Agenda
Village of Glen Ellyn
Regular Village Board Workshop
Monday, August 20, 2012
7:00 P.M. – Galligan Board Room
Glen Ellyn Civic Center

1. Call to Order

2. Choose DuPage Presentation – President Greg Bedalov

3. Economic and TIF Incentive Guidelines – Planning and Development Director Hulseberg

4. Reforestation, Nuisance Trees and EAB Discussion – Public Works Director Hansen
    a. Modifications to Parkway Reforestation Program
    b. Nuisance Trees on Private Property
    c. Resident Education on Treatment/Removal of Private Property Ash Trees (Video)

5. Reminder: Please note that the Fire Alliance Resolution Discussion, previously scheduled to occur at this meeting, will be held at one of the Village Board's September meetings or workshops.

6. Other Items?

7. Adjournment

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MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director

DATE: August 14, 2012

RE: Economic and TIF Incentive Guidelines

Background.
At the July 9th Village Board Workshop meeting, Board members reviewed the proposed TIF Incentive Guidelines prepared by Planning and Development Department staff (staff memo attached). At that meeting, Board members provided input and suggestions on possible revisions.

Issues.
Since the July 9th Workshop meeting, the following has transpired related to the TIF Guidelines:

1. The changes requested by Village Board members at the July 9th Workshop meeting have been incorporated;
2. The Finance Commission reviewed the TIF Guidelines and offered suggestions, which have been incorporated;
3. The Village's TIF consultant, Ehlers, reviewed the draft Guidelines and offered some suggestions which have been incorporated; and
4. Economic Development Coordinator Martha Corner revised and blended the Economic Incentive Guidelines and the TIF Incentive Guidelines into a single draft document (attached).

Action Requested.
At this time, staff is requesting final Village Board review of the Guidelines before they are prepared for formal adoption at an upcoming Village Board meeting.

Attachments.
- July 9, 2012 Village Board Agenda Memo
- August 2012 Draft Village of Glen Ellyn Tax Increment Financing and Economic Incentive Guidelines

C: Michele Stegall, Village Planner
Martha Corner, Economic Development Coordinator
Maureen Barry, Ehlers

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Kasey Matthews, Planning Intern KM

DATE: July 9, 2012

RE: Tax Increment Financing Guidelines

Background.
In an effort to generate funding for a number of projects aimed at revitalizing the downtown, the Village Board established a downtown Tax Increment Financing (TIF) district on February 13, 2012. The next step in implementing the TIF district is to establish Guidelines to manage and review requests for TIF assistance. A draft of the proposed TIF Guidelines is attached. The Guidelines are intended to provide a framework for the Village to consistently and fairly review requests, as well as outline the goals for TIF assistance, eligibility and the process for submitting and reviewing a request.

The purpose of TIF assistance is to encourage desirable development that would not occur "but for" the TIF assistance provided. Projects eligible for TIF assistance include infrastructure improvements, code required improvements to existing buildings, site preparation, and similar enhancement projects. The primary goal of the TIF program would be to enhance the downtown by boosting the economic base, encourage projects that improve the vitality of the downtown, improve public infrastructure and increase housing choices.

The proposed TIF Guidelines establish financing criteria for an applicant to take into consideration when formulating a request and for the Village to use to determine if TIF assistance is warranted. Detailed submittal guidelines are also proposed to ensure the Village is provided sufficient information to make proper and informed decisions. As part of the submission, the developer would be required to make an initial deposit to cover the Village's costs to review the request. The developer would also need to submit an application, project information and drawings, financial statements and pro-forma analysis, background information, and investor ownership interest in the project. It is anticipated the review process would take approximately six weeks from submission. Similar to an economic incentive, applications for TIF assistance would be reviewed by Village management and presented to the Finance Commission. The Finance Commission would make a recommendation to the Village Board, which retains authority to approve or deny requests for TIF assistance.

Action Requested.
The Village Board is requested to consider and discuss the proposed Tax Increment Financing Guidelines and suggest potential changes, if any. Once the Guidelines are in final form, they will be brought back to the Village Board for approval by Resolution.

Attachments.
- Proposed Tax Increment Financing Guidelines

CC: Michele Stegall

Village of Glen Ellyn Tax Increment Financing and Economic Incentive Guidelines

August 2012

Introduction

The Village of Glen Ellyn believes that local businesses are a valuable and important part of our community. Businesses contribute to the vitality and strength of our Village and Glen Ellyn aims to be a welcoming place for businesses. We welcome the opportunity to discuss business and development opportunities within the Village and the possibility of incentives that enable desirable economic development.

The purpose of these Guidelines is to present the primary objectives of Village sponsored economic incentives for all parties involved and to provide a general framework which will ensure both consistency over time and fairness in the consideration of economic incentive proposals. These internal Guidelines are intended to be flexible in order to address specific circumstances and may be waived or amended as the Village Board of Trustees deems appropriate.

Incentives are a tool to encourage and maintain quality development in the Village and should be used in the best interest of the community by providing growth and long-term value. The impacts on all stakeholders should be considered before the Village Board decides to approve or deny a request for incentives.

The referenced incentives are not inclusive and use of any incentive is at the sole discretion of the Village Board. All requests for incentives will be reviewed on a case-by-case basis and upon the merits of each situation. Meeting policy guidelines does not guarantee assistance and the approval or denial of one project shall not set a precedent for approval or denial of other projects. The Village's intention should be to provide the minimum amount of assistance necessary to make the project viable while carefully considering the long-term financial and community impacts.

Parties to any incentive agreement must abide by the Village ethics policy to help protect against issues of conflict of interest (see "Attachment B" for details).

Goals and Objectives

The primary goal of economic development assistance is to enhance commercial districts in the Village by making possible development that would not take place without an incentive. In general, economic incentives are to bridge the financial gap for quality projects which will generate substantial new revenues for the Village or generate additional jobs, and which would not take place in Glen Ellyn but for the existence of the incentive.

These goals are to be met through the following objectives:

- Attracting, retaining or expanding businesses/development to improve the economic base;
- Attracting businesses/developers to high priority redevelopment sites;
- Encouraging development projects that enhance the streetscape and pedestrian experience and improve the vitality of the area by adding interest and activity on the first floor of mixed-use and commercial buildings;
- Improving public infrastructure such as parking and transit facilities, streetscapes, public gathering spaces and green spaces;
- Attracting high priority and unique businesses to the Village that improve the overall mix of uses;
- Improving properties which are considered unattractive or have been vacant for a long period of time;
- Providing higher quality architectural and landscape treatments than the market will bear to further improve the aesthetics of an existing or proposed development, enhance adjacent property values, and improve the overall appeal of the Village's commercial districts;
- Introducing uses which further the Village's reputation as a destination for shopping, dining, cultural events and entertainment;
- Improving the variety of quality housing choices to support community diversity and nearby businesses, and increase the vibrancy and economic development potential of the Village;
- Retaining and providing for growth of high priority or significant anchor businesses whose closure would have considerable negative impact on surrounding businesses and the community; and/or
- Fulfilling other goals expressed within the Village's 2001 Comprehensive Plan and 2009 Downtown Strategic Plan.

Types of Incentives

The following is a list of potential incentives the Board *may* wish to consider. Not all incentives will be appropriate for all projects and some projects may necessitate creative incentives that may not be listed below.

1. Tax Increment Financing (TIF);
2. Sales Tax Rebates;
3. Retail Façade and Interior Improvement Grants;
4. Other –
    - Use of Village property or right-of-way for development at reduced or no cost, excluding previously vacated right-of-way;
    - Contribution toward public improvements or infrastructure;
    - Fee waivers: zoning, permits, etc.;
    - Cooperative provision of municipal services;
    - Industrial Revenue Bonds (bond financing for specific industrial improvements);
    - Special Service Area (cooperation among property owners to fund a specific project);
    - Business Development District (an increase in sales tax over a specified period of time used to fund improvements in the district).

Tax Increment Financing

Tax Increment Financing (TIF) districts allow future increases in taxes for properties within the TIF district to be collected and used to stimulate investment within the district. The taxes within the district are frozen at the existing level and each taxing body continues to receive their portion of the taxes at that level. Only the new property taxes generated by the incremental increase in the value of these properties above the frozen level are pooled in a fund and used for financing projects within the district. Glen Ellyn has one TIF district which roughly encompasses the downtown C5A Central Business, Retail Core Sub-zoning district and the C5B Central Business, Service Sub-zoning district. The tax increases created by redevelopment, re-occupancy, new development and general assessed value in the downtown TIF District are collected and used for economic development within the district. TIF districts have a lifespan of 23 years, as mandated by State Statute

Specific TIF Guidelines are intended to provide guidance to the Village Board when deciding when and how to utilize Tax Increment Financing assistance for development within the TIF District. Assistance will be reserved for projects that have a demonstrated financial gap and that will assist the Village in meeting its goals. TIF Guidelines shall be used to process and review requests for TIF assistance; however, the Village Board may amend or waive portions of these Guidelines at any time as may be necessary or appropriate. The purpose of TIF assistance is to encourage desirable development that would not occur "but for" the TIF assistance provided. Only the minimum amount of TIF assistance necessary to make the project viable shall be used.

According to the Illinois Tax Increment Association, by current Illinois State Statute, activities eligible for TIF financing include (but are not limited to):

- Property acquisition;
- Rehabilitation or renovation of existing public or private buildings;
- Construction of public works or improvements;
- Job retraining programs;
- Relocation;
- Financing costs, including interest assistance;
- Studies, surveys and plans;
- Professional services such as architectural, engineering, legal, property marketing and financial planning; or
- Demolition and site preparation.

Generally, Village of Glen Ellyn projects eligible for TIF financing include extraordinary costs associated with infrastructure improvements, code required improvements for existing buildings, site preparation, and similar enhancement projects. TIF funds may not be used for construction.

State Statute also requires the "but for" test to determine if a project is eligible to use TIF funds. This test requires that a project would not be viable, "but for" the assistance provided by the TIF funding. An incentive or combination of incentives may be appropriate depending on the scope and impact of the project. The impact of incentives on all stakeholders should be considered.

TIF Eligible Projects

There are several types of eligible projects which may be considered for TIF assistance. Examples of these projects are:

- Business attraction, retention or expansion;
- Housing;
- Affordable housing;
- Historic revitalization;
- Public infrastructure enhancements;
- Development consistent with the TIF Redevelopment Plan.

TIF Financing Criteria

The Village Board reserves the right to deny any request for TIF assistance. There are many important criteria and considerations that must be taken into account when evaluating possible TIF projects. The following is a list of criteria a developer should take into account when developing a request for TIF assistance and the Village Board should consider when determining if TIF assistance is warranted:

1. As with other forms of Village incentives, assistance shall be limited to the minimum amount necessary to make the project feasible. Assistance will not be provided solely to increase the developer's profit margin. It is up to the Village's discretion to determine how much, if any, assistance is necessary to make the project feasible;
2. The petitioner should demonstrate that the project would not otherwise take place in Glen Ellyn "but for" the incentive;
3. A maximum dollar amount and term will be determined. Assistance should be at the lowest level possible within the least amount of time;
4. All projects shall be reviewed on a case-by-case basis. Meeting all the criteria for TIF assistance does not guarantee that assistance will be awarded, nor does the approval or denial of one project set a precedent for approval or denial of another;
5. Assistance will generally be provided by a "pay-as-you-go" method. Up-front financing requests will be considered on a case-by-case basis provided there is sufficient increment generation to meet initial financing and debt service costs;
6. Assistance for land/property purchases will not exceed the fair market value of the property. The Village will hire an independent appraiser and the appraisal cost will be reimbursed by the developer;
7. Assistance shall not be provided for projects that would result in extraordinary demands on Village infrastructure or services;
8. The developer is responsible for providing any additional information, such as market and feasibility studies, and appraisals, which the Village deems necessary to review the need for TIF assistance;

9. The developer must provide adequate financial guarantees to ensure completion of the project, not limited to letters of credit, cash escrow and personal guarantees. The developer must also demonstrate to the Village's satisfaction, the ability to construct, operate and maintain the proposed project;
10. All projects must demonstrate the probability of economic success. The developer shall submit to the Village preliminary sales, data projections, and/or pro forma analyses concerning the subject site. The Village will hire an independent consultant to verify the developer's submissions and the resulting cost will be reimbursed by the developer through an escrow;
11. The developer must retain ownership of the overall project until final completion. For projects intended as for-sale developments, individual condominium units may be sold as they are completed. For all other projects, the developer must retain ownership at least long enough to complete the project (as evidenced by the issuance of a final certificate of occupancy), stabilize its occupancy, establish project management and initiate property tax payments based on the increased project value;
12. For parcels that are "tax exempt" prior to redevelopment, the projections for incremental revenue generation will be based upon the projected revenue generation after the placement of an initial valuation on the property;
13. The level of assistance should be reduced to the lowest possible level in the least amount of time by maximizing the use of private debt and equity financing first;
14. Development receiving TIF assistance is required to provide a full reimbursement to the Village of the assistance provided in the event the project is removed from the tax rolls during the period of time the applicable development project area is in existence. The developer shall sign appropriate legal documents indicating agreement with this mandate; and
15. At least ten percent (10%) of the units in a Residential Development must be attainable (within the means of middle-, moderate- and/or low-income households).

TIF Submittal Guidelines

The Village requires certain information from every applicant requesting TIF funds. This information is critical to allow the Village to make proper and informed decisions. All applications for TIF funding shall include the following items:

1. Completed Village application for TIF Funding;
2. An initial deposit of one percent (1%) of the requested TIF assistance or $10,000, whichever is greater. This deposit will be used to cover the Village's costs for review of the request. The applicant is responsible for reimbursing the Village for all costs that exceed the initial deposit. If at any point the escrow balance drops below $500, the developer must replenish the escrow to the initial amount deposited. Any unused portion of the deposit will be returned to the applicant;
3. Preliminary financial commitment from a financial institution;
4. Plans and/or drawings for the proposed project;
5. Background information on the developer's experience, capabilities and similar projects;
6. Pro forma analysis for the project including sources and uses of funds, and annual income and operating projections;

7. Audited financial statements from the last three (3) years and an interim financial statement for the current year; and
8. Complete list of the names and addresses of all investors in the project including each individual's ownership interest.

The Village may request additional information from the developer if necessary to make an accurate and informed decision. The developer shall comply with all disclosure requirements of the Village. The Applicant should submit an original and two copies of all the requested documents. Packets should be sent to:

Village Manager's Office
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

The Village will notify the developer when all the requested materials have been received. In the event the developer does not submit everything that was requested, the review of the request will not begin until those materials are received.

TIF Review Process

Applicants are encouraged to contact the Village Manager's Office to initiate discussion regarding potential TIF assistance. Once an application is received, the estimated timeframe for review is approximately 6 weeks and may include the following steps:

1. Submittal of documentation to Village management;
2. Review of documentation by Village management and consultant chosen by Village -
    a. Calculate potential sales tax, property tax, utility tax, water revenue, miscellaneous one time fees (building permits, transfer tax, fee-in-lieu charges, etc.)
    b. Determine if there are any State or County incentives available to coordinate a joint incentive package;
3. Presentation of request, management analysis and recommendation to Finance Commission;
4. Finance Commission Meeting for review and recommendation to Village Board;
5. Village management prepares draft TIF Assistance Agreement as recommended by Finance Commission, if applicable;
6. Finance Commission recommendation, management recommendation, and draft TIF Assistance Agreement forwarded to Village Board, if applicable; and
7. Village Board meeting for final consideration of TIF assistance request.

TIF Assistance agreements should include the following provisions:

- *Reimbursement for Failure:* The TIF Assistance Agreement will contain a claw-back provision to the Village for reimbursement of a pro-rated share of the assistance based on specified time periods should a developer associated with assistance cease to operate during the term of the agreement or another specified period of time;
- *Look-back Provision:* If the project generates a higher return than anticipated when the incentive was approved, the developer and Village shall split 50/50 any increase at or above a specified threshold of the original projected rate of return.

The Village Board has final authority to negotiate the terms of any economic incentive or to deny approval of an incentive proposal. The preceding guidelines do not limit Village Board action.

Non-TIF Incentives - Eligible Projects

The Village will consider non-TIF incentive requests on a case by case basis using the process described below. In addition, the Village offers Commercial Façade Grant and Downtown Interior Grant programs to assist businesses locating or growing their business. The Façade Grant program is available to businesses located in commercial districts throughout the Village, while the Interior Grant program is limited to certain commercial projects in the Downtown commercial area. The programs provide up to 50% matching funds for a maximum of $15,000 in assistance (see detailed program guidelines in "Attachment C").

There are several types of eligible projects not considered under TIF guidelines which may be considered for economic assistance. Examples of these projects are:

- Businesses attracted, retained, or expanded in the Village;
- Development of previously identified priority development sites;
- Business segments underserved in the Village;
- Development consistent with the Downtown Plan or Comprehensive Plan;
- Other projects that would enhance the Village and satisfy one or more of the identified objectives.

Non –TIF Incentives - Review Criteria

The threshold level of assistance given to the Developer should be limited to the minimum amount necessary to provide the Developer with a reasonable rate of return for the project in Glen Ellyn, and the level of return for the Village to consider an incentive proposal should be significant.

Requests for economic assistance shall be evaluated on the merit of the proposal and the following criteria:

1. Conformance with the Comprehensive Plan and Downtown Plan goals and objectives;
2. Improvement of economic base through attraction, retention or expansion of businesses;
3. Attraction of high priority business that would enhance diversity of businesses and vitality in the Village's business districts;
4. Fulfillment of an underserved business segment;
5. Enhancement and diversification of Village revenue bases;
6. Presence of extraordinary costs above and beyond typical development improvement costs, such as prohibitively expensive -
    a. Environmental remediation
    b. Capital purchases
    c. Facility expansion
    d. Public infrastructure
7. Provision of a variety of quality housing choices including those that support community diversity;
8. Enhancement of streetscape and pedestrian experiences;
9. Improvement of public infrastructure;

10. Improvement of existing parking and/or traffic circumstances not created by the applicant;
11. Remediation of blighted property;
12. Enhancement of cultural and/or environmental circumstances;
13. Creation of more marketable real estate space;
14. Significant increase in quality full-time permanent employment;
15. Quality of development and aesthetics above and beyond code requirements and design standards;
16. Impact on the immediate neighborhood;
17. Demonstrated ability to construct, operate and maintain the proposed project based upon past experience, reputation and credit history; and
18. Demonstrated probability of economic success.

The above criteria are not inclusive and do not prohibit other criteria from being considered.

Non –TIF Incentives - Submittal Guidelines

By providing an incentive the Village is entering into a financial agreement; therefore is it appropriate to request detailed financial information from the developer or property owner to allow the Village to evaluate the likely success of the project and make an informed decision. The following is a general list of items the Village may wish to request of the developer in order to allow the Village a thorough review of the project, including any potential impacts and how the requested incentive may benefit the Village. The submitted documents should be considered the developer's application for incentive:

1. Program Details -
    a. Summary of proposal and benefits to the Village
    b. Area of property
    c. Square footage of uses by type
    d. Estimated number of employees (full-time and part-time)
    e. Proposed construction timeframe
    f. Complete list of all investors in the project identifying individual ownership interest;
2. Projected Annual Sales -
    a. Total sales for 10 years
    b. Breakdown of total sales between taxable items and exempt items (see "*Attachment B*" for details on items exempt from Home Rule Sales Tax);
3. Current equalized assessed value of the property;
4. Current property appraisal;
5. Market study, gap analysis and pro forma analysis of the project;
6. Estimated construction cost and purchase price of property;
7. Estimated utility usage (eg. electricity, natural gas, telecommunication);
8. Estimated water usage;
9. Description of incentive being requested -
    a. Dollar amount and proposed structure of incentive request
    b. Description and amount of extraordinary costs related to development;
10. Financial guarantees to ensure project completion such as letters of credit, and cash escrow; and
11. Any other relevant information requested by the Village and necessary to evaluate the request.

The Applicant should submit an original and two copies of all the requested documents. Packets should be sent to:

Village Manager's Office
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

Petitioners should be prepared to provide full financial disclosure for evaluation by an independent financial consultant approved by the Village. An amount from the petitioner, paid at the time of application, should be deposited into an escrow account to cover the Village's costs for legal and financial consultation in reviewing the incentive request.

The Village should notify the developer when all the requested materials have been received. In the event the developer does not submit everything that was requested, review should not begin until those materials are received.

Non -TIF Incentives - Review Process

Glen Ellyn welcomes business and development opportunities within our Village. We desire to initiate an open dialogue with business owners interested in remaining or locating in Glen Ellyn. Village staff is readily available to respond to questions and offer assistance to prospective businesses and developers. Applicants are encouraged to contact management in the Village Manager's Office to initiate discussion regarding potential incentives and may include the following steps:

1. Submittal of documentation to Village management;
2. Review of documentation by Village management (and/or consultant if desired by Village) -
    a. Calculate potential sales tax, property tax, utility tax, water revenue, miscellaneous one time fees (building permits, transfer tax, fee-in-lieu charges, etc.)
    b. Determine if there are any State or County incentives available to coordinate a joint incentive package;
3. Presentation of request, management analysis and recommendation to Finance Commission;
4. Finance Commission Meeting for review and recommendation to Village Board;
5. Village management prepares draft Incentive Agreement as recommended by Finance Commission, if applicable;
6. Finance Commission recommendation, management recommendation, and draft incentive agreement forwarded to Village Board, if applicable; and
7. Village Board meeting for final consideration of incentive request.

Non-TIF incentive agreements should address the following items and include the following provisions:

- *"But For" Standard:* the petitioner should demonstrate that the project would not otherwise take place in Glen Ellyn "but for" the incentive;
- *Dollar Amount and Term:* A maximum dollar amount and term will be determined. Assistance should be at the lowest level possible within the least amount of time;
- *Eligible Project Costs:* incentives may not be used for soft costs such as legal, architectural or engineering consultant fees;

- *Reimbursement for Failure:* The incentive agreement should contain a claw-back provision to the Village for reimbursement of a pro-rated share of the incentive based on specified time periods should a business associated with an incentive cease to operate during the term of the incentive or another specified period of time;
- *Look-back Provision:* If the project generates a higher return than anticipated when the incentive was approved, the developer and Village shall split any increase at or above a specified threshold of the original projected rate of return;
- *Permanence:* Projects requesting an incentive should demonstrate their intent to remain within the Village for the foreseeable future. For example, a condition of the incentive may be a commitment for a lease period beyond the length of the incentive;
- *Ownership:* If the developer intends to sell the project (i.e. commercial or residential condominiums), the developer must retain ownership of the overall project until final completion;
- *Pay-As-You-Go:* Assistance will be provided by a "pay-as-you-go" method. Up-front financing requests will be considered on a case-by-case basis provided there is sufficient increment generation to meet initial financing and debt service costs;
- *Limitation:* no incentive will be provided for any project expenses incurred prior to approval of the project with the exception of Village grant funds;
- *Other Assistance:* when requested, the Village will assist developers in seeking State and Federal Incentives.

The Village Board has final authority to negotiate the terms of any economic incentive or to deny approval of an incentive proposal. The preceding guidelines do not limit Village Board action.

"Attachment A"

Conflicts of Interest

Glen Ellyn Village Code: Title 1: Administrative, Chapter 12: Ethics, Section 5: Conflicts of Interest

1-12-5: CONFLICTS OF INTEREST:

All civil servants shall avoid situations that present a conflict of interest, or a potential conflict of interest. It is the responsibility of all civil servants to solely serve the public interest of the village of Glen Ellyn. To achieve that requirement it is necessary to avoid situations that present dual interests that can compromise, or appear to compromise the objectivity of decisions.

(A) Prohibited Transactions: No civil servant shall participate in any transaction in which: 1) a "financial interest" as defined in this chapter would present a conflict of interest or a potential conflict of interest, 2) a "nonfinancial interest" as defined in this chapter would present a conflict of interest or a potential conflict of interest, 3) participation would constitute a conflict of interest under the statutes or common law of the state of Illinois.

(B) Recusal: Any civil servant shall recuse himself or herself in connection with any transaction that comes before such civil servant in the course of his or her duties, whenever such civil servant has: 1) any interest in the transaction; 2) any family relationship with a person having an interest in such transaction; or 3) any interest in an applicant appearing before the civil servant in an official capacity, even if the civil servant does not have an interest in the transaction itself.

(C) Notification: Upon becoming aware of any conflict of interest as described in subsection (A) of this section, any civil servant shall promptly provide written notification, within forty eight (48) hours, to the appropriate authority of such conflict and the civil servant's recusal from any official action with respect to the transaction, as follows:

1. Employees, appointed officers or appointed volunteers shall notify the director of the department and the village manager;

2. The village manager shall notify the village president and the board of trustees;

3. Members of boards and commissions shall notify the chairperson of such board or commission;

4. Chairpersons of boards and commissions shall notify the village manager, village president and the board of trustees;

5. The village president shall notify the village manager and the board of trustees;

6. Any person serving in an elected position shall notify the village president, village manager and the other members of the board of trustees.

(D) Nonappearance Before Same Board Or Commission: No civil servant required to recuse himself or herself in connection with a transaction shall appear before the board or commission of which he or she is a member with respect to such transaction.

(E) Nonparticipation And Disclosure Before Other Board Or Commission: Any civil servant who has actual knowledge that he or she, individually or through a family relationship, has an interest in a transaction pending before a board or commission on which the civil servant does not serve as a member, either: 1) shall not appear or participate personally before the other board or commission on which he or she does not serve relating to such transaction; or 2) shall disclose such interest on the record prior to participating in any proceeding before a village board or commission.

(F) Potential Conflict Of Interest: The Glen Ellyn community has a right to expect that the public interest will be served by all individuals involved in local government. To maintain the public trust it is imperative that civil servants present an image of objectivity and fairness in all official actions. Civil servants have the continual and ongoing obligation to promptly disclose not only any known conflicts of interest but also to identify any issues that may have the potential for a conflict of interest, and if they are in doubt to seek the opinion of the ethics officer. When such advice is sought, the ethics officer will determine if the potential conflict requires the civil servant to take or refrain from taking some action. (Ord. 5921, 2-28-2011)

"Attachment B"

Exemptions to Home Rule Retailers and Service Occupation Taxes
Village Ordinance 5740 (3/30/09)

Retail and Service Sales that are Exempt from Taxes

- Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption)
- Drugs and medical appliances
    - Prescription and non-prescription medicines
    - Drugs
    - Medical appliances
    - Insulin
    - Urine testing materials
    - Syringes
    - Needles used by diabetics
- Tangible personal property that is titled or registered with an agency of State government (e.g. Cars, trucks, motorcycles, trailers, snowmobiles, aircraft)

"Attachment C"

VILLAGE OF GLEN ELLYN

Commercial Façade Improvement Grant Program Application Packet

Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

VILLAGE OF GLEN ELLYN
Commercial Façade Improvement Grant Program

As of 5/01/12

Purpose

The Village of Glen Ellyn recognizes the positive impact that individual facade improvements can have on the overall appearance, quality and vitality of the Village's commercial districts. The Commercial Façade Improvement Grant Program was created to facilitate the private sector in making these desired exterior improvements. The Village Board reserves the sole right to amend, modify, add, or delete any part or subpart of this program.

Assistance Available

Approved projects are eligible to receive reimbursement after project completion in the form of a matching grant of up to 50 percent of the actual improvement costs up to a maximum grant of $15,000.

Eligibility Requirements

Existing structures currently zoned commercial and in current commercial use or planned for commercial use within the corporate limits of the Village of Glen Ellyn are eligible for the grant. The exterior of the property must meet all Village of Glen Ellyn Codes and Ordinances. In the event that a violation is present, correction of the violation must be made prior to disbursement of grant monies.

Eligible applicants include the owner of a commercial building or the owner of a commercial business. All applications must be signed by the property owner to indicate consent for the proposed improvements.

All grant recipients are required to publicly display the Village of Glen Ellyn Grant Award Certificate in a conspicuous location in the building for a period of one year from the date grant funds are dispersed.

Financial assistance is available to business owners or property owners, for no more than $15,000 every 3 years, per building.

The determination of eligibility and priority for assistance is at the discretion of the Village Board and is subject to funds availability. The Village Board may approve grants of less than a 50% match.

Eligible Improvements

The primary goal of the Village of Glen Ellyn Commercial Façade Improvement Grant Program is to achieve significant visual improvements in commercial facade appearance. Improvements that otherwise would be substantially difficult to undertake "but for" the grant assistance may be looked at more favorably. The determination of eligibility and priority for assistance is at the discretion of the Village Board.

Work which qualifies for assistance includes improvements to the exterior of a building which are visible from the public right-of-way. Applicants must plan to install at least $1,000 of material improvements (excluding installation) to qualify. Work must be completed within one year of receiving the grant award. The list of qualifying exterior improvements appears below.

Eligible Uses

- Significant Facade repair and treatment
- New window systems or frame replacement and repair (excluding broken glass)
- Exterior Doors
- Awnings (without signage)
- Exterior lighting
- Restoration of original architectural features
- Exterior building materials for building additions
- Other permanent exterior improvements to property consistent with the architectural integrity of the building and the Village's *Appearance Review Guidelines*

Ineligible Uses

- Working capital
- Property acquisition
- Equipment or inventory acquisition
- Refinancing of existing debt or private funding
- Interior remodeling
- Sprinkler systems
- Resurfacing of parking lots
- Replacement of private sidewalks
- Architectural design fees or other plan preparation costs
- Building permits and related costs
- Signage of any kind
- Landscaping of any kind

The Village of Glen Ellyn is not obligated to reimburse any approved application for reimbursement after one year from the date of the original approval of the grant application or exterior appearance, whichever date is later. Written requests for time extensions can be considered by the Planning and Development Director.

Design Evaluation

Design evaluation and approval will be handled by the Village of Glen Ellyn. This process may require the applicant to undergo exterior appearance review by the Architectural Review Commission if required by the Village Appearance Review Guidelines.

Application Requirements

Required Submittals with Application:

1. Current digital photos of all building facades visible from the public right of way which will receive improvements
2. A schematic drawing with enough detail to depict the proposed improvements
3. Signed vendor contract(s) with detailed costs for each proposed improvement (excluding ineligible portions of improvements, e.g. lettering on awnings)
4. Consent from the building owner for proposed improvements, by signature on the attached form
5. Completed IRS Form W-9 Request for Taxpayer Identification Number and Certification

6. Projected sales tax* and/or property tax for the three years following the completion of the improvements covered by the grant.
7. A narrative as outlined below:
    a. Description of proposed façade work including information about the proposed building materials and methodology for proposed changes.
    b. Description of your business and the related industry.
    c. Features and advantages of your product and how improvements sought will improve the business and/or Village.
    d. Credentials and experience of business owner.
    e. Any unusual or expected difficulties or hardships in making the proposed improvements.

**Please note that if you are awarded a grant, you must submit actual sales tax receipts for the three consecutive years following the completion of the improvements. The actual sales tax receipts from the State of Illinois of the prior calendar year shall be provided to the Village by February 15.*

Application and Approval Process

Submission and approval of a complete grant application is required prior to the completion of any improvements eligible for assistance. The review process will normally take approximately 4 weeks. The applicant must secure any required Village permits and exterior appearance approval by the Architectural Review Commission and the Village Board (if required) prior to starting improvements. The application process is outlined below:

1. Contact the Planning and Development Department for program information and to determine project eligibility.

2. Submit a grant application including all required submittals to the Planning and Development Department for funding assistance.

3. The Planning and Development Department will make a recommendation for approval, partial approval or denial to the Village Board. Village staff will attempt to review applications within 2 weeks of submittal.

4. Application is considered by the Village Board. Applicant's attendance is required at the Village Board meeting as part of the application review process. The Village Board typically meets the 2nd and 4th Monday evenings of every month.

5. Proposed improvements must be completed and the business must be operational within one year of grant approval by the Village Board.

Reimbursement Process

1. Once work is completed, the applicant submits copies of paid invoices from all contractors, proof of payment (copies of canceled checks or credit card receipts), a signed Reimbursement Request Certification (see attached form), a signed and notarized Affidavit for Reimbursement (see attached form), and photos of all improved façades to the Planning and Development Department.

2. The Planning and Development Department reviews the completed project to ensure that work was performed as outlined in application and in conformance with the Village Code.

3. Check is distributed.

Pay Back Provision

The following pay back schedule shall apply if a business closes or moves out of Glen Ellyn within 3 years of being awarded a Village grant.

Out of Business	< 1 year	1-2 years	2-3 years
% of Grant Repaid to the Village	75%	50%	25%

The applicant agrees to this provision when s/he signs the Reimbursement Request Certification and the Application Certification.

VILLAGE OF GLEN ELLYN
Commercial Façade Improvement Grant Application

REQUIRED SUBMITTALS WITH APPLICATION:

1. Current digital photos of all building facades visible from the public right of way which will receive improvements
2. A schematic drawing with enough detail to depict the proposed improvements
3. Signed vendor contract(s) with detailed costs for each proposed improvement (excluding ineligible portions of improvements, e.g. lettering on awnings)
4. Consent from the building owner for proposed improvements, by signature on the attached form
5. Completed IRS Form W-9 Request for Taxpayer Identification Number and Certification
6. Projected sales tax* and/or property tax for the three years following the completion of the improvements covered by the grant.
7. A narrative as outlined below:
    a. Description of proposed façade work including information about the proposed building materials and methodology for proposed changes.
    b. Description of your business and the related industry.
    c. Features and advantages of your product and how improvements sought will improve the business and/or Village.
    d. Credentials and experience of business owner.
    e. Any unusual or expected difficulties or hardships in making the proposed improvements.

**Please note that if you are awarded a grant, you must submit actual sales tax receipts for the three consecutive years following the completion of the improvements. The actual sales tax receipts from the State of Illinois of the prior calendar year shall be provided to the Village by February 15.*

BUSINESS OWNER INFORMATION

Business Owner Name: _____

Home Address: _____

Business Name: _____

Business Address: _____

Business Phone: _____ Fax Number: _____

Home Phone: _____ Email Address: _____

If tenant, what is the expiration date of your current lease? _____

If buyer under contract or tenant, who is the property owner?

Property Owner Name: _____

Property Owner Address: _____

Property Owner Phone: _____

Property Owner Fax: _____

Property Owner E-mail: _____

DESCRIPTION OF PROPOSED IMPROVEMENTS

_____

_____

_____

_____

_____

_____

_____

ITEMIZED ACTIVITY DESCRIPTION	COST

TOTAL PROJECT COST: _____

AMOUNT OF GRANT ASSISTANCE REQUESTED: _____

APPLICATION CERTIFICATION

I, the undersigned, certify that I have read the program description and requirements for the Village of Glen Ellyn Façade Improvement Grant Program. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that the improvements described in this application must receive all required permit approvals from the Village of Glen Ellyn prior to the commencement of construction.

Furthermore, I, the undersigned, my successors and assigns, hereby agree to save and hold harmless the Village of Glen Ellyn and any of its employees, officers and directors from all cost, injury and damage to any person or property whatsoever, any of which is caused by an activity, condition or event arising out of the performance, preparation for performance or nonperformance of any project improvement included in my grant application. The above cost, injury, damage or other injury or damage incurred by or to any of the above shall include, in the event of an action, court costs, expenses of litigation and reasonable attorneys' fees. I understand that if my business closes or moves out of the Village of Glen Ellyn within 3 years I will be required to repay the Village in an amount as described on page 3 of the grant packet.

_____ _____

Applicant Name (PRINT) Applicant Signature

_____

Date

CONSENT FROM PROPERTY OWNER (Required if different from Applicant)

_____ _____

Property Owner Name (PRINT) Property Owner Signature

_____

Date

**********Office Use Only**********

Application is: _____ Approved _____ Denied

_____ _____

Village President Date

_____ _____

Planning and Development Director Date

VILLAGE OF GLEN ELLYN
Commercial Façade Improvement Grant Program
Reimbursement Request Certification

SUBMITTAL FOR REIMBURSEMENT

Please submit the following information to the Planning and Development office once approved work is complete for grant payment:

- This signed Reimbursement Request Certification
- Copies of invoices stamped "PAID" from all contractors, companies, individuals
- Proof of payment (limited to copies of canceled checks and/or credit card receipts)
- Digital Photos of all building facades visible from the public right-of-way. A signed and notarized Applicant's Affidavit for Reimbursement form provided by the Village of Glen Ellyn
- Applicant's Affidavit for Reimbursement (Attached)

CERTIFICATION

I, the undersigned, warrant that all representations of the application submitted under the program are true and accurate and that there has been no material change which would in itself or cumulatively with other events impair the profitable functioning of my business operation. All agreements, warranties and representations made to the Village of Glen Ellyn are true at the time they were made and shall remain true at the time of submittal for reimbursement under the program. I will display the Village of Glen Ellyn Grant Certification in public at my business/property for one year. I understand that if my business closes or moves out of the Village of Glen Ellyn within 3 years I will be required to repay the Village in an amount as described on page 3 of the grant packet. The Village of Glen Ellyn may in its sole option cancel its assistance commitment either in whole or in part for failure to comply with the requirements of this grant program or applicable Village Codes and Regulations.

_____ _____

Applicant Name (PRINT) Applicant Signature

_____

Date

APPLICANT'S AFFIDAVIT FOR REIMBURSEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

TO: The Village of Glen Ellyn

The undersigned, _____ (Name) being duly sworn, deposes and says that he or she is the Owner/Tenant (strike one) of the property located at _____ (the "Premises") and has applied for a façade improvement grant from the Village of Glen Ellyn for _____-_____ (the "Work.").

The total amount of the grant approved is $_____ toward which I, as Owner/Tenant (strike one), have as of this date paid $_____. I hereby attest that I have not received any other funds from a third party to pay for the Work which is paid for by this grant.

The attached proof of payment is true, correct, and genuine, and delivered unconditionally and the work set forth in said proof of payment has been completed and/or the materials set forth in the attached proof of payment has been used in connection with the Work in the Premises.

Upon payment of $_____ from the Village of Glen Ellyn, there shall be nothing due or to become due from the Village of Glen Ellyn in connection with the disbursement of the approved grant amount from the Village of Glen Ellyn based on the documentation submitted to the Village of Glen Ellyn for the Work set forth in said proof of payment.

Date:_____ Signature:_____

SUBSCRIBED AND SWORN to
before me this _____ day of
_____, 20__.

_____
Notary Public

VILLAGE OF GLEN ELLYN

Interior Improvement Grant Program Application Packet

Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

Village of Glen Ellyn
Downtown Interior Improvement Grant Program

As of 5/1/2012

Purpose

The goal of the Village of Glen Ellyn Downtown Retail Grant Program is to strengthen the downtown shopping district by attracting new retail businesses and by assisting existing retailers with eligible expansion plans in the downtown commercial district. The Village Board reserves the sole right to amend, modify, add, or delete any part or subpart of this program.

Assistance Available

Approved projects are eligible to receive reimbursement after project completion in the form of a matching grant of up to 50 percent of the actual improvement costs up to a maximum grant of $15,000.

Eligibility Requirements

Commercial property owners or retail business owners in the downtown who are proposing a new or expanding business which meets the eligibility and application requirements are invited to submit applications.

All new retail businesses that generate retail sales tax can be considered for the grant. Existing retail businesses in the Village must expand in the downtown to receive assistance. For the purpose of this program, "expansion" is defined as significantly increasing the retail sales area, enlarging the square footage of the retail space to include expanding into an adjacent space or relocating to a larger space or building an addition on the interior or exterior of an existing building to be used as additional retail space.

Grant applicants will be reviewed on a case by case basis. Uses that have the potential to increase foot traffic and improve the pedestrian experience will be preferred.

Financial assistance is available to property or business owners, for no more than $15,000 every 3 years, per unit.

All grant recipients are required to publicly display the Village of Glen Ellyn Grant Award Certificate in a conspicuous location in the building for a period of one year from the date grant funds are dispersed.

The determination of eligibility and priority for assistance is at the discretion of the Village Board and is subject to funds availability. The Village Board may approve grants of less than a 50% match.

Eligible Improvements

This program funds permanent tenant and building code improvements necessary to open a new, or expand an existing, downtown retail business. Improvements that otherwise would be substantially difficult to undertake "but for" the grant assistance may be looked at more favorably. Eligible improvements must remain with the improved building to be considered permanent and may include:

Eligible Uses

- Walls
- Ceilings
- Sub-floors
- Permanent fixtures excluding shelving that is bolted on (e.g., non-removable, permanently affixed)
- Hard surface materials for exterior (non-façade) retail space (concrete, brick, blue stone, etc.)
- Life safety upgrades (sprinklers, fire alarm systems, fire doors)
- Utility related improvements (heating, air conditioning, plumbing, electrical)
- Major kitchen equipment (e.g. commercial grade, permanently installed equipment) *Note: equipment must remain in the building unit and may not be transferred if business relocates or closes*
- Changes brought about due to the uniqueness or nature of the structure of the building
- Other extraordinary expenses required by government codes or regulations

Projects not listed above will be considered on a case by case basis. In general, changes to the project scope will not be considered for supplemental assistance after grant approval is obtained. Unforeseeable changes will be considered on a case by case basis.

Ineligible Uses

- Façade improvements (see separate Village of Glen Ellyn Façade Improvement Grant Program)
- Acquisition of land or buildings
- Product inventory
- Interior signage
- Lighting fixtures
- Hard surface materials for non-retail exterior space (parking lots, sidewalks, etc.)
- Display window enhancements (hanging grid system, lighting, display shelf, etc.)
- Rent
- Media marketing and advertising
- Payroll
- Day-to-day operational costs (e.g. utilities, taxes, maintenance, refuse)
- Moving expenses
- Business consulting expenses
- Exterminator services
- Landscaping

The Village of Glen Ellyn is not obligated to reimburse any approved application for reimbursement after one year from the date of the original approval of the grant application or exterior appearance, whichever date is later. Written requests for time extensions can be considered by the Planning and

Development Director.

Required Submittals With Application:

1. Signed lease, committing to minimum of a 3-year lease term is required for all new and relocating businesses (if a lease has not yet been signed, disbursement of the approved funds will be contingent on the Village receiving a signed lease).
2. Signed vendor contract(s) with detailed costs for each proposed improvement.
3. Consent from the building owner for proposed improvements, by signature on the attached form.
4. Digital photos depicting the interior areas where proposed improvements will take place.
5. Completed IRS Form W-9 Request for Taxpayer Identification Number and Certification
6. Projected sales tax* and/or property tax for the three years following the completion of the improvements covered by the grant.
7. A narrative or current Business Plan that addresses the following:
    a) Description of your business and the related industry.
    b) Features and advantages of your product and how improvements sought will improve the business and/or benefit Village.
    c) List any unusual or unexpected difficulties faced in making the proposed improvements or completing the work.
    d) Credentials and experience of business owner.
    e) Market research and analysis including a definition of your current or anticipated customers and where they come from. May also include information on future customer markets as a result of interior improvements (i.e. will improvements attract new customers).
    f) Describe or demonstrate why these improvements would not take place "but for" the grant program.

**Please note that if you are awarded a grant, you must submit actual sales tax receipts for the three consecutive years following the completion of the improvements. The actual sales tax receipts from the State of Illinois of the prior calendar year shall be provided to the Village by February 15.*

<u>Application and Approval Process</u>

Submission and approval of a complete grant application is required prior to the completion of any improvements eligible for assistance. The applicant must submit all required documents as outlined on the first page of the application. Applicants should expect the review and approval process to take approximately 4 weeks. The applicant must secure any required Village approvals, licenses or permits prior to starting improvements. The application process is outlined below:

1. Contact the Planning and Development Department for program information and to determine project eligibility.

2. Submit a grant application, including all required submittals, to the Planning and Development Department.

3. The Planning and Development Department will review the application and make a recommendation of approval, partial approval or denial of the grant application to the Village Board. Village staff will attempt to review applications within 2 weeks of submittal.

4. The application will be considered by the Village Board. The applicant's attendance is required at Village Board meeting as part of the application review process. The Village Board typically meets on the 2nd and 4th Monday evenings of every month.

5. Proposed improvements must be completed and the business must be operational within one year of grant approval by the Village Board.

Reimbursement Process

1. Once work is completed, applicant submits copies of paid invoices from all contractors, proof of payment (copies of canceled checks and/or credit card receipts), a signed Reimbursement Request Certification form (attached) and Applicant's Affidavit for Reimbursement (attached) to the Planning and Development Department.

2. The Planning and Development Department reviews completed project and work for conformance to the application and the Village Code.

3. Check is distributed.

Pay Back Provision

The following pay back schedule will apply if a grant recipient business closes or moves out of Glen Ellyn within 3 years of receiving the grant.

Out of Business	< 1 year	1-2 years	2-3 years
% of Grant Repaid to the Village	75%	50%	25%

The applicant agrees to this provision when s/he signs the Application Certification and Reimbursement Request Certification.

VILLAGE OF GLEN ELLYN
Downtown Interior Improvement Grant Program Application

REQUIRED SUBMITTALS WITH APPLICATION:

1. Signed lease, committing to minimum of a 3-year lease term is required for all new and relocating businesses (if a lease has not yet been signed, disbursement of the approved funds will be contingent on the Village receiving a signed lease).
2. Signed vendor contract(s) with detailed costs for each proposed improvement.
3. Consent from the building owner for proposed improvements, by signature on the attached form.
4. Digital photos depicting the interior areas where proposed improvements will take place.
5. Completed IRS Form W-9 Request for Taxpayer Identification Number and Certification
6. Projected sales tax* and/or property tax for the three years following the completion of the improvements covered by the grant.
7. A narrative or current Business Plan that addresses the following:
    a) Description of your business and the related industry .
    b) Features and advantages of your product and how improvements sought will improve the business and/or benefit Village.
    c) List any unusual or unexpected difficulties faced in making the proposed improvements or completing the work.
    d) Credentials and experience of business owner.
    e) Market research and analysis including a definition of your current or anticipated customers and where they come from. May also include information on future customer markets as a result of interior improvements (i.e. will improvements attract new customers).
    f) Describe or demonstrate why these improvements would not take place "but for" the grant program.

**Please note that if you are awarded a grant, you must submit actual sales tax receipts for the three consecutive years following the completion of the improvements. The actual sales tax receipts from the State of Illinois of the prior calendar year shall be provided to the Village by February 15.*

BUSINESS OWNER INFORMATION

Business Owner Name: _____

Home Address: _____

Business Name: _____

Business Address: _____

Business Phone: _____

Other Phone: _____

Email Address: _____

Fax Number: _____

Estimated Opening Date of Business: _____

PROPERTY OWNER INFORMATION

Property Owner Name: _____

Address: _____

Phone: _____

Email Address: _____

Fax Number: _____

DESCRIPTION OF PROPOSED IMPROVEMENTS

_____

_____

_____

_____

ITEMIZED ACTIVITY DESCRIPTION	COST

TOTAL PROJECT COST: _____

AMOUNT OF GRANT ASSISTANCE REQUESTED: _____

APPLICATION CERTIFICATION

I, the undersigned, certify that I have read the program description and requirements for the Village of Glen Ellyn Downtown Retail Grant Program. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that the improvements described in this application must receive all required permit approvals from the Village of Glen Ellyn prior to the commencement of construction. I further understand all eligible improvements assisted by the Retail Grant Program are permanent fixtures and will remain with the building.

Furthermore, I, the undersigned, my successors and assigns, hereby agree to save and hold harmless the Village of Glen Ellyn and any of its employees, officers and directors from all cost, injury and damage to any person or property whatsoever, any of which is caused by an activity, condition or event arising out of the performance, preparation for performance or nonperformance of any project improvement included in my grant application. The above cost, injury, damage or other injury or damage incurred by or to any of the above shall include, in the event of an action, court costs, expenses of litigation and reasonable attorneys' fees. I understand that if my business closes or moves out of the Village of Glen Ellyn within 3 years I will be required to repay the Village in an amount as described on page 3 of the grant packet.

_____ _____

Applicant Name (PRINT) Applicant Signature

_____

Date

CONSENT FROM PROPERTY OWNER (Required if different from Applicant)

_____ _____

Property Owner Name (PRINT) Property Owner Signature

_____

Date

**********Office Use Only**********

Application is: _____ Approved _____ Denied

_____ _____

Village President Date

_____ _____

Planning and Development Director Date

VILLAGE OF GLEN ELLYN
Downtown Interior Improvement Grant Program
Reimbursement Request Certification

SUBMITTAL FOR REIMBURSEMENT

Please submit the following information to the Planning and Development Department office once approved work is complete for grant payment:

- This signed certification
- Copies of invoices stamped "PAID" from all contractors, companies, individuals
- Proof of payment limited to copies of canceled checks and/or credit card receipts
- Digital Photos depicting the interior improvements
- A signed and notarized Applicant's Affidavit for Reimbursement form

CERTIFICATION

I, the undersigned, warrant that all representations of the application submitted under the program are true and accurate and that there has been no material change which would in itself or cumulatively with other events impair the profitable functioning of my business operation. All agreements, warranties and representations made to the Village of Glen Ellyn are true at the time they were made and shall remain true at the time of submittal for reimbursement under the program. I will display the Village of Glen Ellyn Grant Certification in public at my business for one year. I understand that if my business closes or moves out of the Village of Glen Ellyn within 3 years I will be required to repay the Village in an amount as described on page 3 of the grant packet. The Village of Glen Ellyn may in its sole option cancel its assistance commitment either in whole or in part for failure to comply with the requirements of this grant program or applicable Village Codes and Regulations.

_____ _____

Applicant Name (PRINT) Applicant Signature

_____

Date

APPLICANT'S AFFIDAVIT FOR REIMBURSEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

TO: The Village of Glen Ellyn

The undersigned, _____ (Name) being duly sworn, deposes and says that he or she is the Owner/Tenant (strike one) of the property located at _____ (the "Premises") and has applied for an interior improvement grant from the Village of Glen Ellyn for _____-_____ (the "Work.").

The total amount of the grant approved is $_____ toward which I, as Owner/Tenant (strike one), have as of this date paid $_____. I hereby attest that I have not received any other funds from a third party to pay for the Work which is paid for by this grant.

The attached proof of payment is true, correct, and genuine, and delivered unconditionally and the work set forth in said proof of payment has been completed and/or the materials set forth in the attached proof of payment has been used in connection with the Work in the Premises.

Upon payment of $_____ from the Village of Glen Ellyn, there shall be nothing due or to become due from the Village of Glen Ellyn in connection with the disbursement of the approved grant amount from the Village of Glen Ellyn based on the documentation submitted to the Village of Glen Ellyn for the Work set forth in said proof of payment.

Date:_____ Signature:_____

SUBSCRIBED AND SWORN to
before me this _____ day of
_____, 20__.

_____
Notary Public

#4

MEMORANDUM

DATE: August 14, 2012

TO: Mark Franz, Village Manager

FROM: Julius Hansen, Director of Public Works

RE: REFORESTATION, NUISANCE TREES AND EAB DISCUSSION

Background.

The urban forest that grows within the borders of Glen Ellyn requires citizens to assist the Village in the care of it. Now is the time to accomplish this in three important ways:

1. Citizens can participate in the revised Resident Share-Cost Parkway Tree Planting Program to maintain the tree population, and eventually increase the tree population.
2. Citizens can remove nuisance trees on private property in a timely manner.
3. Citizens can identify Ash trees on private property to start treating them annually for the life of the tree to prevent E.A.B. or remove them in a timely manner when they become victims of E.A.B.

Issues and Recommendations.

Resident Share-Cost Parkway Tree Program (Village Reforestation Program)

Tree removals have outpaced tree planting due to the prevalence of Emerald Ash Borer and severe storms. The list of planting locations to replace a tree that has been removed is maintained, but it takes an estimated 2 to 3 years for citizens to get a free replacement tree. In order to maintain and increase parkway reforestation, adjustments to the Resident Share-Cost Parkway Tree Program are recommended.

Village Staff recommends modifying the Resident Share-Cost Parkway Tree Program to allow trees to be purchased by citizens at a price of $85.00 per tree. The current tree replacement cost for residents is the true cost of the tree (depending on the type of tree), which is typically between $100 and $200. Modifying the program will facilitate increased planting on the parkways therefore increasing the tree population. Minimal budget impact is anticipated with this modification.

Nuisance Trees on Private Property

On a case by case basis, a dead tree on private property can become a potential hazard if the tree is not removed in a timely manner by the property owner. The Village currently only has the right to require removal of nuisance trees on private property if they impact the right-of-way, or are diseased. However, private property trees in some cases do not threaten the right-of -way and are not diseased, but are still a potential hazard to residents in close proximity to the dead tree.

Village staff recommends providing the Village the ability to take action to remove a tree on private property that is a potential hazard even in cases when the tree does not threaten the right-of-way and is not diseased. The action would be to require property owners to remove the tree with a deadline, and if it is not removed, providing the Village the ability to actually remove the tree if the

deadline is not met. An additional administrative fee may be charged to the property owner in addition to the cost of the tree removal for not meeting the deadline. The Village Board is requested to provide staff direction regarding Village required private property tree removal.

Resident Education on Treatment/Removal of Private Property Ash Trees
Ash trees on private property make up a large part of the urban forest in the Village. In order to educate residents on the importance of treatment (or removal, depending on status of tree) of private property ash trees, the Village has created a public service announcement (PSA) video. The PSA educates residents on a variety of information related to ash trees, including identification and public and private property treatment and removal. The PSA will be posted on the website and shown on the Village's TV station.

Action Requested.
The Village Board is requested to discuss:

- Modifications to the Village's reforestation program
- Modifications to public nuisances
- Discussion of resident education on treatment/removal of Private Property Ash Trees

Attachments.

- Proposed Revised Resident Share-Cost Parkway Tree Planting Program Application
- Village Code Section 8-4-10: Public Nuisances

Revised Spring 2013 Resident Share-Cost Parkway Tree Planting Program

The parkway location at your home is on the list for a new tree to be planted. We estimate that it may take 2 to 3 years for the Village to replace a tree that has been removed. Tree removals have outpaced tree planting due to the prevalence of Emerald Ash Borer and severe storms.

However, if you would like to help fund the purchase of a tree for $85 you can have the opportunity to select the species of tree and the Village will plant it in the next planting season. If you wait 2 or 3 years the Village will select a tree and plant it at no cost to you. This program is for residents who want to select a tree and do not want to wait for it to be planted.

Questions? Call the Public Works Department at 630.469-6756 from 7:00 a.m. to 3:30 p.m. Monday through Friday.

Spring 2013 Resident Share-Cost Parkway Tree Planting Program

(Please Print)

Name_____ Daytime Phone No._____

Address_____ Email_____

Small Choices $85
- ☐ apple serviceberry
- ☐ flowering dogwood
- ☐ pink-flowering crabapple
- ☐ white-flowering crabapple

Medium Choices $85
- ☐ American hornbeam
- ☐ flowering pear
- ☐ red horsechestnut

Large Choices $85
- ☐ bur oak
- ☐ hackberry
- ☐ swamp white oak

Narrow Choices $85
- ☐ columnar red maple
- ☐ columnar European hornbeam

Prior to placing your order, call Public Works at 630-469-6756 to confirm that there is adequate room for the tree you are interested in. Other tree choices may be available upon request.

All orders must be received no later than 4:30 p.m. on December 3, 2012

Mail or drop off form and payment:

Village of Glen Ellyn, Cashier's Office, 535 Duane Street, Glen Ellyn, Illinois

☐ I do ***not*** want a tree planted on the parkway adjacent to my home.

Signature of Homeowner_____Date:_____

NOTE: If you prefer to plant a tree in the parkway yourself, call Public Works at 630-469-6756 to secure a permit application. **An approved permit is required before trees can be planted on the parkway.** Only qualified people should plant because of the danger of hitting underground utilities. Call JULIE at 1-800-892-0123 to identify underground utilities before digging.

Small Choices:

APPLE SERVICEBERRY – 20' Tall, 20' Wide. Rounded form; white flower clusters in early spring; tiny red berry-like fruit provides food of birds; handsome silvery-gray bark; brilliant orange to red fall color; prefers full sun; medium growth rate.

FLOWERING DOGWOOD - 20'-25' Tall and 15' Wide. Upright, rounded form; golden flowers in spring; small cherry-like fruit; dark green foliage changing to reddish purple in fall; full sun or part shade; medium growth rate.

CRABAPPLE – 14'-20' Tall, 12-25' Wide. Pink or white flowers in spring; dark green foliage turning yellow in fall; tiny fruit persisting into winter; prefers full sun; medium growth rate.

Medium Choices:

AMERICAN HORNBEAM 20'-30' Tall and Wide. Graceful, rounded form; dark green foliage changing to yellow-orange in fall; smooth, bluish-gray bark; does well in wet soils; prefers partial shade and rich, deep, moist soil; slow growing.

FLOWERING PEAR- 30'-50' Tall, 20'-35' Wide. Upright, pyramidal form, broadening with age; white flowers in late April to early May; dark glossy green leaves turn scarlet and purple in late fall; prefers full sun; medium growth rate.

RED HORSECHESTNUT - 45' Tall, 35' Wide. Broad, dense, rounded form; red flowers in spring; large dark green leaves turning yellow to brown in fall; best in full sun to part shade; medium growth rate.

Large Choices:

BUR OAK - 70'-80' Tall and Wide. Broad-oval form; lustrous, dark green foliage changing to yellow to yellow-brown in fall; interesting rough, furrowed bark; adaptable to a wide range of soil and environmental conditions; prefers full sun; medium growth rate.

HACKBERRY - 40' Tall, 50' Wide. Upright, oval form; smooth, bright green foliage turns yellow in fall; tiny round berries; very adaptable; prefers full sun; medium to fast growing.

SWAMP WHITE OAK - 50'-60' Tall and Wide. Broad-rounded form; leathery dark green foliage changing to yellow and occasionally red-purple in fall; prefers full sun; medium growth rate.

Narrow Choices:

COLUMNAR RED MAPLE 50' Tall, 15' Wide. Narrow, upright form; dark green foliage turning yellow-orange to orange-red in fall; beautiful silver-gray bark; prefers moist conditions and full sun; medium to fast growth rate.

COLUMNAR EUROPEAN HORNBEAM - 30'-50' Tall, 20'-30' Wide. Narrow form, dense and compact; dark green uniquely textured leaves changing to yellow in fall; best in full sun or partial shade; slow to medium growth rate.

8-4-10: PUBLIC NUISANCES:

(A) Nuisances Declared: The following are hereby declared public nuisances under this section:

1. Any tree, shrub, or other plant, breeding places, or portion thereof, whether on village owned property or on private property, which harbors insects or diseases which reasonably may be expected to injure or harm any tree, shrub, or other plant; i.e., Dutch elm disease, oak wilt, emerald ash borer, Asian longhorned beetle and any other insect/disease deemed a public nuisance by the village forester, or his/her designee.

2. To mitigate the spread of oak wilt and Dutch elm disease, the pruning of elms or oaks on public and private property from April through August is prohibited unless a hazardous situation arises. If elms or oaks are pruned between April and November, the wounds must be painted with nontoxic tree wound dressing.

3. Any tree, shrub, or other plant or portion thereof, whether on village owned property or on private property, which overhangs or because of its deteriorated condition may fall onto the village right of way and constitutes an imminent danger to the health, safety, or welfare of the public.

4. Any tree, shrub, or other plant or portion thereof, whether on village owned property or on private property, which obstructs or interferes with the free and safe passage of pedestrian or vehicular traffic.

(B) Unlawful To Maintain Public Nuisances: It shall be unlawful for the owner of any lot or parcel of land or a tenant upon the land in the village of Glen Ellyn to permit or maintain on any such lot or parcel of land a public nuisance as set out in subsection (A) of this section. It shall be the duty of such owners to promptly remove, or otherwise provide remedy for any such nuisance.

(C) Inspection Of Public Nuisance: To carry out the purpose of this chapter and to implement the enforcement thereof, the village forester, or his/her designee, is hereby authorized and empowered to request permission from the property owner or person in apparent possession to enter upon any land in the village at all reasonable hours to inspect any public nuisance. The village forester, or his/her designee, is hereby empowered to seek from any court of competent jurisdiction an order permitting a search of private property in the event that the village has a reasonable basis to believe that a public nuisance exists on the property or that the ordinances of the village are being otherwise violated. Either with permission or pursuant to a court order, the village forester or a duly authorized representative may remove specimens from any trees, shrubs, or other plants for the purpose of laboratory analysis or for evidentiary purposes. It shall be unlawful for any person, firm or corporation to hinder the village forester or a representative in the performance of any duties performed under the provisions of this chapter.

(D) Abatement Of Public Nuisance: When the public nuisance represents an imminent threat to the health or safety of persons or property, the village may, through its officers, employees, or independent contractors, enter upon the private property and abate the nuisance. The village may also seek a court order to enter the property, abate the nuisance, and collect such cost of abatement and other fines as the court may grant. The cost to remove or otherwise treat border trees shall be fully borne by the village. (Ord. 5962, 9-26-2011)

8-4-11: VIOLATION AND PENALTY: Any person who violates any provision of this chapter, upon being found guilty of violation, shall, except as to violations for which a different fine is established, be subject to a maximum fine of not to exceed seven hundred fifty dollars ($750.00), depending on severity of violation, for each separate offense. Each day during which any violation of the provisions of this chapter shall occur or continue shall be a separate offense.

In addition to the issuance of a fine, the village may also request the court, upon a determination that any provision of this chapter has been violated, to enjoin the person through an affirmative or mandatory injunction, to cease a violation of this chapter, or to require the actions mandated within this chapter to be performed. (Ord. 5962, 9-26-2011)