



AGENDA ITEM #8C

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
3/13/2023**

Item Title: Establishment of Salerno-Summerfield Lake Street SSA

Staff Contact: Matthew Galloway, Economic Development Analyst

CONSENT

VILLAGE BOARD ACTION:

Pass an ordinance establishing the Salerno-Summerfield Lake Street Special Service Area in the Village of Roselle, Illinois.

Executive Summary:

On September 26, 2022 the Village adopted an Ordinance No. 2022-4235 proposing the establishment of Salerno-Summerfield Lake Street Special Service Area. The public hearing for establishment of a SSA was held on December 12, 2022, in accordance with state statute. No comments were submitted. The attached ordinance formally establishes the SSA.

The purpose of the SSA is to ensure the payment of any and all costs for the Village’s continued maintenance and performance of special services which directly benefit the owner’s business located on the subject territory to become effective only if the owners fail to provide the Village the fees.

Background:

On September 9, 2019, the Village Board adopted Resolution No. 2019-2204 (approving an agreement for the creation and maintenance of an inurnment registry for a memorial garden with the Partnership) and Resolution No. 2019-2205 (approving an agreement for the creation and maintenance of an inurnment registry for a columbarium with the Owners) hereinafter the “Resolutions”. The agreements with the Owners adopted by the Resolutions would require the Village to keep and maintain a publicly accessible registry of inurnments (hereinafter referred to as the “Special Services”) so that the Owners of the Subject Territory can market to prospective purchasers the benefits resulting from the registry and to fund said services, the Owners shall pay the Village a sum in the amount of two-hundred dollars (\$200.00) per intonement niche sold by the Owners (the “Fees”).

On September 9, 2019, the Village Board also adopted an Ordinance No. 2019-4045 granting a special use for an indoor cemetery limited to a columbarium and an Ordinance

granting a special use for an outdoor cemetery limited to an outdoor memorial garden on the Subject Territory subject to certain conditions, including but not limited to the establishment of a dormant special service area (“SSA”) whereby a tax shall be levied and shall take effect only if the Owners shall fail to provide the Fees for the Village’s performance of Special Services as required in the agreements adopted by the Resolutions.

Implications:

Is this item budgeted? Yes, the FY2023 budget includes \$10,000 in revenue from fees paid by Salerno’s Rosedale Chapel.

Estimated cost: N/A

Any other implications to be considered? The proposed SSA would only be enacted if Salerno’s Rosedale Chapel fails to remit the \$200 fee per niche sold.

Strategic Priority:

Focused Redevelopment

Attachments:

Ordinance

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE
ESTABLISHING THE SALERNO-SUMMERFIELD LAKE
STREET SPECIAL SERVICE AREA IN THE VILLAGE OF
ROSELLE, ILLINOIS**

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 13th day of March, 2023

ORDINANCE NO. _____

**AN ORDINANCE
ESTABLISHING THE SALERNO-SUMMERFIELD LAKE STREET SPECIAL SERVICE AREA
IN THE VILLAGE OF ROSELLE, ILLINOIS**

WHEREAS, the Village of Roselle (hereinafter referred to as “Village”) is a duly organized and validly existing non home-rule municipality whereby the Mayor and Board of Trustees (collectively the “Corporate Authorities” of the Village) are authorized to exercise certain powers and perform certain functions pursuant to Article VII, Section 7 of the Constitution of the State of Illinois and provided by the Illinois Municipal Code (65 ILCS 5/1-1-1, et seq.);

WHEREAS, pursuant to the provisions of Section 7(6) of Article VII of the 1970 Constitution of the State of Illinois, the Village is authorized to levy or impose additional taxes upon areas within its Corporate Boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

WHEREAS, pursuant to the provisions of the Illinois Special Service Area Tax Law, (35 ILCS 200/27-5, et seq.) and the Property Tax Code (35 ILCS 200/1-1, et seq.), upon exercising its power granted in item (6) of Section 7 of Article VII of the Illinois Constitution to provide special services, the Village may establish special service area to levy taxes in order to pay for the provision of, or debt incurred in relation to, said special services within the Corporate Boundaries of the Village;

WHEREAS, certain owners of record (“Owners”) of the real property commonly known as 450 W. Lake Street, Roselle, IL (the “Subject Territory”; legally described in Exhibit A, attached hereto and made part hereof) requested that the Village provide special services for the creation and maintenance of an inurnment registry associated with a memorial garden and columbarium to be developed upon the Subject Property subject to the Owners obtaining a special use permit to operate an indoor cemetery columbarium;

WHEREAS, on September 9, 2019, the Corporate Authorities adopted Resolution No. 2019-2204 (approving an agreement for the creation and maintenance of an inurnment registry for a memorial garden with the Partnership) and Resolution No. 2019-2205 (approving an agreement for the creation and maintenance of an inurnment registry for a columbarium with the Owners) (hereinafter the “Resolutions”);

WHEREAS, the agreements with Owners adopted by the Resolutions would require the Village to keep and maintain a publicly accessible registry of inurnments (hereinafter referred to as the “Special Services”) so that the Owners of the Subject Territory can market to prospective purchasers the benefits resulting from the registry and to fund said services whereby the Owners shall pay the Village a sum in the amount of two-hundred dollars (\$200.00) per intonement niche sold by the Owners (the “Fees”);

WHEREAS, on September 9, 2019, the Corporate Authorities adopted an Ordinance granting a special use for an indoor cemetery limited to a columbarium and an Ordinance granting a special use for an outdoor cemetery limited to an outdoor memorial garden on the Subject Territory subject to certain conditions, including but not limited to the establishment of a dormant

special service area whereby a tax shall be levied and shall take effect only if the Owners shall fail to provide the Fees for the Village's performance of Special Services as required in the agreements adopted by the Resolutions;

WHEREAS, said Subject Territory area is compact and contiguous and completely within the corporate boundaries of the Village, and an accurate map of the Subject Territory area is attached hereto and made part hereof as Exhibit B;

WHEREAS, on September 26, 2022, the Corporate Authorities adopted Ordinance No. 2022-4235 proposing the establishment of the Salerno Summerfield Lake Street Special Service Area in the Village of Roselle, Illinois (the "Special Service Area") and set a public hearing on the matter for December 12, 2022;

WHEREAS, Notice of the public hearing, attached hereto as Exhibit C, was published at least once not less than fifteen (15) days prior to the public hearing specified herein, in a newspaper of general circulation in the Village. In addition, notice was given by depositing the notice in the United States 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 proposed special service area. This notice was mailed not less than ten (10) days prior to the time set for 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 taxpayer of record;

WHEREAS, a public hearing was held on the 12th day of December 2022 at the hour of 7:00 p.m. Village Hall located at 31 S. Prospect Street, Roselle, IL 60172, to consider the creation of the Salerno-Summerfield Lake Street Special Service Area on the Subject Territory;

WHEREAS, all persons, including all taxpayers of record and persons owning taxable real property located within the Special Service Area, were heard at the public hearing held on December 12, 2022. In addition, no objections were filed with the Village Clerk within sixty (60) days following the final adjournment of the public hearing objecting to the creation of the Special Service Area or the proposed tax in the Special Service Area;

WHEREAS, the Corporate Authorities are of the opinion that it is in the best interests of the health, welfare and safety of the residents of the Village of Roselle to establish a special service area for the Subject Territory for the purposes referenced herein.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Establishment

That it is in the public interest that Salerno-Summerfield Lake Street Special Service Area is hereby established as a special service area for the purposes set forth herein and consisting of

the Subject Territory that is legally described and that contains the Property Index Numbers as stated in Exhibit A, and depicted in the map attached hereto as Exhibit B.

Section Three – Purpose

The Subject Territory will benefit specifically from the municipal services to be provided and that such services are unique and in addition to those municipal services provided to the Village as a whole, and in the best interests of Special Service Area. The Village’s special tax against said Subject Territory shall be to provide a backup mechanism for payment of any and all costs of the creation, maintenance, and operation of an inurnment registry (the “Services”) in the event that Owners fail to provide the Village the Fees agreed to in the agreements approved by the Resolutions.

Section Four - Tax

That there shall be a special tax as the Corporate Authorities may hereafter determine to be appropriate, a direct annual tax that in the initial year shall not exceed \$200.00 for each inurnment niche sold at the Subject Territory in each calendar year and as otherwise required in the agreements adopted by Resolution No. 2019-2204 (approving an agreement with Summerfield Joint Venture Partnership) and Resolution No. 2019-2205 (approving an agreement with 1857 North Harlem Galewood Inc. and Summerfield Joint Venture Partnership) and the maximum rate of such taxes to be extended in any year within the Special Service Area shall not exceed \$200.00 for each inurnment niche sold at the Subject Territory within each calendar year to pay the annual cost of providing such special Services that shall be in addition to all other taxes permitted by law.

Section Five – Recording

The Village Clerk shall file within 30 days of the adoption of this ordinance a certified copy of this ordinance, including Exhibits A, B and C with the County Clerk of DuPage County and with the DuPage County Recorder’s Office.

Section Six -- Effective Date

This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

| | YES | NO | ABSENT | PRESENT |
|-----------------|-----|----|--------|---------|
| Bruce Berkshire | | | | |
| Wayne D. Domke | | | | |
| Cheryl Lenisa | | | | |
| Tom Della Penna | | | | |
| Tom Piorkowski | | | | |
| Lee Trejo | | | | |
| David Pileski | | | | |
| TOTAL | | | | |

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 13th day of March, 2023:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman hereby certify that I am the duly appointed and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. _____

**AN ORDINANCE
 ESTABLISHING THE SALERNO-SUMMERFIELD LAKE STREET SPECIAL SERVICE AREA
 IN THE VILLAGE OF ROSELLE, ILLINOIS**

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on March 13, 2023 and that the vote on the motion for adoption was as follows:

| | YES | NO | ABSENT | PRESENT |
|-----------------|-----|----|--------|---------|
| Bruce Berkshire | | | | |
| Wayne D. Domke | | | | |
| Cheryl Lenisa | | | | |
| Tom Della Penna | | | | |
| Tom Piorkowski | | | | |
| Lee Trejo | | | | |
| David Pileski | | | | |
| TOTAL | | | | |

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statues 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)

Exhibit A

Legal Description

LOT 2 IN THE SUMMERFIELD ASSOCIATES SUBDIVISION, BEING PART OF A RESUBDIVISION OF LOT 375 IN THE SEASONS UNIT FOUR, BEING A SUBDIVISION OF PARTS OF THE SOUTHEAST QUARTER OF SECTION 9 AND PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUMMERFIELD ASSOCIATES SUBDIVISION RECORDED JULY 20, 1998 AS DOCUMENT R98-144028, IN DUPAGE COUNTY, ILLINOIS.

PIN: 02-09-413-019

LOTS 1, 2 AND 3 OF SALERNO'S RESUBDIVISION OF LOT 3 IN SUMMERFIELD ASSOCIATES SUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 375 IN THE SEASONS UNIT 4, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 9 AND PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY ILLINOIS.

PIN:

02-09-413-021

02-09-413-022

02-09-413-023

DRAFT

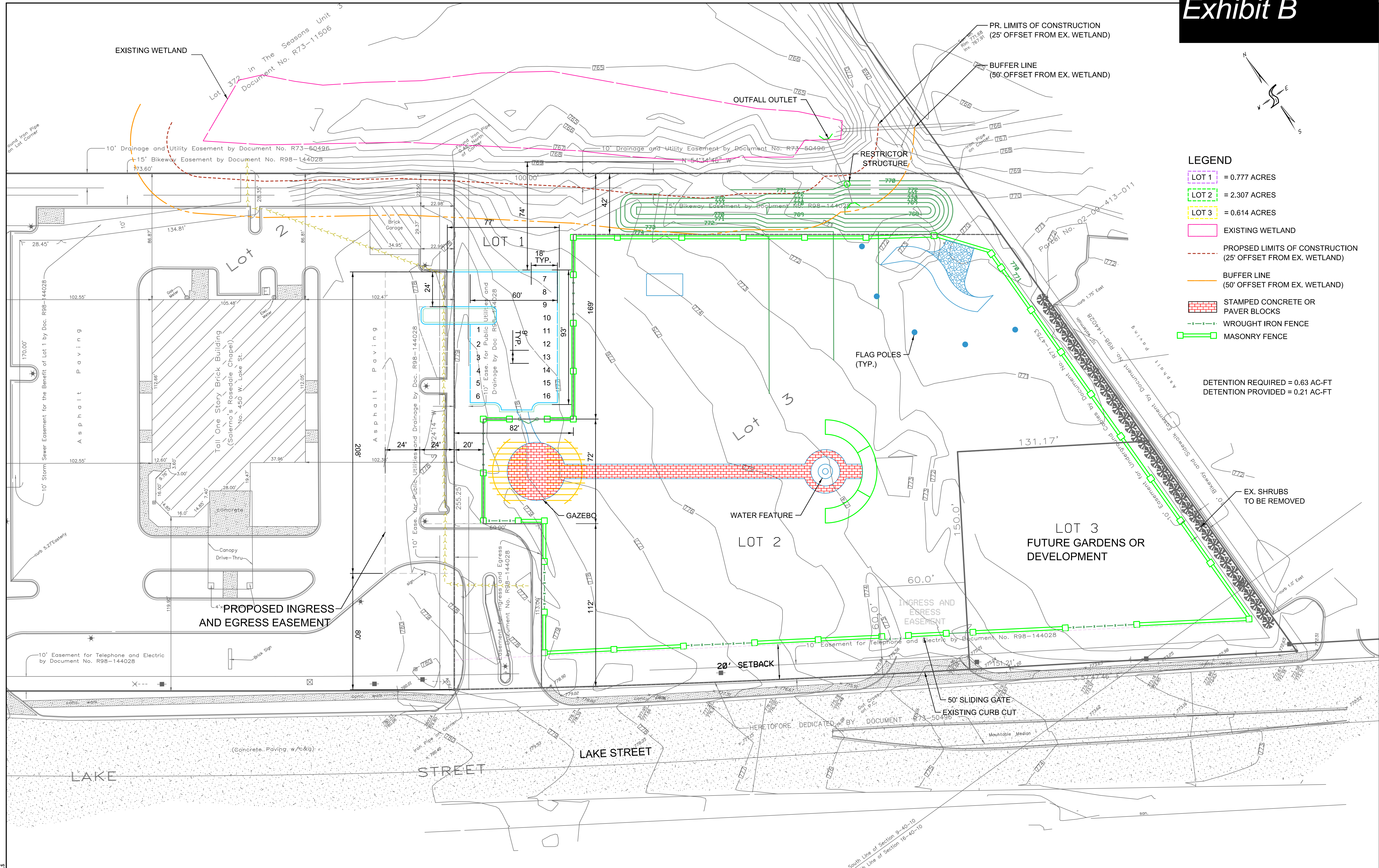
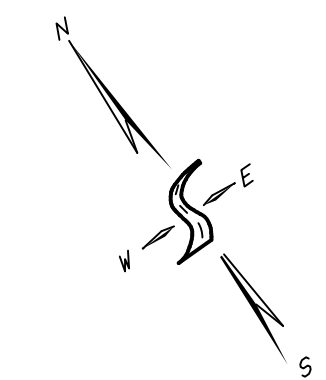
Exhibit B

Map of Subject Territory

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Exhibit C
Public Notice

DRAFT



- LEGEND**
- LOT 1 = 0.777 ACRES
 - LOT 2 = 2.307 ACRES
 - LOT 3 = 0.614 ACRES
 - EXISTING WETLAND
 - PROPOSED LIMITS OF CONSTRUCTION (25' OFFSET FROM EX. WETLAND)
 - BUFFER LINE (50' OFFSET FROM EX. WETLAND)
 - STAMPED CONCRETE OR PAVER BLOCKS
 - WROUGHT IRON FENCE
 - MASONRY FENCE
- DETENTION REQUIRED = 0.63 AC-FT
 DETENTION PROVIDED = 0.21 AC-FT

MODEL, SUBELEMENTS, FILE NAMES, STYLES



| | | |
|--------------------------|------------------|-----------------|
| USER NAME = \$USERS | DESIGNED - _____ | REVISED - _____ |
| PLOT SCALE = \$\$SCALE\$ | DRAWN - _____ | REVISED - _____ |
| PLOT DATE = \$DATES | CHECKED - _____ | REVISED - _____ |
| | DATE - _____ | REVISED - _____ |

SALERNO'S MEMORIAL GARDENS
ROSELLE, ILLINOIS

CONCEPT SITE / GRADING PLAN

SCALE: _____ SHEET ____ OF ____ SHEETS STA. _____ TO STA. _____

| F.A. RTE. | SECTION | COUNTY | TOTAL SHEETS | SHEET NO. |
|---------------------------|---------|--------|--------------|-----------|
| | | | | |
| CONTRACT NO. _____ | | | | |
| ILLINOIS FED. AID PROJECT | | | | |