

***Due to COVID19 our meeting will be held @ the Vienna Public Library downstairs meeting room for safe social distancing.**

A limit of 10 people will be allowed in the meeting at a time.

**Public comments can be submitted to the city clerk up until 4 p.m.
on Wed, May 20th @ 658-5161**

**CITY OF VIENNA
CITY COUNCIL MEETING
VIENNA CITY LIBRARY
401 Poplar Street
May 20, 2020
6:30 P.M.**

AGENDA

1. Mayor Calls Meeting to Order.

2. Roll Call:

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

NEW BUSINESS

3. Omnibus Consent Agenda

- Approval of the May 6, 2020 Meeting Minutes
- Approval of the Warrant

Motion_____Seconded_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

4. Approval and Authorization of request from Johnson County 2000 to modify and existing sign in the Industrial Park (sign was originally approved in June, 2018)

Motion_____Seconded_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

5. Approval and Authorization of Resolution 20-03, A Resolution Authorizing an Agreement with Rick Nannie d/b/a Highly Favored Properties, LLC for Improvement of Property Utilizing Tax Increment Financing located at 45 Industrial Drive in the City of Vienna, IL.

Motion_____ **Seconded**_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

6. Approval and Authorization of Tax Increment Financing agreement between the City of Vienna, IL and Rick Nannie, Highly Favored Properties LLC & UCOA, LLC

Motion_____ **Seconded**_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

7. Approval and Authorization of Resolution 20-04, A Resolution Authorizing an Agreement with Lisa Groves, d/b/a Little Treasurers Child Development Center for Improvement of Property Utilizing Tax Increment Financing located at 903 Galeener Street in the City of Vienna, IL.

Motion_____ **Seconded**_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

8. Approval and Authorization of Tax Increment Financing agreement between the City of Vienna, IL and Lori Groves, Little Treasurers Child Development Center

Motion_____ **Seconded**_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

9. Approval and Authorization to purchase two Evolis XL Radar Speed signs
Elan City- \$5,339.00 (General Funds)

Motion_____ **Seconded**_____

Hill_____ Penrod_____ Owen_____ Racey_____ Tuey_____

10. **PUBLIC COMMENT/ADDITION TO THE AGENDA**

11. **ELECTED/APPOINTED OFFICIALS:**

- Jon Simmons, Mayor
- Melissa Presser, City Attorney
- Aleatha Wright, City Clerk
- Shane Racey, City Supt
- Michelle Meyers, Treasurer
- Jim Miller, Chief of Police
- Brent Williams, Fire Chief
- City Council

12. **Adjournment:**

POSTED: 05-18-20

BY: 

JOHNSON COUNTY 2000 INC.

An Illinois Not For Profit Corporation

President-Larry Mizell

Vice President-Scott Obourn Secretary/Treasurer-Zachary Garrett

DIRECTORS

Gary Brumley ♦ Tonya Frehner ♦ Ernie Henshaw ♦ Jody Johnson ♦ Alan Racey
Rick Reichert ♦ Norma Turok ♦ Chesley Williams

7 May 2020

City of Vienna
205 North 4th Street
Vienna, Illinois 62995

In re: Proposed Sign; Industrial Park

To Whom It May Concern:

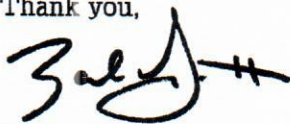
This letter serves as notice to the City that Johnson County 2000, Inc. intends to modify our existing sign northwest of the intersection between Illinois State Route 146 and Industrial Drive and that a permit application will be submitted to the Illinois Department of Transportation (IDOT). We hope to modify the sign to place it in a "V" formation and double its width for greater visibility to better serve the businesses and agencies in the Industrial Park.

IDOT rules require that the municipality be notified of the submittal of an application for an Outdoor Advertising Permit.

We would like to get a letter of support and any updates to the Zoning Ordinances since 13 June 2018.

Please contact me with further questions.

Thank you,



Zachary Garrett
Corporate Secretary/Treasurer
zgarrett@shawneepsi.com
1 (618) 922-1787 (personal mobile)

PAMPHLET

**RESOLUTION NO. 20-03
OF CITY OF VIENNA, JOHNSON COUNTY, ILLINOIS**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH RICK NANNIE d/b/a HIGHLY
FAVORED PROPERTIES, LLC FOR IMPROVEMENT OF PROPERTY UTILIZING TAX
INCREMENT FINANCING LOCATED AT 45 INDUSTRIAL DRIVE IN THE CITY OF VIENNA,
ILLINOIS**

RESOLUTION NO. 20-03

RESOLUTION AUTHORIZING AN AGREEMENT WITH RICK NANNIE d/b/a HIGHLY FAVORED PROPERTIES, LLC FOR IMPROVEMENT OF PROPERTY UTILIZING TAX INCREMENT FINANCING LOCATED AT 45 INDUSTRIAL DRIVE IN THE CITY OF VIENNA, ILLINOIS

WHEREAS, the City of Vienna, Illinois, (the "City") desires to repair and improve existing property within the established Vienna Tax Increment Financing Redevelopment Project Area #1 (the "TIF District") pursuant to the TIF District Act, 65 ILCS 5/11-74.1 et. seq. et. seq. Revised Illinois Statutes (the "TIF Act"); and,

WHEREAS, the City will use its best efforts and act in accordance with the TIF Act to utilize Tax Increment Financing where available to accomplish the goals set forth by the Redevelopment Plan and Project (the "TIF Plan") for the City of Vienna's TIF #1 District; and,

WHEREAS, Rick Nannie d/b/a Highly Favored Properties, LLC (the "Developer"), has submitted a proposal requesting consideration by the City Council of the City of Vienna for the use of TIF Funds to support a redevelopment project which would construct a new warehouse facility on certain property within the TIF District; and,

WHEREAS, the City wishes to encourage the Developer to pursue a plan for improvement and redevelopment of property within the TIF District and make such expenditures as are reasonably necessary in that regard; and,

WHEREAS, the City has the ability and legal authority granted by the TIF Act to utilize TIF Funds to support economic development efforts in accordance with the goals of the established TIF Plan; and,

WHEREAS, the Corporate Authorities of the City of Vienna finds that it is in the best interest of the City of Vienna to enter into a Redevelopment Agreement with the Developer for reimbursement of certain approved costs and expenses relating to the construction of improvements and development of certain property, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CORPORATE AUTHORITIES OF THE CITY OF VIENNA, ILLINOIS, AS FOLLOWS:

SECTION 1. The duly appointed Corporate Authority is hereby authorized to enter into a Redevelopment Agreement using Tax Increment Financing with Developer, attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The duly appointed Corporate Authority is hereby authorized to execute all documents and to take all other action deemed by it to be necessary and proper to effectuate the said agreement.

SECTION 3. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 4. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Alderperson	Aye	Nay	Abstain	Absent
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Vote Recorded by:

Vote Approved by:

Aleatha Wright, City Clerk

Jon A. Simmons, Mayor

Recorded in the Records of the City Clerk and published by the authority of the Mayor and City Council of the City of Vienna, Johnson County, Illinois in pamphlet form this _____ day of _____, 2020.

STATE OF ILLINOIS }
SS }
COUNTY OF JOHNSON }

I, Aleatha Wright, do hereby certify that I am the City Clerk of the City of Vienna, Illinois; that the foregoing is a true and correct copy of an Resolution entitled "RESOLUTION AUTHORIZING AN AGREEMENT WITH RICK NANNIE d/b/a HIGHLY FAVORED PROPERTIES, LLC FOR IMPROVEMENT OF PROPERTY UTILIZING TAX INCREMENT FINANCING LOCATED AT 45 INDUSTRIAL DRIVE IN THE CITY OF VIENNA, ILLINOIS", duly passed by the Mayor and City Council of the City of Vienna as Resolution #_____, at a Regular Council meeting held on the _____ day of _____, 2020, the Resolution being part of the official records of said City.

Aleatha Wright
City Clerk

TAX INCREMENT FINANCING REDEVELOPMENT AGREEMENT
UCOA WAREHOUSE ADDITION
RICK NANNIE d/b/a HIGHLY FAVORED PROPERTIES, LLC

This Redevelopment Agreement is entered into on this _____ day of _____, 2020, by and between the City of Vienna, an Illinois Municipal Corporation (hereinafter referred to as the "City"), and Rick Nannie, Chief Executive Officer, Highly Favored Properties, LLC (hereinafter known as the "Developer").

RECITALS

- A. WHEREAS, on May 7, 2008, in accordance with the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 et. seq. (the "TIF Act"), the City of Vienna approved ordinances adopting tax increment financing and the Vienna Tax Increment Financing Plan and Project #1; and
- B. WHEREAS, the Developer has submitted a redevelopment proposal to the City for a project which could not or would not be undertaken without the use of tax increment financing assistance; and
- C. WHEREAS, the City Council, after reviewing the redevelopment proposal submitted by the Developer, believes that the Redevelopment Project as set forth herein, and the performance generally of this Agreement, are in the best interests of the City, and the health, safety, morals and welfare of its residents, and in accord with the purposes specified in the Redevelopment Plan.

NOW, THEREFORE, it is agreed between the City and the developer as follows:

SECTION 1: The Developer agrees, subject to the terms and conditions hereof to undertake a Redevelopment Project located at 45 Industrial Drive, Vienna, IL (Johnson County PIN: 08-04-201-028) which includes, but is not limited to:

- a) The construction of a new building of approximately 2,100 square feet in size for use by United Contractors of America (UCOA) for inventory warehousing purposes.
- b) Any and all required pre-construction site preparation, surveying, engineering, infrastructure construction, utility installation, or other work as would reasonably need to be performed.
- c) All other work as may reasonably be required to complete the project in a safe and responsible manner.

- d) The Developer agrees to complete this project within 90 days of the execution of this agreement. An extension to this deadline may be granted with written approval from the City.

SECTION 2: The City agrees to reimburse the Developer a total of \$ \$4,500, or an amount equal to 100 % of the TIF eligible redevelopment project incurred during the completion of the project, whichever is less, in the form of a one-time grant payment, payable upon completion of the entire project as verified by the City, in the City's sole discretion. Payment is exclusively for TIF eligible costs incurred during the performance of the work, pursuant to Section 11-74.4-3 of the TIF Act and that qualifies under Section 11-74.4-3 (q) as determined by the City in the City's sole discretion.

SECTION 3: The Developer agrees that all payment(s) received from the City will be subject to the deduction of an "Administration Fee" for the creation and administration of this Redevelopment Agreement and all matters related to the context of this Agreement. Administration Fees will be calculated as an amount equal to 10% of any payment made to the Developer from the City pursuant to this agreement, **not to exceed a total of \$500.00.**

SECTION 4: The Developer shall submit Requests for Payment of Redevelopment Project Costs in substantially the same form as set forth in Exhibit 1. All Requests for Payment shall be accompanied by invoices, statements, vouchers or bills for the amount requested (including evidence of payment thereof as to any amounts for which payment or reimbursement is requested) and lien waivers for all services or materials furnished by subcontractors, except as to any retainage, related to amounts for which reimbursement is requested.

SECTION 5: The City shall approve or disapprove any Requests for Payment within 30 days of the submittal thereof. If the City disapproves any Request or any portion thereof, it shall state in writing the reasons therefore and provide the Developer a reasonable opportunity to clarify or correct the Request.

SECTION 6: Within 30 days of approval of any Request for Payment, the City shall pay the Developer for such approved Redevelopment Project Costs to the extent monies are available in the Special Allocation Fund for Vienna TIF #1.

SECTION 7: Notwithstanding any other term or provision of this Agreement, the City's obligations pursuant to this Agreement are limited to monies in the Special Allocation Fund for Vienna TIF #1 and from no other source. This Agreement does not compel the City's General Fund, or any other source of funds, to provide monies for any amount or obligation identified herein.

SECTION 8: In the event the Developer defaults on the obligations or the property becomes vacant of an operating commercial business for a period of six (6) months or more within two (2) years from the signing of this Agreement, the Developer shall return to the City a sum of 100% of the total payment granted from the City to the Developer. If a default or vacancy occurs within two (2) years to four (4) years of the signing of this Agreement, the Developer will return 75% to the City. If a default or vacancy occurs between four (4) years and six (6) years from the signing of this Agreement, the Developer will return 50% to the City.

SECTION 9: The parties hereto stipulate that each has obtained advice and consultation of legal counsel of its own choosing, and have not relied upon legal representation or opinions of the other party. All agreements between the parties are expressly set forth herein, and no statements or expressions of the separate parties previously made and not set forth in writing in this document shall be binding upon said party.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be executed in their respective names and caused their respective seals to be affixed thereto, and attested as to the date first above written.

"CITY"

CITY OF VIENNA, ILLINOIS

X: _____

Date: _____

By: John Simmons, Mayor

"DEVELOPER"

RICK NANNIE d/b/a HIGHLY FAVORED PROPERTIES,
LLC

X: _____

Date: _____

By: Rick Nannie

EXHIBIT 1

REQUEST FOR PAYMENT OF REDEVELOPMENT PROJECT COSTS

Request for Payment of Redevelopment Project Costs

TO: City of Vienna
Attn: TIF Administrator
205 North 4th Street
Vienna, Illinois, 62995

You are hereby requested and directed as per the Redevelopment Agreement
Between _____ (the “Developer”) and the City of Vienna (the
“City”) to pay moneys in the Special Allocation Fund for the payment of the following
Redevelopment Project Costs:

<u>Vendor /Company</u>	<u>Description of Work Performed</u>	<u>Amount</u>

Total: _____

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement. The undersigned is the Developer under the Redevelopment Agreement which request is being made between the City and the Developer.

The undersigned, on behalf of the Developer, hereby states and certifies to the City that:

1. Each item listed within this request is a Redevelopment Project Cost and was incurred in connection with the construction of the Redevelopment Project, with **proof of payment (receipts/invoices/check copies) attached to this request.**
2. All real estate and sales taxes attributable to the Property have been paid in full proof of which is attached to this Request for Payment.
3. These Redevelopment Project Costs have been incurred by the Developer and have been paid by the Developer and are payable or reimbursable under the Redevelopment Agreement.
4. Each item listed above has not previously been paid or reimbursed from moneys in the Special Allocation Fund and no part thereof has been included in any other certificate previously filed with the City.
5. There has not been filed with or served upon the Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this requires, except to the extent that any such lien is being contested in good faith.
6. All necessary permits and approvals required for the portion of the Work on the Redevelopment Project for which this certificate relates have been issued and are in full force and effect.
7. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Construction Plans.
8. I agree that any reimbursement payments made pursuant to this request may be subject to the deduction of an administration fee as may be included in the associated redevelopment agreement.

Dated this _____ day of _____, 20____

Sign: _____

By: _____

Title: _____

Approved for Payment:

CITY OF VIENNA, ILLINOIS

By: _____

Title: _____

PAMPHLET

**RESOLUTION NO. 20-04
OF CITY OF VIENNA, JOHNSON COUNTY, ILLINOIS**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH LORI GROVES d/b/a LITTLE
TREASURES CHILD DEVELOPMENT CENTER FOR IMPROVEMENT OF PROPERTY
UTILIZING TAX INCREMENT FINANCING LOCATED AT 903 GALEENER STREET IN THE
CITY OF VIENNA, ILLINOIS**

RESOLUTION NO. 20-04

RESOLUTION AUTHORIZING AN AGREEMENT WITH LORI GROVES d/b/a LITTLE TREASURES CHILD DEVELOPMENT CENTER FOR IMPROVEMENT OF PROPERTY UTILIZING TAX INCREMENT FINANCING LOCATED AT 903 GALEENER STREET IN THE CITY OF VIENNA, ILLINOIS

WHEREAS, the City of Vienna, Illinois, (the "City") desires to repair and improve existing property within the established Vienna Tax Increment Financing Redevelopment Project Area #1 (the "TIF District") pursuant to the TIF District Act, 65 ILCS 5/11-74.1 et. seq. et. seq. Revised Illinois Statutes (the "TIF Act"); and,

WHEREAS, the City will use its best efforts and act in accordance with the TIF Act to utilize Tax Increment Financing where available to accomplish the goals set forth by the Redevelopment Plan and Project for the City of Vienna's TIF #1 District (the "TIF Plan"); and,

WHEREAS, Lori Groves d/b/a Little Treasures Child Development Center (the "Developer"), has submitted a proposal requesting consideration by the City Council of the City of Vienna for the use of TIF Funds to support a redevelopment project which would renovate an existing commercial building and redevelop certain property within the TIF District for use as an early child development and daycare facility; and,

WHEREAS, the City wishes to encourage the Developer to pursue a plan for improvement and redevelopment of property within the TIF District and make such expenditures as are reasonably necessary in that regard; and,

WHEREAS, the City has the ability and legal authority granted by the TIF Act to utilize TIF Funds to support economic development efforts in accordance with the goals of the established TIF Plan; and,

WHEREAS, the Corporate Authorities of the City of Vienna finds that it is in the best interest of the City of Vienna to enter into a Redevelopment Agreement with the Developer for reimbursement of certain approved costs and expenses relating to the construction of improvements and development of certain property, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CORPORATE AUTHORITIES OF THE CITY OF VIENNA, ILLINOIS, AS FOLLOWS:

SECTION 1. The duly appointed Corporate Authority is hereby authorized to enter into a Redevelopment Agreement using Tax Increment Financing with Developer, attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The duly appointed Corporate Authority is hereby authorized to execute all documents and to take all other action deemed by it to be necessary and proper to effectuate the said agreement.

SECTION 3. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 4. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Aldersperson	Aye	Nay	Abstain	Absent
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Vote Recorded by:

Vote Approved by:

Aleatha Wright, City Clerk

Jon A. Simmons, Mayor

Recorded in the Records of the City Clerk and published by the authority of the Mayor and City Council of the City of Vienna, Johnson County, Illinois in pamphlet form this _____ day of _____, 2020.

STATE OF ILLINOIS }
SS }
COUNTY OF JOHNSON }

I, Aleatha Wright, do hereby certify that I am the City Clerk of the City of Vienna, Illinois; that the foregoing is a true and correct copy of an Resolution entitled "RESOLUTION AUTHORIZING AN AGREEMENT WITH LORI GROVES d/b/a LITTLE TREASURES CHILD DEVELOPMENT CENTER FOR IMPROVEMENT OF PROPERTY UTILIZING TAX INCREMENT FINANCING LOCATED AT 903 GALEENER STREET IN THE CITY OF VIENNA, ILLINOIS", duly passed by the Mayor and City Council of the City of Vienna as Resolution #_____, at a Regular Council meeting held on the _____ day of _____, 2020, the Resolution being part of the official records of said City.

Aleatha Wright
City Clerk

TAX INCREMENT FINANCING REDEVELOPMENT AGREEMENT
LITTLE TREASURES CHILD DEVELOPMENT CENTER
LORI GROVES

This Redevelopment Agreement is entered into on this _____ day of _____, 2020, by and between the City of Vienna, an Illinois Municipal Corporation (hereinafter referred to as the "City"), and Lori Groves d/b/a Little Treasures Child Development Center (hereinafter known as the "Developer").

RECITALS

- A. WHEREAS, on May 7, 2008, in accordance with the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4 et. seq. (the "TIF Act"), the City of Vienna approved ordinances adopting tax increment financing and the Vienna Tax Increment Financing Plan and Project #1; and
- B. WHEREAS, the Developer has submitted a redevelopment proposal to the City for a project which could not or would not be undertaken without the use of tax increment financing assistance; and
- C. WHEREAS, the City Council, after reviewing the redevelopment proposal submitted by the Developer, believes that the Redevelopment Project as set forth herein, and the performance generally of this Agreement, are in the best interests of the City, and the health, safety, morals and welfare of its residents, and in accord with the purposes specified in the Redevelopment Plan.

NOW, THEREFORE, it is agreed between the City and the developer as follows:

SECTION 1: The Developer agrees, subject to the terms and conditions hereof to undertake a Redevelopment Project located at 903 Galeener Street, Vienna, IL (Johnson County PIN: 05-32-424-006) for an existing building and property renovation project which includes, but is not limited to:

- a) Installation of new roof
- b) Installation of new siding
- c) Kitchen remodeling and installation of new appliances
- d) General interior remodeling and renovations
- e) Installation of outside children's play equipment & small bicycle track

- f) Installation of property fencing and shade providing elements
- g) Paving the front parking area of the property.
- h) Any and all required pre-construction site preparation, surveying, engineering, infrastructure construction, demolition, utility installation, or other work as would reasonably need to be performed.
- i) All other work as may reasonably be required to complete the project in a safe and responsible manner and for the purposes proposed.
- j) The Developer agrees to complete this project within 90 days of the execution of this agreement. An extension to this deadline may be granted with written approval from the City.

SECTION 2: The City agrees to reimburse the Developer a total of \$ \$11,000, or an amount equal to 100 % of the TIF eligible redevelopment project incurred during the completion of the project, whichever is less, in the form of a one-time grant payment, payable upon completion of the entire project as verified by the City, in the City's sole discretion. Payment is exclusively for TIF eligible costs incurred during the performance of the work, pursuant to Section 11-74.4-3 of the TIF Act and that qualifies under Section 11-74.4-3 (q) as determined by the City in the City's sole discretion.

SECTION 3: The Developer agrees that all payment(s) received from the City will be subject to the deduction of an "Administration Fee" for the creation and administration of this Redevelopment Agreement and all matters related to the context of this Agreement. Administration Fees will be calculated as an amount equal to 10% of any payment made to the Developer from the City pursuant to this agreement, **not to exceed a total of \$500.00.**

SECTION 4: The Developer shall submit Requests for Payment of Redevelopment Project Costs in substantially the same form as set forth in Exhibit 1. All Requests for Payment shall be accompanied by invoices, statements, vouchers or bills for the amount requested (including evidence of payment thereof as to any amounts for which payment or reimbursement is requested) and lien waivers for all services or materials furnished by subcontractors, except as to any retainage, related to amounts for which reimbursement is requested.

SECTION 5: The City shall approve or disapprove any Requests for Payment within 30 days of the submittal thereof. If the City disapproves any Request or any portion thereof, it shall state in writing the reasons therefore and provide the Developer a reasonable opportunity to clarify or correct the Request.

SECTION 6: Within 30 days of approval of any Request for Payment, the City shall pay the

Developer for such approved Redevelopment Project Costs to the extent monies are available in the Special Allocation Fund for Vienna TIF #1.

SECTION 7: Notwithstanding any other term or provision of this Agreement, the City's obligations pursuant to this Agreement are limited to monies in the Special Allocation Fund for Vienna TIF #1 and from no other source. This Agreement does not compel the City's General Fund, or any other source of funds, to provide monies for any amount or obligation identified herein.

SECTION 8: In the event the Developer defaults on the obligations or the property becomes vacant of an operating commercial business for a period of six (6) months or more within two (2) years from the signing of this Agreement, the Developer shall return to the City a sum of 100% of the total payment granted from the City to the Developer. If a default or vacancy occurs within two (2) years to four (4) years of the signing of this Agreement, the Developer will return 75% to the City. If a default or vacancy occurs between four (4) years and six (6) years from the signing of this Agreement, the Developer will return 50% to the City.

SECTION 9: The parties hereto stipulate that each has obtained advice and consultation of legal counsel of its own choosing, and have not relied upon legal representation or opinions of the other party. All agreements between the parties are expressly set forth herein, and no statements or expressions of the separate parties previously made and not set forth in writing in this document shall be binding upon said party.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be executed in their respective names and caused their respective seals to be affixed thereto, and attested as to the date first above written.

"CITY"

CITY OF VIENNA, ILLINOIS

X: _____

Date: _____

By: John Simmons, Mayor

"DEVELOPER"

LORI GROVES d/b/a LITTLE TREASURES CHILD
DEVELOPMENT CENTER

X: _____

Date: _____

By: Lori Groves

EXHIBIT 1

REQUEST FOR PAYMENT OF REDEVELOPMENT PROJECT COSTS

Request for Payment of Redevelopment Project Costs

TO: City of Vienna
 Attn: TIF Administrator
 205 North 4th Street
 Vienna, Illinois, 62995

You are hereby requested and directed as per the Redevelopment Agreement
Between _____ (the “Developer”) and the City of Vienna (the
“City”) to pay moneys in the Special Allocation Fund for the payment of the following
Redevelopment Project Costs:

<u>Vendor/Company</u>	<u>Description of Work Performed</u>	<u>Amount</u>

Total: _____

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement. The undersigned is the Developer under the Redevelopment Agreement which request is being made between the City and the Developer.

The undersigned, on behalf of the Developer, hereby states and certifies to the City that:

1. Each item listed within this request is a Redevelopment Project Cost and was incurred in connection with the construction of the Redevelopment Project, with **proof of payment (receipts/invoices/check copies) attached to this request.**
2. All real estate and sales taxes attributable to the Property have been paid in full proof of which is attached to this Request for Payment.
3. These Redevelopment Project Costs have been incurred by the Developer and have been paid by the Developer and are payable or reimbursable under the Redevelopment Agreement.
4. Each item listed above has not previously been paid or reimbursed from moneys in the Special Allocation Fund and no part thereof has been included in any other certificate previously filed with the City.
5. There has not been filed with or served upon the Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this requires, except to the extent that any such lien is being contested in good faith.
6. All necessary permits and approvals required for the portion of the Work on the Redevelopment Project for which this certificate relates have been issued and are in full force and effect.
7. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Construction Plans.
8. I agree that any reimbursement payments made pursuant to this request may be subject to the deduction of an administration fee as may be included in the associated redevelopment agreement.

Dated this _____ day of _____, 20____

Sign:_____

By:_____

Title:_____

Approved for Payment:

CITY OF VIENNA, ILLINOIS

By:_____

Title:_____