

CITY OF AURORA, ILLINOIS

ORDINANCE NO. 002-92

DATE OF PASSAGE August 27, 2002

AN ORDINANCE TO EXTEND THE TAX LEVY FOR AN ADDITIONAL EIGHT (8) YEARS OF SPECIAL SERVICE AREA NUMBER ONE IN THE CITY OF AURORA FOLLOWING NOTICE AND PUBLIC HEARING IN CONNECTION THEREWITH

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, special service areas are established pursuant to subsection (1) of Section 6 of Article VII of the Illinois Constitution of 1970 and the Special Service Area Tax Act (35 ILCS200/27-5 et seq) and the Property Tax Code (35 ILCS200/1-1 et seq); and

WHEREAS, by City of Aurora Ordinance No. 094-93 passed September 6, 1994 Special Service Area No. One (1) was established; and

WHEREAS, the boundaries of said Special Area are set forth in attached map Exhibit "A-1" the legal description of which territory is attached hereto as Exhibit "A"; and

WHEREAS, by said Ordinance a special annual tax was authorized to be levied upon the equalized assessed value of the property in said Area in an amount not to exceed one percent (1%) of said value, the levy of which tax was limited for a period of eight (8) consecutive years commencing with and subsequent to the date of said Ordinance; and

WHEREAS, said tax levy will expire with the tax levy of tax year 2002 and it is the best interest of Said Area and the City of Aurora as a whole that the special taxes levied on said Area be extended for an additional eight (8) years so that the special services provided to said areas as set forth in Ordinance No. 094-93 can continue to be provided in said area; and

WHEREAS, the City of Aurora desires to extend the tax levy for an additional eight years for said Area as hereinafter described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois, as follows:

Section One: (a) That it is in the public interest that the tax levy territory hereinafter described in the Notice referred to in Section Five hereof for Special Service Area Number One (1) be extended for an additional eight (8) years as provided in Section Three for the purposes set forth herein. An accurate map of said added territory is attached hereto as Exhibit "A-1".

(b) That said Area is compact and contiguous and constitutes a principal commercial and residential area of the City of Aurora.

(c) That said Area is principally zoned for commercial and residential purposes and will benefit specially from the municipal services to be provided and that the proposed municipal services are unique and in addition to municipal services provided to the City of Aurora as a whole and it is, therefore, in the best interest of said Area and the City of Aurora as a whole that special taxes be levied against said Area for the services to be provided.

(d) Further, that City contracts with "Aurora Downtown" are hereby authorized from time to time for the purpose of achieving the goals hereinbelow delineated.

Section Two: That the purpose of City of Aurora Special Service Area Number One is to provide special municipal services for said Area to achieve the following goals, which goals are in addition to the services provided by the City generally:

GOAL 1: Create, fund and staff a downtown management and development organization, which will be an Illinois not-for-profit corporation.

GOAL 2: Assist business and property owners to enhance and maintain a safe, secure, clean and hospitable business environment.

GOAL 3: Attract anchors and other complementary businesses to downtown.

GOAL 4: Plan, coordinate and monitor capital improvement projects for downtown.

GOAL 5: Identify and work with business and property owners to encourage business growth and property improvements.

GOAL 6: Design and implement a unified marketing plan.

GOAL 7: Create programs to facilitate the funding of projects important to downtown.

GOAL 8: Such other programs and purposes as are related with and/or incidental to the previous goals.

Section Three: Annual taxes shall be assessed and levied for said special municipal services in said Area, on property in said Area in addition to all other municipal taxes; provided that the special annual tax shall be levied upon the equalized assessed value of the property in said Area in an amount of not exceed an annual rate of one percent (1%) of said value. This tax shall be levied for a period of eight (8) consecutive years commencing during and in the years subsequent to the date of this Ordinance. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions by law and shall be levied pursuant to the provisions of the Property Tax Code.

However, any person or entity owning one or more parcels within such Area whose total annual tax liability for said tax hereunder exceeds \$15,000.00 shall be entitled to receive a rebate from the City in the amount of such excess, provided such person or entity shall annually apply for such excess rebate not later than the due date of the second property tax installment, with payment of the rebate to be within thirty (30) days thereafter. Such specified limiting amount of \$15,000.00 shall be annually adjusted in accordance with the Revised Consumer Price Index for Urban Wage Earners for Chicago issued by the Bureau of Labor Statistics of the U.S. Department of Labor, to be adjusted on each January 1st commencing January 1, 1995 with the year 1995 to be the base year for purposes of determining said adjustments.

Additionally, the maximum annual levies for Special Service Area Numbers 15 and 16 shall each be hereafter limited by the City administratively, to a maximum rate of two percent (2%) from the commencement of the levies hereunder, for the duration of this Area or the respective established Areas, whichever earlier occurs.

Section Four: That a public hearing has been held on the 11th day of June, 2002, at 6:00 p.m. in the Council Chambers of the City Hall, 44 East Downer Place, Aurora, Illinois with regard to the extension of the tax levy for an additional eight (8) years of Aurora Special Service Area Number One as described in the Notice referred to in Section Four hereof. At the hearing, there was considered the extension of the tax levy of an annual tax as described and limited in Section Three hereof.

Section Five: That notice of hearing was published on the 24th day of May, 2002, being not less than fifteen (15) days prior to the public hearing, in a newspaper in general circulation in the City of Aurora. In addition, notice by mailing was given by depositing said notice in the U.S. mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the area proposed to be added to and the existing area of Special Service Area Number One. Said Notice was mailed on May 21, 2002, being not less than ten (10) days prior to the public hearing. In the event taxes for the last preceding year were not paid, the Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. Notice was published in the form described by Exhibit "B" attached hereto.

Section Six: That this ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Seven: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

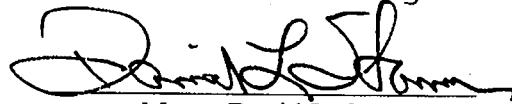
Section Eight: That any Section or provisions of this ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions which shall remain in full force and effect thereafter.

PASSED by the City Council of the City of Aurora, Illinois, on August 27, 2002.

AYES 10

NAYS 0

APPROVED and SIGNED by the Mayor of the City of Aurora, Illinois on August 27, 2002.

A handwritten signature in black ink, appearing to read "David L. Stover", written over a horizontal line.

Mayor David L. Stover

ATTEST:

Cheryl M. Vorhoff, by
Darlene Gardner
Deputy City Clerk

BOUNDARY DESCRIPTION SSA # 1

(ORIGINAL)

EXHIBIT " A "

PAGE 1 OF 3

BEGINNING AT THE CENTERLINE, CENTERLINE INTERSECTION OF SPRUCE ST. AND RIVER ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF RIVER ST. TO THE CENTERLINE INTERSECTION OF CEDAR ST.; THENCE EASTERLY ALONG THE EASTERLY PROLONGATION OF SAID CEDAR ST. CENTERLINE TO THE CENTERLINE OF THE FOX RIVER; THENCE SOUTHERLY ALONG SAID CENTERLINE OF THE FOX RIVER TO A POINT OF INTERSECTION BETWEEN SAID CENTERLINE AND A LINE WHICH IS A PROLONGATION OF THE NORTHERLY LINE OF SPRING STREET EXTENDED WESTERLY; THENCE EASTERLY ALONG THE PREVIOUSLY DESCRIBED NORTHERLY LINE OF SPRING ST. TO THE CENTERLINE OF THE BURLINGTON NORTHERN RIGHT-OF-WAY; THENCE SOUTHERLY ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF EAST NEW YORK STREET; THENCE EASTELRY ALONG SAID CENTERLINE OF EAST NEW YORK STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LINCOLN AVENUE; THENCE SOUTHERLY ALONG SAID CENTERLINE OF LINCOLN AVENUE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF CLARK STREET; THENCE WESTERLY ALONG SAID CENTERLINE OF CLARK STREET TO THE EAST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG SAID EAST BANK TO A POINT OF INTERSECTION BETWEEN SAID EAST BANK AND A LINE WHICH IS A PROLONGATION OF THE SOUTHERLY LINE OF HOLBROOK'S ADDITION TO AURORA EXTENDED EASTERLY; THENCE WESTERLY ALONG THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF HOLBROOK'S ADDITION TO THE WEST BANK OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID WEST BANK TO THE S.E. CORNER OF LOT 1 IN BLOCK 2 OF WEST AURORA; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 1 TO THE CENTERLINE OF RIVER STREET; THENCE SOUTHERLY ALONG SAID CENTERLINE TO A POINT OF INTERSECTION BETWEEN THE CENTERLINE OF RIVER STREET AND A LINE WHICH IS A PROLONGATION OF THE SOUTHERLY LINE OF LOT 3 IN BLOCK 3 OF WEST AURORA EXTENDED EASTERLY, SAID LINE TO BE HEREAFTER KNOWN AS LINE "A"; THENCE WESTERLY ALONG LINE "A" EXTENDED WESTERLY TO THE INTERSECTION OF THE CENTERLINE OF LAKE STREET; THENCE NORTHERLY ALONG SAID CENTERLINE TO THE S.E. CORNER OF ANNENBERG'S J.D. SUBDIVISION;

PAGE 2 OF 3

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE S.W. CORNER OF LOT 10 IN SAID SUBDIVISION; THENCE NORTHERLY ALONG THE WEST LINE OF LOT 10 AND THE WEST LINE EXTENDED NORTHERLY TO THE CENTERLINE OF BENTON STREET; THENCE EASTERLY ALONG SAID CENTERLINE TO THE S.W. CORNER OF ASSESSOR'S SUBDIVISION; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID SUBDIVISION TO THE NORTH LINE OF BENTON STREET; THENCE EASTERLY ALONG THE NORTH LINE OF BENTON STREET TO A POINT THAT IS 160.0 FEET WESTERLY OF THE INTERSECTION OF THE NORTH LINE OF BENTON STREET AND THE WEST LINE OF LAKE STREET; THENCE NORTHERLY ALONG A LINE THAT IS 160.0 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF LAKE STREET, 74.0 FEET; THENCE WESTERLY ALONG A LINE THAT IS 74.0 FEET NORTHERLY OF AND PARALLEL WITH THE NORTH LINE OF BENTON STREET TO THE WEST LINE OF ASSESSOR'S SUBDIVISION; THENCE NORTHERLY ALONG SAID WEST LINE TO THE N.W. CORNER OF SAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SUBDIVISION 62.7 FEET TO THE S.E. CORNER OF LOT 6 IN BLOCK 2 OF STOLP'S J.G. SUBDIVISION OF BLOCK 8; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 6 TO THE N.W. CORNER OF LOT 4 IN BLOCK 9 OF STOLP'S J.G. SUBDIVISION OF BLOCK 8; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 4, 67.0 FEET; THENCE NORTHERLY ALONG A LINE THAT IS 90.0 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF LAKE STREET, 44.0 FEET; THENCE NORTHERLY TO A POINT ON THE SOUTH LINE OF DOWNER PLACE THAT IS 93.0 FEET EASTERLY OF THE N.E. CORNER OF LOT 6 IN BLOCK 2 OF STOLP'S J.G. SUBDIVISION OF BLOCK 8; THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF DOWNER PLACE THAT IS 90.0 FEET EASTERLY OF THE S.W. CORNER OF LOT 8 IN STOLP'S J.G. SUBDIVISION OF BLOCK 8; THENCE NORTHERLY ALONG A LINE THAT IS PERPENDICULAR TO THE LAST DESCRIBED COURSE, 145.2 FEET, TO A POINT ON THE SOUTH LINE OF LOT 8 IN ASSESSOR'S SUBDIVISION; THENCE EASTERLY ALONG SAID SOUTH LINE TO THE S.E. CORNER OF SAID LOT 8; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 8, 24.0 FEET; THENCE EASTERLY ALONG THE SOUTH LINE OF A PARCEL HAVING A TAX ID #15-22-303-004 SAID PARCEL TO HEREFTER KNOWN AS PARCEL "A", 36.0 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 13.0 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 7.0 FEET; THENCE NORTHERLY ALONG THE EAST LINE OF PARCEL "A", TO A POINT ON THE SOUTH LINE OF LOT 7 IN STOLP'S J.G. SUBDIVISION OF BLOCK 8;

PAGE 3 OF 3

THENCE EASTERLY ALONG SAID SOUTH LINE TO THE S.E. CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 7 TO A POINT ON THE SOUTH LINE OF GALENA BLVD. THAT IS THE N.E CORNER OF SAID LOT 7; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF GALENA BLVD. THAT IS THE S.E. CORNER OF LOT 4 IN BLOCK 3 OF WILDER'S AMENDED ADDITION COMPLETED, SAID ADDITION TO HEREAFTER TO BE KNOWN AS ADDITION "B"; THENCE NORTHERLY ALONG THE EAST LINE OF LOT 4 AND LOT 10 OF SAID ADDITION "B" TO THE N.W. CORNER OF LOT 7 OF SAID ADDITION "B"; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 7, 20.0 FEET TO THE S.W. CORNER OF LOT 8 IN SAID ADDITION B; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 8, 64.23 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 40.03 FEET; THENCE NORHTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 67.7 FEET TO A POINT ON THE SOUTH LINE OF WEST NEW YORK STREET THAT IS 104.0 FEET WESTERLY OF THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE WEST LINE OF LAKE STREET; THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF WEST NEW YORK STREET THAT IS THE S.W. CORNER OF LOT 1 IN BLOCK 5 OF ADDITION "B"; THENCE NORTHERLY ALONG A LINE THAT IS 133.67 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF LAKE STREET, 333.0 FEET TO A POINT ON THE CENTERLINE OF SPRUCE STREET; THENCE EASTERLY ALONG SAID CENTERLINE TO A POINT OF INTERSECTION BETWEEN THE CENTERLINE OF SPRUCE STREET AND THE CENTERLINE OF RIVER STREET, SAID POINT OF INTERSECTION BEING THE POINT OF BEGINNING. ALL IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.



City of Aurora

Law Department • 44 E. Downer Place • Aurora, Illinois 60507-2067
Phone (630) 844-4731 - Facsimile (630) 892-3419 - TDD (630) 892-8858

Corporation Counsel:
Patricia W. Supergan

Aurora Branch Court:
Mark K. Wade

MEMORANDUM

Assistant Corp. Counsels:
John C. Banbury
Valerie D. Brown
Scott F. McCleary
Ronald D. O'Neal, Jr.

To: Mayor Stover

From: John Banbury 
Asst. Corporation Counsel

Date: August 6, 2002

RE: SSA #1

.....

Attached please find the original and six copies of the Ordinance in regards to extending the tax levy for an additional eight years of Special Service Area #1. Please refer this to Finance on August 14, 2002.

If you have any questions, please do not hesitate to give me a call.

JCB/amm

Encs.

cc: Karen Christensen



City of Aurora

Mayor's Office • 44 E. Downer Place • Aurora, Illinois 60507-2067 • 844-3612 • FAX 892-8967

David L. Stover
Mayor

August 9, 2002

TO: Finance Committee:
Alderman Bob O'Connor, Chairman
Alderman Mike Saville
Alderman Chuck Nelson

FROM: Jack E. Funderburg, Assistant Chief of Staff 

RE: Ordinance to Extend the Tax Levy for an Additional Eight (8) Years of Special Service
Area Number One in the City of Aurora Following Notice and Public Hearing in
Connection Therewith

I am forwarding to you correspondence and an Ordinance on the above referenced matter.

Please have the members of your committee review this matter and make a recommendation to the City Council.

dg
Enclosures

c: Alderman Scheketa Hart-Burns, Alternate
Karen Christensen
John Banbury

F02.238

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

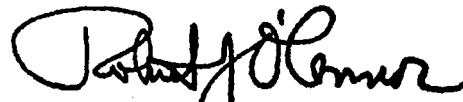
FROM: THE FINANCE COMMITTEE

The Finance Committee At Their Meeting On Wednesday, August 14, 2002

Recommended APPROVAL of an Ordinance to Extend the Tax Levy for an Additional Eight (8) Years of Special Service Area Number One in the City of Aurora Following Notice and Public Hearing in Connection Therewith.

The Vote: 3-0

Submitted By



Alderman Robert O'Connor, Chairman



Alderman Michael Saville,



Alderman Chuck Nelson

Alderman Scheketa Hart-Burns, Alternate

Dated This 15th Day Of August, 2002.



City of Aurora

2002K139561

44 E. Downer Place, Aurora, Illinois 60507-2067

FILED FOR RECORD
KANE COUNTY, ILL.

2002 OCT 29 PM 2:30

Emily Weyman
RECORDED

CHERYL VONHOFF

City Clerk

STATE OF ILLINOIS)
COUNTIES OF KANE, DUPAGE,)
KENDALL AND WILL)
CITY OF AURORA)

CERTIFICATE

I, Cheryl M. Vonhoff, DO HEREBY CERTIFY THAT I am the City Clerk of the City of Aurora, Kane, DuPage, Kendall and Will Counties, Illinois and, as such officer, I have the lawful power and duty to keep a record of all proceedings of the City Council of said City, and of all Ordinances and Resolutions presented to or passed by said City Council.

I DO HEREBY FURTHER CERTIFY that the foregoing document is a true, correct and complete copy of:

O02-92

ORDINANCE TO EXTEND THE TAX LEVY FOR AN ADDITIONAL EIGHT (8) YEARS
OF SPECIAL SERVICE AREA NUMBER ONE IN THE CITY OF AURORA FOLLOWING
NOTICE AND PUBLIC HEARING IN CONNECTION THEREWITH

which was approved on August 27, 2002, is now on file in my office and that the proceedings of the City Council of said City at the meeting duly called and held on August 27, 2002 were in accordance with applicable laws, at which a quorum was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Aurora, in the State of Illinois this 4th day of September, 2002..

Cheryl M. Vonhoff

Cheryl M. Vonhoff

City Clerk

City of Aurora, Illinois

(SEAL)

PREPARED AND RETURN TO:
CITY CLERK'S OFFICE
CITY OF AURORA
44 E. DOWNER PL.
AURORA, IL 60507

NU, SW, SE 22/38/8

SE 21/38/8

SW 27/38/8

23/8

2