

# City of Robinson



Phone 618-544-7616  
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www.cityofrobinson.com



300 S. Lincoln  
P.O. Box 188  
Robinson, Illinois 62454

August 9, 2012

Attn: Carla Sinclair  
Community School District Unit #2  
206 S. Jackson St.  
Robinson IL 62454

RE: Item for Board Meeting Agenda

The City of Robinson would like to be placed on your Board's agenda for your next meeting on August 20, 2012. The City would like to request the Board to review and approve a Tax Abatement for the expansion of the Enterprise Zone. The City has entered into an Ordinance to Approve an Intergovernmental Agreement with Crawford County, Illinois, for Expansion of the Robinson Enterprise Zone. I have enclosed a copy for your review. Mike Shimer will be representing the City and will be in attendance at the meeting. The expansion is at Gordon Junction for a convenience store and gas station.

I have also enclosed an original and two copies of the Tax Abatement Resolution for your signatures upon approval of the expansion of the Enterprise Zone. The original and one copy are to be returned to me and one copy will be for your records.

If you have any questions, please feel free to contact me.

Sincerely,



Deanna Watson  
Administrative Assistant  
admin@cityofrobinson.com

enclosures

TAX ABATEMENT RESOLUTION

The Board of School Board of COMMUNITY UNIT SCHOOL DISTRICT #2 does hereby adopt this Resolution as follows:

The County Clerk of Crawford County, Illinois, is hereby directed to abate ad valorem taxes imposed upon real property located within the Robinson Enterprise Zone as the result of an Enterprise Zone Expansion Ordinance adopted by the City Council of the City of Robinson, Crawford County, Illinois on June 12, 2012 as Ordinance Number 2012-O-24, upon which new improvements shall be renovated or rehabilitated, subject to the following conditions:

- a) No abatement shall be applicable to any such improvement project located within the boundaries of a Tax Increment Redevelopment Project District;
- b) Any abatement of taxes on any parcel shall not exceed the amount attributable to the construction of the improvements and the renovation or rehabilitation of existing improvements in such parcel;
- c) Such abatement shall be allowed only for non-residential, commercial and industrial property located within the zone area;
- d) Such abatement of taxes on any parcel shall be for, and only for, the taxes attributable to an increased assessed valuation of the parcel for the taxing period immediately preceding the issuance of a building permit for the qualified construction and renovation or rehabilitation;
- e) Such abatement shall be at the rate of 100 percent of the taxes for a period of five years, beginning with the first year in which the improvements are fully assessed. Such is limited to the term of the Robinson Enterprise Zone.

Upon roll call vote the following Trustees voted aye:

Upon roll call vote the following Trustees vote nay:

Passed and approved by the COMMUNITY UNIT SCHOOL DISTRICT #2 at its regular Board meeting held on August 20, 2012 in Robinson, Illinois.

COMMUNITY UNIT SCHOOL DISTRICT #2

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

ATTEST:

\_\_\_\_\_

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Upon roll call vote the following Trustees voted aye:

Upon roll call vote the following Trustees vote nay:

Passed and approved by the COMMUNITY UNIT SCHOOL DISTRICT #2 at its regular Board meeting held on August 20, 2012 in Robinson, Illinois.

COMMUNITY UNIT SCHOOL DISTRICT #2

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

ATTEST:

\_\_\_\_\_

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Upon roll call vote the following Trustees voted aye:

Upon roll call vote the following Trustees vote nay:

Passed and approved by the COMMUNITY UNIT SCHOOL DISTRICT #2 at its regular Board meeting held on August 20, 2012 in Robinson, Illinois.

COMMUNITY UNIT SCHOOL DISTRICT #2

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

ATTEST:

\_\_\_\_\_



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2012-02078

PATRICIA 'PATTY' LYCAN  
CRAWFORD COUNTY  
CLERK & RECORDER

RECORDED ON  
07/17/2012 10:42:36AM

REC FEE: 0.00  
PAGES: 13

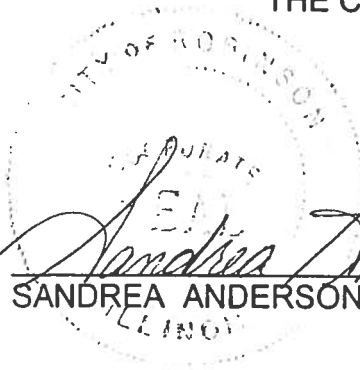
CITY OF ROBINSON, ILLINOIS

ORDINANCE NO. 2012-O- 24

AN ORDINANCE TO APPROVE AN INTERGOVERNMENTAL  
AGREEMENT WITH CRAWFORD COUNTY, ILLINOIS, FOR  
EXPANSION OF THE ROBINSON ENTERPRISE ZONE

ADOPTED BY THE CITY COUNCIL  
OF THE CITY OF ROBINSON, ILLINOIS  
THIS 12th DAY OF JUNE, 2012

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF  
THE CITY COUNCIL OF THE CITY OF ROBINSON  
CRAWFORD COUNTY, ILLINOIS  
THIS 12th DAY OF JUNE, 2012



*Sandrea Anderson*  
SANDREA ANDERSON, City Clerk

ORDINANCE NO. 2012-O- 24

AN ORDINANCE TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH CRAWFORD COUNTY, ILLINOIS, FOR EXPANSION OF THE ROBINSON ENTERPRISE ZONE

WHEREAS, on June 12, 2012, the City Council of the City of Robinson, Crawford County, Illinois, did adopt Ordinance No. 2012-O-24, being an AMENDED ENTERPRISE ZONE EXPANSION ORDINANCE;

WHEREAS, in order to fulfill the terms and provisions of the aforementioned Ordinance, and to expand the ROBINSON ENTERPRISE ZONE, it is necessary and in the best interests of the residents of the City of Robinson, Illinois, that it enter into an INTERGOVERNMENTAL AGREEMENT with the County Board of Crawford County, Illinois; and

WHEREAS, a proposed INTERGOVERNMENTAL AGREEMENT has been provided to this City Council, a true and correct copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Robinson, Crawford County, Illinois, that it does hereby authorize the Mayor on behalf of the City of Robinson, Illinois, with his signature to be attested by the City Clerk to enter into an INTERGOVERNMENTAL AGREEMENT with Crawford County, Illinois, in substantially the form as is set forth in Exhibit "A" which is attached hereto and incorporated herein by reference.

This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Aldermen voted yea:

ALDERMEN: Birkofer, McKinney, Snider, Alexander, Pinkston,  
Bowman, Sornberger and Smith

Upon roll call vote the following Aldermen voted nay:

None

Passed, approved and published in pamphlet form this 12<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
ROGER PETHTEL, Mayor

ATTEST:

  
\_\_\_\_\_  
SANDREA ANDERSON, City Clerk

## **ROBINSON ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT**

This Agreement entered into on this date by and between the County of Crawford, Illinois, (hereinafter referred to as "County") and the City of Robinson, Illinois (hereinafter referred to as the "Municipality"):

WHEREAS, the State of Illinois has enacted the "Illinois Enterprise Zone Act of 1982" (PA 82-1019) to alleviate distressed economic conditions in certain depressed areas; and

WHEREAS, the health, safety, and welfare of the residents of the County and the Municipality are dependent in part upon a healthy private sector of the economy of the County and Municipality; and

WHEREAS, the development, growth and expansion of the private sector requires a cooperative and continuous partnership between government and private sector; and

WHEREAS, there are certain areas in the County and Municipality that need the particular attention of government, business and labor to attract private sector investment and directly aid the entire county and the residents thereof; and

WHEREAS, a disproportionate number of residents within the incorporated municipality of Robinson and adjacent areas of unincorporated Crawford County for several years have suffered pervasive poverty, unemployment and economic distress related to the prolonged national recession, shifts of industries throughout the county and a variety of other economic factors negatively affecting the incorporated and unincorporated areas mentioned above; and



WHEREAS, the duly constituted legislative bodies of the County and the Municipality are cognizant of the distressed conditions existing within this area and are desirous of alleviating these distressed conditions; and

WHEREAS, the County and Municipality have indicated their willingness and desire to cooperate in designating portions of the City as well as unincorporated areas in the County as an Enterprise Zone; and

WHEREAS, Section 3 of the Intergovernmental Cooperation Act, being 5 ILCS 220, as enacted by the State of Illinois provides as follows:

**SECTION 3 – Intergovernmental cooperation.** Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders. PA 78-785, § 3, eff. Oct. 1, 1973. Amended by P.A. 86-102, § 3, eff. July 1, 1990; P.A. 89-6, § 5, eff. March 6, 1995; P.A. 90-18, § 10, eff. July 1, 1997; P.A. 91-298, § 5, eff. July 29, 1999; P.A. 95-331, § 25, eff. Aug. 21, 2007, formerly Ill.Rev.Stat. 1991, ch. 127, ¶ 743.

WHEREAS, the parties to this Agreement have the powers authorized in Chapter 5 of the Illinois Revised Statutes;

NOW, THEREFORE, upon the consideration of the mutual promises contained herein and upon further consideration of the recital hereinabove set forth, it is hereby agreed between the County and the Municipality hereto as follows:

Section 1 – Description: The area precisely described in the Enterprise Zone Resolution and Enterprise Zone Expansion Ordinance which has been adopted by the

County and the Municipality was originally designated as the Robinson Enterprise Zone pursuant to and in accordance with said Act subject to approval of the State as provided in said Act. Said Robinson Enterprise Zone has been previously expanded, and this Intergovernmental Agreement pertains to the area covered by the AMENDED ENTERPRISE ZONE EXPANSION ORDINANCE, being Ordinance No. 2012-O- 24, adopted by the City of Robinson, Illinois on June 12, 2012. The legal description of the expansion area of the Enterprise Zone is attached hereto and incorporated herein by reference.

Section 2- Qualifications: The County and the Municipality hereby declare and affirm that the zone area is qualified for designation as an Enterprise Zone in accordance with the provisions of the Illinois Enterprise Zone Act and further affirm that:

- a. The zone area is a contiguous area;
- b. The zone area comprises a minimum of 1 1/2 square mile and not more than 10 square miles in total area;
- c. The zone area is a depressed area;
- d. The zone area satisfies any additional criteria established by the Illinois Department of Commerce and Community Affairs;
- e. On June \_\_\_\_\_, 2012, a public hearing was conducted by the Municipality on the question of whether to expand the zone; what local plans, tax incentives, and other programs should be established in connection with the expanded zone; and what the boundaries of the expanded zone should be; and public notice was given in at least one newspaper of general circulation within the zone area not more than 20 days nor less than 5 days before the hearing; and

Section 3 – Enterprise Zone Designation: The area described in the duly adopted resolution and ordinance is hereby designated a part of the Robinson

Enterprise Zone subject to the approval of the Illinois Department of Commerce and Community Affairs in accordance with law.

Section 4 – Term and Effect: The term of the zone commenced March 1, 1990, when the Robinson Enterprise Zone was designated and certified by the Illinois Department of Commerce and Community Affairs pursuant to Section 5.3 of the Act, and shall terminate at midnight of March 1<sup>st</sup> of the twentieth (20<sup>th</sup>) year after the year in which the Enterprise Zone area is certified, unless otherwise stated herein.

Section 5 – Sales Tax Deduction: Each retailer whose place of business is within the State of Illinois, and who makes a sale of building materials to be incorporated into real property located in the Enterprise Zone by remodeling, rehabilitation or new construction, may deduct receipts from such sales when calculating the tax imposed pursuant to the “Municipal ( or County) Retailers’ Occupation Tax Act”; provided, however, that such new construction is of a nature and scope for which a building permit or Certificate of Occupancy is required and has been obtained. The sales tax incentive shall be limited only to industrial and commercial expansions or new industrial commercial firms as defined in “Standard Industrial Classifications – Major Groups Eligible for Tax Abatement under the Enterprise Zone Program,” which are attached hereto as Exhibit A and B and incorporated herein by reference. The incentive provided by this Section shall commence the first day of the calendar month following the month in which the Enterprise Zone expansion is designated and certified, and shall continue for the term of the Enterprise Zone.

Section 6 – Property Tax Abatements: The County of Crawford and the City of Robinson authorize and direct the County Clerk of Crawford County, Illinois, to abate ad valorem taxes imposed upon real property, located within the Enterprise Zone area,

upon which new improvements have been renovated or rehabilitated subject to the following conditions:

a. No abatement shall be applicable to any such improvements project located within the boundaries of a "Tax Increment Redevelopment Project District".

b. Any abatement of taxes on any parcel shall not exceed the amount attributable to the construction of the improvements and the renovation or rehabilitation of existing improvements in such parcel.

c. Such abatement shall be allowed only for nonresidential, commercial and industrial property located within the zone area.

d. Such abatement of taxes on any parcel shall be for, and only for, the tax attributable to an increased assessed valuation of the parcel for the taxing period immediately preceding the issuance of a building permit for the qualified construction and renovation or rehabilitation.

e. Such abatement shall be at the rate of 100 percent of the taxes for a period of five years, beginning with the first year in which the improvements are fully assessed. Such period is limited to the terms of the Robinson Enterprise Zone.

AND

Tax abatements allowed for commercial and industrial construction, renovation and/or rehabilitation are allowed relative to industries defined in Exhibit B "Standard Industrial Certifications – Major Retail, Commercial and Manufacturing Groups Eligible for Tax Abatement under the Enterprise Zone Program" which is attached hereto, subject to the following conditions:

f. No abatement shall be applicable to any such improvement project located within the boundaries of a Tax Increment Redevelopment Project District.

g. Any abatement of taxes on any parcel shall not exceed the amount attributable to the construction of the improvements and the renovation or rehabilitation of existing improvements in such parcel.

h. Such abatement shall be allowed only for nonresidential, commercial and industrial property located within the zone area.

i. Such abatement of taxes on any parcel shall be for, and only for, the taxes attributable to an increased assessed valuation of the parcel for the taxing period immediately preceding the issuance of a building permit for the qualified construction and renovation or rehabilitation.

j. Ad valorem tax abatements shall be limited to those amounts established by tax abatement ordinances and resolutions duly adopted by the taxing authorities within the expanded Enterprise Zone.

k. Parcels and property for the purpose of determining the property tax abatement levels shall include all taxable property owned by the entity, its wholly owned and affiliated subsidiaries and all taxable type property which is leased or rented to the entity if such property is located in the Enterprise Zone.

l. Commercial and industrial entities described in Exhibit B shall not be entitled to receive the tax abatements authorized in the Resolution for improvements put into service after 1995 unless an extension is authorized by the County, the City of Robinson, and the other local taxing authorities which would be affected by an extension and those commercial and industrial entities described in Exhibit B. It is intended that extensions be granted for the remaining term of the Robinson Enterprise Zone, provided financial impacts are assessed and agreement reached on entitlement to property tax abatements.

m. In the event an agreement is not reached as required in Section 1 hereof, commercial and industrial entities described in Exhibit B shall continue to be entitled to receive tax abatements authorized on improvements put into service before 1996.

Section 7 – Waiver of Permit Fees: In the case of any and all permit fees required and charged by the City of Robinson for rehabilitation, expansion or new construction of any commercial, industrial, manufacturing or community development assisting projects within the Zone are, such permit fees (but not the permits themselves) shall be waived in their entirety. The approved permit shall be stamped “Robinson Enterprise Zone” and shall serve as documentation that the expansion, renovation or rehabilitation of commercial/industrial property is eligible for Enterprise Zone benefits. The permit fee waiver herein provided for shall include all fees charged for building, plumbing, electrical, zoning and excavation permits where a building permit is otherwise required and has been obtained for such rehabilitation, expansion or new construction, but shall not include such permit fees charged for occupancy or mere repair or replacement of electrical, plumbing or mechanical systems nor undertaken in connection with such rehabilitation, expansion or new construction. The Enterprise Zone Administrator is hereby authorized to issue building permits for improvements, reconstructions, and rehabilitations located in the Enterprise Zone but outside of the Municipality, for which the owner seeks real estate tax abatements or credits or refunds of Retailers Occupation Taxes.

Section 8 – Enterprise Zone Administrator: The position of Enterprise Zone Administrator was created on March 1, 1990. The Enterprise Zone Administrator, who in his/her capacity as Robinson Enterprise Zoning Administrator is an officer or

employee of the City of Robinson. The duties of the Enterprise Zone Administrator shall be performed in addition to the regular duties of the position of Robinson Enterprise Zoning Administrator. It shall be the power and duty of the Enterprise Zone Administrator to: act as liaison between the County of Crawford and the City of Robinson, the Illinois Department of Commerce and Community Affairs, designated zone organization(s) and other state, federal and local agencies, whether public or private; conduct an ongoing evaluation of the Enterprise Zone Program and submit such evaluative reports on at least a quarterly basis to the County Board, City Council and Illinois Department of Commerce and Community Affairs; have other such duties as specified by the City of Robinson.

Section 9 – Service Fee: Annually, during the term of the Enterprise Zone, each owner of real property eligible for benefits, located within the Enterprise Zone, but outside the corporate limits of the Municipality, shall be required to pay the Municipality a service fee to help defray the cost of administering the Enterprise Zone. The initial maximum annual fee shall be calculated by multiplying the 1990 equalized assessed valuation of the owner's real property times the Municipality's 1989 tax rate of .8507 percent or .008507, and dividing the product by 8. After the initial year, the maximum fee shall be increased annually by multiplying the prior year's maximum possible fee by 105 percent. Provided, however, that in no year shall the service fee exceed the tax benefits of the property owner by reason of it being included within the Enterprise Zone. Notwithstanding the foregoing, in no year during the first five years hereof, shall the Municipality's service fee be less than 43 percent of the initial annual maximum service fee. After the first five years, the annual minimum service fee shall be established by ordinance amendment and agreement between the respective parties. The initial service fee shall be due and payable on April 15, after the Agreement is dated, and on

the same date of each year thereafter during the term of the Enterprise Zone. Each owner of real property subject to this provision shall execute an ENTERPRISE ZONE SERVICE FEE AGREEMENT with the Municipality and shall annually provide Municipality with written advice of its calculation of the service fee.

The undersigned parties have caused this Intergovernmental Agreement to be executed by their duly designated officials as authorized in Resolution No. 2012-\_\_\_\_\_ adopted by the County Board of the County of Crawford and Ordinance No. 2012-O-\_\_\_\_\_ adopted by the City Council of the City of Robinson, Illinois.

Dated: ~~June~~ <sup>July</sup> 12, 2012.

CRAWFORD COUNTY, ILLINOIS

By: *Joe Bliss*  
JOE BLISS, Chairman

Dated: 7-12-2012

CITY OF ROBINSON

By: *Roger Pethtel*  
ROGER PETHTEL, Mayor

Dated 6-13-2012

ATTEST:

*Patricia Lycan*  
PATRICIA LYCAN, County Clerk

ATTEST:

*Sandrea Anderson*  
SANDREA ANDERSON, City Clerk



## TAX ABATEMENT RESOLUTION

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- j) Such abatement shall be at the rate of 100 percent of the taxes for a period of five years, beginning with the first year in which the improvements are fully assessed. Such is limited to the term of the Robinson Enterprise Zone.

Upon roll call vote the following Trustees voted aye:

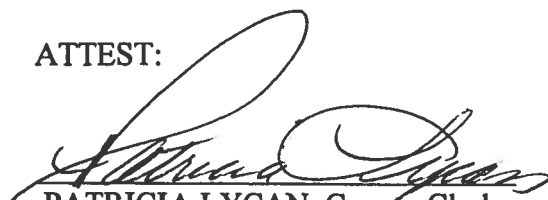
Upon roll call vote the following Trustees vote nay:

Passed and approved by the County Board of Crawford County, Illinois, at its regular Board meeting held on July 12, 2012 at the Crawford County Board Room in Robinson, Illinois.

CRAWFORD COUNTY BOARD

BY: Joe Bliss  
JOE BLISS, Chairman

ATTEST:

  
PATRICIA LYCAN, County Clerk