordinance and such other information required by the Department, so that the Business District Retailers' Occupation Tax provided for in Section 2 above, and the Business District Service Occupation Tax provided for in Section 3 above may be administered and enforced by the Department, beginning on the following January 1 or July 1, depending on and subject to the IDOR notification deadlines provided for in the Business District Law. Thereafter, the appropriate City staff are directed to provide any address change, addition, or deletion of businesses located within the Business District to the Department on or before October 1 for administration and enforcement by the Department of the change beginning on the following January 1 and on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1.

RETURN TO AGENDA

<u>Section 6.</u> Lincoln Highway and 159 Business District Tax Allocation Fund. All proceeds of the taxes imposed, civil penalties, and interest, which accrues from the Business District Taxes imposed hereby, shall be deposited into a special fund of the City to be called the "Lincoln Highway and 159 Business District Tax Allocation Fund" in accordance with the Business District Law.

<u>Section 7.</u> Enforcement. The Illinois Department of Revenue shall have the authority to administer and enforce the Business District Retailers' Occupation Tax and the Business District Service Occupation Tax imposed under Sections 2 and 3 of this Ordinance. The City shall have the authority to administer and enforce the Business District Hotel Operators' Occupation Tax imposed under Section 4 of this Ordinance.

<u>Section 8.</u> Rescinding of Business District Taxes and Business District Dissolution Date. When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Lincoln Highway and 159 Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the City. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of this Ordinance imposing the taxes pursuant to the Business District Law, the City shall adopt an ordinance immediately rescinding the taxes imposed. The dissolution date of the Lincoln Highway and 159 Business District shall be not later than 270 days following payment to the City of the last distribution of taxes as provided in Section 11-74.3-6 of the Business District Law.

<u>Section 9.</u> If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this ordinance.

<u>Section 10.</u> This ordinance shall be in full force and effect immediately upon its passage, approval and publication as provided by law.

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PASSED AND APPROVED this _____ day of ___________________, 2025.

YEAS:

NAYS:

ABSENT:

____
Mark Kupsky, Mayor

ATTEST:

____
Karen Kaufhold, City Clerk

RETURN TO AGENDA

PROPOSED ORDINANCE NO. 20-'25

AN ORDINANCE AMENDING ORDINANCE NO. 1990-2025, PASSED ON APRIL 15, 2025 AND APPROVED ON APRIL 16, 2025; AN ORDINANCE ESTABLISHING A BUDGET FOR THE CITY OF FAIRVIEW HEIGHTS FOR THE FISCAL YEAR 2025-2026

WHEREAS, the City of Fairview Heights, St. Clair County, Illinois (the "City") has the authority to create incentive districts under Illinois Law; and

WHEREAS, pursuant to the desire of the City Council of the City of Fairview Heights to create incentive districts, the Lincoln Highway and 159 TIF District (TIF #7), has been created; and

WHEREAS, pursuant to the desire of the City Council of the City of Fairview Heights to create incentive districts, the Lincoln Highway and 159 Business District, has been created; and

WHEREAS, in creating new incentive districts, and following standard accounting practices, the City must create new fund accounts within the overall City budget; and

WHEREAS, Illinois State Statues provide for the transfer of funds between Tax Increment Financing Districts that are physically connects, and therefore the City desires to transfer funds from TIF #2 to TIF #7 to fund initial development planning and projects within TIF #7.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Fairview Heights, St. Clair County, Illinois, as follows:

Section 1. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating Fund 027, TIF #7 Fund (Lincoln Hwy and 159); and

Section 2. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #027-000-4-315-00, Interest Income; and

Section 3. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #027-000-4-346-00, TIF Revenue; and

Section 4. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #027-000-4-399-00, Inter-Fund Transfer; and

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Section 5. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by adding to Account #012-000-4-399-00, Inter-Fund Transfer, $750,000.00; and

Section 6. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by transferring $750,000.00 from Account #012-000-4-399-00, Inter-fund Transfer to Account 027-000-4-399-00, Inter-Fund Transfer; and

Section 7. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #027-160-5-205-00, Legal Fees and allocating $5,000.00; and

Section 8. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #027-160-5-206-00, Audit Fees and allocating $3,500.00; and

Section 9. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #027-160-5-372-00, TIF Expenditures and allocating $441,500.00; and

Section 10. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #027-160-5-503-00, Survey/Engineering and allocating $50,000.00; and

Section 11. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #027-160-5-505-00, Street/Alleys and allocating $250,000.00; and

Section 12. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating Fund 028, Lincoln Highway and 159 Business District; and

Section 13. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #028-000-4-315-00, Interest Income; and

Section 14. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #028-000-4-346-00, Business District Revenue; and

Section 15. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating revenue Account #028-000-4-399-00, Inter-Fund Transfer; and

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Section 16. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #028-160-5-205-00, Legal Fees and allocating $5,000.00; and

Section 17. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #028-160-5-206-00, Audit Fees and allocating $3,500.00; and

Section 18. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #028-160-5-372-00, Business District Expenditures; and

Section 19. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #028-160-5-503-00, Survey/Engineering; and

Section 20. Amendment. Amendment of Ordinance No. 1990-2025, passed April 15 2025 and approved April 16, 2025, by creating expenditure Account #028-160-5-505-00, Street/Alleys; and

Section 21. Repeal. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 22. Passage. That this Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED this _____ day of _____________, 2025.

YEAS:

NAYS:

ABSENT:

____
Mark Kupsky, Mayor

ATTEST:

Karen Kaufhold, City Clerk

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 58-'25

A RESOLUTION APPROVING A MINOR SUBDIVISION PLAT FOR LOT 29 OF THE FAIRVIEW HILLS SUBDIVISION, ST. CLAIR COUNTY PIN 03-19.0-207-015, IN THE R-3 SINGLE FAMILY RESIDENTIAL DISTRICT.

WHEREAS, the Planning Commission on July 8, 2025 held the necessary Public Hearing and reviewed the minor subdivision plat application and has transmitted its Advisory Report recommending denial of the application to the City Council.

WHEREAS, the Community Committee of City Council on August 20, 2025 reviewed the Special Use Permit application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council for consideration with the recommendation of approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY

OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. The minor subdivision plat for Lot 29 of the Fairview Hills Subdivision within the "R-3" Single Family Residential District is hereby approved.

SECTION 2. CONDITIONS. The conditions of this minor subdivision plat are contained in the Findings of Fact adopted by Planning Commission Resolution PC 12-25 and attached hereto, made a part hereof and marked "EXHIBIT A."

SECTION 3. CORPORATE AUTHORITY. The Planning Commission recommended denial of the application; therefore, under section 14-14-09 (H) of the Fairview Heights Code of Ordinances, a two-thirds (2/3) majority vote of the Corporate Authority is required for passage.

SECTION 4. SUPPORTING DOCUMENTS. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT B." A copy of the application documents are attached hereto made a part hereof and marked "EXHIBIT C."

SECTION 5. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

Planning Commissioner Hopkins introduced the following resolution and moved for its adoption:

RESOLUTION PC 12-25

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO DENIAL OF A PRELIMINARY PLAT FOR 29 FAIRVIEW HILLS AT
Coventry Ct

WHERE AS, Jon Poetker -JLP Design, hereinafter referred to as the "Applicant," applied for a Preliminary Plat for approval of 29 Fairview Hills at parcel number 03-19.0-207-015, commonly known as Coventry Ct; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in R3 Single Family Residential District be approved as a special use;

WHEREAS, the Applicant has properly applied for a Preliminary Plat.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on July 8, 2025, and that said public hearing was properly advertised, both of which are incorporated by reference.

2. That the subject property is zoned "R3" Single Family Residential District.

3. That the Applicant's special use permit for 29 Fairview Hills shall be denied, based on the following criteria.

    - That the proposed use will substantially adversely impair the use, enjoyment, or market value of any surrounding property.

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The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Smith upon vote being taken thereon, the following voted in favor thereof: None

and the following voted against the same: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Hutchison, and Hopkins.

and the following abstained: None

and the following were absent: Janice Petroff

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of July 2025.

Sunyatta McDermott

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

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DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC 12-25

REQUEST: Preliminary Plat to allow 29 Fairview Hills to split the lot in the "R-3" Single Family Residential zoning district at Coventry Ct, Fairview Heights. Also identified by St. Clair County PIN(s) 03-19.0-207-015. *VOTE REQUESTED.*

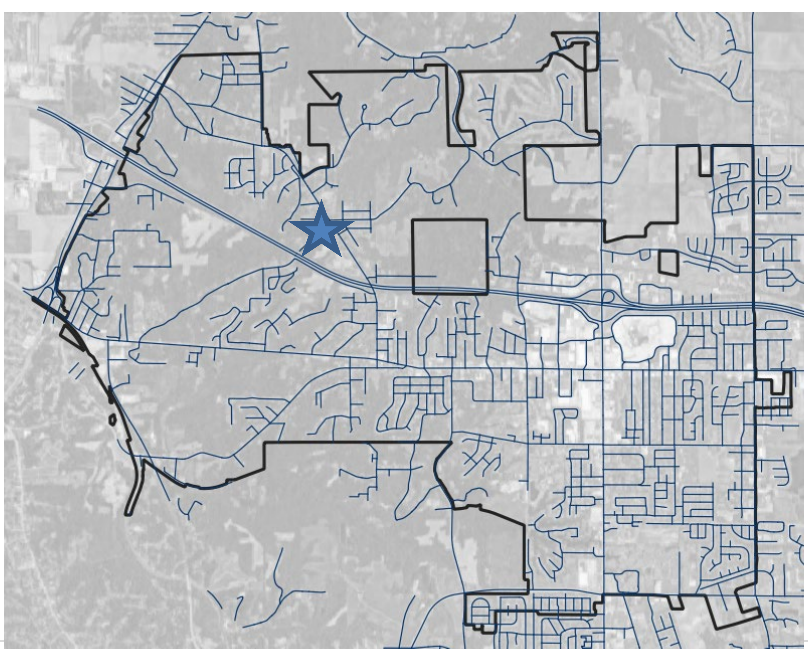
APPLICANT NAME: JPL Design & Build LLC

MEETING DATE: July 8, 2025

ZONING: R3 – Single Family Residential

PLANNING COMMISION ACTION: Consideration of the Preliminary Plat, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



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STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code establishes procedures for the division of land into two or more lots. A "Minor Subdivision" is the division of land into two (2), but not more than six (6) lots. The applicant is proposing to divide one lot into two, and is therefore defined as a "Minor Subdivision". Development Code Section 14-13-26: Subdivision Application, Minor Subdivision exempts minor subdivisions from the preliminary plat procedures and requirements and permits the subdivider to proceed to the final plat review process. Subdivision procedures for a final plat include administrative review, consideration by Planning Commission and final action by City Council. In considering a Final Plat, the reviewing authorities are to ensure the submittal meets the technical requirements of the Development Code. If a Final Plat meets the criteria, it shall be recommended for approval.

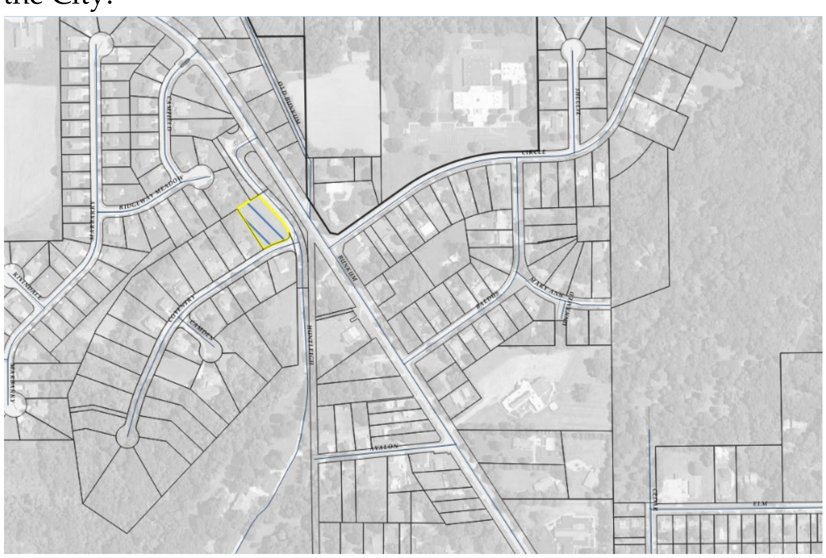
The subject property located at 29 Fairview Hills is zoned R3-Single Family Residential. This zoning district has a minimum lot size of 6,000 sq ft. The proposed plat would create one lot being 12,000 sq ft and one lot being 15,000 sq ft. Both lots would meet the minimum. Both lots meet the minimum lot width and depth requirements.

2. DISCUSSION

Context

The subject site is located in the western portion of the City, north of Interstate 64, and west of Bunkum Road. It is comprised of one parcel.

The zoning designation for these parcels is R-3 – Single Family Residence. This zoning district is intended to encourage the creation and maintenance of stable and enduring residential areas by establishing limitations on the use and character of development so as to take advantage of, or to avoid conflict with, natural topography, existing development, arrangements, and locations of existing or planned community facilities and social needs of the City.



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Zoning: Site and Surrounding Areas

The zoning and land uses of adjoining and surrounding properties are as follows:

North: R-3 - Single Family Residential;

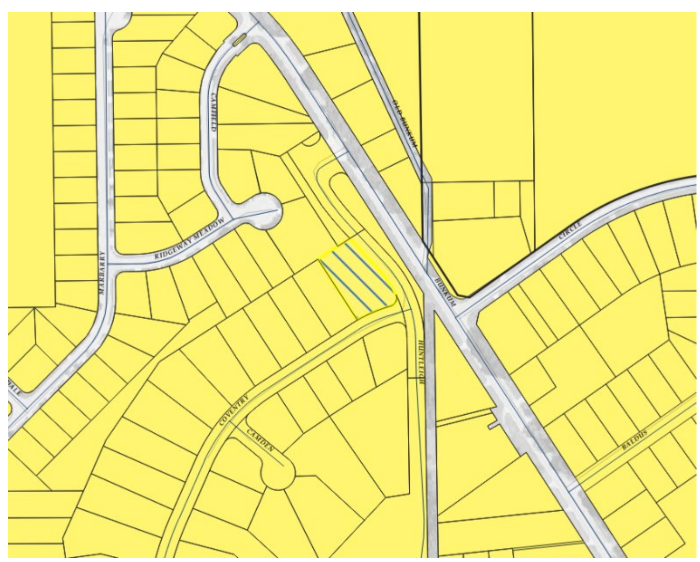
South: R-3 - Single Family Residential;

West: R-3 – Single Family Residential;

East: R- 3 - Single Family Residential.

Future Land Use: Site and Surrounding Areas

The Fairview Heights Comprehensive Plan identifies the subject site as single family residentail. The propsoed plat providing two individual single family lots conforms with the comprehensive plan.



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Site Photograph

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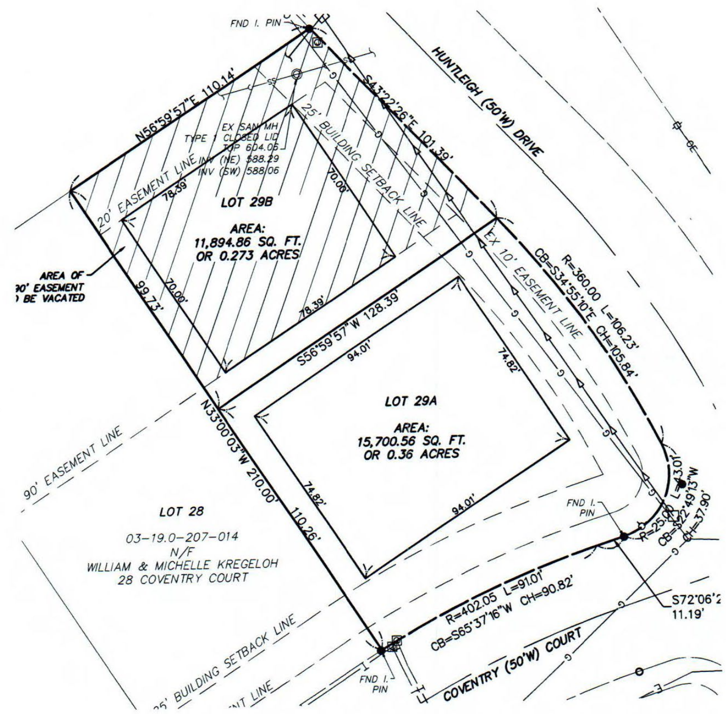
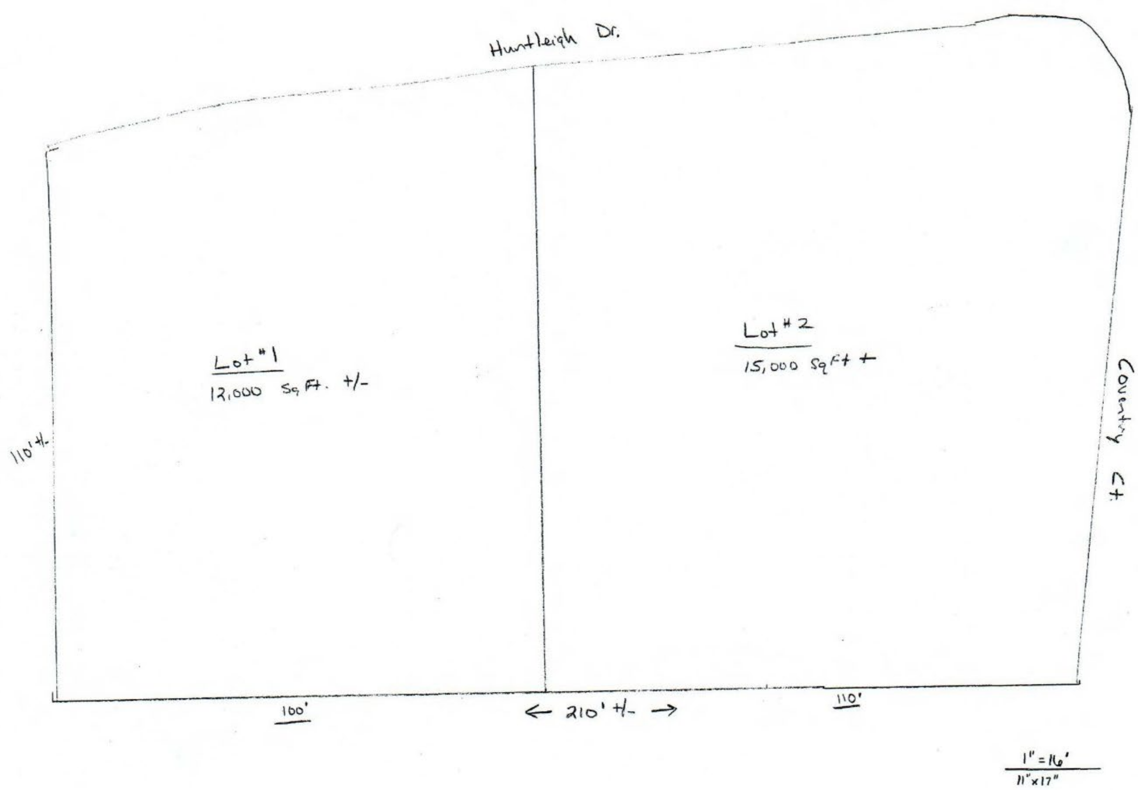
Engineer Drawing



Proposed Preliminary Split



Planning Considerations

The existing parcels within the subject site are comprised of three parcels of land comprising 0.99 acres. The proposed subdivision would create six lots ranging from 5836 to 7564 square feet acres. None of the lots meet the minimum requirement.

At issue is whether or not the proposed Final Plat meets the technical requirements of Development Code 14-13-28 Subdivision Application, Final Plat as below:

14-13-28 SUBDIVISION APPLICATION, FINAL PLAT.
A final plat to be provided by the subdivider shall meet the following specifications:

(A) The final plat may include all or only a part of the preliminary plat which has received approval.

(B) The plans of the final plat shall be drawn on new linen tracing cloth or polyester base film, with waterproof black ink to a scale not greater than one hundred feet to one inch (100' to 1"); provided that the resulting drawing would not be greater than thirty-six (36) inches square. Four (4) cloth or polyester base film positives of the final plat shall be provided to the City by the subdivider at the time of final plat application.

(C) All dimensions shall be shown in feet and decimals of a foot.

(D) All surveys for a final plat shall be made under the active and personal direction of a registered land surveyor of Illinois, and the following basic information shall be shown:

(1) Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one foot in five thousand feet (1' in 5,000').

(2) Accurate distances and directions to the nearest established quarter section corner monument. Reference corners shall be accurately described on the final plat.

(3) All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, provided that bench marks are located within a reasonable distance. Where spot elevations are taken from USGS Map as the datum used for a bench mark, it shall be so shown on the plat.

(4) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid lines.

(5) Right-of-way line of streets, easements and other rights-of way and property lines and areas of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of tangency, and central angles.

(6) Name and right-of-way width for each street or other right of-way.

(7) Location, dimensions and purposes of any easement, shown by light, dashed lines.

(8) Number to identify each lot or site.

(9) Purpose for which sites, other than residential lots, are dedicated or reserved.

(10) Lot dimensions and areas of each lot and building setback lines and dimensions.

(11) Location, type, material, and size of all monuments and lot markers.

(12) Restrictions of all types which will run with the land and become covenants in the deeds for lots. Restriction lines should be shown by medium, dashed lines.

(13) Title or name of subdivision, Section, Township and Range numbers in which the subdivision is located; and north arrow, scale and date.

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(14) Certification by registered Illinois Land Surveyor with registration numbers and seal affixed to all final documents of the final plat.
(15) Certificate of dedication of all public areas.
(16) Certificate that all taxes due have been paid

The proposed Minor Subdivision is in conformance with the requirements of 14-13-28.

Exhibits

1. Applicant’s Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public notice

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APPLICATION FOR PRELIMINARY PLAT

FAIRVIEW HEIGHTS
Crossroads of Prosperity

Department of Land Use and Development
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

6/6/25 – Application Received by LUD

OFFICE USE ONLY	
DATE COMPLETED APPLICATION RECEIVED:	CASE NUMBER ASSIGNED: PC 12-25
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (*$150 + $5 per lot*):
ZONING DISTRICT: R3 single Family Residential	DATE PUBLIC NOTICE SIGN POSTED:
APPLICATION CIRCULATION DATE_____: Comments Received: ☐ Public Works ☐ Fire District ☐ Parks and Recreation ☐ Economic Development ☐ Police Department ☐ Finance Department ☐ Administration Department ☐ Other	AUTHORITY MEETING DATE/RECOMMENDATION: ☐ Planning Commission 7/8/25 / ☐ Community Committee 7/16/25 / ☐ City Council 8/5/25 /
DATE OF MEETING: 7/8/25	RESOLUTION NUMBER: *(Attach resolution to preliminary plat. One copy to City Clerk, one with LUD/application, one copy to applicant)*

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal.

As an applicant, ***you are responsible for submitting:***

1. Completed application including submittal fees and all required attachments to the Department of Land Use and Development at least thirty-six (36) days prior to the Plan Commission meeting.
2. Photographs- aerial and/or ground-level photographs of the site.
3. Building elevations or perspectives- to show compatibility with surrounding area and of sufficient detail to ensure building material requirements are met.
4. Development schedule- a development schedule providing reasonable guarantees for the completion of the proposed development *(only when requested)*.
5. Legal description of the property.
6. An electronic copy of all documents.

After the initial submission, **you will be required to post a sign on the subject property**. Shortly after your application is received, you will receive information from the Land Use and Development Department on how to purchase and properly locate the required sign. The applicant must provide photographic evidence that the sign is posted in the appropriate location no more than twenty-one (21) calendar days and no less than seven (7) calendar days prior to the date of the public hearing. The sign must be maintained and remain in place until the hearing is complete.

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PROJECT INFORMATION FOR PRELIMINARY PLAT

Project Name: 29 Fairview Hills
Project Address: Coventry Ct, Fairview Heights
Parcel ID: 03190207015
Current Use of Property: Vacant lot
Project Size/Acreage: .64
Number of Lots: 2
Density:

CONTACT INFORMATION FOR PRELIMINARY PLAT

Property Owner(s): JLP Design & Build LLC
Mailing Address: P.O. Box 10 Waterloo, IL 62298
Phone: 618-781-3281
E-Mail: jon@jlphomes.com

Applicant/agent: Same as Above
Relationship to owner:
Mailing Address:
Phone:
E-Mail:

AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner: Jon L Poettker Date: 5/29/25
Printed Name: Jon L Poettker

Signature of Applicant: Date:
Printed Name:

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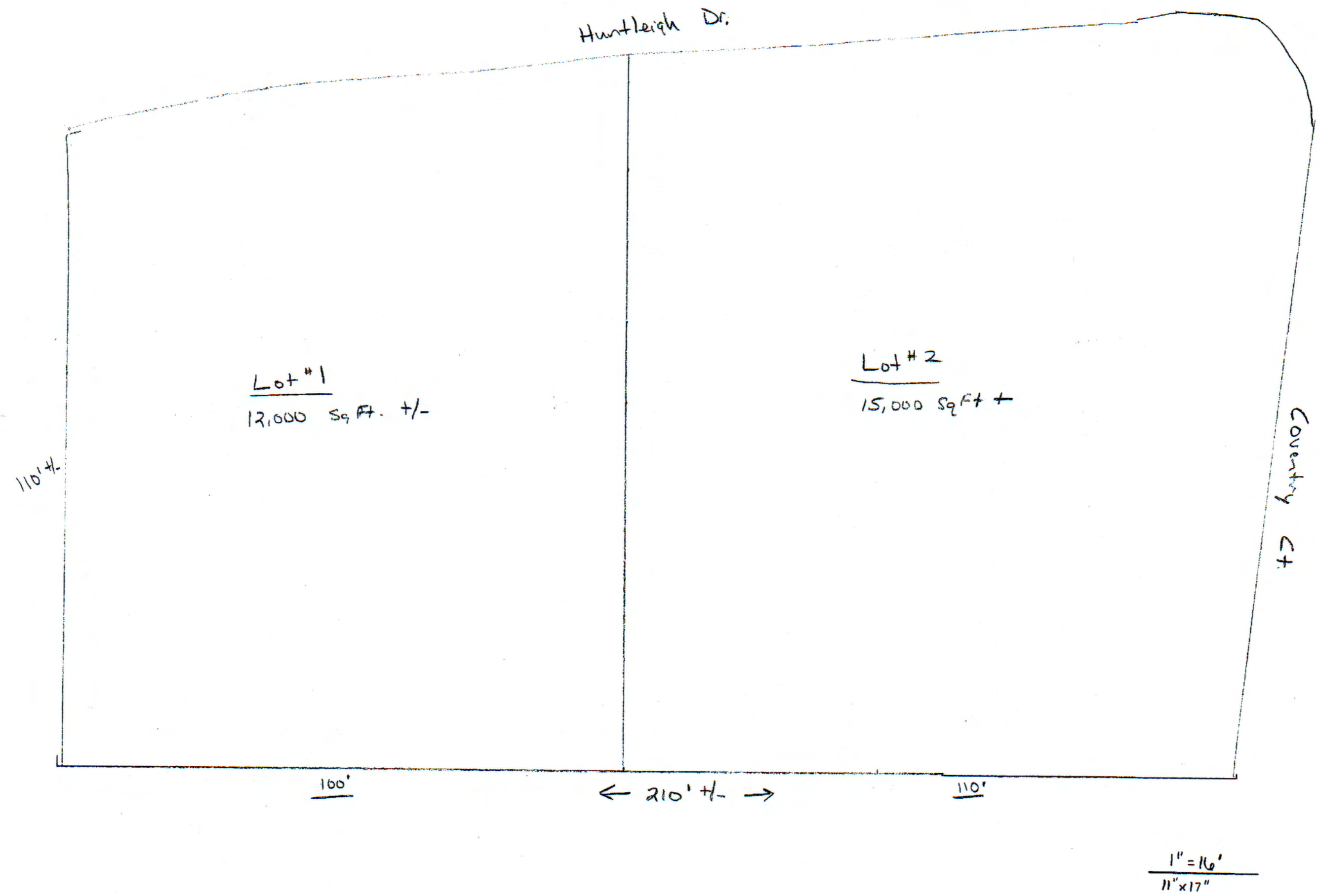

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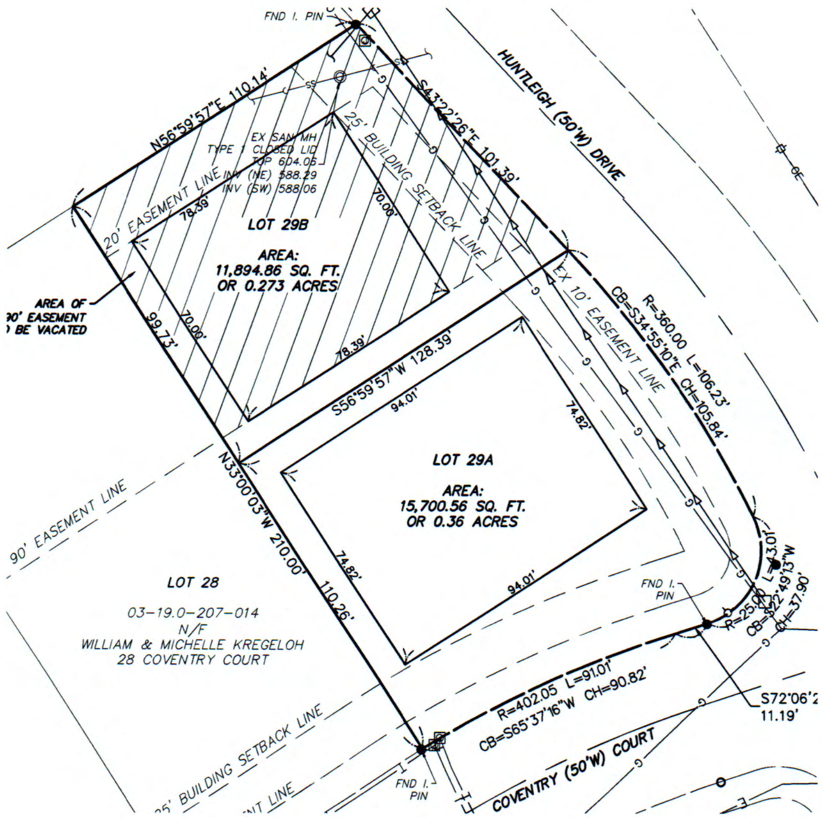

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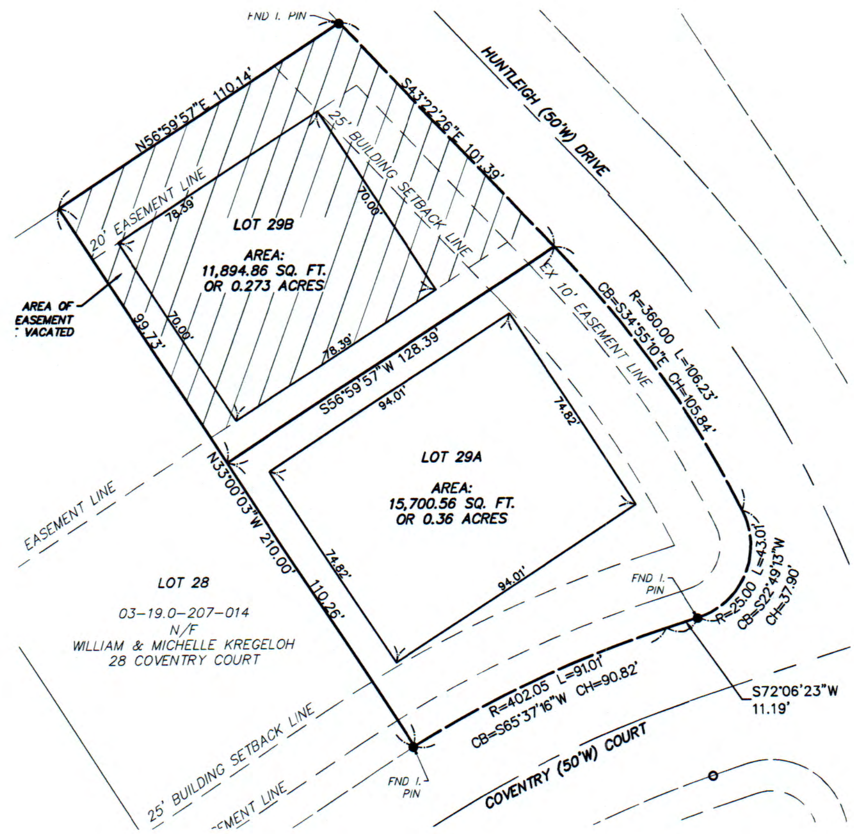

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St Clair County Parcel Map Viewer St Clair County GIS

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DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, July 8, 2025, at 7:00 p.m. This meeting will be held both in person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208, and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development, at (618) 489-2061 or alley@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Preliminary Plat Permit in the "R3" Single Family Residential zoning district for 29 Fairview Hills at Coventry Ct, also identified by St. Clair County PIN(s) 03-19.0-207-015.

Request was made by Jon Poetker- JLP Design, PO Box 10, Waterloo, IL 62298.

All persons desiring to be heard on this proposal may attend either in person or virtually.

Dated this 23rd day of June 2025.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Dallas Alley, Director of Land Use & Development

PC 12-25

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PROPOSED RESOLUTION NO. 59-‘25

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH TWM, INC TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR ST. ELLEN MULTIUSE TRAIL PHASE 4

WHEREAS, it has been determined necessary to obtain professional engineering services for the preparation of construction documents for the St. Ellen Multiuse Trail Phase 4, and

WHEREAS, it is the City’s intent to fund these professional engineering services with Land Use and Development Capital Improvement Project funds, and

WHEREAS, TWM, Inc has served the City in the past and has been selected now to perform said professional engineering services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS:

That the City of Fairview Heights does hereby authorize the Mayor to enter into an Engineering Services Agreement with TWM, Inc, 4940 Old Collinsville Road Swansea, IL 62226, to provide professional engineering services for preparation of construction documents for the St. Ellen Multiuse Trail Phase 4 for a cost plus fixed fee amount of approximately FOURTY NINE THOUSAND NINE HUNDRED AND NINTY SEVEN DOLLARS AND NO CENTS ($49,997.00) per TWM, Inc’s Engineering Services Agreement, attached hereto, made a part hereof, and marked “EXHIBIT A.”

This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

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PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK