



The Village of Glenview

Public Works Department

SUBJECT: Public Hearing for Special Service Area One Hundred and Seven (SSA 107) and first consideration of an Ordinance establishing SSA 107 for the installation of curb and gutter for Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Leaf Drive with an effective date of May 18, 2024.

AGENDA ITEM: 8.a.

MEETING DATE: February 20, 2024

VILLAGE BOARD REPORT

TO: Village President and Board of Trustees

FROM: Adriana Webb, Engineering Division Manager, (847) 904-4414
Joe Kenney, Public Works Director, (847) 904-4472
Jake Kohler, Assistant to the Village Manager, (847) 904-4541

THROUGH: Matthew J. Formica, Village Manager

BOARD ACTION REQUESTED:

Staff requests the Village Board hold a Public Hearing and consider the adoption of the attached Ordinance to establish the proposed Special Service Area One Hundred and Seven (SSA 107) for the installation of curb and gutter for Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Leaf Drive, with an effective date of May 18, 2024.

BACKGROUND:

On December 5, 2023, the Village Board adopted an Ordinance proposing to establish SSA 107 for the installation of curb and gutter for Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Lead Drive. As part of adopting the proposal Ordinance a public hearing date of February 20, 2024, was published for the Special Service Area (SSA). The purpose of the public hearing, as described by State Statute (35 ILCS 200/27-35), is to permit any interested persons owning taxable property located within the proposed SSA to file with the Village Clerk either written or oral objections with respect to any issues embodied in the notice of public hearing.

The establishment Ordinance for SSA 107 (Attachment 1) under consideration includes the installation of curb and gutter for homes along Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Lead Drive. See Exhibit B – Boundary Map to view the SSA location and corresponding limits of improvements. As part of the SSA process, the residents pay 50% of the cost associated with the construction of new curb and gutter, which is based on the Village’s SSA policy adopted in November of 2002. Upon completion of the project, the SSA costs will be split proportionately among the participating property owners and repaid through their property tax bill over a 20-year period at an approximate interest rate of 6%.

After conclusion of the public hearing, staff will introduce the SSA establishment Ordinance for Village Board consideration to formally establish the SSA. Consistent with State Statute, the Ordinance will have a delayed effective date that is 60-days after the public hearing date, which is May 18, 2024. During this waiting period,

the impacted residents have an opportunity to formally object to the project by filing with the Village Clerk a petition signed by at least 51% of the electors residing within the area (as described by the boundary map) and by at least 51% of the owners of record of the land included within the area. The Ordinance will take effect after this 60-day waiting period.

The proposed curb and gutter improvements are programmed for construction and budgeted in FY2024. Staff proposes establishing SSA 107 to fund the resident share of curb and gutter in the amount \$102,800. Once the establishment ordinance becomes effective for SSA 107, the Community Development/Public Works Departments will file the necessary documentation with Cook County to memorialize the established SSA boundary. The Village will initially fund the improvements and then collect the homeowner's share through a special service area tax that will be imposed and collected over a 20- year period commencing upon the improvement's completion. The maximum interest that can be charged shall not exceed 6.00% per annum.

BUDGET:

The consideration of the attached ordinance does not have any budget impact. Budget impact will be considered at the time of awarding the contract for the construction of the improvement associated with SSA 107, contingent upon the passage of the SSA. The funding for the construction of SSA 107 is anticipated and scheduled for in the 2024 Capital Improvement Program.

RECOMMENDATION:

Staff recommends the Village Board adopt the attached Ordinance establishing Special Service Area One Hundred and Seven (SSA 107) for the installation of curb and gutter for Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Leaf Drive.

ATTACHMENT:

1. Ordinance Establishing SSA 107 and Exhibits
 - A. Exhibit A: Project Area Legal Description
 - B. Exhibit B: SSA 107 Boundary Map
 - C. Exhibit C: Public Hearing Notice
2. Proposed Project Schedule

**Attachment 1 –
Ordinance
Establishing SSA
107 Curb and
Gutter Installation**

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER ONE HUNDRED AND SEVEN IN THE VILLAGE OF GLENVIEW

WHEREAS, the Village of Glenview is a home-rule municipal corporation located in Cook County, Illinois (“Village”);

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety, and welfare of its citizens;

WHEREAS, residents of the Village living on Sumac Circle and Cedarwood Lane, which territory is legally described on Exhibit A, depicted on Exhibit B (“Area”), and constitutes a contiguous area as defined and required by the Special Service Area Tax Law (35 ILCS 200/27, *et seq.*) (“Act”) have requested that the corporate authorities consider establishing a special service area (“SSA”) in order to provide for the construction, installation, and maintenance of certain Improvements, as defined in Section 2 of this Ordinance;

WHEREAS, the corporate authorities, having considered the proposal, deem it advisable to initiate proceedings under the applicable laws of the State of Illinois in connection with such proposal; and

WHEREAS, the Act authorizes municipalities to establish SSAs to finance special governmental services within a contiguous area, subject to the procedures set forth in the Act; and

WHEREAS, Article VII, Section 6(i) of the Illinois Constitution provides, in pertinent part, that “the General Assembly may not deny or limit the power of home rule units . . . to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services”;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Glenview, in exercise of its home rule powers, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct, are hereby adopted as findings of the Village President and Board of Trustees, and are incorporated into this Section 1 by reference. All exhibits attached to this Ordinance are incorporated by reference.

Section 2. The purpose of establishing the Area as a special service area is to finance improvements benefitting the Area, including, without limitation, street repairs, and appurtenances thereto, labor, services and materials in connection with the construction, maintenance, and administration of the same, and associated amenities and infrastructure (collectively, the “Improvements”), and to retire the Debt, as defined below.

Section 3. The Improvements may be funded by up to \$102,800 in borrowed funds (“Debt”) to be retired over a 20-year period, bearing interest at a rate not to exceed 6.00% per annum. Debt shall be retired by the levy of a direct tax to discharge the principal as it matures and the interest thereon. Such tax is to be levied upon all taxable real property within the Area.

Section 4. The question of establishing the Area as a SSA was considered by the Village Board pursuant

to Ordinance No. 6592 entitled: "AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER ONE HUNDRED AND SEVEN IN THE VILLAGE OF GLENVIEW AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH," adopted on December 5, 2023.

Section 5. The establishment of the Area as a SSA was considered at a public hearing commenced and concluded on February 20, 2024. Said hearing was held pursuant to notice duly published in the Chicago Tribune, a newspaper of general circulation in the Village, at least 15 days before the hearing, and also pursuant to notice by mail addressed to the person(s) in whose name the general taxes for the preceding year were paid on each lot, block, tract, or parcel of land lying within the Area. Said mailed notice was given by depositing the notice in the United States mail not less than 10 days before the public hearing's date. In the event taxes for the last preceding year were not paid, said notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. Said notices conform in all respects to the requirements of the Act. A copy of the notice is attached as Exhibit A.

Section 6. At the public hearing, all interested persons were given an opportunity to be heard on the question of the levy of an annual special tax sufficient to generate revenues needed to ensure the Improvements are timely constructed and provided and the Debt is timely retired and the Debt is timely retired.

Section 7. The Area will benefit specially from the Improvements, which differ from and are in addition to municipal services generally provided to the Village as a whole and, therefore, it is in the best interests of the Village that the levy or imposition of special taxes against the Area be considered.

Section 8. The Services shall be provided by the Village or its designated agent following this Ordinance's effective date, as defined below.

Section 9. That after considering the data, as presented at the public hearing, the corporate authorities find that it is in the public interest and in the interest of the Area, that Special Service Area One Hundred and Seven ("SSA 107"), as hereinafter described, is established, effective May 18, 2024.

Section 10. The corporate authorities hereby establish a SSA to be known and designated as "Village of Glenview Special Service Area Number One Hundred and Seven" over the Area described and depicted on Exhibit B for the purpose of: 1) constructing, installing, and maintaining the Improvements and 2) retiring the Debt, all in accordance with this Ordinance's terms.

Section 11. There is hereby approved the levy of an annual special *ad valorem* tax against each taxable parcel of property in the Area sufficient to generate revenues needed to timely construct, install, and maintain the Improvements and timely retire the Debt, which revenues shall not exceed the Maximum Levy, as that term is defined herein. Such tax shall be levied at a rate that provides a rational relationship between the amount of the tax levied against each parcel comprising the Area and the special service benefit rendered. For purposes herein, the Maximum Levy as of any given year the SSA is in existence shall not exceed an amount necessary to produce a maximum annual levy of \$3,240.00, and the proposed levy for the initial year the SSA tax is levied is \$3,240.00. The Debt, if issued, shall not exceed the principal amount of \$102,800 shall be retired over a period not to exceed 20 years from the date of issuance, shall bear interest at a rate not to exceed 6% percent per annum, and may be prepaid in whole or in part prior to maturity. Said tax shall be in addition to all other taxes provided by law, and shall be levied pursuant to the provisions of the Act.

Section 12. Every section and provision of this Ordinance shall be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section 13. The Village Clerk is hereby authorized and directed to file, within 60 days of this Ordinance's passage, a certified copy of this Ordinance and all exhibits with the Cook County Clerk and the Cook County Recorder of Deeds.

Section 14. This Ordinance shall be in full force and effect immediately upon the expiration of the objection period set forth in the Act (35 ILCS 200/27-40) if no successful objection period is filed during the objection period but in no event later than May 18, 2024.

PASSED this _____ day of March 2024.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of March 2024.

Michael B. Jenny, Village President of the
Village of Glenview, Cook County, Illinois

ATTESTED and FILED in my office this
_____ day of March 2024.

Matthew J. Formica, Village Clerk of the
Village of Glenview, Cook County, Illinois

Exhibit A

Legal Description of Area

SUMAC CIRCLE AND CEDARWOOD LANE:

LOTS 16 THROUGH 23 AND 34 THROUGH 41 IN WYATT AND COON'S CEDARWOOD UNIT 2 SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN **IN COOK COUNTY, ILLINOIS;** AND

LOTS 1 THROUGH 8 IN MOBERG'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN **ACCORDING TO THE PLAT THEREOF RECORDED MARCH 14, 1955 AS DOCUMENT 16173821 IN COOK COUNTY, ILLINOIS.**

P.I.N.	STREET ADDRESS	
04-34-202-087-0000	2411	Sumac Circle
04-34-202-031-0000	2316	Sumac Circle
04-34-202-043-0000	2342	Sumac Circle
04-34-202-083-0000	2410	Sumac Circle
04-34-202-028-0000	2325	Fir Street
04-34-202-047-0000	2335	Sumac Circle
04-34-202-048-0000	2330	Linden Leaf Dr
04-34-202-081-0000	2430	Sumac Circle
04-34-202-045-0000	2349	Sumac Circle
04-34-202-034-0000	2323	Sumac Circle
04-34-202-029-0000	2324	Sumac Circle
04-34-202-035-0000	2320	Linden Leaf Dr
04-34-202-084-0000	2400	Sumac Circle
04-34-202-044-0000	2348	Sumac Circle
04-34-202-088-0000	2401	Sumac Circle
04-34-202-032-0000	2317	Sumac Circle
04-34-202-042-0000	1120	Cedarwood Lane
04-34-202-041-0000	2335	Fir Street
04-34-202-085-0000	2431	Sumac Circle
04-34-202-046-0000	2341	Sumac Circle
04-34-202-033-0000	2319	Sumac Circle
04-34-202-086-0000	2421	Sumac Circle
04-34-202-030-0000	2318	Sumac Circle
04-34-202-082-0000	2420	Sumac Circle

Exhibit B

SSA 107 Boundary Map



**Exhibit C
NOTICE OF PUBLIC HEARING
VILLAGE OF GLENVIEW
SPECIAL SERVICE AREA NUMBER 107**

NOTICE IS HEREBY GIVEN that on Tuesday, **February 20, 2024 at 7:30 p.m.** at the Glenview Municipal Center, 2500 East Lake Avenue, Glenview, Illinois, 60026 a hearing will be held by the President and Board of Trustees of the Village of Glenview to consider forming Special Service Area Number 107 (“SSA”) encompassing the following property generally located along Sumac Circle and Cedarwood Lane in-between Fir Street and Linden Leaf Drive:

Legal Description

SUMAC CIRCLE AND CEDARWOOD LANE:

LOTS 16 THROUGH 23 AND 34 THROUGH 41 IN WYATT AND COON’S CEDARWOOD UNIT 2 SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN **IN COOK COUNTY, ILLINOIS;** AND

LOTS 1 THROUGH 8 IN MOBERG’S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN **ACCORDING TO THE PLAT THEREOF RECORDED MARCH 14, 1955 AS DOCUMENT 16173821 IN COOK COUNTY, ILLINOIS.**

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04-34-202-083-0000	2410	Sumac Circle
04-34-202-028-0000	2325	Fir Street
04-34-202-047-0000	2335	Sumac Circle
04-34-202-048-0000	2330	Linden Leaf Dr
04-34-202-081-0000	2430	Sumac Circle
04-34-202-045-0000	2349	Sumac Circle
04-34-202-034-0000	2323	Sumac Circle
04-34-202-029-0000	2324	Sumac Circle
04-34-202-035-0000	2320	Linden Leaf Dr
04-34-202-084-0000	2400	Sumac Circle
04-34-202-044-0000	2348	Sumac Circle
04-34-202-088-0000	2401	Sumac Circle
04-34-202-032-0000	2317	Sumac Circle
04-34-202-042-0000	1120	Cedarwood Lane
04-34-202-041-0000	2335	Fir Street
04-34-202-085-0000	2431	Sumac Circle
04-34-202-046-0000	2341	Sumac Circle
04-34-202-033-0000	2319	Sumac Circle
04-34-202-086-0000	2421	Sumac Circle
04-34-202-030-0000	2318	Sumac Circle
04-34-202-082-0000	2420	Sumac Circle

("Subject Territory"). A map of the Subject Territory is on file in the Glenview Community Development Department, 2500 E. Lake Street, Glenview, Illinois, 60026.

The purpose of forming the SSA is generally to provide special municipal services for the Subject Territory, including funding for street repairs, and appurtenances thereto, labor, services and materials in connection with the construction, maintenance, and administration of the same, and associated amenities and infrastructure (collectively, the "**Improvements**") and to timely retire the Debt, as defined below. The Village contemplates that it will serve as the SSA's governing body and will collect, receive, and maintain the SSA revenue for use in providing or causing the provision of the Improvements and retiring the Debt.

At the public hearing, the Village will consider the levy of an annual special *ad valorem* tax against each taxable parcel of property in the Subject Territory sufficient to generate revenues needed to timely construct, install, and maintain the Improvements and timely retire the Debt, which revenues shall not exceed the Maximum Levy, as that term is defined herein. For purposes herein, the Maximum Levy as of any given year the SSA 107 is in existence shall not exceed an amount of \$11,308. The proposed estimated amount for the tax levy for the proposed SSA for the initial year for which taxes will be levied is \$11,308. SSA taxes shall be levied for a period of 20 years commencing during and in the years subsequent to the Village's adoption of an ordinance establish the SSA. SSA taxes shall be levied for a period of 20 years commencing during and in the years subsequent to the Village's adoption of an ordinance establish the SSA. Said tax shall be in addition to all other taxes provided by law, and shall be levied pursuant to the provisions of the Special Service Area Tax Law (35 ILCS 200/27-5, *et seq.*).

At the public hearing, the Village may also consider borrowing an amount not to exceed \$102,800 ("**Debt**"). The Debt shall be used to pay costs and fees associated with timely constructing, installing, and maintaining the Improvements and timely retiring the Debt. Debt is to be retired over a period not to exceed 20 years from the date of issuance, will bear interest at a rate not to exceed 6.00% per annum, and may be prepaid in whole or in part prior to maturity. Debt shall be retired by the levy of a direct tax to discharge the principal as it matures and the interest thereon.

At the hearing, all interested persons affected by the formation of the SSA, including all persons owning taxable real estate in the Subject Territory, and the method of taxation proposed, will be given an opportunity to be heard. Parties may also submit written comments to the Community Development Department, 2500 E. Lake Street, Glenview, Illinois 60026. The hearing may be adjourned by the Village Board to another date without further notice, so long as the date of the continued hearing is entered into the meeting minutes at the time the hearing is adjourned.

If a petition signed by at least 51% of the electors residing within the Subject Territory and by at least 51% of the owners of record of the land comprising the Subject Territory is filed with the Village Clerk within 60 days following the final adjournment of the public hearing objecting to the creation of the SSA, the levy or imposition of a tax, no such SSA as proposed may be created, or tax may be levied or imposed, except as otherwise permitted by law.

Any individual requiring a reasonable accommodation to listen to or participate in the meeting should contact the Community Development , at 847-904-4414 or awebb@glenview.il.us us as soon as possible.

**Attachment 2 –
Proposed
Project
Schedule**

Sumac Circle and Cedarwood Lane Tentative Project Schedule

Design Open House Meeting to view the plans	October 16, 2023
First Consideration of an ordinance proposing the establishment of SSA 107	November 21, 2023
Second Consideration of an ordinance proposing the establishment of SSA 107	December 5, 2023
Notice to be sent to Newspaper regarding public hearing	January 12, 2024
Public notice – notice of Public Hearing	January 18, 2024
Mail sent to area residents regarding Public Hearing	February 2, 2024
Public Hearing (start of 60 day period)	February 20, 2024
First consideration of an ordinance establishing SSA 107	February 20, 2024
Second consideration of an ordinance establishing SSA 107	March 19, 2024
End of 60 day waiting period & ordinance effective date	May 18, 2024*
Contract awarded and project moves forward.	March/April 2024

Construction: Spring 2024 – Fall 2024

(*) Will have an effective date of 60 days following the Public Hearing date