

VILLAGE OF MANTENO, ILLINOIS

ORDINANCE 14-34

AN ORDINANCE ESTABLISHING THE KANKAKEE COUNTY ENTERPRISE
ZONE AND THE BOUNDARIES THEREOF IN THE VILLAGE OF MANTENO

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF MANTENO
THIS 1ST DAY OF DECEMBER, 2014.

ORDINANCE NO. 14-34

**AN ORDINANCE ESTABLISHING THE
KANKAKEE COUNTY ENTERPRISE ZONE AND THE BOUNDARIES
THEREOF IN THE VILLAGE OF MANTENO**

WHEREAS, the State of Illinois signed into law the “Illinois Enterprise Zone Act” of 1982, 20 ILCS 655/1 *et seq*; and,

WHEREAS, The Village of Manteno is a participant in the Kankakee County Enterprise Zone, which expires on July 1, 2016; and,

WHEREAS, in 2012, the State of Illinois signed into law an amendment to the “Illinois Enterprise Zone Act”, 20 ILCS 655/1 *et seq*; and,

WHEREAS, pursuant to the 2012 amendment, applicants for enterprise zones that are scheduled to expire in 2016 are allowed to submit applications for a new enterprise zone to the Illinois Department of Commerce and Economic Opportunity; and,

WHEREAS, a public hearing was held by the County of Kankakee on October 23, 2014 with respect to the designation of parts of the County of Kankakee (the “County”) and the Village of Manteno as an Enterprise Zone; and,

WHEREAS, it is the finding of this Village Board that the establishment of an Enterprise Zone within the boundaries hereinafter described is in the best interests of the Village; and,

WHEREAS, the area to be established as an Enterprise Zone is a contiguous area; and,

WHEREAS, the area to be established as an Enterprise Zone comprises a minimum of one-half mile and not more than 15 square miles; and,

WHEREAS, the Enterprise Zone meets the qualifications established in Section 4 of the “Enterprise Zone Act”; and,

WHEREAS, it is necessary that a formal application be made for approval of the said designation of the Enterprise Zone to the Illinois Department of Commerce and Economic Opportunity in accordance with the findings set forth in this Ordinance; and,

WHEREAS, it is the finding of this Village Board that the Kankakee County Enterprise Zone is necessary to encourage industrial expansion and retention, and also commercial expansion and retention.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Manteno, Illinois, as follows:

Section I: Incorporation of Recitals: The recitals set forth above are incorporated herein by reference and made part hereof, as is fully set forth below.

Section II: Establishment of Enterprise Zone. The Village of Manteno hereby establishes an Enterprise Zone under the provisions of the Illinois Enterprise Zone Act. The Enterprise Zone is established in cooperation with other local units of government, specifically the County of Kankakee, the City of Momence, the Village of Hopkins Park, and the Village of Grant Park.

Section III: Boundaries of Zone. The Enterprise Zone area identified is described by legal description and map, attached hereto, and made a part hereof as “Exhibit A” and “Exhibit B”, respectively.

Section IV: Requirements of Act. The Village hereby declares and affirms that the Enterprise Zone area is qualified for designation as an Enterprise Zone in accordance with the provisions of the “Illinois Enterprise Zone Act”, and further affirms that:

- (a) the zone area is contiguous;
- (b) the zone area comprises a minimum of one-half square mile and not more than fifteen square miles in total area; and
- (c) the zone area meets the qualifications established in Section 4 of the “Illinois Enterprise Zone Act.”

Section V: Programs Established. The Village, in an effort to facilitate economic growth within the Enterprise Zone area hereby provides the following tax incentives, credits, abatements, reimbursements or programs within the Enterprise Zone, authorized within the zone in accordance with the Enterprise Zone Act and the provisions of this Ordinance.

- (a) The exception of building materials from the State of Illinois and local portions of the Retailers’ Occupation Tax as provided in Section 5K of the Illinois Retailers’ Occupation Tax Act, 35 ILCS 120/5K (the “ROT Act”); and
- (b) The Utility Tax exemption as provided in Section 9-222.1 of the Public Utilities Act, 220 ILCS 5/9-222.1; and
- (c) Property Tax Abatement: The property tax will be abated for industrial, manufacturing, and commercial real property. Such abatement shall be for a period of five (5) years following the issuance of an occupancy permit and shall be for a percentage of the total value of such improvements as follows:

Year 1	100%
Year 2	80%

Year 3	60%
Year 4	40%
Year 5	20%

- i) Such abatement shall be allowed only for industrial, manufacturing, and commercial property within the Enterprise Zone and provided that such remodeling, rehabilitation or new construction is of such a nature and scope for which a building permit is required and has been obtained; and
- ii) The improvements are to be commenced after the certification of the Enterprise Zone by the Department of Commerce and Economic Opportunity;
- iii) No property within a Redevelopment Area created pursuant to the Tax Increment Allocation Redevelopment Act (Ill. Rev. Stat., Ch. 24, Section 11-74.4-1 *et. seq*) shall qualify for tax abatement under this Agreement; and

(d) Permit and Fee Waivers: Fees and waivers shall be applied as follow:

- i) The waiver of any permit fee is applicable to commercial, industrial, and manufacturing projects in the Kankakee County Enterprise Zone.
- ii) In the Village of Manteno, building permit fees shall be waived. Inspection fees shall be charged in accordance with the local jurisdictions' fee schedule.

(e) Industrial Revenue Bond Fee Reduction: There will be no Village issuer fee charged.

(f) Program Targeting: The Village of Manteno agrees to use its eligibility and resources to make available Urban Development Action Grants, Economic Development Administration programs, Small Business Administration programs; Jobs Partnership Training Act assistance and such other federal and/or state programs as may be eligible.

(g) Development Streamlining: The Village of Manteno shall name an individual to be an advocate for all commercial and/or industrial development projects of \$1,000,000 or greater. This advocate will provide answers to the developers' questions regarding municipal rules, regulations, cost, time lines, processes, etc.

(h) The Village will consider other methods of cooperation with firms as the Enterprise Zone regulations are finalized.

Section VI: Administrative Entity.

- (a) Duties: A management organization to be known as the Administrative Entity will act as a steering committee for the Zone Administrator. The Administrative Entity's role is advisory except for the functions set forth in Section VII(a) below.
- (b) Composition of Administrative Entity: The Administrative Entity shall be composed of five (5) members: The Chief Elected officials of the City of Momence, the Village of Manteno, the Village of Grant Park, the Village of Hopkins Park, and the Chairman of the Kankakee County Board. The Zone Administrator may not be appointed as a member.
- (c) Term of Office: The term of office of the members of the Administrative Entity shall expire simultaneously with the expiration of the term of office of the appointing Mayor, Village President or Board Chairman.

Section VII: Zone Administrator.

- (a) Selection; Removal: The Zone Administrator shall be appointed by the three-fifths vote of the Administrative Entity and shall be an employee of one of the parties.

The Zone Administrator shall be removed from office by a three-fifths vote of the Administrative Entity.

- (b) Duties: The Zone Administrator shall:
 - a. Be the Chief Executive Office of the Enterprise Zone;
 - b. Be authorized to hire and fire personnel for those staff positions established by the Board of Directors;
 - c. Develop and recommend a comprehensive planning program for the Enterprise Zone;
 - d. Examine and recommend local incentives, benefits, and programs to accomplish stated objectives, to stimulate economic activity in the Enterprise Zone and to address impediments to capital investments;
 - e. Recommend necessary legislative and administrative controls for guiding Enterprise Zone development, including planned capital improvements;
 - f. Coordinate planning activities and program implementation with other city departments and department programs;

- g. Act as liaison between the municipalities, county, and any designated zone organization, any Federal agency and any local planning groups in support of the Enterprise Zone Program and Plan;
- h. Act as liaison between the Enterprise Zone Units of Government and the Illinois Departments of Commerce and Economic Opportunity and Revenue;
- i. Act as program manager responsible for the Enterprise Zone's day-to-day operations; and
- j. Establish an application fee, not-to-exceed one half percent (0.5%) of cost of the building materials, for new construction and renovation projects within the enterprise zone. The fee is due at the time of certification of the project by the Zone Administrator and under no circumstances shall the fee exceed \$50,000 for any one project.

Section VIII: Approval of Designated Area. The Enterprise Zone Area as designated herein requires approval of the Illinois Department of Commerce and Economic Opportunity and is established pending such approval. Upon approval, the Enterprise Zone will be known as "The Kankakee County Enterprise Zone."

Section IX: Term of the Zone. The Enterprise Zone, pending approval of the Illinois Department of Commerce and Economic Opportunity shall commence on January 1, 2016 and continue for 15 years. After the 13th year, the Enterprise Zone is subject to review by the Enterprise Zone Board for an additional 10-year designation beginning on the expiration date of the Enterprise Zone.

Section X: Authority of the Village. The President of the Village of Manteno will have the authority to sign and execute such documents as may be necessary for making required applications including but not limited to the programs set forth in Section V and to execute such other documents on behalf of the Village of Manteno as are consistent with the intent and purpose of this Ordinance.

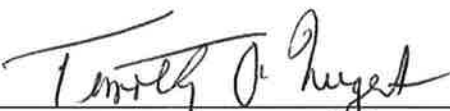
Section XI: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with statute.

Section XII: Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All existing ordinances of the Village of Manteno are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section XIII. Effective Date. This Ordinance shall be in full force and effect as of its passage, approval, and publication in pamphlet form in the manner provided by law. The Clerk of the Village of Manteno shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form.

PASSED this 1st day of December, 2014.

RECORD OF THE VOTE	Yes	No	Abstain	Absent
President Timothy Nugent				
Trustee Timothy Boyce	✓			
Trustee Samuel Martin	✓			
Trustee Diane Dole	✓			
Trustee Todd Crockett				✓
Trustee Joel Gesky	✓			
Trustee Wendell O. Phillips	✓			
TOTAL VOTES <i>or</i>				
BY OMNIBUS VOTE	5			



 Timothy O. Nugent, Village President

ATTEST:



 Alisa Blanchette, Village Clerk

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 1st day of December, 2014.



 Alisa Blanchette, Village Clerk