



City Council Work Session-Amended Agenda 8/26/2024 @ 12:30 p.m.

Crest Hill, IL
August 26, 2024
7:00 PM

Council Chambers

20600 City Center Boulevard, Crest Hill, IL 60403

Agenda

- [1.](#) Liquor License-21109 Division Street-Mima's Sazon LLC
- [2.](#) Josh Hassert Legislative Update-Grocery Tax and Retail Sales Tax
3. Introduction of the Interim Finance Director Erica Waggoner
- [4.](#) Update Personnel Manual
- [5.](#) Proposal to Upgrade On Duty Police Pistol to 9mm Glock
- [6.](#) Approval Request of an Ordinance Authorizing the Sale and/or Disposal of Certain Personal Property that is No Longer Necessary or Useful for the City's Public Purposes
- [7.](#) Plan Commission Recommendation for Multiple Variances for 1940 Sybil Drive
- [8.](#) Update of Chapters 1.20 Administrative Citations, 1.24 Hearing Procedures, and 1.28 Administrative Adjudication of Code Violations of the City Code
- [9.](#) Annexation of the Vacant Property at the Northwest Corner of Caton Farm Road and Plum Street
- ~~[10.](#) Consideration of Annexation Ordinance for Vacant Lots at Northwest Corner of Plum St. & Caton Farm Rd.~~
- [10.](#) Plan Commission Recommendation for Rezoning and Setback Variation for Vacant Property at the Northwest Corner of Caton Farm Road and Plum Street
- [11.](#) Community Development Director Open Position - Update
- [12.](#) City of Crest Hill - Public Comment Policy Discussion
13. Public Comments
14. Mayor's Updates
15. Committee/Liaison Updates
16. City Administrator Updates

The Agenda for each regular meeting and special meeting (except a meeting held in the event of a bona fide emergency, rescheduled regular meeting, or any reconvened meeting) shall be posted at the City Hall and at the location where the meeting is to be held at least forty-eight (48) hours in advance of the holding of the meeting. The City Council shall also post on its website the agenda for any regular or special meetings. The City Council may modify its agenda for any regular or special meetings. The City Council may modify its agenda before or at the meeting for which public notice is given, provided that, in no event may the City Council act upon any matters which are not posted on the agenda at least forty-eight (48) hours in advance of the time for the holding of the meeting.

Agenda Memo**Crest Hill, IL**

Meeting Date: August 26, 2024
Submitter: Mayor Raymond R. Soliman R.S.
Department: Mayor's office
Agenda Item: Mima's Sazon

Summary:

Ms. Mirta Roxborough, Mima's Sazon, 21109 Division St., has requested a liquor license for her restaurant. Mirta has successfully completed the liquor process and will be at the August 26, 2024, work session for a meet and greet with the city council. No action is required.

Recommended Council Action: None

Financial Impact:

Funding Source:

Budgeted Amount:

Cost:

Attachments:

Locally Imposed Grocery Sales Tax

BY ILLINOIS MUNICIPAL LEAGUE STAFF

August 13, 2024

The Illinois Municipal League (IML) played an integral role in securing the authority for both home rule and non-home rule municipalities to implement by ordinance a 1% locally imposed grocery sales tax (without need for referendum approval) following the elimination of the statewide grocery tax effective January 1, 2026.

While IML's preference was to maintain the status quo and for the tax to remain statewide, Public Act 103-0781 repeals the statewide tax on groceries. However, the authority to implement a 1% grocery sales tax locally by ordinance was approved as part of the same legislation.

IML advocated for a delayed implementation date of the statewide grocery tax repeal and the elimination of the Illinois Department of Revenue's (IDOR) administrative fees to collect and remit the tax, meaning municipalities will see no decrease or lapse in grocery tax revenue, if timely in implementing the tax locally.

The statewide tax will not be repealed until January 1, 2026; until then, nothing will change and no action will be necessary by municipalities. However, for those municipalities that wish to implement the tax locally on day one, there are important benchmarks to consider.

For municipalities, both home rule and non-home rule, that wish to implement a local grocery sales tax effective on January 1, 2026, the first step is to pass an authorizing ordinance. IML has developed a model ordinance that can be adopted locally, which is available on our website.¹ A certified copy of the ordinance must then be submitted to IDOR, postmarked by October 1, 2025, in order for the tax to be imposed beginning January 1, 2026. This will guarantee no lapse in revenues from this tax. Questions may be directed to IDOR regarding their processes and rules. IDOR Local Tax Allocation Division (LTAD) contact information is available on their website,² or contact LTAD by phone at (217) 785-6518.

If a municipality chooses to wait to implement a local 1% grocery tax at a later date, please keep in mind that ordinances authorizing a local tax must be sent to IDOR and postmarked before April 1 for collection to begin on July 1, or postmarked after April 1 but before October 1, for collections to begin January 1 of the following year.

If your municipality does not wish to impose the grocery tax locally after the statewide expiration, no action is required and the 1% grocery tax will be automatically repealed within your jurisdiction on January 1, 2026.

IML suggests you consult with your municipal attorney prior to considering the adoption of this model ordinance. More resources are available at iml.org/grocerytax.

IMPLEMENTATION TIMELINE

- **Now:** Municipalities that wish to implement the local grocery tax effective on January 1, 2026, should adopt IML's model ordinance now to ensure timely filing with the Illinois Department of Revenue.
- **Prior to October 1, 2025:** A certified copy of an ordinance authorizing the local implementation of a grocery sales tax must be submitted to IDOR, postmarked by October 1, 2025.
- **January 1, 2026:** The statewide grocery sales tax expires; only locally imposed grocery sales taxes will remain.

¹ <https://www.iml.org/page.cfm?category=5382>

² <https://tax.illinois.gov/localgovernments/contacts>



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PDF Version

ORDINANCE NO. _____

AN ORDINANCE IMPLEMENTING A MUNICIPAL GROCERY RETAILERS' OCCUPATION TAX AND A MUNICIPAL GROCERY SERVICE OCCUPATION TAX FOR THE CITY/VILLAGE/TOWN OF _____

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and,

WHEREAS, the **City/Village/Town** of _____ (**City/Village/Town**) is a home rule/non-home rule (select one) Illinois municipality pursuant to the Constitution of the State of Illinois of 1970, as amended; and,

WHEREAS, Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24) provides that, beginning on January 1, 2026, all Illinois municipalities may impose a tax "upon all persons engaged in the business of selling groceries at retail in the municipality" (the "Municipal Grocery Tax") (65 ILCS 5/8-11-24); and,

WHEREAS, the Municipal Grocery Retailers' Occupation Tax may be imposed "at the rate of 1% of the gross receipts from these sales" (65 ILCS 5/8-11-24); and,

WHEREAS, any Municipal Grocery Retailers' Occupation Tax shall be administered, collected and enforced by the Illinois Department of Revenue; and,

WHEREAS, Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24) requires any municipality imposing a Municipal Grocery Retailers' Occupation Tax under Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24) to also impose a Service Occupation Tax at the same rate, "upon all persons engaged, in the municipality, in the business of making sales of service, who, as an incident to making those sales of service, transfer groceries" as "an incident to a sale of service" (the "Municipal Grocery Service Occupation Tax") (65 ILCS 5/8-11-24); and,

WHEREAS, any Municipal Grocery Service Occupation Tax shall be administered, collected and enforced by the Illinois Department of Revenue; and,

WHEREAS, the **City Council/President and Board of Trustees of the Village/President and Board of Trustees of the Town** believe that it is appropriate, necessary and in the best interests of the **City/Village/Town** and its residents, that the **City/Village/Town** levy a Municipal Grocery Retailers' Occupation Tax as permitted by Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24); and,

WHEREAS, the **City Council/President and Board of Trustees of the Village/President and Board of Trustees of the Town** believe that it is appropriate, necessary and in the best interests of the **City/Village/Town** and its residents, that the **City/Village/Town** levy a Municipal Grocery Service Occupation Tax as permitted by Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24); and,

NOW, THEREFORE, be it ordained, by the **City Council/President and Board of Trustees of the Village/President and Board of Trustees of the Town** of _____
(**City/Village/Town**) as follows:

Section 1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Municipal Grocery Retailers' Occupation Tax Imposed. A tax is hereby imposed upon all persons engaged in the business of selling groceries at retail in this municipality at the rate of 1% of the gross receipts from such sales made in the course of such business while this Ordinance is in effect. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24).

Section 3. Municipal Grocery Service Occupation Tax. A tax is hereby imposed upon all persons engaged in this municipality in the business of making sales of service, who, as an incident to making those sales of service, transfer groceries as an incident to a sale of service. The rate of this tax shall be the same rate identified in Section 2, above. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24).

Section 4. Illinois Department of Revenue to Administer Both Taxes. The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department of Revenue of the State of Illinois. The Illinois Department of Revenue shall have full power to administer and enforce the provisions of this Ordinance.

Section 5. Clerk to file Ordinance with Illinois Department of Revenue. As required under Section 8-11-24 of the Illinois Municipal Code (65 ILCS 5/8-11-24), the Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue on or before (choose one: [April 1, 20__] or [October 1, 20__]).

Section 6. Effective Date. The taxes imposed by this Ordinance shall take effect on the later of: (i) January 1, 2026; (ii) the first day of July next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding April 1st; or, (iii) the first day of January next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding October 1st.

Section 7. Repeal of Conflicting Provisions. All ordinances, resolutions and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

Section 8. Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

Section 9. Headings/Captions. The headings/captions identifying the various sections and subsections of this Ordinance are for reference only and do not define, modify, expand or limit any of the terms or provisions of the Ordinance.

Section 10. Publication. The Clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with 65 ILCS 5/1-2-4.

PASSED THIS ____ day of _____, 20_____.

AYES: _____
NAYS: _____
ABSTENTIONS: _____
ABSENT: _____

APPROVED THIS ____ day of _____, 20_____.

Mayor/Village President/Town President

ATTEST:

Clerk

BEFORE ADOPTING ANY ORDINANCE, MUNICIPAL OFFICIALS SHOULD CONSULT WITH THEIR RETAINED LEGAL COUNSEL OR OTHER QUALIFIED ATTORNEY.

ORDINANCE NO. _____

AN ORDINANCE IMPLEMENTING A NON-HOME RULE MUNICIPAL RETAILERS' OCCUPATION TAX AND A NON-HOME RULE MUNICIPAL SERVICE OCCUPATION TAX

FOR THE CITY/VILLAGE/TOWN OF _____

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and,

WHEREAS, the **City/Village/Town of _____** (**City/Village/Town**) is a non-home rule Illinois municipality pursuant to the Constitution of the State of Illinois of 1970, as amended; and,

WHEREAS, Section 8-11-1.1 of the Illinois Municipal Code (65 ILCS 5/8-11-1.1) empowers non-home rule Illinois municipalities to impose certain Municipal Retailers' Occupation Taxes as outlined at Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) (the "Non-Home Rule Municipal Retailers' Occupation Tax"); and,

WHEREAS, Section 8-11-1.1 of the Illinois Municipal Code (65 ILCS 5/8-11-1.1) empowers non-home rule Illinois municipalities to impose certain Municipal Service Occupation Taxes as outlined at Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) (the "Non-Home Rule Municipal Service Occupation Tax"); and,

WHEREAS, Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) empowers a non-home rule municipality to "impose a tax upon all persons engaged in the business of selling tangible personal property, other than on an item of tangible personal property which is titled and registered by an agency of this State's Government, at retail in the municipality" based upon the "gross receipts from such sales made in the course of such business" for "expenditure on public infrastructure or for property tax relief or both" as defined in Section 8-11-1.2 (65 ILCS 5/8-11-1.2); and,

WHEREAS, Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) empowers a non-home rule municipality to "impose a tax upon all persons engaged, in such municipality, in the business of making sales of service . . . of the selling price of all tangible personal property transferred by such servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service;" and,

WHEREAS, Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) and Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) empower the **City/Village/Town**

to impose the Non-Home Rule Municipal Retailers' Occupation Tax and the Non-Home Rule Municipal Service Occupation Tax in 1/4% increments up to 1%; and,

WHEREAS, Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) requires any municipality imposing a Non-Home Rule Municipal Retailers' Occupation Tax under Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) to impose a Non-Home Rule Municipal Service Occupation Tax under Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) at "the same rate" as the rate imposed as the Non-Home Rule Municipal Retailers' Occupation Tax being imposed; and,

WHEREAS, any Non-Home Rule Municipal Retailers' Occupation Tax imposed by the **City/Village/Town** under Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) shall be administered, collected and enforced by the Illinois Department of Revenue; and,

WHEREAS, any Non-Home Rule Municipal Service Occupation Tax imposed by the **City/Village/Town** under Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) shall be administered, collected and enforced by the Illinois Department of Revenue; and,

WHEREAS, proceeds generated from the imposition of any Non-Home Rule Municipal Retailers' Occupation Tax or Non-Home Rule Municipal Service Occupation Tax by the **City/Village/Town** must be used for "public infrastructure" or "property tax relief," as those terms are defined at Section 8-11-1.2 of the Illinois Municipal Code (65 ILCS 5/8-11-1.2); and,

WHEREAS, the **City Council/President and Board of Trustees of the Village/President and Board of Trustees of the Town** believe that it is appropriate, necessary, and in the best interests of the **City/Village/Town** and its residents, that the **City/Village/Town** levy a Non-Home Rule Municipal Retailers' Occupation Tax pursuant to Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3) and a Non-Home Rule Municipal Service Occupation Tax pursuant to Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4) so that the **City/Village/Town** can provide property tax relief and invest in public infrastructure, as those terms are defined at Section 8-11-1.2 of the Illinois Municipal Code (65 ILCS 5/8-11-1.2).

NOW, THEREFORE, be it ordained, by the **City Council/President and Board of Trustees of the Village/President and Board of Trustees of the Town** of _____ as follows:

Section 1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Non-Home Rule Municipal Retailers' Occupation Tax Imposed. A tax is hereby imposed upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this state's government, at retail in this municipality at the rate of (choose one: [0.25%] or [0.50%] or [0.75%] or [1.00%]) of the gross receipts from such sales made in the course of such business

while this Ordinance is in effect. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3).

Section 3. Non-Home Rule Municipal Service Occupation Tax Imposed. A tax is hereby imposed upon all persons engaged in this municipality in the business of making sales of service, of the selling price of all tangible personal property transferred by such serviceman as an incident to a sale of service. The rate of this tax shall be the same rate identified in Section 2, above. The imposition of this tax is in accordance with and subject to the provisions of Section 8-11-1.4 of the Illinois Municipal Code (65 ILCS 5/8-11-1.4).

Section 4. Illinois Department of Revenue to Administer Both Taxes. The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department of Revenue of the State of Illinois. The Department of Revenue shall have full power to administer and enforce the provisions of this Ordinance.

Section 5. Clerk to file Ordinance with Illinois Department of Revenue. As required under Section 8-11-1.3 of the Illinois Municipal Code (65 ILCS 5/8-11-1.3), the Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue on or before (choose one: [April 1, 20__] or [October 1, 20__]).

Section 6. Effective Date. This Ordinance shall take effect on: (i) the first day of July next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding April 1st; or, (ii) the first day of January next following the adoption and filing of this Ordinance with the Department of Revenue, if filed on or before the preceding October 1st.

Section 7. Limitation on Use of Proceeds. The **City/Village/Town** shall only expend the proceeds generated from any tax imposed by virtue of this Ordinance on: (a) expenditures related to “municipal roads and streets, access roads, bridges, and sidewalks; waste disposal systems; and water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities[;]” (b) efforts to “reduce the levy for real estate taxes or avoid an increase in the levy for real estate taxes that would otherwise have been required” by the **City/Village/Town**; or (c) any other or further permitted uses under Section 8-11-1 of the Illinois Municipal Code (65 ILCS 5/8-11-1) as may now or hereafter be authorized therein.

Section 8. Qualified Exemption of Aviation Fuel from Both Taxes. No provision of this Ordinance shall be interpreted to impose any tax on aviation fuel, as defined in Section 3 of the Retailers' Occupation Tax Act (35 ILCS 120/3), unless the proceeds of said tax are expended for airport-related purposes, as that term is defined in Section 6z-20.2 of the State Finance Act (30 ILCS 105/6z-20.2), and said expenditures are made in compliance with the certification requirements for airport-related purposes under Section 2-22 of the Retailers' Occupation Tax Act (35 ILCS 120/2-22).

Section 9. Repeal of Conflicting Provisions. All ordinances, resolutions and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

Section 10. Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

Section 11. Headings/Captions. The headings/captions identifying the various sections and subsections of this Ordinance are for reference only and do not define, modify, expand or limit any of the terms or provisions of the Ordinance.

Section 12. Publication. The Clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with 65 ILCS 5/1-2-4.

PASSED THIS _____ day of _____, 20_____.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

APPROVED THIS _____ day of _____, 20_____.

Mayor/Village President/Town President

ATTEST:

Clerk

BEFORE ADOPTING ANY ORDINANCE, MUNICIPAL OFFICIALS SHOULD CONSULT WITH THEIR RETAINED LEGAL COUNSEL OR OTHER QUALIFIED ATTORNEY.

Will County Sales Tax 2024	
Crest Hill	8.00%
Bolingbrook	8.50%
Plainfield	8.50%
Joliet	8.75%
Naperville	7.75%
Romeoville	8.50%
New Lenox	9.00%
Lockport	8.00%
Frankfort	8.00%
Mokena	7.50%
Homer Glen	8.00%
Crete	7.50%
Channahon	8.75%
Wilmington	7.00%
Manhattan	8.00%
Monee	8.00%
Beecher	8.00%
Peotone	8.00%
Braidwood	7.00%
Elwood	8.00%
University Park	8.00%



Agenda Memo

Crest Hill, IL

Meeting Date:	August 26, 2024
Submitter:	Dave Strahl, Interim Human Resources Manager
Department:	Human Resources
Agenda Item:	Consideration of Revised Employee Handbook Language – Tuition Reimbursement Policy and Meal Reimbursement Policy

Summary: Several proposed changes to the Employee Handbook were presented and discussed at the July 8, 2024, workshop meeting. Several recommended changes were approved with minor modifications during the July 8 meeting. However, due to the length of the agenda discussions during the meeting a couple of items were deferred for additional, more detailed discussions. The items deferred were the Tuition Reimbursement Policy and the Meal Reimbursement Policy.

Attached are the suggested recommendations for consideration regarding changes to these policies along with background memorandums.

Recommended Council Action: Direction to the staff from the City Council as to which language changes are acceptable for inclusion in a revised Employee Handbook.

Financial Impact: Minimal depending on the policy changed.

Funding Source: Not Applicable.

Budgeted Amount: Not Applicable.

Cost: Minimal depending on the policy changed.

Attachments: Summary of the policies to be discussed.

CURRENT POLICY:**TUITION REIMBURSEMENT**

The City supports employees who wish to continue their education in order to secure increased responsibility and growth in their professional careers with the City of Crest Hill. This growth can include continuing education courses, certification programs, completion of a GED, and any professional and technical education. In keeping with this philosophy, the City has established reimbursement for educational expenses incurred through various approved institutions of learning.

Any regular full-time employee who has been continuously employed for six (6) months or more (unless directed by the City) who enrolls in a job related course of study at an accredited junior college, college or university within the State of Illinois (or through an accredited online college or university program, whether in-state or out-of-state) may qualify to have the tuition and academic fees (including books) reimbursed by the City. The employee does not need to be registered in a degree program to be eligible for this benefit. Prior written approval must be obtained from the employee's Department Head and the Personnel Officer for each such course or program of study. The Department Head and the Personnel Officer have complete discretion in determining whether the course(s) is sufficiently related to the employee's work and would improve his performance to justify the tuition reimbursement. The Department Head and the Personnel Officer have the discretion to determine the number of courses that will be taken during any given period. Employees should provide a list of courses and estimated expenses during the preparation of the budget.

Because it is in the City's interests to ensure the employee receives maximum benefit from any such courses taken, tuition reimbursement will be paid at 100% only if the employee receives a Grade "A" or "B". Grade "C" or a "Pass" grade in a Pass/Fail course will be paid at 75%. The employee is responsible for paying the educational expenses upfront. All reimbursements will be made upon proof of payment and submission of the certified transcript of the grade. Any reimbursement paid under this program will be offset by Federal/State financial aid, scholarships, grants, etc. In addition, the employee must be actively employed at the time of reimbursement.

Employees who voluntarily terminate employment, or are terminated for cause will be required to refund the City the reimbursement they received on the following basis:

- a) Prior to one (1) year from the date of reimbursement, one hundred percent (100%) of the amount reimbursed.

- b) After one (1) year but prior to two (2) years from the date of reimbursement, seventy-five (75%) of the amount reimbursed.
- c) After two (2) years but prior to three (3) years from the date of reimbursement, fifty percent (50%) of the amount reimbursed.
- d) After three (3) years from the date of reimbursement (zero percent) 0% of the amount reimbursed.

Union employees will follow applicable provisions contained in the collective bargaining agreements.

Proposed Policy:

TUITION REIMBURSEMENT

The City supports employees who wish to continue their education in order to secure increased responsibility and growth in their professional careers with the City of Crest Hill. This growth can include continuing education courses, certification programs, completion of a GED, and any professional and technical education. In keeping with this philosophy, the City has established reimbursement for educational expenses incurred through various approved institutions of learning.

Any regular full-time employee who has been continuously employed for six (6) months or more (unless directed by the City) who enrolls in a job related course of study at an accredited junior college, college or university within the State of Illinois (or through an accredited online college or university program, whether in-state or out-of-state) may qualify to have the tuition and academic fees (including books) reimbursed by the City. The employee does not need to be registered in a degree program to be eligible for this benefit. Prior written approval must be obtained from the employee's Department Head and the Personnel Officer for each such course or program of study to ensure the proposed course of study is job related. Furthermore, approval of a course does NOT guarantee future approval for future courses to complete a specific degree program. Continuation in any program is dependent on budgetary constraints and future individual approval(s) for each class. The Department Head and the Personnel Officer have complete discretion in determining whether the course(s) is sufficiently related to the employee's work and would improve his performance to justify the tuition reimbursement. The Department Head and the Personnel Officer have the discretion to determine the number of courses that will be taken during any given period. Employees should provide a list of courses and estimated expenses if a course of study is included as part of the request for consideration during prior to the preparation of the budget. This course of study will include all related courses to complete the program and estimated expenses for each course. All requests MUST be submitted in writing using the Tuition Reimbursement Application Form. Any reimbursement will not exceed the average tuition cost for public universities in the state. This includes any on-line or remote classes. Reimbursement will NOT be considered for more than two classes/courses per semester.

Because it is in the City's interests to ensure the employee receives maximum benefit from any such courses taken, tuition reimbursement will be paid at 100% only if the employee receives a Grade "A" or "B". Grade "C" or a "Pass" grade in a Pass/Fail course will be paid at 75%. The employee is responsible for paying the educational expenses upfront. All reimbursements will be made upon proof of payment and submission of the certified transcript of the grade. Any reimbursement paid under this program will be offset by Federal/State financial

aid, scholarships, grants, etc. In addition, the employee must be actively employed at the time of reimbursement.

Employees who voluntarily terminate employment, or are terminated for cause will be required to refund the City the tuition reimbursement they received on the following basis:

- e) Prior to one (1) year from the date of reimbursement, one hundred percent (100%) of the amount reimbursed.
- f) After one (1) year but prior to two (2) years from the date of reimbursement, seventy-five (75%) of the amount reimbursed.
- g) After two (2) years but prior to three (3) years from the date of reimbursement, fifty percent (50%) of the amount reimbursed.
- h) After three (3) years from the date of reimbursement (zero percent) 0% of the amount reimbursed.

Union employees will follow applicable provisions contained in the collective bargaining agreements.

Tuition Reimbursement Application Form

Employee Name: _____

Department: _____ Date of Hire: _____

Name of School or Vendor: _____

Title of Class/Program: _____

Days/Times of Class/Program: _____

Course Description (Attach information from brochure, website, catalogue): _____

All Cost(s): _____

Describe this course/class/program will benefit your professional growth and applicability to your job duties at the city (attach additional pages as necessary): _____

Employee Acknowledgement: By submitting this form with my signature I understand the tuition reimbursement policy as outlined in the city handbook and understand that I accept the repayment policy as described in the handbook. I further acknowledge that city approval for any one request does not guarantee continued approvals for any course of study I may undertake.

Employee Signature: _____ Date: _____

Approvals – to be obtained prior to enrolling in any course(s):

☐ Approved ☐ Not Approved

Department Head Signature _____ Date _____

☐ Approved ☐ Not Approved

City Administrator Signature _____ Date _____

Comments:

Raymond R. Soliman
Mayor

Christine Vershay-Hall
Clerk

Glen Conklin
Treasurer

Ward 1
Scott Dyke
John Vershay

Ward 2
Claudia Gazal
Darrell Jefferson

Ward 3
Tina Oberlin
Mark Cipiti

Ward 4
Nate Albert
Joe Kubal



TO: Lisa Banovetz, Finance Director
FROM: Dave Strahl, Interim Human Resources Representative
SUBJECT: Meal Reimbursement Policy
DATE: December 28, 2023

Background:

The city employee handbook has a meal reimbursement policy that provides for meals to be reimbursed for extended overtime purposes or while on travel/training for city business. The current meal reimbursement policy is provided below:

Meals

Meals during the events that are not made available as a part of the registration fees are reimbursable. Meals while traveling, the day before or following the day in which the last official function is held may be reimbursable with prior approval. Employees are encouraged to attend all functions for which meals are provided as a part of the registration fee. Only meals occurring during work or travel time are eligible for per diem reimbursement.

The per diem schedule for breakfast, lunch and dinner is as follows:

<i>Breakfast</i>	<i>\$10</i>
<i>Lunch</i>	<i>\$15</i>
<i>Dinner</i>	<i>\$25</i>

When travel is required to a part of the country where the listed per diem rates may not be sufficient, the City Administrator may grant exception to this policy. Prior approval is required and receipts must be submitted with Travel and Expense Report. Failure to do so may result in reimbursement ineligibility.

CITY OF CREST HILL

20600 City Center Boulevard
Crest Hill, IL 60403

815-741-5100
cityofcresthill.com



Miscellaneous Expenses

Reasonable miscellaneous expenses such as taxi fares, parking, tolls, tips, etc. are generally reimbursable. Some expenses for the day immediately preceding the first official function and the day following the day in which the last function is held may be reimbursable with the approval of the Department Head.

Non-reimbursable expenses

Some travel expenses are not reimbursable. Some examples of non-reimbursable expenses include:

- a) Alcoholic beverages*
- b) Entertainment*
- c) Early check-in or late check-out charges, unless appropriate circumstance exist and are pre-approved by the Department Head.*
- d) Parking tickets or traffic tickets*
- e) Pay per view movies*
- f) Expenses incurred by a spouse, dependents and/or additional guests*
- g) Any non-work related charges*

Following an employee's return to work, the employee shall itemize expenses as required on the Travel and Expense Report. Completed purchase orders and Travel and Expense Reports must be submitted to the employee's Department Head within five (5) business days after the employee's return to work. All receipts must be submitted with the Travel and Expense Report including documentary evidence for expenses such as taxis and parking. When two (2) or more employees on City business jointly incur expenses, each participant, when practical, will pay and report individual expenses. Where this is not practical, the employee requesting reimbursement shall list the names or identify the group of other employees for who expenses being



reported have been incurred. If certain required receipts are not available, a statement signed by the employee documenting the amounts paid may be acceptable.

The meal reimbursement language as outlined in the Police union contract is as follows:

Meal Compensation:

Any Police Officer working sixteen (16) consecutive hours in a twenty-four (24) hour period will be eligible for a meal reimbursement up to eight dollars (\$8.00). Any Police Officer attending a training school where a break is given for a meal will be eligible for such a meal reimbursement in accordance with the City personnel policy if this training is given outside of the City of Crest Hill and the meal is not provided at the training. Any Officers attending overnight training will be reimbursed up to ten dollars (\$10.00) for breakfast, fifteen dollars (\$15.00) for lunch and twenty-five dollars (\$25.00) for dinner. A receipt, dated for the overtime period worked or training school attended, must be turned in to receive payment. Meal compensation for all training courses will provided according to the terms of the City personnel policy and only if the relevant meal is not provided by the training.

The purpose of the policy is to set the parameters for reimbursements to ensure such reimbursements are related to city business and no city funds are used for non-reimbursable expenses as provided in the policy. In order to confirm non-reimbursable expenses are not included in a reimbursement requests it is necessary that the city only process reimbursement requests that are provided by a third-party documenting payment. Such documentation must be the standard receipt of services or goods normally provided to other patrons and include contact information and dates of service. Handwritten receipts would not normally qualify as eligible since there is no verifiable information on a handwritten receipt. Furthermore, the receipt should be detailed enough to ensure no reimbursement is considered for items that are ineligible for reimbursement.

The policy does outline the ineligible expenses, it does not stress the critical nature of why official itemized receipts are necessary to confirm the policy is adhered to as part of the reimbursement request. Employees must



understand that if they want reimbursement, such reimbursement will be considered under the city's rules.

Conflicts of Policy:

The policy outlined in the police contract states, "Any officers attending overnight training will be reimbursed up to \$10 for breakfast, \$15 for lunch, and \$25 for dinner A (sic) receipt, dated for the overtime period worked or training school attended, must be turned in to receive payment. Meal compensation for all training courses will (sic) provided according to the terms of the City personnel policy and only if relevant meal is not provided by training."

Setting aside the poorly written policy, the reimbursement defaults to the city personnel manual regarding the informational details for reimbursement consideration. The reimbursement dollar limit is based on a receipt being provided. However, providing "a" receipt alone does not meet the consideration criteria in the personnel manual. The personnel manual does not specifically require an itemized receipt to ensure the prohibited items are not included for reimbursement consideration. The policy implies that provision but does not state it by way of listing the ineligible items. This would be an area to correct in the policy going forward.

The use of the terms reimbursement and per diem interchangeably create additional confusion since they actually mean different things. Reimbursement would be repayment up to a specific amount provided a detailed receipt is provided to ensure ineligible expenses are not submitted. This would be typical language for reimbursement purposes, unfortunately such language is not included in the current policy.

Per diem amounts are typically an amount provided in advance and are intended to cover all eligible expenses instead of reimbursement. Per diem allowances are to cover all charges and services related to the good/service it is intended for. For example, if there is a per diem per meal amount based on the number of meals, the employee would be expected to use the per diem amount to cover all related expenses of the meal. If the meal costs less than the per diem amount the difference remains with the employee. It is possible that the meal per diem amount may not be spent up to the limit on any particular meal and could be pooled to use for a meal over the individual

per diem amount. Regardless of the meal expenses, the per diem is all that will be considered the maximum amount available for meals.

Recommendations:

- Modify as necessary to clarify what is necessary to be submitted for a valid receipt, i.e. no handwritten receipts.
- Modify as necessary to clarify what is necessary to be submitted that constitutes an itemized receipt.
- Determine if the policy will be based on reimbursement or per diem rates. It is possible to provide reimbursement based on defined amounts. However, the use of the term per diem, if to be used should be clarified as to advances for meals at a future event and be the amount that is inclusive of all expense related to a specific expense.

Recommended Policy:

Travel/Meal Reimbursement Policy:

From time-to-time employees may be required to attend functions, seminars, meetings, or other training courses. Such training courses must be approved by the department head and costs related to out-of-town travel shall be reimbursed by the City in accordance with the following policies.

When an employee is on official business and required to be outside the corporate limits of the City pursuant to such official business, the employee shall be reimbursed for certain expenses in the following manner, unless alternative reimbursement terms are approved by the employee's department head:

- (a) Employees who are requested to travel seventy-five (75) miles or more from the City for training purposes or other City business, shall receive up to from the City fifty dollars (\$50.00) per diem to cover expenses connected with meals and



gratuities. If meals are included in the training or other City business, the cost of each included meal shall be deducted from the per diem based on the following schedule:

Breakfast - \$10.00; Lunch - \$15.00; Dinner - \$25.00.

The meal per diem schedule will also apply for direct reimbursements in instances in which the employee is at a required training event that is less than a full day in duration. In addition, these meal rates would apply in instances for training sessions within the seventy-five (75) range.

- (b) IRS rate for mileage incurred by a covered employee who uses their personal vehicle to travel from the City to training or other City business.
- (c) Employees shall be reimbursed for reasonable overnight lodging arrangements in cases of training or other required City business that is conducted seventy-five (75) miles or more from the City.
- (d) For travel destinations beyond five hundred (500) miles from the City, employees may request airfare (economy) and automobile rental (mid-size/standard car only).
- (e) Any out-of-pocket expenses such as tolls, emergency repairs, parking, etc. shall be reimbursed upon submission of itemized receipts illustrating the charges with dates and locations.

For an employee to be eligible for any of the above reimbursements, the employee must have prior approval from their department head to attend the training or business event. Meal expenses shall be paid upon submission of confirmation of the completion of training, if submitted on

a reimbursement basis. For purposes of this section, mileage is measured from the City's facility where the employee works to the location of the training or other business event, by the most direct route.

Miscellaneous Expenses

Reasonable miscellaneous expenses such as taxi fares, parking, resort fees, tolls, etc. are generally reimbursable provided such expenses are documented with itemized receipts that include dates and locations of expenses. Tips related to meals will be inclusive of the amount allotted per meal. Some expenses for the day immediately preceding the first official function and the day following the day in which the last function is held may be reimbursable with the prior approval of the Department Head.

Non-reimbursable expenses

Some travel expenses are not reimbursable. Some examples of non-reimbursable expenses include:

- a) Alcoholic beverages
- b) Entertainment
- c) Early check-in or late check-out charges, unless appropriate circumstance exist and are pre-approved by the Department Head.
- d) Parking tickets or traffic tickets
- e) Pay per view movies
- f) Expenses incurred by a spouse, dependents and/or additional guests
- g) Any non-work related charges, i.e. gym fees

Following an employee's return to work, the employee shall itemize expenses as required on the Travel and Expense Report. Completed purchase orders and Travel and Expense Reports must be submitted to the employee's Department Head within five (5) business days after the employee's return to work. All receipts must be submitted with the Travel and Expense Report including documentary evidence for expenses such as taxis and parking. When two (2) or more employees are on City business jointly incur expenses, each participant, when practical, will pay and report individual expenses. Where this is not practical, the employee requesting reimbursement shall list the names or identify the group of other employees for whose expenses being reported have been incurred. If certain required receipts are not available, a statement signed by the employee documenting the amounts paid may be acceptable.



Agenda Memo

Crest Hill, IL

Meeting Date: 08-22-24

Submitter: Police Chief Edward Clark

Department: Police Department

Agenda Item: Proposal to upgrade on duty police pistol to 9mm Glock

Summary: The Crest Hill Police Department has been using the 40 caliber Glock model 22 for over 25 years. This move was made in the early 90's as most Law Enforcement Agencies transitioned from the revolver style firearm to the semi-automatic pistol. The subsequent attachments to this proposal will outline not only the need to upgrade to new pistols after 10 years, but also the efficiency and cost savings benefits in transitioning to the 9mm platform. The police department would like to utilize budgeted monies from asset forfeiture funds as well as CPAT (Cooperative Police Assistance Team) funds from our participation. That means this transition will not have any up-front costs. Police Department staff worked very diligently on this topic, and I look forward to discussing this with the City Council.

Recommended Council Action: Approval of Police Department proposal to upgrade to the 9mm Glock on duty pistol.

Financial Impact: None

Funding Source: CPAT funds/Asset Forfeiture

Budgeted Amount:

Cost: \$24,702.28

Attachments: Glock45 MOS proposal



To: Mayor and City Council

From: Deputy Chief Jason Opiola

CC:

Date: Tuesday, August 20, 2024

Re: Glock Model 45 MOS 9mm Purchase

Introduction

In light of recent evaluations of our department's firearm capabilities and industry trends, I recommend transitioning from our current Glock 22 .40 caliber handguns to Glock MOS 45 9mm handguns with the red dot Holosun 508T sight. This recommendation is based on a comprehensive review of performance, cost, and operational considerations. Glock recommends replacement of firearms after 8 years and our current firearms were purchased in 2014. The cost for the new Glock Firearms after Trade-In of our current inventory is \$24,702.28. (See Annex A for photos)

New Glock Purchase Spreadsheet

New Equipment			
Item	Cost	Quantity	Total
Glock 45 (MOS w/ Red Dot)	\$ 757.56	38	\$ 28,787.28
New Duty Holster (Safariland 6360RDS)	\$ 158.00	38	\$ 6,004.00
Trade-In / Sold Back Equipment			
Glock 22 Gen 4 (.40 Cal)	\$ 235.00	33	\$ 7,755.00
Glock 23 Gen 4 (.40 Cal)	\$ 235.00	3	\$ 705.00
Glock 17 Gen 3 (9mm)	\$ 235.00	1	\$ 235.00
Shotgun Trade-In and Ammo			\$ 1,394.00
Trade-In/Sold Back Deductions			
Trade-In/Sold Back Deductions			\$ 10,089.00
Total Cost of New Equipment			\$ 34,791.28
Total Cost After Deductions			\$ 24,702.28

Key Reasons for Transition from .40 Caliber to 9mm

1. Performance and Accuracy

- **Recoil Management:** The 9mm cartridge typically produces less recoil compared to the .40 caliber. This reduction enhances accuracy and control, allowing officers to make more precise follow-up shots.
- **Training Efficiency:** With less recoil, training sessions become more effective and less physically taxing, potentially improving overall marksmanship and confidence in high-stress situations.

2. Operational Effectiveness

- **Magazine Capacity:** Glock 45 MOS 9mm handguns magazine capacity is 17 compared to the 15 round capacity of the Glock 22 .40 caliber we currently carry. This could be crucial during high-intensity encounters.
- **Ballistics:** Modern 9mm ammunition has improved significantly in terms of stopping power, matching or even surpassing the .40 caliber in certain defensive scenarios according to the FBI. Advances in ammunition technology ensure that the 9mm remains effective in both penetration and expansion. (Annex B)

3. Cost Considerations

- **Ammunition Costs:** 9mm ammunition is typically less expensive than .40 caliber, leading to significant cost savings in training and operational use.

New Ammo Purchase (See Annex C)

Ammunition Type 9mm	Price Per Box	Quantity	Total Rounds	Total
Duty Ammo (Hornady 135gr Critical Duty Flexlock +P)	\$ 28.18	80	4,000	\$ 2,254.40
Range Ammo (Fiocchi 124gr FMJ)	\$ 13.40	200	10,000	\$ 2,680.00
9mm Total Purchase Price				\$ 4,934.40

Ammunition Type .40	Price Per Box	Quantity	Total Rounds	Total
Duty Ammo (Hornady 175gr Critical Duty Flexlock +P)	\$ 29.70	80	4,000	\$ 2,376.00
Range Ammo (Fiocchi 180gr FMJ)	\$ 20.18	200	10,000	\$ 4,036.00
.40 Caliber Total Purchase Price				\$ 6,412.00

Ammo Cost Savings (Cumulative)	Year 1	Year 2	Year 3	Year 4	Year 5
	\$1477.60	\$2955.20	\$4432.80	\$7388.00	\$8865.60

- **Maintenance and Parts:** The 9mm handguns often have lower maintenance costs and greater availability of parts and accessories, which can enhance overall reliability and reduce downtime.

4. Industry Trends and Feedback

- **Law Enforcement Adoption:** Many law enforcement agencies across the country including the FBI have successfully transitioned to 9mm handguns. Their feedback and positive results support the decision to adopt 9mm as the standard issue. (See attached PDF "FBI 9mm Justification")
- **Expert Recommendations:** Numerous firearm experts and industry studies endorse the 9mm for its balance of

performance and manageability, reinforcing the practicality of this transition. Additionally, the use of red dot optics enables an officer to better be able to detect any change in the threats actions or inactions that may be missed with traditional iron sight use. (See attached PDF “Miniaturized Red Dot Systems for Duty Handgun Use”)

Implementation Plan

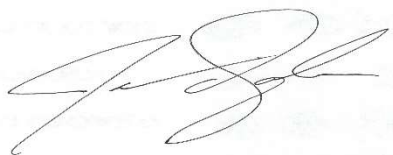
1. **Training:** We have developed a comprehensive training program to ensure a smooth transition for all officers, including familiarization with the new weapon systems and updated ammunition types.
2. **Phased Transition:** Implement the changeover in phases to minimize operational disruptions. Prioritize issuing new handguns to frontline officers and provide ample time for all personnel to transition.

Conclusion

Transitioning to the Glock 45 MOS 9mm handguns represents a strategic enhancement of our department's firearm capabilities, improving performance, operational effectiveness, and cost efficiency. I recommend approving this transition to align with modern standards ensuring our officers are equipped with the best tools for their critical duties.

Please feel free to reach out with any questions or to discuss this recommendation further.

Respectfully Submitted:



Deputy Chief Jason Opiola



ANNEX LIST

Annex A – Photos of Glock 45 MOS 9mm and Holosun 508T

Annex B – FBI Ammunition Test Summary

Annex C – Ammo Cost Savings Graphs

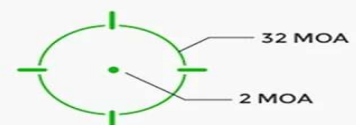
ANNEX A



G45_{MOS}
Compact | 9x19mm

HE508T-GR X2 Reflex Sight

The HS507K is an open reflex optical sight designed for concealed carry pistol applications. Features include Holosun's Super LED with up to 50k hours battery life, Multi-Reticle System, Shake Awake, and Lock Mode.



Reticle Color

☒ RED

In the Box

- CR1632 Battery
- User Manual
- Lens Cloth
- T10 L Key

Holosun

Annex B

FBI Ammunition Test Summary 9mm - 147 grain - Winchester - Bonded JHP

Performance by individual test

Measurements for Avg. Penetration and Avg. Expansion are in inches. Avg. Weight is in grains. Unless noted, gelatin tests conducted at 10'.

<u>Test Description</u>	<u>Avg. Pen</u>	<u>Avg. Expan</u>	<u>Avg. Weight</u>
Bare Gelatine	15.10	0.57	147.6
Standard Deviation	0.38	0.002	0.22
Heavy Clothing	15.85	0.56	147.3
Standard Deviation	0.45	0.007	0.24
Steel	18.90	0.42	146.6
Standard Deviation	0.58	0.002	0.38
Wallboard	16.45	0.53	147.4
Standard Deviation	0.99	0.015	0.20
Plywood	17.60	0.44	147.5
Standard Deviation	2.28	0.089	0.47
Auto Glass	13.15	0.55	133.3
Standard Deviation	0.68	0.031	2.83
Heavy Clothing at 20 yards	16.15	0.55	147.4
Standard Deviation	0.45	0.004	0.27
Auto Glass at 20 yards	12.75	0.56	129.5
Standard Deviation	0.68	0.067	4.73

Ballistic Research Facility
FBI Academy
Quantico, VA 22135
703-632-1752 Voice
703-632-1785 Fax



**Defensive Systems
Unit**

Date Tested: 9/17/2007
Bullet Diameter (inches): 0.355
Bullet Type: Bonded JHP
Bullet Weight (grains): 147
Lot #: WCC07-01, 02 & 03
Product Order Number: Q4364
Weapon Type: SAAMI Test Barrel
Barrel Length (inches): 4.25
Cartridge ID: 263
Notes: FBI Service Ammo contract awarded 01/2008. Accuracy comprised of 6 groups of 10 for test barrel, 3 for Glock. Avg. Glock accuracy if first shot of each group was omitted is 1.94"

Penetration Performance

Range of penetration (inches): 12 - 20.75
Shots less than 12":
(*0" if no value shown)

<u>40 round Averages</u>	<u>Penetration (inches)</u>	<u>Expansion (inches)</u>	<u>Retained Weight . . . As %</u>
	15.74	0.52	143.3
Std. Deviation:	2.17	0.066	7.26
			4.94

Success rate and above averages are calculated over the entire 40-round test series and include all shots fired.

Average Group Size @ 25 yards

Glock 17 5.14 Inches
SAAMI Test Barrel 1.09 Inches

Average Velocity

Glock 17 1,005 fps
SAAMI Test Barrel 1,007 fps

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Annex B (pp2)



Annex C





Agenda Memo**Crest Hill, IL**

Meeting Date:	08-26-24
Submitter:	Police Chief Edward Clark
Department:	Police Department
Agenda Item:	Request to approve an ordinance authorizing the sale and or disposal of certain personal property that is no longer useful for the City's public purposes

Summary: The Crest Hill Police Department would like to sell 10 shotguns in inventory. We currently do not deploy these weapons and have switched over to rifles some time ago. Of these ten shotguns, seven are about 20 years old and three are even older than that. The Police Department would like to utilize the money to help offset the cost of purchasing new pistols. We would sell the shotguns to Ray Oherron's, who is a Law Enforcement supplier and business.

Recommended Council Action: Approve ordinance authorizing the sale and or disposal of certain personal property that is no longer necessary or useful for the City's public purposes

Financial Impact: None

Funding Source:

Budgeted Amount:

Cost: None

Attachments: Ordinance authorizing the sale and or disposal of certain personal property that is no longer necessary or useful for the City's public purposes.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE AND/OR DISPOSAL OF CERTAIN
PERSONAL PROPERTY THAT IS NO LONGER NECESSARY OR USEFUL FOR THE
CITY'S PUBLIC PURPOSES**

WHEREAS, the City Council of the City of Crest Hill has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the City of Crest Hill owns certain personal property as set forth in Exhibit A, attached hereto and fully incorporated herein (the "City Property"); and

WHEREAS, a majority of the Corporate Authorities of the City currently holding office hold the opinion that the City Property is no longer necessary or useful for the City's public purposes; and

WHEREAS, a majority of the Corporate Authorities of the City of Crest Hill currently holding office agree that the City's continued ownership of the City Property is not in the best interests of the City or its citizens; and

WHEREAS, Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4) allows the City to sell or otherwise dispose of any unnecessary personal property of the City, such as the City Property under the current circumstances, in any manner that the City Council may designate; and

WHEREAS, Section 11-76-4 of the Illinois Municipal Code further allows the City to authorize any City Officer to sell or otherwise dispose of unnecessary personal property of the City, such as the City Property under the current circumstances; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the City and its citizens to authorize and direct the Crest Hill Police Department, through the Chief of Police or his designee, to sell or otherwise dispose of the City Property as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1: The City Council hereby finds that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: The Crest Hill Police Department, through the Chief of Police or his designee, is hereby authorized and directed to sell or otherwise dispose of the City Property (Exhibit A) in any manner determined to be necessary, expedient, and in the best interests of the City, with or without public advertisement, and without any requirement that such sale be completed after receiving competitive bids. Further, the Chief of Police or his designee is authorized and directed

to take any and all actions and execute any and all documents necessary for the completion of any such sale or other disposition of the City Property.

SECTION 3: In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4: That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5: That the City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

[Intentionally Blank]

PASSED THIS _____ DAY OF _____, 2024,

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

12 GA	Remington	870 Wingmaster	T207006V
12 GA	Remington	870 Wingmaster	T206436V
12 GA	Remington	870 Magnum	W796302M
12 GA	Remington	870 Magnum	WS76S47M
12 GA	Remington	870 Magnum	W796374M
12 GA	Remington	870 Magnum	W382291M
12 GA	Remington	870 Magnum	WS76525M
12 GA	Remington	870 Wingmaster	S7648S6V
12 GA	Ithica	37	365945
12 GA	Remington	870 Magnum	W310740M



City Council Work Session Agenda Memo

Crest Hill, IL

Meeting Date:	08/26/2024
Name:	Ronald Mentzer, Interim Community & Economic Development Director Zoe Gates, Administrative Clerk
Department:	Community Development
Topic:	Plan Commission Recommendation for Multiple Variances for 1940 Sybil Drive

Summary: At its August 8, 2024 meeting, the Plan Commission conducted a public hearing on the variances requested by the owner of 1940 Sybil Drive, Mr. Scott McFedries. The requested variances include reductions in side and rear setbacks and public utility easement encroachment for a swimming pool, reduction in rear setback and public utility easement encroachment for a shed, reduction in side setback for decks, reductions in side and rear setbacks and public utility easement encroachment for a patio, and an increase in maximum allowed lot coverage.

All accessory structure construction work associated with the variation requests was performed without permits and the recent replacement of the pool and surrounding patio was begun without a permit. A building permit application for the new pool and patio work has been filed by the property owner.

The Plan Commission recommended unanimous approval of all requested variations subject to the following conditions:

- Owner acknowledges that the accessory structures (above ground pool, storage shed, wooden deck and paver patio) are located in a stormwater and public utility easement and that if the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the easement area, it is understood that the accessory structures may be impacted and may be required to be moved and that any and all restoration costs of work done in the easement area shall be solely the responsibility of the homeowner and not the responsibility of the City or the utility company.
- Owner will obtain required building permits for all accessory structures that will be allowed to remain on the property and will pay any and all fees and fines associated with these building permits.
- The variances approved pertain only to the existing structures cited. Any new construction will have to abide to current ordinances.

Recommended Council Action: Direct Staff and the City Attorney to prepare an ordinance to approve the requested variances with conditions for 1940 Sybil Drive as recommended by the Plan Commission at their August 8, 2024, meeting.

Financial Impact: N/A

Funding Source:

Budgeted Amount:

Cost:

Attachments:

- August 8, 2024, Community Development Staff Report
- Exhibit A – 1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (08/01/2024)
- Application for Development for 1940 Sybil Dr.
- Letter from the Applicant dated 06/30/2024
- Seven photographs of the existing property from the Applicant
- Letter from Carlos Torres dated 07/02/2024



To: Plan Commission

From: Ron Mentzer, Interim Community and Economic Development Director
Zoe Gates, Administrative Clerk

Date: August 8, 2024

Re: Scott McFedries Variances for 1940 Sybil Drive

Project Details

Project	Scott McFedries
Request	Multiple Variances
Location	1940 Sybil Drive

Site Details

Lot Size:	0.201 acres
Existing Zoning	R-1

Land Use Summary

Subject Parcel	Land Use	Comp Plan	Zoning
Subject Parcel	Single Family Residential	Single Family Residential	R1
North	Single Family Residential	Single Family Residential	R1
South	Single Family Residential	Single Family Residential	R1
East	Single Family Residential	Single Family Residential	R1
West	Single Family Residential	Single Family Residential	R1

Attachments

- Exhibit A – 1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (8 1 2024)
- Application for Development for 1940 Sybil Dr.
- Plat of Survey of 1940 Sybil Dr.
- Letter from the Applicant dated 06/30/24
- Seven photographs of the existing property from the Applicant
- Letter from Carlos Torres dated 07/02/24

Project Summary

Property owner Scott McFedries (the “Applicant”) is seeking approval of numerous setback and lot coverage variances to sections 8.3-5, 8.3-6 a., 8.3-9.2 b., and 6.6-1 B of the Zoning Ordinance for a variety of accessory structures he has constructed on his property at 1940 Sybil Dr. without City permits. The requested variations are enumerated in the document labeled “1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (8 1 2024)” and attached to this Staff Report as Exhibit A.

Analysis

In consideration of the request, the key points of discussion and details are as follows:

1. The Applicant acknowledges that all accessory structure construction work associated with the current variation requests was performed without permits and the recent replacement of the pool and surrounding patio was also begun without a permit.
2. As part of his variation application package, the Applicant submitted the letter with a hand written date of June 30, 2024, to (i) explain his variation requests and (ii) outline his desire to reinstall his brick paver patio around his new pool but willingness to eliminate it if required to significantly reduce the degree of lot coverage variation required. Exhibit A documents the Applicant’s requested lot coverage variation with and without this patio.
3. City Engineer Wiedeman and Building Commissioner Seeman have inspected the property and determined that the various accessory structure encroachments on the public utility and drainage easement along the east (rear) property line are not currently affecting water drainage and the underground electrical lines as marked by JULIE are at least 5’ from the edge of the pool as is required by ordinance.
4. While the city does **not** have the authority to approve an accessory structure encroachment onto another property, the property owner to the north has given written permission for the applicant’s existing decks to encroach onto his property (see 7.2.2024 letter from Carlos Torres included in the supporting application documents for this case).

5. There are some similarities between this variation application and the zoning variations the Plan Commission recommended approval of on March 14, 2024, and the City Council approved in April 2024 with Ordinance 1977. The variations approved under Ordinance 1977 allowed a very large shed the owner of 2001 Noonan constructed without a permit in a utility and drainage easement and within the required rear and side yard setbacks to remain in the original illegal location it was constructed at. The City's approval of variation Ordinance 1977 was conditioned on:
 - a. "The applicant acknowledges this accessory structure is located in a stormwater and public utility easement and that the installation of the accessory structure at this location is at his own risk."
 - b. "If the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the easement area, it is understood that the accessory structure may be impacted and may be required to be moved. Any and all restoration costs of work done in the easement area shall be solely the responsibility of the Owner and not the responsibility of the City or the utility company".

Staff recommends any PC recommendation to approve variations that would allow accessory structures to remain or be reinstalled in the utility easement include similar conditions along with a condition that requires the Applicant to obtain building permits for all accessory structures that will be allowed to remain on the property.

Section 12.6-2 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;
2. That the plight of the owner is due to unique circumstances; and
3. That the variation, if granted, will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

1. That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.
3. That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.

4. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
5. That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as "similar and compatible uses."
6. That the variation granted is the minimum adjustment necessary for the reasonable use of the land.
7. That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City.
8. That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.

In addition, the City Council, upon the recommendations of the Plan Commission, may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

Please contact Ron Mentzer at 815-741-5107 or rmentzer@cityofcresthill.com with any questions or concerns.

1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (8.1.2024)

1. 24' dia. Above Ground Swimming Pool

- A. Side Property Line Setback: 10' required (ZO Section 8.3-9.2.b) / **2.4'** provided
- B. Rear Property Line Setback: 10' required (ZO Section 8.3-9.2.b) / **2.7'** provided
- C. 5' Utility Easement along rear property line: No encroachment allowed (Z.O Section 8.3-5) / **2.3'** encroachment proposed

2. 10' x 13' Shed

- A. Rear Property Line Setback: 10' required (ZO Section 8.3-6.a) / **3.2'** provided
- B. 5' Utility Easement along rear property line: No encroachment allowed (Z.O Section 8.3-5) / **1.8'** encroachment proposed

3. Decks

- A. Side Property Line Setback: 4' required (ZO Section 8.3-5) / **.7' over property line**

4. Patio (currently the gravel base)

- A. Side Property Line Setback: 4' required (ZO Section 8.3-5) / **0'** setback provided
- B. Rear Property Line Setback: 10' required (ZO Section 8.3-5) / **0'** setback provided
- C. 5' Utility Easement along rear property line: No encroachment allowed (Z.O Section 8.3-5) / **5'** encroachment proposed

5. Maximum Lot Coverage

- A. 50% Allowed per Section 6.6-1.B and Table 1 of the Zoning Ordinance = 4,374 sq. ft.
- B. **50.3%** proposed if all existing accessory structures and block retaining walls, except for the brick paver patio, are allowed to remain = 4,405 **sq. ft. or 30 sq. ft.** over maximum allowed lot coverage
- C. **58.0%** proposed If all existing accessory structures, including the block retaining wall and the brick paver patio, are allowed to remain/be reinstalled: = **5,079 sq. ft. or 704 sq. ft.** over maximum allowed lot coverage



RECEIVED
JUL 01 2024
BUILDING DEPARTMENT

Application for Development

For Office Use Only: **Case Number:**

Project Name: 1940 Sybil Dr.

Owner: Scott McFedries **Correspondence To:** smcfedries@hotmail.com

Street address: 1940 Sybil Dr **Street address:** _____

City, St., Zip: Crest Hill **City, St., Zip:** IL, 60403

Phone: 815-341-5220 **Phone:** 630-688-7428

Email: smcfedries@hotmail.com **Email:** mcfedriesellenk@gmail.com

Property Address: 1940 Sybil Dr **Property Information:** 70 feet

Street address: 1940 Sybil Dr **Lot Width:** _____

City, St., Zip: Crest Hill, ILL. **Lot Depth:** 125 feet

PIN: 04-31-303-003 **Total Area:** _____

*Submit an electronic version of the legal description only in a Word document to:

buildingdepartment@cityofcresthill.com

Existing Zoning: R-1 **Existing Land Use:** Single Family Residence District.

Requested Zoning: R-1 **Proposed Land Use:** R-1 with a variance.

Adjoining Properties Zoning and Uses:

North of Property: R-1 Single Family Residence

South of Property: R-1 Single Family Residence

East of Property: R-1 Single Family Residence

West of Property: R-1 Single Family Residence

Purpose Statement (intended use and approval sought): _____

Development Request: Please check all that apply and describe:

☐ Rezoning: _____

☐ Special Use: _____

☒ Variance: Decks, Pool & Shed

☐ Planned Unit Development: _____

☐ Annexation: _____

☐ Plat: _____

☐ Other: _____

Contact Information – If not yet known, please indicate as TBD. Check those parties in which copies of all correspondences should be forwarded.

☐ Civil Engineer: _____ Phone: _____

Company: _____ Email: _____

☐ Contractor: _____ Phone: _____

Company: _____ Email: _____

☐ Architect: _____ Phone: _____

Company: _____ Email: _____

☐ Builder: _____ Phone: _____

Company: _____ Email: _____

I agree to be present (in person or by counsel) when the Plan Commission and City Council hear this development request.


Signature of the Applicant

6-27-24
Date

If you (the applicant) are not the owner of record, please provide the owner's signature.

Signature of the Owner

Date

Please find attached our request for a variance for our home at 1940 Sybil Drive, Crest Hill.

We have always had pride in our yard and keeping our home maintained.

Our backyard is our sanctuary in the warmer weather and fall. We consistently spend time relaxing and enjoying the neighborhood. Since May, 1990, we have a good relationship with our neighbors, and we have never had a complaint from our neighbors regarding our pool, shed, deck or in general the use of our yard.

We would like to petition for the following to keep our yard maintained:

- 1) No changes to the decking- see picture A
- 2) No change to the pool location – note there is no issue with electric or the pool blocking any drainage per the site survey- see pictures B and C
- 3) No change to the shed location- the shed is well maintained and there are no issues with its construction- see picture D

The original footprint of the yard had pavers where you see gravel today. We now understand there is a regulation to have 50% greenery in our yard. We would like to keep the pavers that are around the flowering bushes, see picture D and the pavers that transition from higher ground to lower ground- see picture E. In addition, we will need to build a step off the end of the deck that is not in place currently.

We have included pictures of the pavers we have removed and would like to keep- see picture F and G. However, if needed we will replace these pavers with grass to meet the regulation.

If any of the items are a hinderance to getting this variance approved, we are open to discussion to come to a conclusion that will be agreeable to all.

Scott & Ellen McFedries

6/30/24



Item 7.





Item 7.



Item 7.

Item 7.



Item 7.



E

A photograph of a yard area. In the background is a weathered wooden fence. To the right is a green building with vertical siding. A large, dark, circular object, possibly a wheel or a large ring, is mounted on the green building. In the center, there is a large bush with green leaves. In front of the bush and against the fence are several neat stacks of grey concrete blocks. In the foreground, on the grass, is a large pile of the same concrete blocks, some of which are broken or chipped. A white pipe runs horizontally across the fence in the background.

Item 7.



Item 7.

PLAT OF SURVEY

P.I.N. 04-31-303
1940 SYBIL DRIVE
CREST HILL, IL

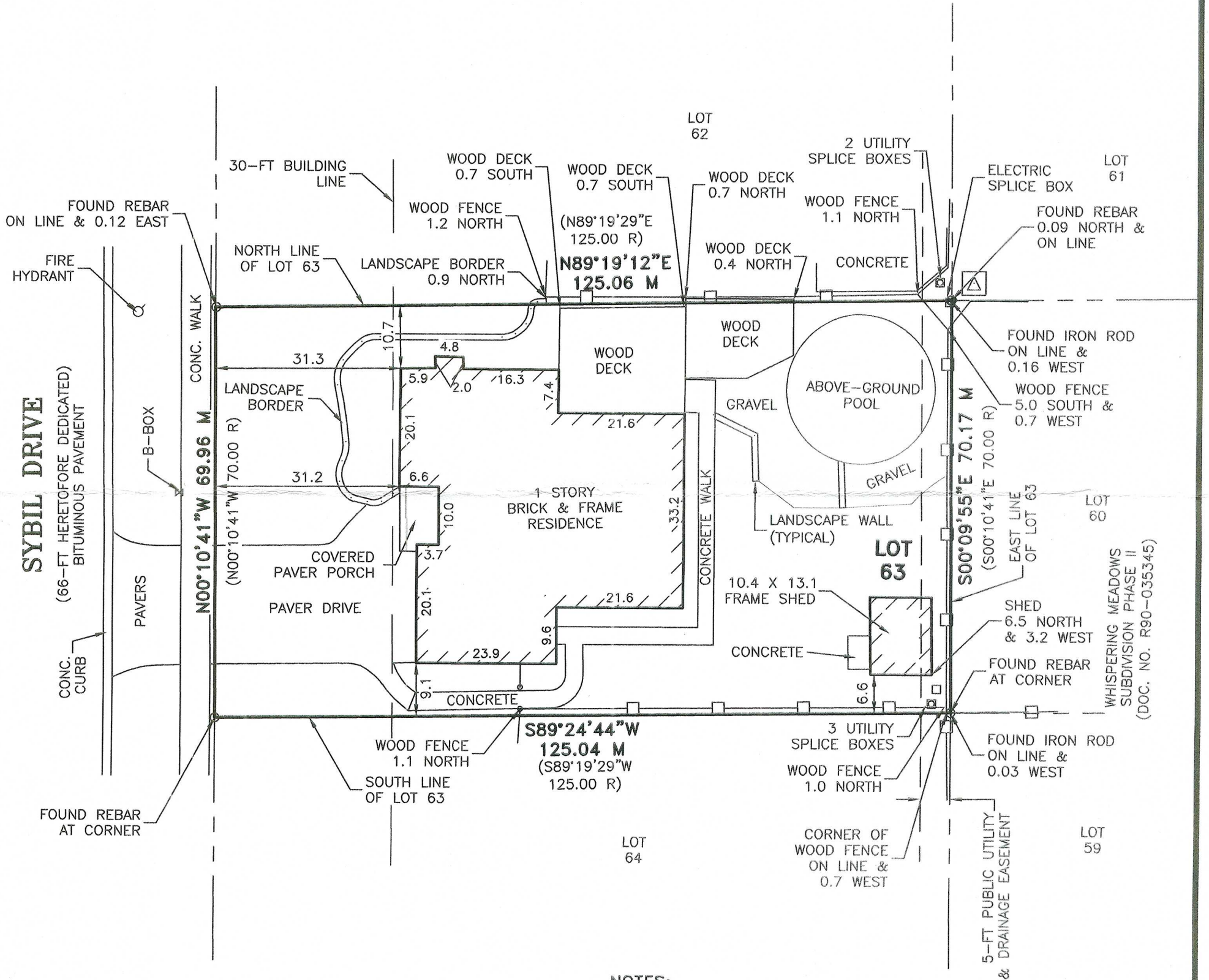
Item 7.

LOT 63, PHASE 1 WHISPERING MEADOWS SUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 20, 1990, AS DOCUMENT NO. R90-023134 AND CERTIFICATE OF CORRECTION RECORDED MAY 23, 1990, AS DOCUMENT NO. R90-028128, IN WILL COUNTY, ILLINOIS.

SCALE 1" = 20'

"O" INDICATES SURVEY MONUMENT FOUND
"●" INDICATES 9/16" X 30" IRON ROD SET

C OR CALC = CALCULATED
D = DEED
M OR MEAS = MEASURED
R OR REC = RECORD
△ = ELECTRIC TRANSFORMER



NOTES:

1. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
2. GEOTECH INCORPORATED IS PROFESSIONAL DESIGN FIRM NUMBER 184-000165.
3. FOR A SURVEY TO BE CONSIDERED TO BE AN ORIGINAL IT MUST BE SIGNED AND HAVE EITHER AN EMBOSSED SEAL OR A RUBBER STAMP SEAL IN THE COLOR RED OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR.
4. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
5. UNLESS OTHERWISE NOTED ON THE DRAWING, ALL PROPERTY CORNERS SET ARE 9/16-IN X 30-IN GALVANIZED IRON STEEL RODS.
6. THIS PLAT AND SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE LEGAL DESCRIPTION OF THE SURVEYED PROPERTY IS BASED ON THE QUIT CLAIM DEED RECORDED AS DOCUMENT NUMBER R2022029091.
7. THE BASIS OF BEARING FOR THE PLAT AND SURVEY, SHOWN HEREON, IS THE ILLINOIS COORDINATE SYSTEM OF 1983 (ICS83), ZONE JOLIET, BASED ON GNSS OBSERVATIONS UTILIZING THE TRIMBLE NOW VRS NETWORK.
8. THE AREA OF THE SURVEYED PARCEL IS 0.201 ACRE.
9. FIELD WORK COMPLETED ON JUNE 10, 2024.

STATE OF ILLINOIS)
COUNTY OF WILL) SS

I, CHRISTOPHER M. PAPESH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE SURVEYED, STAKED, AND LOCATED THE IMPROVEMENTS ON, AND PLATTED THE LAND DESCRIBED IN THE FOREGOING CAPTION AND SHOWN ON THIS PLAT, AND THAT THIS PLAT IS A CORRECT REPRESENTATION THEREOF, DATED AT CREST HILL, ILLINOIS.

THIS 12th DAY OF June, 2024, A.D.

Christopher M. Papesh
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3369
LICENSE EXPIRATION DATE: 11/30/2024
cpapesh@geotechincorp.com



GEOTECH INC.

CONSULTING ENGINEERS - LAND SURVEYORS

1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730-1010

PROJECT: SCOTT MCFEDRIES

FIELD BOOK #: W 36-10 PG 59

DRAWN BY: MC

DATE: 6/12/24

SCALE: 1"=20'

JOB NO. 21684

COMPARE THIS PLAT WITH YOUR RECORDS AND IMMEDIATELY REPORT ANY DISCREPANCIES

RECEIVED

JUL 03 2024

BUILDING DEPARTMENT

To Whom it May Concern,

My name is Carlos Torres. I live at 1944 Sybil Drive, Crest Hill. I am neighbors with Ellen and Scott McFedries. Scott and Ellen discussed with me the fact that a portion of their deck encroaches on my property. I have no concern with the fact the deck is on my property. And will support the variance.

Ellen and Scott have also informed me of the need to file for a variance regarding their pool and their shed. I do not have an issue with the McFedries as neighbors and the location of any of the requested variances.

If you need any additional feedback, please feel free to reach to out to me.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Torres' with a stylized flourish at the end.

Carlos Torres

7/2/24

Plan
Commission

630, 688. 742

Item 7.

Letter in support of
variance for 1940 Sybil Dr.
Scott & Ellen McFledres

RECEIVED
JUL 03 2024
BUILDING DEPARTMENT



City Council Work Session Agenda Memo

Crest Hill, IL

Meeting Date:	08/26/2024
Name:	Ronald Mentzer, Interim Community & Economic Development Director Zoe Gates, Administrative Clerk
Department:	Community Development
Topic:	Update of Chapters 1.20 Administrative Citations, 1.24 Hearing Procedures, and 1.28 Administrative Adjudication of Code Violations of the City Code

Summary: Community Development and the Police Department staff are proposing revisions to the three Chapters of the City Code that govern the City's administrative citations and administrative hearing processes.

These three Chapters have not been updated in at least eleven years. The proposed revisions include updating department names, references to individual positions, and procedure requirements to reflect the current organizational structure, systems and processes, and new software the City utilizes to administer its adjudication hearing processes.

Recommended Council Action: Recommend approval of staff recommended revisions to Chapters 1.20, 1.24, and 1.28 of the City Code.

Financial Impact: N/A

Funding Source:

Budgeted Amount:

Cost:

Attachments: Copies of the proposed ordinances that reflect the staff recommended revisions to Chapters 1.20, 1.24, and 1.28 of the City Code.

ORDINANCE NO. _____**AN ORDINANCE AMENDING CHAPTER 1.20 OF THE CODE OF ORDINANCES OF THE CITY OF CREST HILL, ILLINOIS.**

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, The City of Crest Hill has previously exercised said authority by adopting Chapter 1.20 Administrative Citations, and amending it from time to time; and

WHEREAS, The City Council has determined that it is necessary to amend the City of Crest Hill Code Chapter 1.20 Administrative Citations, as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL. Chapter 1.20 of the Crest Hill Code of Ordinances is hereby repealed and replaced in its entirety as follows:

CHAPTER 1.20: ADMINISTRATIVE CITATIONS

Section

- 1.20.010 Definition
- 1.20.020 Administrative citation
- 1.20.025 Administration of citation procedures
- 1.20.030 Compromise and payment of citation
- 1.20.040 Prosecution upon non-compliance
- 1.20.050 Exception

§ 1.20.010 DEFINITION.

As used in this chapter, **ADMINISTRATIVE CITATION** is defined as a written ticket served upon a person or entity who has offended one or more provisions of the code where the sworn police officer, Department Head or their designee detecting the offense or enforcing the relevant code provision elects not to arrest the offender and issue a formal complaint, but instead elects to issue the citation and invoke administrative enforcement without initially resorting to court process.

§ 1.20.020 ADMINISTRATIVE CITATION.

- (A) In lieu of initial prosecution of a violation of any provision of this code (other than parking tickets), any person or entity accused of such a violation may be issued an administrative citation which shall require the violator to:

- (1) Pay an administrative fee to the city within fifteen (15) calendar days of issuance of the citation, as a settlement and compromise of the claim against the violator, as set out below; and
 - (2) Correct, repair, or rectify any condition which constitutes a continuing violation of a city ordinance or regulation within the period specified in the administrative citation.
- (B) The administrative citation shall be issued as a courtesy to the violator in lieu of instituting a prosecution for the alleged violations. If the person accused of the violation fails to settle and pay the claim within the period specified in the administrative citation, further administrative and judicial action by the city shall be in accordance with §§ 1.20.030 and 1.20.040 herein. The Chief of Police is authorized to promulgate administrative regulations to implement the administrative ticket program, including production of an appropriate form citation to be issued to the violator.

§ 1.20.025 ADMINISTRATION OF CITATION PROCEDURES.

- (A) Sworn police officers shall be empowered to administer administrative citations for all violations of this code and the Crest Hill Zoning Ordinance, being Ord. No. 789, amended by Ord. No. 1151, amended by Ord. No. 1778. The Community and Economic Development Director or their designee shall be empowered to issue administrative citations relating to building code violations, builders' and contractors' registration and/or permit violations, zoning ordinance violations, violations of any rental property or other real property inspection provisions contained in this code, public nuisances, illegally stored junk and illegally stored vehicles.
- (B) Any administrative citations issued by a sworn police officer will proceed for administration purposes through the Police Department. Any matter related to administrative citations issued by a Department Head or their designee shall proceed through the Community and Economic Development Department and the Community and Economic Development Department shall keep separate records concerning the administration of said code violations. Provided, however, once there has been failure or refusal of the violator to proceed with compromise and payment of a citation as specified in § 1.20.030, all further prosecution for noncompliance through the local court system shall fall under the administration of the Police Department under § 1.20.040.
- (C) Form citations under 1.20.020(B) shall be uniform as between the Police Department and the Community and Economic Development Department, and the Police Department shall provide standard form citations to the Community and Economic Development Department for issuance of the administrative citations. The regulations of the Chief of Police with respect to administrative tickets shall apply to the Community and Economic Development Department to the extent that they do not conflict with the provisions of this chapter.

§ 1.20.030 COMPROMISE AND PAYMENT OF CITATION.

- (A) Within fifteen (15) calendar days of issuance of the citation, or the next business day if the fifteenth day falls on a Saturday, Sunday or holiday observed by the city, the violator may settle and compromise the citation by paying the fine listed on the citation to the corresponding department.

- (B) If the violator does not pay within the fifteen days set out in subsection (A) above, he or she may still settle and compromise the citation by payment of the listed fine plus an additional \$50 up to the date of the hearing listed on the citation.

§ 1.20.040 PROSECUTION UPON NON-COMPLIANCE.

If the recipient of the citation does not pay the administrative fee within the time period set out in § 1.20.030(B) above, the citation shall be subject to the hearing procedures set forth in Chapters 1.24 and 1.28.

§ 1.20.050 EXCEPTION.

This chapter shall not govern the issuance of citations with respect to parking tickets. Further, this chapter shall not apply to any provisions of the Illinois Motor Vehicle Code which may be required by that code to be prosecuted in court through issuance of a uniform traffic citation.

[Left Intentionally Blank]

PASSED THIS _____ DAY OF _____, 2024.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1.24 OF THE CODE OF ORDINANCES OF THE CITY OF CREST HILL, ILLINOIS.

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, The City of Crest Hill has previously exercised said authority by adopting Chapter 1.24 Hearing Procedures for Enforcement of Building, Housing and Zoning Code Violations, and amending it from time to time; and

WHEREAS, The City Council has determined that it is necessary to amend the City of Crest Hill Code Chapter 1.24 Hearing Procedures for Enforcement of Building, Housing and Zoning Code Violations as set forth in this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL. The Chapter 1.24 of the City code of ordinance is and shall be repealed and replaced in their entirety as follows:

CHAPTER 1.24: HEARING PROCEDURES FOR ENFORCEMENT OF BUILDING, HOUSING AND ZONING CODE VIOLATIONS

Section

- 1.24.010 Adoption
- 1.24.020 Definition
- 1.24.030 Code Hearing Department
- 1.24.040 Code hearing procedure
- 1.24.050 Subpoenas
- 1.24.060 Default
- 1.24.070 Continuances and representation at code hearings
- 1.24.080 Evidence at hearing
- 1.24.090 Retaliatory action against occupants prohibited
- 1.24.100 Defenses to code violations
- 1.24.110 Findings, decision, order of hearing officer
- 1.24.120 Fines and sanctions
- 1.24.130 Administrative review law to apply
- 1.24.140 Disposition of violations
- 1.24.150 Sanctions and findings to run with the property

§ 1.24.010 ADOPTION.

The City of Crest Hill hereby adopts ILCS Ch. 65, Act 5, §§ 11-31.1-1 et seq. in its current form and as it may be amended from time to time.

§ 1.24.020 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE. Any Crest Hill ordinance, law, housing, building code or zoning ordinance that establishes construction, plumbing, heating, electrical, fire prevention, sanitation or other health and safety standards that are applicable to structures in Crest Hill.

CODE ENFORCEMENT OFFICER. Any Crest Hill sworn police officer, community service officer, or the Community and Economic Development Director or their designee, whose duty it is to enforce the Crest Hill Code as defined herein.

HEARING OFFICER. A Crest Hill employee or an officer or agent of Crest Hill, other than a property inspector or law enforcement officer, whose duty it is to:

- (1) Preside at an administrative hearing called to determine whether or not a code violation exists;
- (2) Hear testimony and accept evidence from the property inspector, the building owner and all interested parties relevant to the existence of a code violation;
- (3) Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- (4) Issue and sign a written finding, decision and order stating whether a code violation exists.

PROPERTY OWNER. The legal or beneficial owner of a structure.

§ 1.24.030 CODE HEARING DEPARTMENT.

- (A) There is hereby established a Code Hearing Department the function of which is to expedite the presentation and correction of code violations in the manner set out in ILCS Ch. 65, Act 5, §§ 11-31.1 et seq. and this chapter.
- (B) The adoption of this chapter does not preclude Crest Hill from using other lawful methods to enforce the provision of its code.

§ 1.24.040 CODE HEARING PROCEDURE.

- (A) When any Code Enforcement Officer finds a code violation while inspecting a property, he or she shall note the violation on a multiple copy violation notice and report form, indicating the name and address of the property owner, the type and nature of the violation, the date and time the violation was observed, the names of witnesses to the violation, and the address of the property where the violation is observed.
- (B) The violation report form shall be forwarded by the Code Enforcement Officer, to the Code Hearing Department where a docket number shall be stamped on all copies of the report, and a hearing date noted in the blank spaces provided for that purpose on the form. The hearing date shall be at the next available Administrative Hearing date which is not less than 30 days after the violation is reported by the Code Enforcement Officer.
- (C) One copy of the violation report form shall be maintained in the files of the Code Hearing Department and shall be part of the record of hearing, one copy of the report form shall be

returned to the Code Enforcement Officer so that he may prepare evidence of the code violation for presentation at the hearing on the date indicated, and one copy of the report form shall be served by first class mail on the property owner along with a summons commanding the property owner to appear at the hearing. If the municipality in which the property is situated has an ordinance requiring property owners to register with the municipality, service may be made on the property owner by mailing the report and summons to the property owner's address registered with the municipality. If the name of the property owner of the structure cannot be ascertained or if service on the property owner cannot be made by mail, service may be made on the property owner by posting or mailing a copy of the violation report form on the front door of the structure where the violation is found, not less than 20 days before the hearing is scheduled.

- (D) If the Code Hearing Department has reason to believe that the occupant of the property is other than the property owner, the Code Hearing Department should further serve a copy of the report form and summons on the occupant by mailing it directly to the property. This additional notice is intended as a courtesy to permit the occupant to protect its own rights in any code enforcement matter and any failure by the Code Hearing Department to notify the occupant shall not effect the Code Hearing Department's jurisdiction over the citation and the property owner.

§ 1.24.050 SUBPOENAS.

At any time prior to the hearing date the hearing officer assigned to hear the case may, at the request of the Code Enforcement Officer, or the attorney for Crest Hill, or the respondent or his attorney, issue subpoenas directing witnesses to appear and give testimony at the hearing.

§ 1.24.060 DEFAULT.

If on the date set for hearing the respondent or his attorney fails to appear, the hearing officer may find the respondent in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

§ 1.24.070 CONTINUANCES AND REPRESENTATION AT CODE HEARINGS.

No continuances shall be authorized by the hearing officer in proceedings under this chapter except in cases where a continuance is absolutely necessary to protect the rights of the respondent. Lack of preparation shall not be grounds for a continuance. Any continuance authorized by a hearing officer under this section shall be to the next available Administrative Hearing date. The case for Crest Hill may be presented by the Code Enforcement Officer, by any other Crest Hill employee or agent or by an attorney designated by Crest Hill. However, in no event shall the case for Crest Hill be presented by an employee of the Code Hearing Department. The case for the respondent may be presented by the owner and/or occupant themselves, their attorney(s), or any other agent or representative.

§ 1.24.080 EVIDENCE AT HEARING.

At the hearing, a hearing officer shall preside and shall hear testimony and accept any evidence relevant to the existence or non-existence of a code violation relating to a property or structure indicated. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter.

§ 1.24.090 RETALIATORY ACTION AGAINST OCCUPANTS PROHIBITED.

No action for eviction, abatement of a nuisance, forcible entry and detainer or other similar proceeding shall be threatened or instituted against an occupant of a dwelling solely because such occupant agrees to testify or testifies at a code violation hearing.

§ 1.24.100 DEFENSES TO CODE VIOLATIONS.

It shall be a defense to a code violation charge under this chapter if the property owner, his attorney, or any other agent or representative proves to the hearing officer's satisfaction that:

- (A) The code violation alleged in the notice does not in fact exist, or at the time of the hearing the violation has been remedied or removed;
- (B) The code violation has been caused by the current property occupants and that in spite of reasonable attempts by the property owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations;
- (C) An occupant or resident of the dwelling has refused entry to the property owner or his agent to all or a part of the dwelling for the purpose of correcting the code violation.

§ 1.24.110 FINDINGS, DECISION, ORDER OF HEARING OFFICER.

- (A) At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing whether or not a code violation exists. The determination shall be in writing and shall be designated as findings, decision and order. The findings, decision and order shall include the hearing officer's finding of fact, a decision whether or not a code violation exists based upon the findings of facts, and an order ordering the property owner to correct the violation or dismissing the case in the event a violation is not proved.
- (B) If a code violation is proved, the order may also impose the sanctions that are provided in the code for the violation proved. A copy of the findings, decision, and order shall be served on the property owner within five days after they are issued; service shall be in the same manner as the report form and summons are served pursuant to § 1.24.040(C). Payment of any penalty or fine and the disposition of fine money shall be in the same manner as set forth in the code, unless the corporate authorities adopting the chapter provide otherwise.

§ 1.24.120 FINES AND SANCTIONS.

The City of Crest Hill adopts by reference all current and future local ordinances, and those current and future provisions of ILCS Ch. 65, Act 5, § 11-31.1 et seq. governing property or zoning codes applicable to structures or properties relative to construction, plumbing, heating, electrical, fire prevention, sanitation and other health and safety standards in Crest Hill, for its enforcement and adjudication within the geographical boundaries of Crest Hill.

§ 1.24.130 ADMINISTRATIVE REVIEW LAW TO APPLY.

The findings, decision and order of the hearing officer shall be subject to review in the Circuit Court of Will County, and the provisions of the administrative review law, being ILCS Ch. 735, Act 5, § 3-101 et seq. and all amendments and modifications thereto, and the rules adopted pursuant thereto are adopted and shall apply to and govern every action for the judicial review of the final findings, decision and order of a hearing officer under this chapter.

§ 1.24.140 DISPOSITION OF VIOLATIONS.

- (A) Any fine, other sanction or costs imposed, or part of any fine, other sanction or costs imposed remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the administrative review law shall be a debt due and owing to Crest Hill and, as such, may be collected in accordance with applicable law.
- (B) After expiration of the period within judicial review under the administrative review law may be sought for a final determination of the code violation, Crest Hill may commence a proceeding in the Circuit Court of Will County for purposes of obtaining a judgement on the findings, decision and order. Nothing in this section shall prevent Crest Hill from consolidating multiple findings, decisions and orders against a person in such a proceeding. Upon commencement of the actions, Crest Hill shall file a certified copy of the findings, decision and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order was issued in accordance with this chapter and applicable state law. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail return receipt requested, provided that the total amounts of fines, other sanctions and costs imposed by the findings, decision and order do not exceed \$2,500.00.

§ 1.24.150 SANCTIONS AND FINDINGS TO RUN WITH THE PROPERTY.

The order to correct a code violation and the sanctions imposed by Crest Hill as the result of a finding of a code violation under this chapter shall attach to the property as well as to the property owner so that a finding of a code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes subject to the findings, decision and order of a hearing officer under this chapter.

[Left Intentionally Blank]

PASSED THIS _____ DAY OF _____, 2024.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderpersion Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

ORDINANCE NO. _____**AN ORDINANCE AMENDING CHAPTER 1.28 OF THE CODE OF ORDINANCES OF THE CITY OF CREST HILL, ILLINOIS.**

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, The City of Crest Hill has previously exercised said authority by adopting Chapter 1.28 Administrative Adjudication of Code Violations, and amending it from time to time; and

WHEREAS, The City Council has determined that it is necessary to amend the City of Crest Hill Code Chapter 1.28 Administrative Adjudication of Code Violations as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL. Chapter 1.28 of the Crest Hill City Code of Ordinances is hereby repealed and replaced in its entirety as follows:

CHAPTER 1.28: ADMINISTRATIVE ADJUDICATION OF CODE VIOLATIONS

Section

- 1.28.010 Adoption
- 1.28.020 Definitions
- 1.28.030 Code Hearing Department
- 1.28.040 Hearing procedures not exclusive
- 1.28.050 Instituting hearing code proceedings
- 1.28.060 Subpoenas; defaults
- 1.28.070 Continuances; representation at code hearings
- 1.28.080 Hearing; evidence
- 1.28.090 Qualifications of hearing officers
- 1.28.100 Findings, decision and order
- 1.28.110 Administrative review law to apply
- 1.28.120 Judgement on findings, decision and order
- 1.28.130 Impact on existing administrative adjudication systems

§ 1.28.010 ADOPTION.

The City of Crest Hill hereby adopts ILCS Ch. 65, Act 5, §§ 1-2.2-1 et seq., Division 2 in its current form and as it may be amended from time to time for adjudication of municipal code violations to the extent permitted by the Illinois Constitution.

§ 1.28.020 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE. Any municipal ordinance except for:

- (1) Building Code violations that must be adjudicated pursuant to ILCS Ch. 65, Act 5, §§ 11-31.1 et seq. in its current form and as may be amended from time to time; and
- (2) Any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under the Illinois Vehicle Code, being ILCS Ch. 625, Act 5, § 6-204.

CODE ENFORCEMENT OFFICER. Any Crest Hill sworn police officer, community service officer, or director or department head or their respective designee(s), whose duty it is to enforce the Crest Hill Code as defined herein.

HEARING OFFICER. A municipal employee or an officer or agent of the City of Crest Hill, other than a law enforcement officer, whose duty it is to:

- (1) Preside at an administrative hearing called to determine whether or not a code violation exists;
- (2) Hear testimony and accept evidence from all interested parties relevant to the existence of a code violation;
- (3) Preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing; and
- (4) Issue and sign a written finding, decision and order stating whether a code violation exists.

§ 1.28.030 CODE HEARING DEPARTMENT.

- (A) There is hereby established a Code Hearing Department in the City of Crest Hill municipal government. The function is to expedite the prosecution and correction of code violations in the manner set forth in this chapter.
- (B) The Code Hearing Department may adjudicate any violation of a municipal ordinance except for:
 - (1) Building Code violations that must be adjudicated pursuant to ILCS Ch. 65, Act 5, §§ 11-31.3, Division 31.1 in its current form and as amended from time to time; and
 - (2) Any offense under the Illinois Vehicle Code or similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under the Illinois Vehicle Code, being ILCS Ch. 625, Act 5, § 6-204.

§ 1.28.040 HEARING PROCEDURES NOT EXCLUSIVE.

This chapter does not preclude Crest Hill from using other methods to enforce the provisions of this code.

§ 1.28.050 INSTITUTING HEARING CODE PROCEDURES.

- (A) When any Code Enforcement Officer finds a code violation to exist, he or she shall note the violation on a multiple copy violation notice and report form that indicates:

- (1) The name and address of the defendant;
- (2) The type and nature of the violation;
- (3) The date and time the violation was observed; and
- (4) The names of the witnesses of the violation.

- (B) The violation report form shall be forwarded to the Code Hearing Department where a docket number shall be stamped on all copies of the report and a hearing date shall be noted in the blank spaces provided for that purpose on the form. The hearing date shall be at the next available Administrative Hearing date which is not less than 30 days after the violation is reported by the Code Enforcement Officer.
- (C) One copy of the violation report form shall be maintained in the files of the Code Hearing Department and shall be part of the record of hearing, one copy of the report form shall be returned to the Code Enforcement Officer so that he or she may prepare evidence of the code violation for presentation at the hearing on the date indicated, and one copy of the report form shall be served in person or by first class mail to the defendant along with a summons commanding the defendant to appear at the hearing.

§ 1.28.060 SUBPOENAS; DEFAULTS.

At any time prior to the hearing date, the hearing officer assigned to hear the case may, at the request of either party, direct witnesses to appear and give testimony at the hearing. If on the date set for the hearing the defendant or his or her attorney fails to appear, the hearing officer may find the defendant in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

§ 1.28.070 CONTINUANCES; REPRESENTATION AT CODE HEARINGS.

- (A) No continuances shall be authorized by the hearing officer in proceedings under this chapter except in cases where a continuance is absolutely necessary to protect the rights of the defendant. Lack of preparation shall not be grounds for a continuance. Any continuance authorized by a hearing officer under this section shall be to the next available Administrative Hearing date.
- (B) The case for Crest Hill may be presented by an attorney designated by Crest Hill or agent or by any other Crest Hill employee, except that the case for Crest Hill shall not be presented by any employee of the Code Hearing Department. The case for the defendant may be presented by the defendant, or any other agent or representative of the defendant.

§ 1.28.080 HEARING; EVIDENCE.

At the hearing, a hearing officer shall preside, shall hear testimony, and shall accept any evidence relevant to the existence or non-existence of a code violation. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter.

§ 1.28.090 QUALIFICATIONS OF HEARING OFFICERS.

Every hearing officer must be an attorney licensed to practice law in the State of Illinois for at least three years. Prior to conducting proceedings under this chapter, hearing officers shall successfully complete a formal training program that includes the following:

- (A) Instruction on the rules of procedure of the hearing that they will conduct;
- (B) Orientation to each subject area of the code violations that they will administer;
- (C) Observation of administrative hearings; and
- (D) Participation in hypothetical cases, including rules on evidence and issuing final orders.

§ 1.28.100 FINDINGS, DECISION, AND ORDER.

- (A) At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing as to whether or not a code violation exists. The determination shall be in writing and shall be designated as findings, decision and order. The findings, decision and order shall include:
 - (1) The hearing officer's finding of fact;
 - (2) A decision whether or not a code violation exists based upon the findings of fact; and
 - (3) An order that states the sanction or dismisses the case if a violation is not proved.
- (B) A monetary sanction for a violation under this chapter shall not exceed the amount provided for in ILCS Ch. 65, Act 5, § 1-2.2 in its current form and as amended from time to time. A copy of the findings, decision, and order shall be served on the defendant within five days after it is issued. Service shall be in the same manner as the report form and summons are served under § 1.28.050. Payment of any penalty or fine and the disposition of fine money shall be in the same manner as set forth in the code, unless the corporate authorities adopting the chapter provide otherwise.

§ 1.28.110 ADMINISTRATIVE REVIEW LAW TO APPLY.

The findings, decision and order of the hearing officer shall be subject to review in the Circuit Court of Will County, and the provisions of the administrative review law, ILCS Ch. 735, Act 5, §§ 3-101 et seq., and all amendments and modifications thereto, and the rules adopted pursuant thereto are adopted and shall apply to and govern every action for the judicial review of the final findings, decision and order of a hearing officer under this chapter.

§ 1.28.120 JUDGMENT ON FINDINGS, DECISION, AND ORDER.

- (A) A fine, other sanction, or costs imposed, or part of any fine, other sanction or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the Administrative Review Law shall be a debt due and owing to Crest Hill and, as such, may be collected in accordance with applicable law.
- (B) After expiration of the period within which judicial review under the Administrative Review Law may be sought for a final determination of the code violation, Crest Hill may command a proceeding in the circuit court of Will County for the purpose of obtaining a judgement of findings, decision, and order. Nothing in this section shall prevent Crest Hill from consolidating multiple findings, decisions, and orders against a person in such a proceeding. Upon commencement of the action, Crest Hill shall file a certified copy of the findings, decision, and order, which shall be accompanied by a certification that recites facts sufficient to show that the

findings, decision, and order was issued in accordance with this chapter and the applicable municipal ordinances. Service of the summons and a copy of the petition may be by any method provided that the total amount of fines, other sanctions, and costs imposed by the findings, decision and order does not exceed \$2,500. If the court is satisfied that the findings, decision and order was entered in accordance with the requirements of this chapter and the applicable municipal ordinance and that the defendant had an opportunity for a hearing under this ordinance and for judicial review as provided in this chapter:

- (1) The court shall render judgement in favor of Crest Hill and against the defendant for the amount indicated in the findings, decision, and order, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money;
- (2) The court may also issue any other orders and injunctions that are requested by Crest Hill to enforce the order of the hearing officer to correct a code violation.

§ 1.28.130 IMPACT ON EXISTING ADMINISTRATIVE ADJUDICATION SYSTEMS.

This chapter shall not affect the validity of systems of administrative adjudication that were authorized by state law, including the City of Crest Hill ordinances, and in existence prior to the effective date of this chapter.

[Left Intentionally Blank]

PASSED THIS _____ DAY OF _____, 2024.

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk



City Council Work Session Agenda Memo

Crest Hill, IL

Meeting Date:	08/26/2024
Name:	Ronald Mentzer, Interim Community & Economic Development Director
Department:	Community Development
Topic:	Annexation of the Vacant Property at the Northwest Corner of Caton Farm Road and Plum Street

Summary: The owner of the 16,874 square foot, vacant, unincorporated property located at the northwest corner of Caton Farm Road and Plum Street (the “Subject Property”) has requested the City of Crest Hill annex this property so he can build a new single-family home on it that would be connected to City of Crest Hill sanitary sewer and water mains. The property owner has also requested the City approve the rezoning of this from R-1A to R-1B and a front yard setback variation. The Plan Commission conducted a public hearing and recommended unanimous approval of these special zoning approvals at its August 8, 2024, meeting.

The City Council discussed the potential annexation of this property and the owner’s rezoning and setback variance requests at its May 13, 2024, and July 8, 2024, workshop meetings. The City Council expressed support for the property owner’s annexation, rezoning, and front-yard setback variation requests at those meetings.

The property owner has formally applied to have the Subject Property disconnected from the Plainfield Fire Protection District and annexed into the Lockport Fire Protection District as required by the provisions of City of Crest Hill Resolution 360. Ultimately, the Plainfield Fire Protection District denied the disconnection request in a June 11, 2024, letter. As a result, the property will remain in the Plainfield Fire Protection District.

Recommended Council Action: Direct Staff and the City Attorney to prepare an ordinance to approve the annexation of the vacant property at the northwest corner of Caton Farm Road and Plum Street into the City of Crest Hill.

Financial Impact: The City will receive additional permit revenue, sewer and water connection and use revenue, and new property tax revenue if this property is annexed and improved in the City of Crest Hill

Funding Source: N/A

Budgeted Amount: N/A

Cost: N/A

Attachments:

- Application for Development dated 07/12/2024
- Applicant Annexation Letter to Mayor and City Council dated 05/09/2024
- Plat of Survey sealed on 08/10/2023
- 6/11/2024, letter from the Plainfield Fire Protection District denying the de-annexation of the subject property
- 7/23/2024, letter requesting Lockport Township Fire Protection District annexation of the subject property

City of Crest Hill Development Handbook

Appendix C

Application for Development

For Office Use Only: Case Number:

Project Name: Prado ResidenceOwner: Raphael PradoCorrespondence To: OwnerStreet No: 425 Prior Street

Street No: _____

City, State, Zip: Joliet, IL 60435

City, State, Zip: _____

Phone: (630) 486-6950

Phone: _____

Email or fax: rafapradoleon@gmail.com

Email or fax: _____

Property Address: TBD, Vacant LotProperty Information: For Combined LotsStreet No: NW Corner of
Caton Farm Rd & Plum St.Lot Width: 100 feet, 84 feetCity, State, Zip: Joliet, IL 60435Lot Depth: 170 feet, 152 feetPIN: (2) lots: 06-03-25-421-028-0000
06-03-25-421-029-0000Total Area: 16,874 square feet

* Attach a copy of the legal description of the property and applicable fees.

* Submit electronic version of the legal description to:

mdeharo@cityofcresthill.com and lthrasher@cityofcresthill.com.Existing Zoning: R-3 Existing Land Use: Residential-Single-family, Unincorporated Will CountyRequested Zoning: R-1B Proposed Land Use: Single Family Residence District, City of Crest Hill**Adjoining Properties Zoning and Uses:**North of Property: R-3, Residential, Unincorporated Will CountySouth of Property: B-2, General Business District, R-2 Two-Family Residence District, City of Crest HillEast of Property: B-2, General Business District, (including Special Use), City of Crest HillWest of Property: R-3, Residential, Unincorporated Will CountyPurpose Statement (intended use and approval sought): Seeking approval for annexing
into the City of Crest Hill for the construction of a single-family dwelling.

City of Crest Hill Development Handbook

Appendix C

Development Request: Please check all that apply and describe:

☒ **Rezoning:** R-1A to R-1B

*Please attach written responses to items listed in Section 12.8-5 of the Zoning Ordinance.

☐ **Special Use:** _____

*Please attach written responses to items listed in Section 12.7-6 of the Zoning Ordinance.

☒ **Variance:** Corner side setback from 30 feet to 20 feet

*Please attach written responses to items listed in Section 12.6-2 of the Zoning Ordinance.

☐ **Planned Unit Development:** _____

*Please attach written responses to items listed in Sections 10.0-4 & 10.5 of the Zoning Ordinance.

☒ **Annexation:** from Unincorporated Will County to City of Crest Hill

☐ **Plat:** _____

☐ **Other:** _____

Contact Information – if not yet known, please indicate as TBD. Check those parties in which copies of all correspondences should be forwarded.

☐ **Civil Engineer** Thomas Carroll, PE

Phone Number (815) 730-1010

Company Geotech, Inc.

Email Address tcarroll@geotechincorp.com

☐ **Contractor** TBD

Phone Number _____

Company _____

Email Address _____

☐ **Architect** Felipe I. Rodriguez, on behalf of

Phone Number (815) 919-1425

Company BDL, Architect, AIA NCARB

Email Address fr.il.arch@gmail.com

☐ **Builder** TBD

Phone Number _____

Company _____

Email Address _____

I agree to be present (in person or by counsel) when the Plan Commission and City Council hear this development request.


Signature of the Applicant

7/12/24
Date

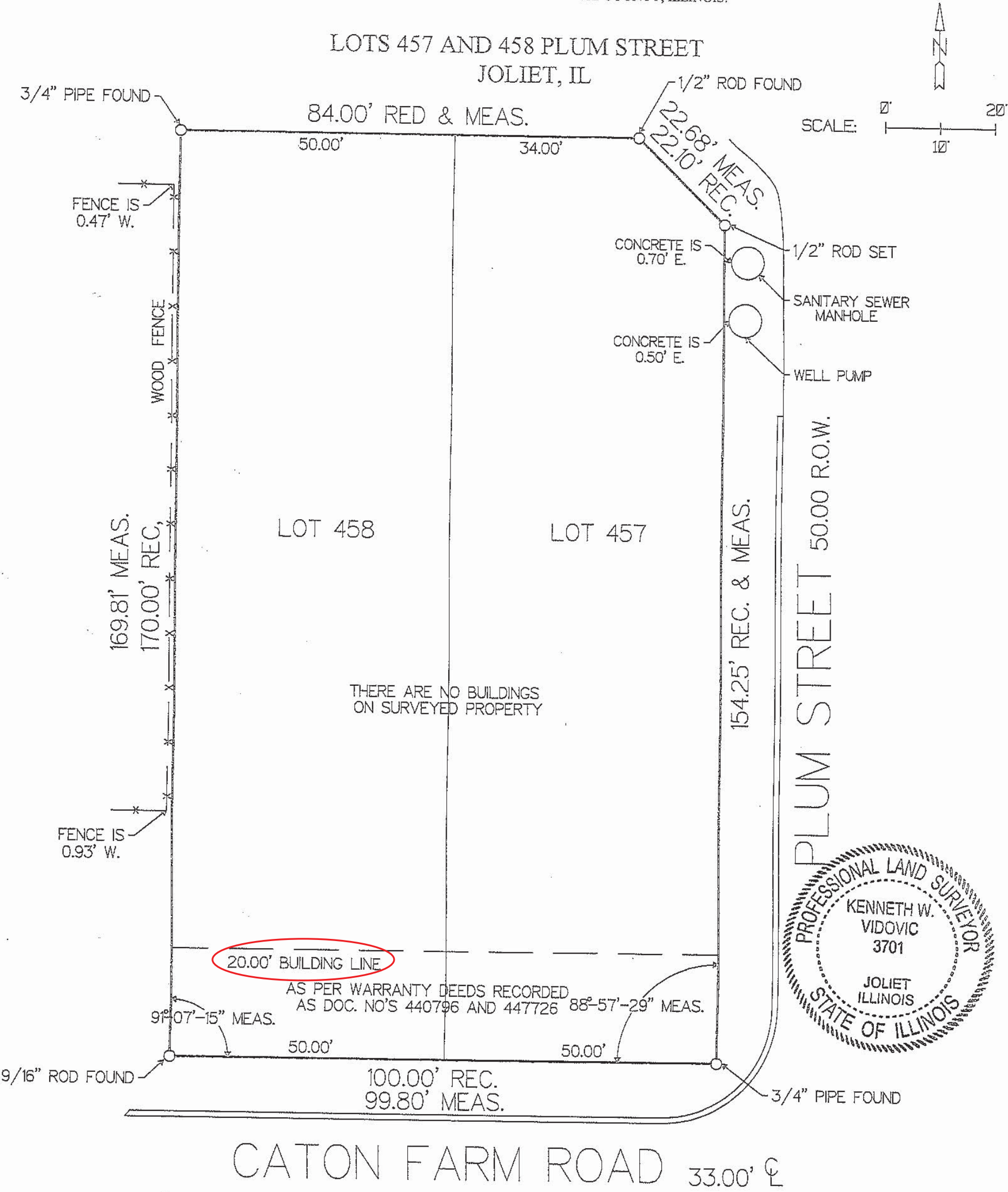
If you (the applicant) are not the owner of record, please provide the owner's signature.

Signature of the Owner

Date

PLAT OF SURVEY

LOT 457 AND 458, IN SUNNYLAND, A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, AS PER PLAT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID WILL COUNTY IN PLAT BOOK 21, PAGE 5 AS DOCUMENT NO. 378700 IN WILL COUNTY, ILLINOIS.



COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax

EMAIL: kvcommunitysurvey@att.net

DESIGN FIRM NO. 184-002899

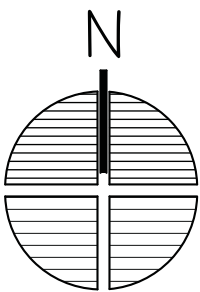
CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR
EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY.
COMPARE POINTS BEFORE BUILDING.

WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE
HAVE SURVEYED FOR LUCAS LAW UNDER MY HAND AND SEAL
THIS 11TH DAY OF AUGUST 2023.
FIELD WORK 08/10/2023.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEY NUMBER 23-29969

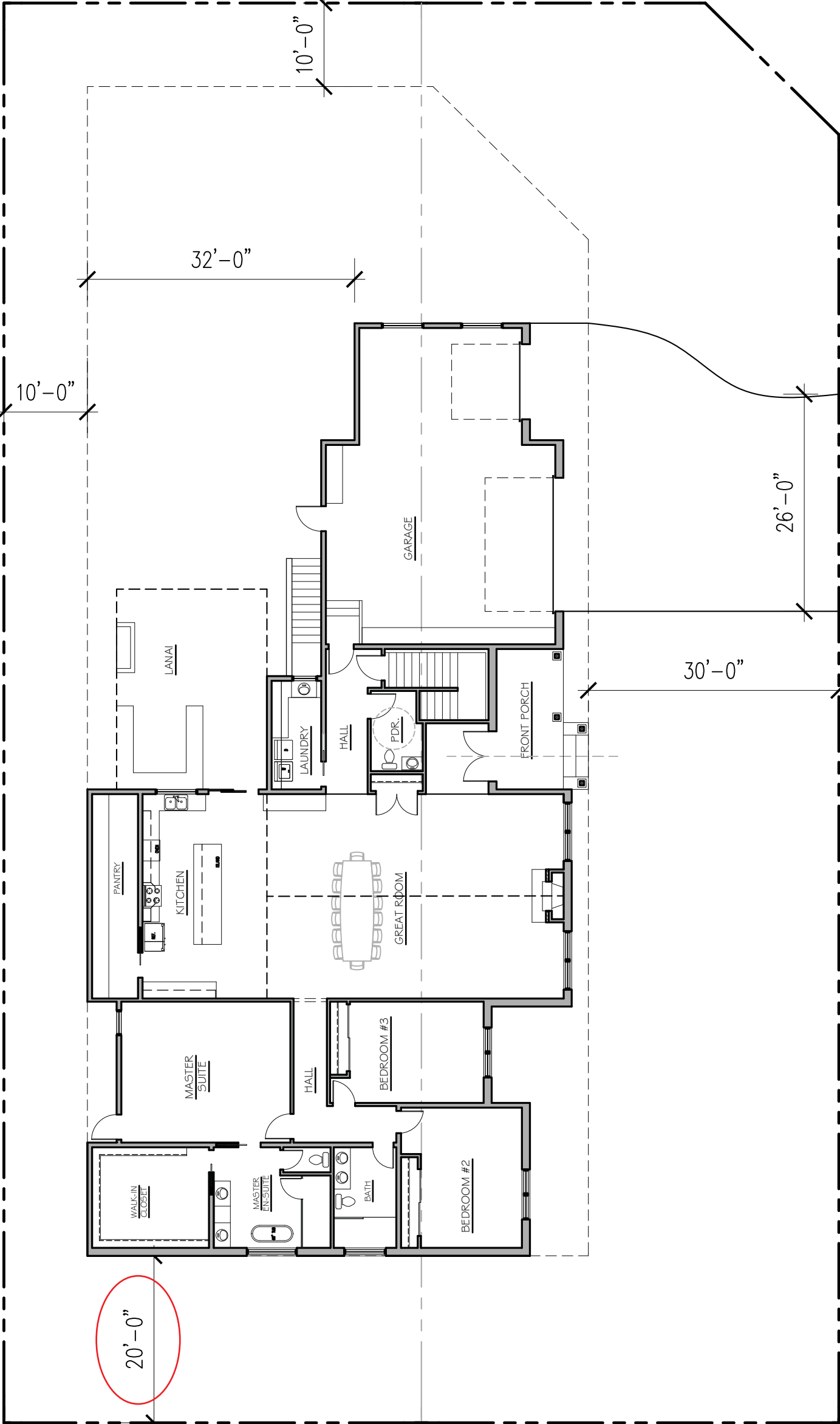
ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2024



SITE PLAN



170.00' PROPERTY LINE

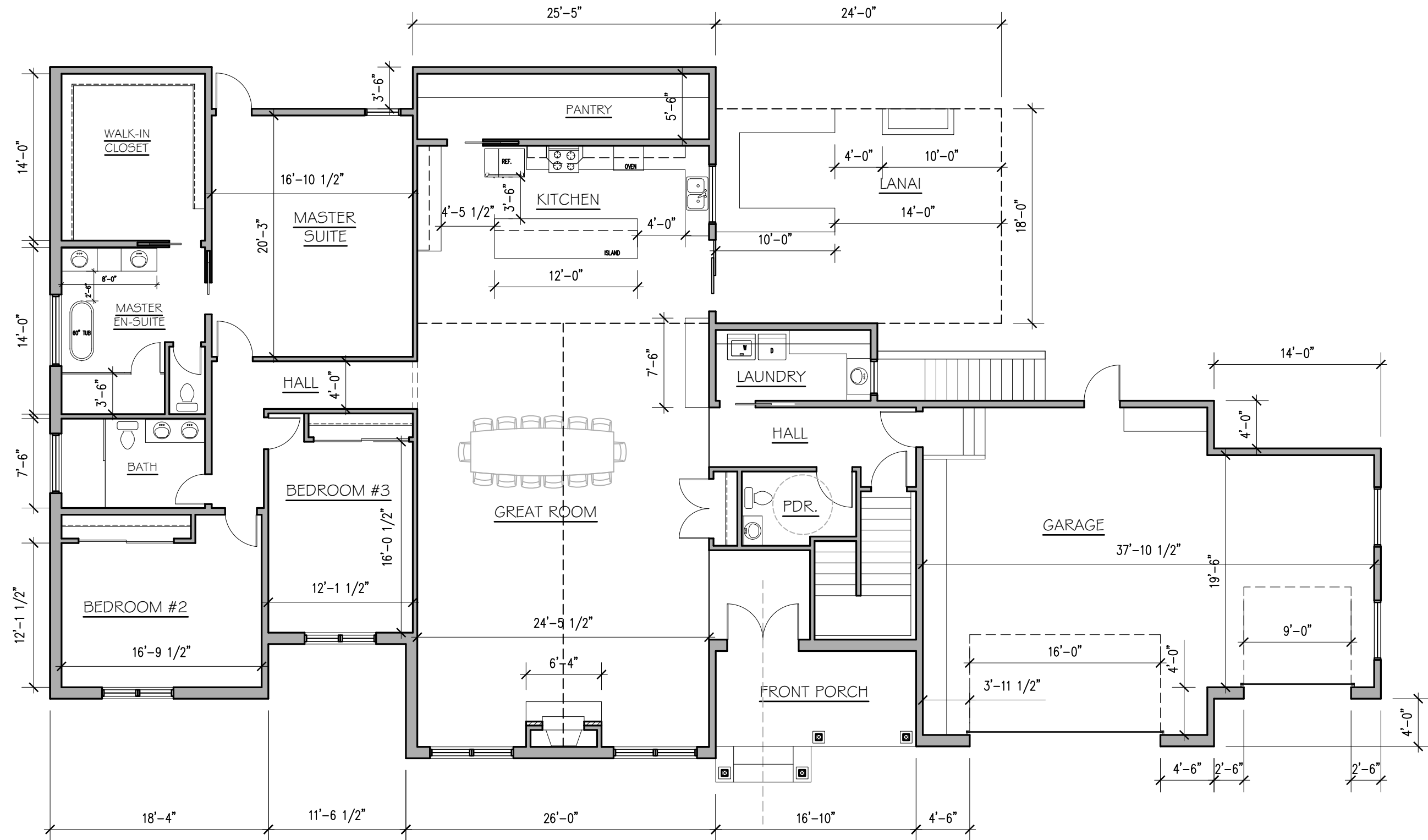


50.00' PROPERTY LINE

CATON FARM ROAD

154.25' PROPERTY LINE

PLUM STREET





Monday, July 23rd , 2024

Re: Request to Annex into from Lockport Township Fire Protection District (LTFPD)

Attn.: Fire Chief O'Connor, Board of Trustees

Property Owners:
Raphael & Gabriela Prado
425 Prior St.
Joliet, IL 60435

Subject Property:
Northwest Corner of
Caton Farm Road and Plum St.,
Currently Unincorporated Will
County Lots: 457 & 458

Primary Purpose for Request:
To annex into the City of Crest Hill

Will County Parcel Number(s):
06-03-25-421-028-0000
06-03-25-421-029-0000

Dear Chief O'Connor and Board of Trustees,

We are in the process of building our family residence on (2) vacant parcels that are currently part of unincorporated Will County. However, we are also seeking to annex into the City of Crest Hill.

We were informed that due to a regulation, known as *City Resolution 360*, we are required to annex into the Lockport Township Fire Protection District.

Per the requirements of *City Resolution 360*, we have applied to the Plainfield Fire Protection District for disconnection of our property from their jurisdiction and received a June 11th letter, (included with this letter for your reference) denying such request but we still wish to apply for annexation into the Lockport Township Fire Protection District in order to satisfy *City Resolution 360*. Based on our understanding that there is no formal application to apply to the LTFPD, we respectfully request that the LTFPD accept this letter as a formal application for annexation into the LTFPD if and when the Plainfield Fire Protection District approves the disconnection of our property.

Should you need to contact us, please reach out us via our architect as follows:

Felipe I. Rodriguez,
(815) 919-1425
fr.il.arch@gmail.com

Sincerely,

The Prado Family

Dear Mayor & City Council,

We recently acquired land to build our primary home and we anticipate building in the near future. The land is currently within the jurisdiction of unincorporated Will County. However, during the design process with our architect, we were informed that your jurisdiction is directly adjacent to our property. We also discovered that Crest Hill City water and sewer utility stations are located near the northeast corner of our property. These items alone have an impact on what we can build regarding a potential driveway and how our home may connect to the existing infrastructure nearby.

Please note, as we intend for this to be our home to raise our children, we prefer a driveway entrance from Plum Street as this is safer than having to access Caton Farm Road. Please also note that since Plum Street turns near the northeast corner of our property, it isn't a complete rectangle as most parcels usually are and with it being a corner lot, our options are limited in the space we can use for our home. Although we could have bought a larger parcel elsewhere, this area is close to our immediate families.

After conferring with your Community and Economic Development Department, we have determined that it would be desirable to attempt to annex our property into the City of Crest Hill and connect to the City's sewer and water utilities. Before we spend any more time, money, and effort on the design plans for our new home, we wanted to first check with you to see if the City Council would be interested and open to annex our property into Crest Hill and grant the rezoning and setback variation required to build out new home. We genuinely look forward to becoming residents of Crest Hill and are eager to work collaboratively with the City on making that happen.

We realize the process of annexing may involve adhering to constraints for new development. We were informed that in order to build our intended home, we will be required to request for the property to be zoned to the designation R1-B Single Family Residence District and approval of a front yard setback variation that would reduce the required front yard setback along Caton Farm Road from 30 feet to 20 feet and that process will require a separate public hearing before the Plan Commission. Please note, our property is situated by various types of land usage that are not residential in the immediate vicinity, including City utilities, roadways, and commercial properties.

Please refer to the drawing exhibit included with this letter to better understand how we seek to build our home. We hope you are as excited as we are and that you can help make our aspirations come to fruition.

Regards,
The Prado Family



PLAINFIELD FIRE PROTECTION DISTRICT

Item 9.

23748 W. 135th Street • Plainfield, Illinois 60544
(815) 436-5335 • (815) 436-6420 fax

June 11, 2024

Raphael & Gabriela Prado
425 Prior Street
Joliet, IL 60435

Subject: De-Annex from Plainfield Fire Protection District and Annex into the City of Crest Hill
Will County Parcel Numbers – 06-03-25-421-028-0000 and 06-03-25-421-029-0000

Dear Mr. & Mrs. Prado:

We received your letter requesting to de-annex your property at the northwest corner of Caton Farm Road and Plum Street in unincorporated Will County (lots 457 & 458) from the Plainfield Fire Protection District.

The Board of Trustees of the Plainfield Fire Protection District voted today to respectfully decline your request.

If you have any questions or concerns, please feel free to contact me at 815-436-5335.

Regards,

Bob Baish
President, Board of Trustees
Plainfield Fire Protection District

MJF/BB



City Council Work Session Agenda Memo

Crest Hill, IL

Meeting Date:	08/26/2024
Name:	Ronald Mentzer, Interim Community & Economic Development Director Zoe Gates, Administrative Clerk
Department:	Community Development
Topic:	Plan Commission Recommendation for Rezoning and Setback Variation for Vacant Property at the Northwest Corner of Caton Farm Road and Plum Street

Summary: At its August 8, 2024, meeting, the Plan Commission conducted a public hearing on the rezoning and setback variation requested by the owner of the vacant property located at the northwest corner of Caton Farm Road and Plum Street, Mr. Raphael Prado. Mr. Prado has requested the City rezone the property from R-1A Single Family Residence to R-1B Single Family Residence and approve a variation that would reduce the front yard setback from 30-feet to 20-feet in conjunction with the annexation of the property into the City of Crest Hill.

The property owner has submitted a separate request to have this vacant unincorporated property annexed into the City of Crest Hill so he can build a new single-family home and connect to the City of Crest Hill sanitary sewer and water mains. According to the standard provisions of the Zoning Ordinance, property annexed into the City has the most restrictive zoning district automatically applied to it, which is R-1A. Since the property is smaller than the 20,000 sq. ft. minimum lot size required in the R-1A district, the owner has requested rezoning to R-1B. He has also requested approval of a front-yard setback variance, that if approved would allow for the construction of the new home shown in the attached design documents.

The City Council discussed the potential annexation of the property and the rezoning and setback variance requests at its May 13, 2024, Work Session. The City Council was receptive to these requests and encouraged the owner to formally apply.

The Plan Commission recommended unanimous approval of the property owner's rezoning and variance requests at their August 8, 2024, meeting.

Recommended Council Action: Direct Staff and the City Attorney to prepare an ordinance to approve the rezoning and front yard setback variance requests for the northwest corner of Caton Farm Road and Plum Street as recommended by the Plan Commission at their August 8, 2024, meeting.

Financial Impact: N/A

Funding Source:

Budgeted Amount:

Cost:

Attachments:

- August 8, 2024, Community Development Staff Report
- Application for Development dated 07/12/2024
- Plat of Survey sealed on 08/10/2023
- Site Plan
- Floor Plan
- Building Elevations
- Exhibit A – Existing Caton Farm Road Setback Aerial Photo Exhibit



To: Plan Commission

From: Ron Mentzer, Interim Community and Economic Development Director
Zoe Gates, Administrative Clerk

Date: August 8, 2024

Re: Raphael Prado Rezoning and Setback Variations for Vacant Property at
Northwest Corner of Caton Farm Road and Plum Street

Project Details

Applicant:	Raphael Prado
Request	Rezoning and Front Yard Setback Variation
Location	NW Corner of Caton Farm Road and Plum Street

Site Details

Lot Size:	0.39 acres
Existing Zoning	R-3 Unincorporated Will County

Land Use Summary

Parcel	Land Use	Comp Plan	Zoning
Subject Property	Residential – Single Family	Single-Family	Uninc. R3
North	Residential – Single Family	Single Family	Uninc. R3
South	General Business	Local Commercial	B2
East	Empty Lot	Local Commercial	B2
West	Residential – Single Family	Single-Family	Uninc. R3

Attachments

- Application for Development – Appendix C dated 7/12/2024
- Applicant Annexation Letter to Mayor and City Council dated 5/9/2024
- Plat of Survey sealed on 8/10/2023
- Lot Coverage Site Plan - undated
- Site Plan – undated
- Floor plan – undated
- Geotech Inc. Engineering Site Plan – dated 7/31/2024
- East and South Building Elevations – undated
- Exhibit A – Existing Caton Farm Road Setback Aerial Photo Exhibit

Project Summary and Background

Rezoning: The owner of the vacant 16,874 sq. ft. unincorporated property located at the northwest corner of the intersection of Plum Street and Caton Farm Road (the “Subject Property”) has applied to have the property annexed into the City of Crest Hill so the new home he intends to construct on the property for his family can be connected to City of Crest Hill sanitary sewer and water mains. According to Illinois State Statutes, when a municipality annexes property, the municipality’s most restrictive zoning classification is automatically applied to the property. In Crest Hill, this would be the City’s R-1A Single Family zoning district. Since the Subject Property is smaller than the 20,000 sq. ft. minimum lot size required in the R-1A zoning district, the lot would non-conforming and unbuildable if zoned R-1A. As a result, the property owner is requesting the property be rezoned to R-1B upon annexation into the City of Crest Hill.

Front-Yard Setback Variation: The property owner is also requesting approval of a setback variation that would reduce the minimum required front-yard building setback in the R-1B zoning district along the Caton Farm Road frontage of the Subject Property from 30-feet to 20-feet so he can construct the new home reflected in the attached design documents on the site.

City Council Workshop Review:

The City Council discussed the potential annexation of the Subject Property into the City of Crest Hill, rezoning it into the City’s R-1B zoning District, and the property owner’s potential front-yard building setback variation request at the May 13, 2024 Workshop Meeting. The City Council was receptive to these requests and encouraged the property owner to formally apply for them.

Analysis

In consideration of the request, the key points of discussion and details are as follows:

- The requested rezoning would be consistent with the City's Comprehensive Land Use Plan designation.
- City sewer and water utilities are located along the east edge of the property.
- The properties located immediately adjacent to the east and south are already incorporated into the City of Crest Hill.
- The requested R-1B zoning is the City's most restrictive residential zoning classification the Subject Property would satisfy the minimum lot size requirements of.
- The Subject Property is located within the Sunnyland Subdivision. When the Sunnyland Subdivision was originally approved by Will County, the minimum required front-yard building line along Caton Farm Road was 20 feet. This is reflected on the attached survey.
- As illustrated on aerial photo Exhibit A, other existing homes along the north side of the adjacent section of Caton Farm Road to the west of the Subject Property have been constructed with front-yard setbacks consistent with the historical 20' front yard building line recorded against this property and the variation requested by the property owner.
- All other aspects of the property owners proposed development plan for the Subject Property comply with applicable City Zoning Requirements and Regulations.
- Section 12.8-5 of the Zoning Ordinance states that when the Plan Commission forwards a recommendation to approve or deny a **rezoning request** to the City Council, the Plan Commission shall make findings of fact and those findings of fact *shall consider the following*:
 1. *Whether the uses permitted by the proposed amendment would be appropriate in the area concerned.*
 2. *Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional dwelling units likely to be constructed as a result of such change.*
 3. *Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity.*
 4. *Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the City and the probable effect of such change on the cost of providing public services.*
 5. *The amount of vacant land which is currently zoned for similar development in the City or in contiguous areas, and particularly in the vicinity of the area included in the proposed amendment, and any special circumstances which may make part of such vacant land unavailable for development.*
 6. *The recent rate at which land is being developed in the proposed district of the City, and particularly in the vicinity of the area included in the proposed amendment.*
 7. *The effect of the proposed amendment upon the growth of existing neighborhoods as envisioned by the Crest Hill Comprehensive Plan.*

8. *Whether other areas designated for similar development are likely to be so developed if the proposed amendment is adopted, and whether the designation for such future development should be withdrawn from such areas by further amendment of this Ordinance.*
 9. *If the proposed amendment involves a change from a residential to a non-residential designation, whether more non-residential land is needed in the proposed location to provide commercial services or employment for the residents of the City.*
 10. *Existing uses and zoning within the general area of the property in question.*
 11. *The extent to which property values are diminished by particular zoning restrictions.*
 12. *The extent to which the restriction of property values of the petitioner promotes the health, safety, morals, or general welfare of the public.*
 13. *Whether the proposed amendment is the minimum adjustment necessary to allow the reasonable use of the property.*
- Section 12.6-2 of the Zoning Ordinance states *the Plan Commission shall recommend, and the City Council shall grant a **variation** only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:*
 1. *That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;*
 2. *That the plight of the owner is due to unique circumstances; and*
 3. *That the variation, if granted, will not alter the essential character of the locality.*

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

1. *That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
2. *The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.*
3. *That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*
4. *That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*
5. *That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as "similar and compatible uses."*
6. *That the variation granted is the minimum adjustment necessary for the reasonable use of the land.*
7. *That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood,*

be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City.

8. *That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.*

In addition, the City Council, upon the recommendations of the Plan Commission, may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

Please contact Ron Mentzer at 815-741-5107 or rmentzer@cityofcresthill.com with any questions or concerns.

City of Crest Hill Development Handbook

Appendix C

Application for Development

For Office Use Only: Case Number:

Project Name: Prado ResidenceOwner: Raphael Prado Correspondence To: OwnerStreet No: 425 Prior Street Street No: _____City, State, Zip: Joliet, IL 60435 City, State, Zip: _____Phone: (630) 486-6950 Phone: _____Email or fax: rafapradoleon@gmail.com Email or fax: _____Property Address: TBD, Vacant LotProperty Information: For Combined LotsStreet No: NW Corner of
Caton Farm Rd & Plum St. Lot Width: 100 feet, 84 feetCity, State, Zip: Joliet, IL 60435 Lot Depth: 170 feet, 152 feetPIN: (2) lots: 06-03-25-421-028-0000
06-03-25-421-029-0000 Total Area: 16,874 square feet

* Attach a copy of the legal description of the property and applicable fees.

* Submit electronic version of the legal description to:

mdeharo@cityofcresthill.com and lthrasher@cityofcresthill.com.Existing Zoning: R-3 Existing Land Use: Residential-Single-family, Unincorporated Will CountyRequested Zoning: R-1B Proposed Land Use: Single Family Residence District, City of Crest Hill**Adjoining Properties Zoning and Uses:**North of Property: R-3, Residential, Unincorporated Will CountySouth of Property: B-2, General Business District, R-2 Two-Family Residence District, City of Crest HillEast of Property: B-2, General Business District, (including Special Use), City of Crest HillWest of Property: R-3, Residential, Unincorporated Will CountyPurpose Statement (intended use and approval sought): Seeking approval for annexing
into the City of Crest Hill for the construction of a single-family dwelling.

City of Crest Hill Development Handbook

Appendix C

Development Request: Please check all that apply and describe:

☒ **Rezoning:** R-1A to R-1B

*Please attach written responses to items listed in Section 12.8-5 of the Zoning Ordinance.

☐ **Special Use:** _____

*Please attach written responses to items listed in Section 12.7-6 of the Zoning Ordinance.

☒ **Variance:** Corner side setback from 30 feet to 20 feet

*Please attach written responses to items listed in Section 12.6-2 of the Zoning Ordinance.

☐ **Planned Unit Development:** _____

*Please attach written responses to items listed in Sections 10.0-4 & 10.5 of the Zoning Ordinance.

☒ **Annexation:** from Unincorporated Will County to City of Crest Hill

☐ **Plat:** _____

☐ **Other:** _____

Contact Information – if not yet known, please indicate as TBD. Check those parties in which copies of all correspondences should be forwarded.

☐ **Civil Engineer** Thomas Carroll, PE

Phone Number (815) 730-1010

Company Geotech, Inc.

Email Address tcarroll@geotechincorp.com

☐ **Contractor** TBD

Phone Number _____

Company _____

Email Address _____

☐ **Architect** Felipe I. Rodriguez, on behalf of

Phone Number (815) 919-1425

Company BDL, Architect, AIA NCARB

Email Address fr.il.arch@gmail.com

☐ **Builder** TBD

Phone Number _____

Company _____

Email Address _____

I agree to be present (in person or by counsel) when the Plan Commission and City Council hear this development request.


Signature of the Applicant

7/12/24
Date

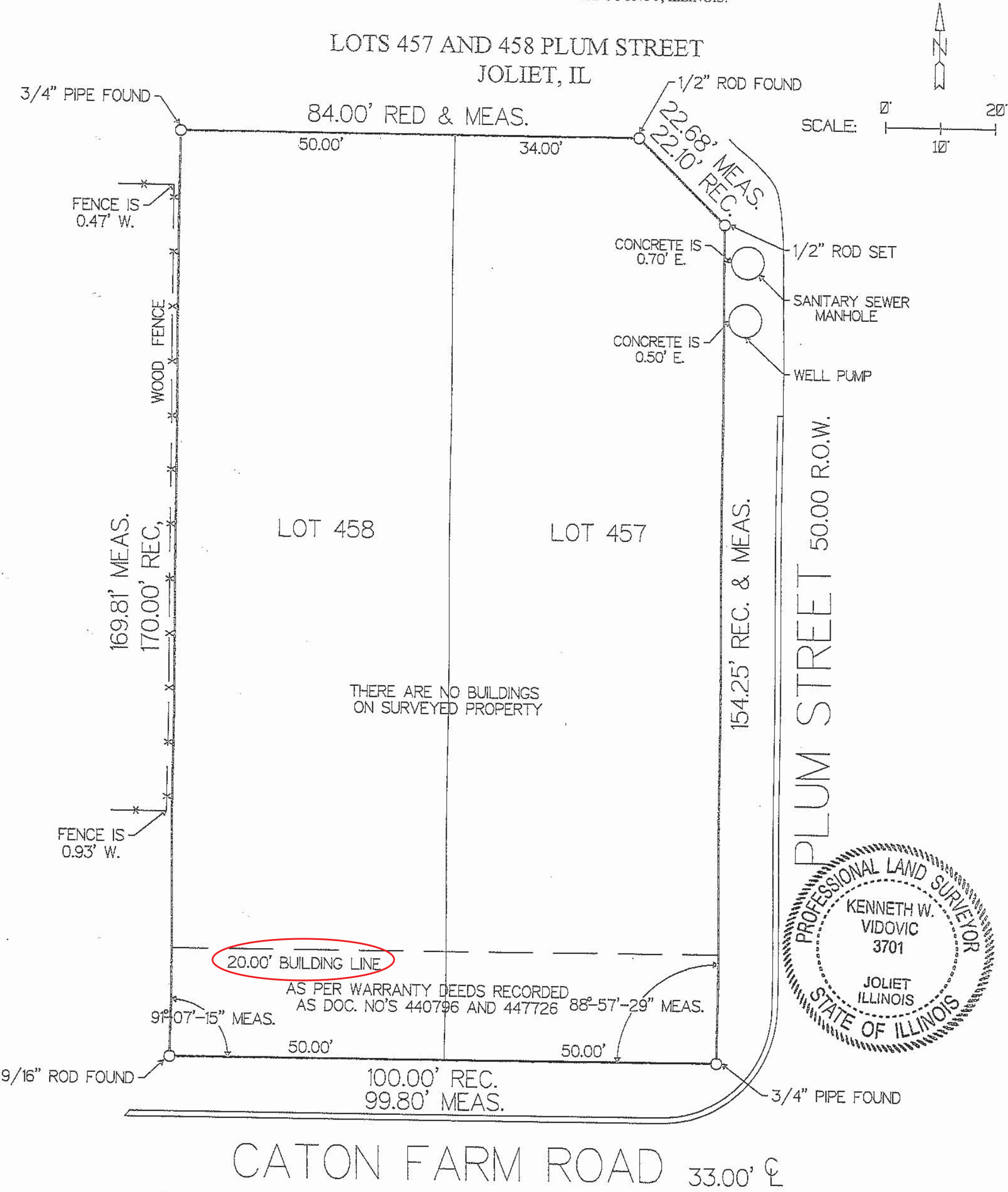
If you (the applicant) are not the owner of record, please provide the owner's signature.

Signature of the Owner

Date

PLAT OF SURVEY

LOT 457 AND 458, IN SUNNYLAND, A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, AS PER PLAT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID WILL COUNTY IN PLAT BOOK 21, PAGE 5 AS DOCUMENT NO. 378700 IN WILL COUNTY, ILLINOIS.



COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax

EMAIL: kvcommunitysurvey@att.net

DESIGN FIRM NO. 184-002899

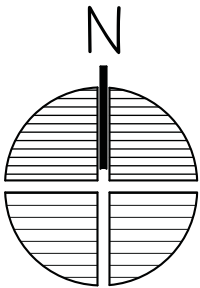
CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR
EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY.
COMPARE POINTS BEFORE BUILDING.

WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE
HAVE SURVEYED FOR LUCAS LAW UNDER MY HAND AND SEAL
THIS 11TH DAY OF AUGUST 2023.
FIELD WORK 08/10/2023.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEY NUMBER 23-29969

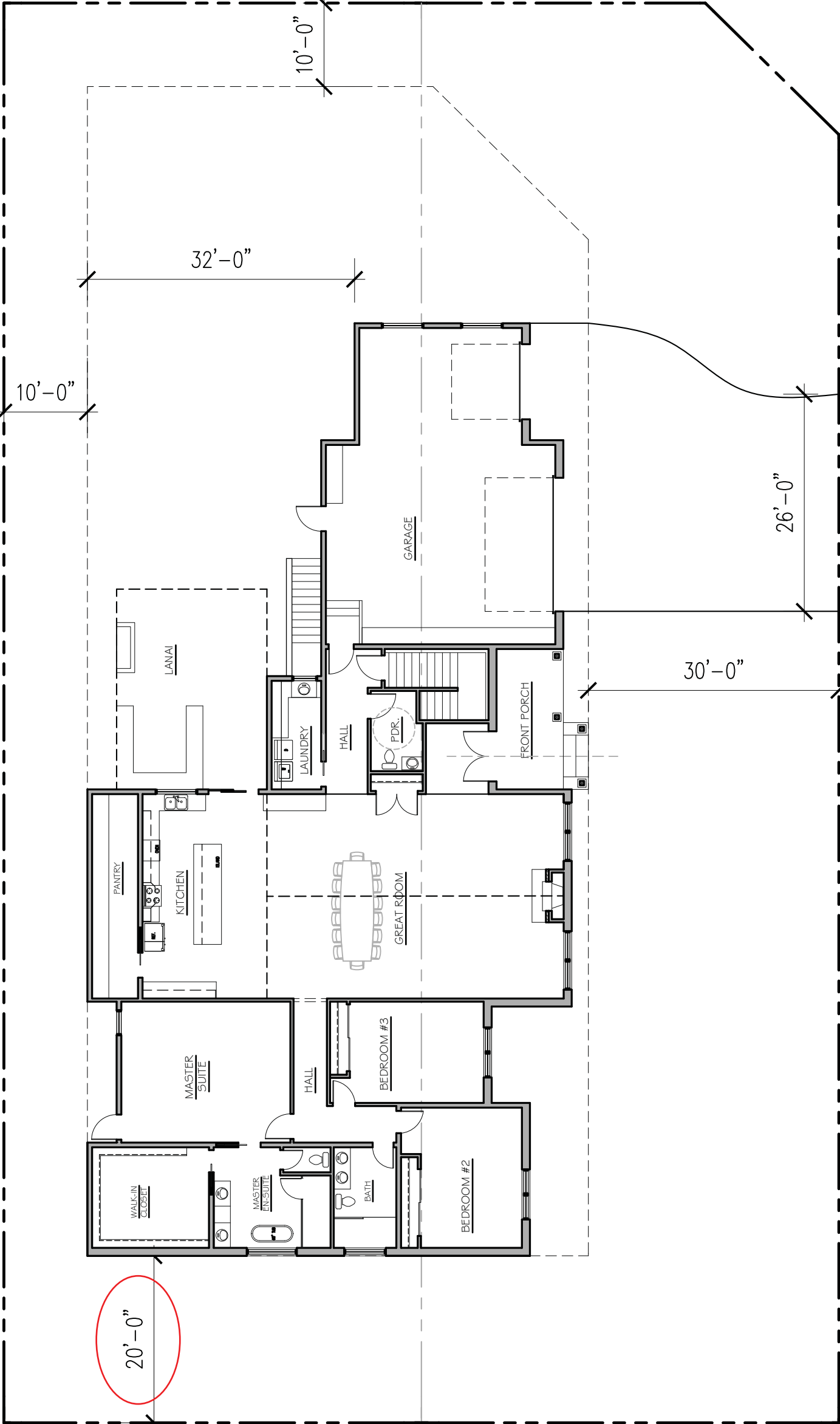
ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2024



SITE PLAN



170.00' PROPERTY LINE



50.00' PROPERTY LINE

10'-0"

32'-0"

10'-0"

GARAGE

LANAI

PANTRY

KITCHEN

GREAT ROOM

FRONT PORCH

26'-0"

30'-0"

154.25' PROPERTY LINE

PLUM STREET

50.00' PROPERTY LINE

50.00' PROPERTY LINE

CATON FARM ROAD

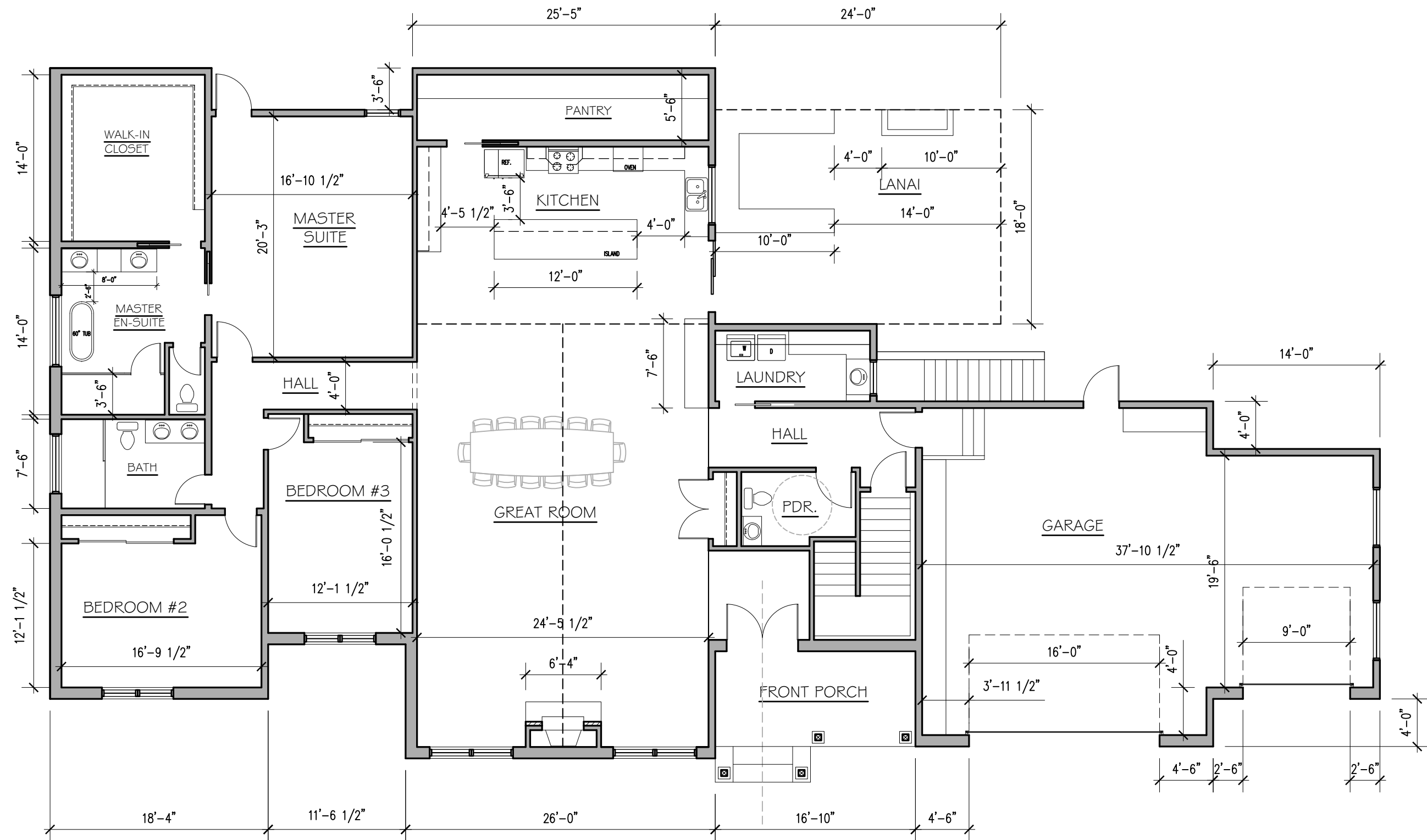
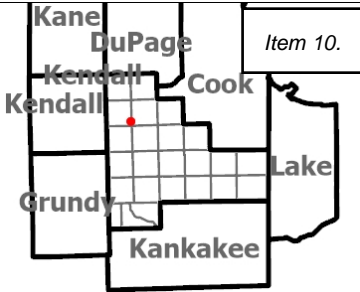


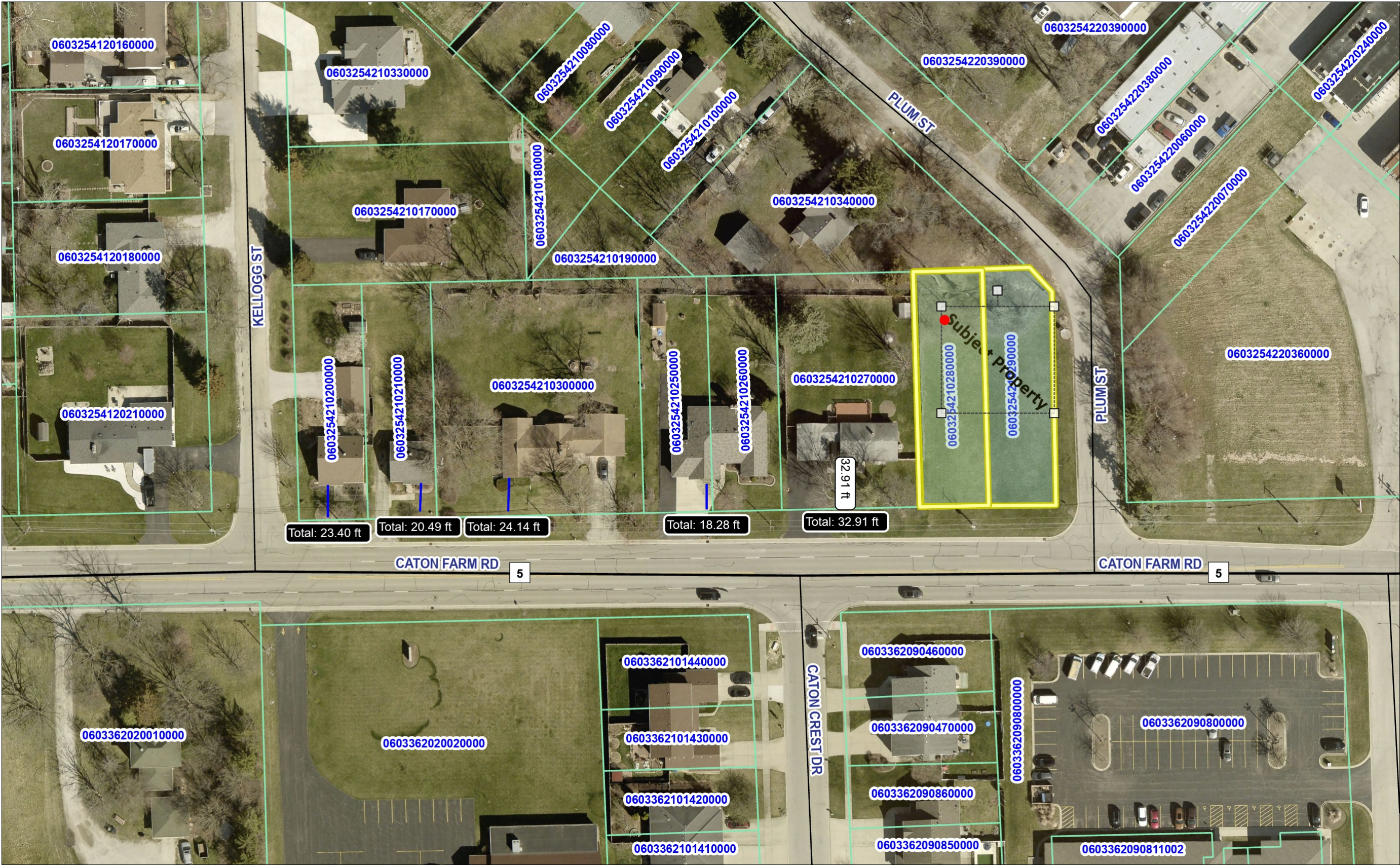




EXHIBIT A - Existing Caton Farm Road Setbacks



- Legend**
- Roadways
- Federal
 - State
 - County
 - Local and Private
- Parcels
- Townships



Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

Notes

**City Council Agenda Memo****Crest Hill, IL**

Meeting Date: August 26, 2024
Submitter: Tony Graff, Interim City Administrator
Department: Administration
Agenda Item: Community Development Director Open Position - Update

Summary: Currently the Community Development Director position/recruitment is open and here are a few options to consider:

1. Follow up with the final candidate to find out his interest in the position.
2. In House Recruitment/Advertise for the position (\$1,000)
3. Contract with GovHR for Outreach Professional Search (\$7,000)

Recommended Council Action: Begin with Option 1 & if there is no interest staff will explore the options for recruitment.

Financial Impact:

Funding Source:

Budgeted Amount:

Cost: To Be Determined

Attachments: N/A

City of Crest Hill

Public Comment Policy

The opportunity to speak to the Mayor and City Council is provided for those who have a question or comment on an agenda item of City of Crest Hill issue that will stimulate the thought so as to make the City Council deliberations more productive and meaningful. The Mayor and City Council appreciates hearing from our residents and your thoughts and questions are valued. The Mayor and City Council strives to make the best decisions for the City and public input is very helpful.

Respect for the duties of the Mayor and City Council and for the democratic process will be adhered to in regard, civility and sense of decorum will be strictly followed. Comments that are personally condescending will not be permitted. Therefore, speakers shall be courteous and should not make statements that are personally disrespectful to members of the City Council.

- I. MUST MAKE COMMENTS ONLY FROM THE PODIUM
- II. MUST ANNOUNCE NAME AND ADDRESS BEFORE COMMENCING
COMMENTS
- III. COMMENTS LIMITED TO THREE (3) MINUTES AND EACH CITIZEN
WILL BE PERMITTED TO SPEAK ONCE
- IV. COMMENTS MUST BE ADDRESSED TO MAYOR AS THE PRESIDING
OFFICER OF THE MEETING
- V. COMMENTS MUST BE PRESENTED IN A RESPECTFUL AND
NONDISRUPTIVE MANNER
- VI. REPETITIVE COMMENTS WILL NOT BE PERMITTED