

**CITY OF VIENNA  
CITY COUNCIL MEETING  
VIENNA CITY HALL  
205 North 4th St  
September 19, 2018  
6:30 P.M.**

**AGENDA**

1. Mayor Calls Meeting to Order.

2. Roll Call:

Hill \_\_\_\_\_ Riddle \_\_\_\_\_ Myrick \_\_\_\_\_ Owen \_\_\_\_\_ Racey \_\_\_\_\_ Tuey \_\_\_\_\_

**NEW BUSINESS**

3. Omnibus Consent Agenda

- Approval of the September 5, 2018 Meeting Minutes
- Approval of the Warrant
- Treasurer's Report (August)

4. Authorization and Approval of TIF Agreement between the City of Vienna, IL and the Secret Garden

**Motion** \_\_\_\_\_ **Seconded** \_\_\_\_\_

Hill \_\_\_\_\_ Riddle \_\_\_\_\_ Myrick \_\_\_\_\_ Owen \_\_\_\_\_ Racey \_\_\_\_\_ Tuey \_\_\_\_\_

5. Authorization and Approval of Resolution 18-06, A Resolution to The Secret Garden for the Renovation and improvement of Certain Property Utilizing Tax Increment Financing

**Motion** \_\_\_\_\_ **Seconded** \_\_\_\_\_

Hill \_\_\_\_\_ Riddle \_\_\_\_\_ Myrick \_\_\_\_\_ Owen \_\_\_\_\_ Racey \_\_\_\_\_ Tuey \_\_\_\_\_

6. Authorization and Approval for the City to place a 1/2 page ad for the 50/100 mile run in Tunnel Hill Run Booklet. (*Tourism Fund- \$300.00*)

Motion \_\_\_\_\_ Seconded \_\_\_\_\_

Hill \_\_\_\_\_ Riddle \_\_\_\_\_ Myrick \_\_\_\_\_ Owen \_\_\_\_\_ Racey \_\_\_\_\_ Tuey \_\_\_\_\_

7. Jim Wallace, President of Long Knives Chapter ILSSAR  
-Placement of marker next to war memorial on the library lawn

8. Information on (OSLAD) Open Space Lands Acquisition and Development Grant Opportunity. Consent from council to apply.

-*Phil Morris*

-*Clarida & Zeigler, City Engineer*

9. Authorization and Approval of OSLAD (Open Space Lands Acquisition and Development) Grant Program Resolution No. 18-07

Motion \_\_\_\_\_ Seconded \_\_\_\_\_

Hill \_\_\_\_\_ Riddle \_\_\_\_\_ Myrick \_\_\_\_\_ Owen \_\_\_\_\_ Racey \_\_\_\_\_ Tuey \_\_\_\_\_

### PUBLIC COMMENT/ADDITION TO THE AGENDA

#### 10. City Elected and Appointed Officials:

- Jon Simmons, Mayor
- Josh Stratemeyer, City Attorney
- Aleatha Wright, City Clerk -2019 Consolidated Election
  - 5K/10K Color Run-Sept 22, 2018
  - Safe Route for Schools Grant
- Shane Racey, City Supt
- Michelle Meyers, Treasurer
- Jim Miller, Chief of Police- Discussion of additional school security
  - Part Time police academy
- Brent Williams, Fire Chief
- Margaret Mathis, City Librarian
- Phil Morris, Depot
- City Council

#### 11. Adjournment:

POSTED: \_\_\_\_\_

*09-17-18*

BY: \_\_\_\_\_

*A Wright*

TAX INCREMENT FINANCING AGREEMENT  
THE SECRET GARDEN RENOVATION & IMPROVEMENT  
CITY OF VIENNA, ILLINOIS

This agreement is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the City of Vienna, an Illinois Municipal Corporation (hereinafter referred to as "City"), and Shelia Harper d/b/a The Secret Garden (hereinafter known as "Developer").

WHEREAS, on May 7, 2008, in accordance with the TIF Act, the City of Vienna approved ordinances adopting tax increment financing and the Vienna Tax Increment Financing Plan and Project #1; and,

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 incentives; and,

WHEREAS, the City Council, after reviewing the Redevelopment Proposal submitted by the Developer, believes that the Redevelopment Area as set forth herein in the Redevelopment Proposal, 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 public 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 project located at 209 N. 1st Street, Vienna, IL; property which is located within the Vienna Tax Increment Financing Redevelopment District #1. This project includes, but is not limited to: the installation of a handicap accessible entrance to the building, the improvement and renovation of the parking lot including the creation of a handicap parking area, exterior painting and façade improvements, and all necessary demolition, renovation, repair, and other work required to fully complete the project as proposed, all in accordance with the Vienna TIF #1 Redevelopment Plan, and incur any and all costs necessary in that regard (the "Project").

SECTION 2: The City agrees to reimburse the Developer an amount equal to fifty percent (50%) of the Eligible Redevelopment Project Costs incurred during the performance of the work required to complete the Project, not to exceed a total of \$5,000.00, in the form of a one-time grant payment. This payment is only payable upon completion of the Project as verified by the City, in the City's sole discretion, for TIF eligible costs incurred during the performance of the Project pursuant to Section 11-74.4-3 of the TIF Act and that qualifies under Section 11-74.4-3 (q) (the "Eligible Redevelopment Project Costs") as determined by the City in the City's sole discretion.

SECTION 3: The Developer shall submit Requests for Payment of Redevelopment Project Costs in substantially the same form as set forth in Exhibit 1 ("Requests for Payment"). 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 4: The City shall approve or disapprove any Requests for Payment within 45 days of the submittal thereof. If the City disapproves any Request for Payment 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 5: Within fifteen (15) 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 Tax Increment Financing Special Allocation Fund (the "TIF Fund"). Such payment shall be available to the Developer until such time as the earlier of the following: (i) The Developer fails to complete the project within sixty (60) days of the date of execution of this agreement and has not received written consent from the City for an extension to this deadline ; (ii) The Developer receives a cumulative total of \$5,000.00 in payments from the TIF Fund; (iii) The Developer receives payment of 50% of the total Eligible Redevelopment Project Costs incurred during the performance of the Project;

SECTION 6: Notwithstanding any other term or provision of this Agreement, the City's obligations pursuant to this Agreement are limited to monies in the TIF Fund and from no other source to a maximum of \$5,000.00, or 50% of the total Eligible Redevelopment Project Costs, whichever is less. 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 7: 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

\_\_\_\_\_ Date: \_\_\_\_\_  
Jon Simmons, Mayor

"DEVELOPER"

THE SECRET GARDEN

\_\_\_\_\_ Date: \_\_\_\_\_

By: Shelia Harper, Owner

**EXHIBIT 1**

**REQUEST FOR PAYMENT OF REDEVELOPMENT PROJECT COSTS**

TO: The Honorable Jon Simmons  
City of Vienna  
205 North 4<sup>th</sup> 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>Payee</u>	<u>Amount</u>
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Description of Redevelopment Costs

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 above is a Redevelopment Project Cost and was incurred in connection with the construction of the Redevelopment Project.
2. 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.
3. 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.

4. 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.

5. 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.

6. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Development Plan, and the Construction Plans.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018

Submitted By: \_\_\_\_\_

Signature: \_\_\_\_\_

Approved for Payment:

CITY OF VIENNA, ILLINOIS

By: \_\_\_\_\_

Title: \_\_\_\_\_

CITY OF VIENNA

**RESOLUTION NO. 18-06  
OF THE CITY OF VIENNA, JOHNSON COUNTY, ILLINOIS**

**RESOLUTION TO SHEILA HARPER D/B/A THE SECRET GARDEN FOR THE  
RENOVATION AND IMPROVEMENT OF CERTAIN PROPERTY UTILIZING TAX  
INCREMENT FINANCING**

Published by authority of the Corporate Authorities of the City of Vienna, Johnson County,  
Illinois on this \_\_\_\_ day of \_\_\_\_\_, 2018.

**RESOLUTION NO. 18-06**

**RESOLUTION TO SHEILA HARPER D/B/A THE SECRET GARDEN FOR THE  
RENOVATION AND IMPROVEMENT OF CERTAIN PROPERTY UTILIZING TAX  
INCREMENT FINANCING**

WHEREAS, the City of Vienna, Illinois, (the "City") desires to renovate and improve existing commercial property within the established Tax Increment Financing Redevelopment Project Area (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 District; and,

WHEREAS, Sheila Harper d/b/a The Secret Garden (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 the improvement and repair of an existing commercial building; and,

WHEREAS, the City wishes to encourage the Developer to pursue a plan for redevelopment and improvements 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 redevelopment 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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018

Passed by the City Council of the City of Vienna, Illinois on the \_\_\_\_\_ day of \_\_\_\_\_, 2018 on the following roll call vote:

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

Vote Recorded by:

\_\_\_\_\_  
Aleatha Wright, City Clerk

Approved by the Mayor of the City of Vienna this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jon A. Simmons  
Mayor

ATTEST:

\_\_\_\_\_  
Aleatha Wright  
City Clerk

Recorded in the Records of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2018.

Published by the authority of the Mayor and City Council of the City of

Vienna, Johnson County, Illinois in pamphlet form this \_\_\_\_ day of \_\_\_\_\_,  
2018.

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 TO SHEILA HARPER D/B/A THE SECRET GARDEN FOR THE RENOVATION AND IMPROVEMENT OF CERTAIN PROPERTY UTILIZING TAX INCREMENT FINANCING", 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 \_\_\_\_\_, 2018, the Resolution being part of the official records of said City.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Aleatha Wright  
City Clerk

Jim Wallace President  
1401 Palzo Road  
Creal Springs, IL 62922  
618-922-2600  
wallberries2600@gmail.com

SEPTEMBER 10, 2018

**Vienna City Council**

205 N 4<sup>th</sup> St. Vienna, IL 62995

Dear Council,

The Long Knives Chapter Sons of the American Revolution is involved in a project to recognize Revolutionary War soldiers buried in the lower fifteen counties of Illinois. We place markers in places where they will be noticed by the public and thereby bring attention to our nation's history. Two of the most recent markers are located at Drake Cemetery located on the Johnson, Williamson County line and at St. Johns Cemetery near Dongola.

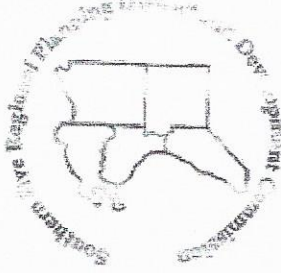
Our research shows that at least five soldiers are buried in Johnson County. These graves are scattered all over the county with some on private property. We would like to propose that we, with the help of the Daniel Chapman DAR Chapter, place a marker on the library lawn next to the present War Memorial, so that all soldiers of all wars can be recognized at the same time. This would be done with no cost to the city. The markers are tastefully done and made from cast metal to last many years.

I have enclosed pictures of marker examples and the dedication ceremonies we have done in the past.

Warm regards,

A handwritten signature in cursive script that reads "Jim Wallace". The signature is written in dark ink and is positioned below the text "Warm regards,".

**Jim Wallace President Long Knives Chapter ILSSAR**



## Southern Five Regional Planning District and Development Commission

5 Justice Drive · Ullin, IL 62992 · (618) 845-9000 · Fax (618) 845-9500

[www.southernfive.org](http://www.southernfive.org)

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### Grant Funding Opportunity Notice

August 27, 2018

#### Open Space Lands Acquisition and Development (OSLAD) Grant

- Granting Agency:** Illinois Department of Natural Resources
- Eligible Applicants:** Local Units of Government/Municipalities
- Application Deadline:** September 28, 2018
- Maximum Grant:** Funding assistance up to 50% (90% for distressed communities – OSLAD only) of approved project costs. Grant awards up to \$750,000 for acquisition projects, \$400,000 for development projects
- Eligible Items:** 1) Acquisition of land for new park sites or park expansion, water frontage, nature study, and natural resource preservation, 2) Development/Renovation of: picnic and playground facilities, outdoor nature interpretive facilities, sports courts and play fields, swimming pools, beaches and bathhouses, campgrounds and fishing piers, winter sports facilities, park roads and paths, parking, utilities and restrooms, and architectural/engineering (A/E) services necessary for proper design and construction of approved project components.
- Requirements:** Municipality must have a signed Council Resolution at time application with proof of public meetings held about the project; Must provide documentation that they have funds available to complete the project; Must have current adopted local plan for recreation

If you are interested in receiving assistance through Southern Five with the preparation of an application for this program, please contact the office immediately because of the tight deadline. If you have any questions, please call Crystal Davenport at 618-845-9000.

We look forward to assisting you!!

VIENNA, ILLINOIS

PARK/BIKE PATH SHOWERS AND BATHROOMS

OPINION OF PROBABLE PROJECT COSTS

Description	Unit	Quantity	Unit Price	Total
38'X25'4" Concrete Block Building				\$ 160,000.00
Site Construction				\$ 10,000.00
Constuction Contingency				\$ 17,000.00
Design Architect/Engineer				\$ 15,000.00
Construction Inspection				\$ 9,500.00

**TOTAL \$ 211,500.00**

By: Clarida & Ziegler Engineering Co.  
4/7/2017  
Job 17032

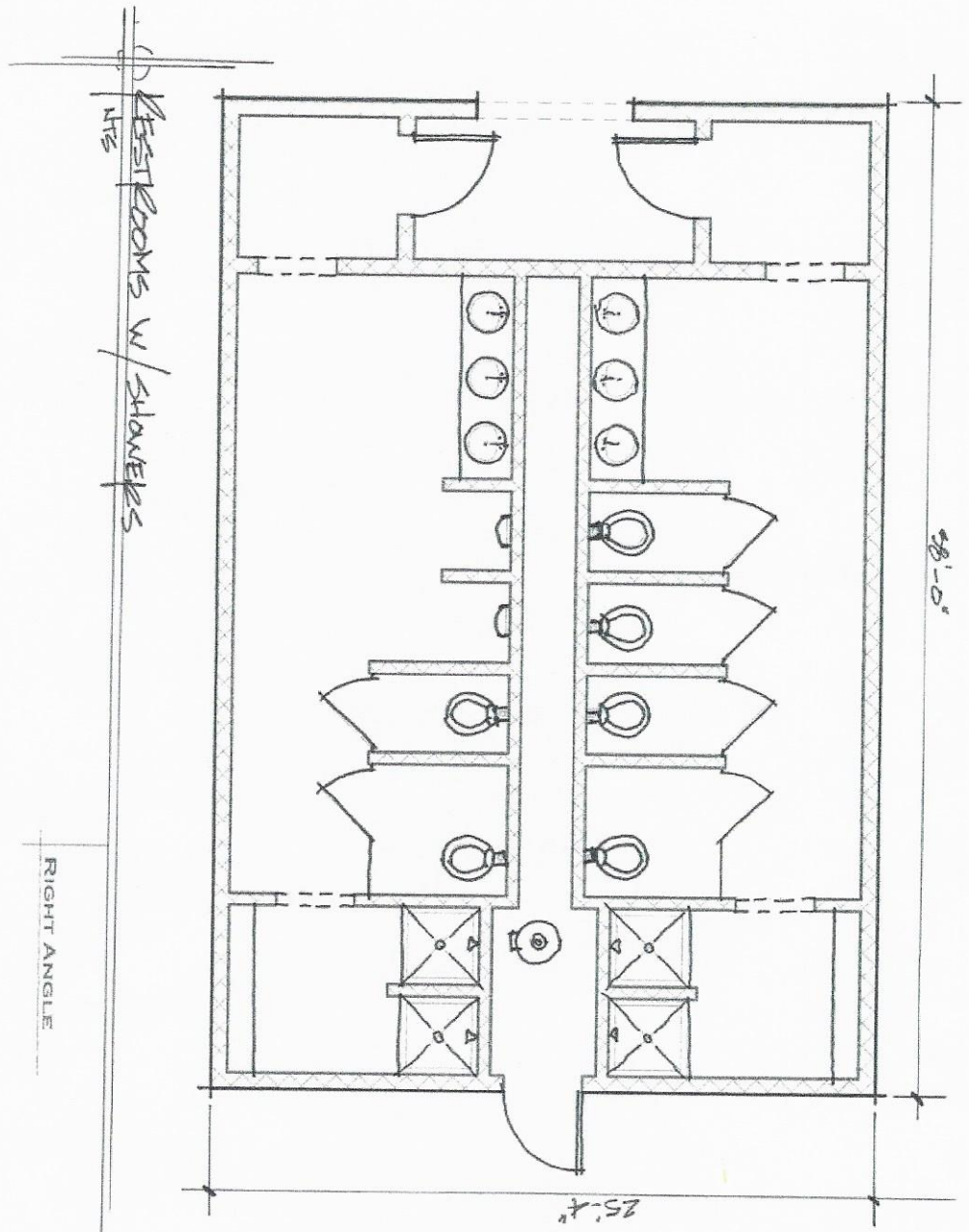
*- This is a past estimate.  
Clarida will be here Wed. night  
with new quote to reflect additional  
stalls/sinks/showers*

**RIGHT ANGLE**  
 DESIGN + INTERIORS  
 P.O. BOX 716  
 MARLBOROUGH MA 01588  
 513.888.8211  
 CAPTURING YOUR DREAMS FROM THE "RIGHT ANGLE"

**PROPOSED  
 RESTROOMS**

No.	Description	Date

<b>PLAN</b>	
Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
<b>A101</b>	
Scale	



# Shoemaker Construction

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PO Box 1441 Vienna, IL 62995

618-658-0960 phone akshoe2@yahoo.com

CUSTOMER:

JOHNSON COUNTY REVITALIZATION CORPORATION (J.C.R.C.)

CONTACT:

PHIL MORRIS (618)534-2534

ESTIMATE

46 x 22 Band Shelter \$60,000

Price Includes:

- 5" Laminated Southern Yellow Pine Arched Columns.
- Roof Slope is 6:12, Designed for 30 PDF Live Load and 90 mph Wind Load.
- The Rafters and purlins are glu-lam, Kiln Dried Southern Yellow Pine.
- Western Red Cedar. 2"x8" Cedar Fascia
- #1 Grade SYP V Groove Roof Decking
- 29 GA. Max-Rib Ultra Metal Roofing and trim.
- Galvanized Hardware
- Back Wall to be 2"x6" SYP T&G.

Concrete and block \$20,000

Labor \$20,000

**TOTAL \$100,000**