

The Seneca Village Council held a Public Hearing and Council Meeting on September 3, 2013 at the Seneca Village Hall.

Public Hearing was called to order at 7:00pm.

Roll Call: Present: Sears, Timmons, Hamilton, Lamb, Spicer

Absent: none

Mayor Spicer opened the Public Hearing and asked special counsel David Silverman to review the subject matter. Attorney Silverman stated the purpose of a Public Hearing is to allow public comment, testimony and review of the subject. The owners of the Seneca I-80 Railport Property have requested that the Village amend their Annexation Agreement. The property is currently owned by Seneca I-80 Railport, LLC and Kett Land Development Company, LLC. Gemini Farms, LLC has a contract to purchase a significant portion of the Railport property and if the Amendment is approved, it is anticipated that Gemini Farms, LLC will purchase that property and continue to farm the property. Attorney Silverman reviewed the primary provisions of the Annexation Agreement and they are as follows:

1. That the industrial zoning will remain in place;
2. That the special use permits for the intermodal terminal facility and grain storage and processing will remain in place;
3. That the tax increment finance district will be dissolved for the entire project;
4. That when the Village dissolves the tax increment finance district which will occur after Gemini Properties closes on the transaction, that the Railport entity will pay the Village \$41,000 as reimbursement for establishing the TIF District;
5. In exchange for the Village releasing them from an obligation to pay \$300,000 over time commencing when development begins, the owners will convey to the Village a 20 acre parcel which will be subject to a 100 foot easement along the current railroad CSX railroad tracks to permit the installation of future lines if required by CSX or others;
6. The Village is essentially taking the property subject to wetlands and archeological issues which exist on the property that the Village engineer is reviewing;
7. The conveyance will occur within 12 months;
8. The property owners will dedicate a 50 foot public utility easement to the Village along the Route 6 frontage of all the property. This will enable the Village to extend sewer and water to the I-80 interchange if development comes to that area;

9. The agreement provides that if any of the owners of the property are required by the Village to oversize utilities if the property develops that they will be entitled to recapture and that the Village will enter into a Recapture Agreement with them to provide for repayment of the over sizing costs;
10. After the effective date of the Amendment, each of the owners will be responsible for the professional fees which are incurred as a result of any activity on their parcel;
11. The term of the Agreement will be extended for a period of 20 years commencing on the approval of this amendment;
12. The Amendment will only be effective if the Gemini Farms, LLC closes on the property. If they do not close within 60 days, then this amendment will be null and void and the original agreement will stand; and
13. That Bluff Road will not in fact be vacated.

Mayor Spicer opened the floor to public entertaining any questions; none were asked and he moved that the Public Hearing portion of the meeting be closed as of 7:10pm thus beginning the Council meeting. Mayor Spicer asked if the Council had any additional agenda items and if there were any audience members present wishing to make public comment; neither were indicated.

A motion was made by Comm. Lamb and seconded by Comm. Sears that the Council approves the August 20, 2013 Council meeting minutes.

Roll Call: Ayes: Lamb, Sears, Timmons, Spicer
Nays: none
Abstain: Hamilton

A motion was made by Comm. Timmons and seconded by Comm. Sears that the Council approves the payment of bills as presented.

Roll Call: Ayes: Timmons, Sears, Hamilton, Lamb, Spicer
Nays: none

No Seneca Business Spotlight presentation

Communications, Petitions, Reports, Additional Agenda Items & Public Comments

Mr. Robert Swon, Seneca resident presented information regarding the Masons of Illinois IL CHIP events. The events are sponsored by the Masons of Illinois and provide a comprehensive child identification packet in the event of a child abduction it would assist the authorities in finding the child. After explanation by Mr. Swon, he asked if the Village Council would be

interested in sponsoring approximately \$270 which equated to \$1.00 per child up to fourth grade at Seneca Grade School. Commissioner Sears offered that the Seneca Fire Protection and Ambulance District cover cost as well as provide for the same age group at Milton Pope Grade School.

Old Business:

Public Property Hamilton:

Commissioner Hamilton stated previously at the June 13, 2013 Council meeting that the sewer plant was in need of valve repair work, it was discussed and determined that it would be cost-effective to incorporate that job with the diffuser project which was won by R.J. O'Neil, Inc. Essentially three projects were required at the sewer plant, the diffuser project, valve replacement as well as repair work to a stem guide. It was noted that a previous payment of \$12,745.26 was made on the original digester tank diffuser modification project leaving the final balance of \$14,904.74, valve replacement cost was \$20,223.00 and stem guide repair work totaled \$5,121.11.

A motion was made by Comm. Hamilton and seconded by Comm. Lamb that the Village Council approves an expenditure of \$40,248.85 to R.J. O'Neil, Inc. on the aeration diffuser project out of the sewer department.

Roll Call: Ayes: Hamilton, Lamb, Timmons, Sears, Spicer
Nays: none

New Business:

Public Property Hamilton:

Commissioner Hamilton expressed his appreciation to the committee members, volunteers, vendors and equipment donations in relation to the 2013 Cruise Night. Commissioner Lamb also stated he would like to recognize Chief Ray Meglan and his staff for a job well done covering the event.

Public Affairs Mayor Spicer:

Mayor Spicer announced that a special meeting has been set for Thursday, September 5, 2013 6:00pm at the Seneca Village Hall in relation to final vote on the Ordinance authorizing the amendment of the annexation agreement for the Seneca I-80 Railport.

A motion was made by Comm. Hamilton and seconded by Comm. Sears that the September 3, 2013 Council meeting is adjourned at 7:25pm.

Roll Call: Ayes: Hamilton, Sears, Lamb, Timmons, Spicer
Nays: none

Theresa L. Russell,
Seneca Village Clerk